

Johnson Controls Navy Systems, LLC
Supplementary Terms and Conditions of Purchase
Last revised May 1, 2018

Legend of Applicability:

- A Applies to all P.O.s
- B Applies if P.O. is greater than \$250,000
- C Applies if P.O. is greater than \$750,000 (before July 1, 2018) or \$2,000,000 (after July 1, 2018)
- D Applies to Cost Reimbursement-type P.O.s
- E Applies if P.O. is greater than \$15,000
- F Applies if P.O. is greater than \$700,000
- G Applies if P.O. is greater than \$150,000
- H Applies if P.O. is greater than \$5,500,000, and has performance period greater than 120 days
- I Applies if P.O. is greater than \$5,500,000, is for a non-commercial item and is not performed entirely outside the U.S.
- J Applies if P.O. is equal to or greater than \$150,000
- K Applies if P.O. is greater than \$150,000 and 1) is a cost-reimbursement, incentive, time-and-materials, labor-hour, or price-redeterminable type P.O., 2) requires certified cost or pricing data, or 3) requires cost, funding or performance reports by subcontractor
- L Applies if P.O. is greater than \$150,000, except P.O.s for: construction/architect-engineer services under FAR Part 36, utility services under FAR Part 41, services not requiring supplies, commercial items or petroleum products
- M Applies if P.O. requires cost/pricing data or if preaward/postaward cost determinations for P.O. are subject to Contract Cost Principles and Procedures under FAR Part 31
- N Applies if P.O. requires or involves employing laborers and mechanics
- O Applies if P.O. is not exempted by the rules, regulations, or orders of the Secretary of Labor issued under Executive Order 11246
- P Applies if P.O. is subject to Service Contract Act of 1965 (is for services and is greater than \$2,500)
- Q Applies if P.O. is for experimental, developmental or research work by small business concern or nonprofit
- R Applies if P.O. is subject to the Defense Base Act (42 U.S.C. § 1651, et seq.)
- S Applies if P.O. involves work on a Government installation
- T Applies to negotiated P.O.s greater than \$750,000, not exempted by 48 C.F.R. 9903.201-1 from the requirement to include a Cost Accounting Standards clause
- U Applies if P.O. is issued in performance of a contract for a major system or item of supply
- V Applies if P.O. is for commercial items and prime contract is for other than commercial items
- W Applies if P.O. may involve international air transportation
- X Applies if P.O. is issued in performance of contract for items requiring precious metals in their manufacture and exceeds \$150,000
- Y Applies if P.O. is greater than \$1,500,000
- Z Applies if P.O. is issued under contract for items for which Government's unit acquisition cost is \$5,000 or more

- 1 Applies if P.O. requires routine subcontractor access to any federally-controlled facility or information system
- 2 Applies if P.O. is greater than \$150,000 and involves performance of inherently governmental functions
- 3 Applies if P.O. requires, may require, or permits access to a DoD installation
- 4 Applies if P.O. will involve motor carriers, brokers, or freight forwarders
- 5 Applies if P.O. is for items covered by U.S. Munitions List
- 6 Applies if P.O. is for qualifying country components (countries are specified in DFARS 225.872-1) or nonqualifying country components for which duty is estimated to be greater than \$200 per unit
- 7 Applies if P.O. will involve the acquisition of electronic parts or assemblies containing electronic parts, including commercial items
- 8 Applies if P.O. is for non-commercial item containing ball or roller bearings
- 9 Applies if P.O. is greater than \$500,000
- 10 Applies if P.O. is issued under contract that requires subcontractor or supplier to deliver technical data for noncommercial items to Government or deliver technical data for commercial items developed in part at Government expense.
- 11 Applies if P.O. is issued under contract that requires subcontractor or supplier to deliver noncommercial computer software or documentation for such software to Government
- 12 Applies if P.O. is issued under contract that requires subcontractor or supplier to furnish computer software to Government
- 13 Applies if P.O. is for experimental, developmental or research work by other than a small business concern or nonprofit, unless FAR 27.303 requires a different patent rights clause
- 14 Applies if P.O. is for commodities greater than \$500
- 15 Applies if P.O. requires development, production, construction, testing or operation of a device requiring radio frequency authorization
- 16 Applies if P.O. is for critical safety item parts; systems, subsystems, assemblies and subassemblies integral to a system; or repair, maintenance, logistics support and overhaul services for systems, subsystems, assemblies, subassemblies and parts integral to a system
- 17 Applies if P.O. is equal to or less than \$150,000
- 18 Applies if P.O. is for construction, noncommercial items, or certain commercial items specified in DFARS 252.247-7023(b)(2)(ii)(B)
- 19 Applies if P.O. may involve Federal contract information residing in or transiting through the contractor's information system.
- 20 Applies if P.O. involves a helium requirement
- 21 Applies if P.O. is greater than \$35,000 and is not for commercially available off-the-shelf items
- 22 Applies if P.O. is for construction
- 23 Applies if P.O. is greater than \$10,000 and will be performed in whole or in part in the United States
- 24 Applies if P.O. is exempt from the Service Contract Labor Standards
- 25 Applies if P.O. is for services or construction; is greater than \$3,500; and is for work performed in the United States
- 26 Applies if P.O. is subject to the Service Contract Labor Standards statute or the Wage Rate Requirements (Construction) statute, and to be performed in whole or in part in the United States

- 27 Applies if P.O. will involve radioactive materials
- 28 Applies if P.O. is greater than \$10,000
- 29 Applies if P.O. will involve access to a system of records; or where subcontractor will create, collect, use, process, store, maintain, disseminate, disclose, dispose, or otherwise handle personally identifiable information; or design, develop, maintain, or operate a system of records
- 30 Applies if P.O. will involve performance outside the United States in a designated operational area or in support of a diplomatic or consular mission
- 31 Applies if P.O. is with a small business concern
- 32 Applies if P.O. is greater than \$5.5 million and for non-commercial items
- 33 Applies if P.O. will involve covered defense information, including orders for commercial items
- 34 Applies if P.O. is for supplies, maintenance and repair services, or construction materials
- 35 Applies if P.O. will involve subcontractor personnel supporting U.S. Armed Forces deployed outside the United States
- 36 Applies if P.O. will involve the acquisition of steel as a construction material, including the acquisition of commercial items
- 37 Applies if P.O. will involve services supporting DoD mission-essential functions
- 38 Applies if P.O. involves personnel that are subject to the War Hazards Compensation Act (42 U.S.C. 1701 *et seq.*)
- 39 Applies if P.O. is a rated order
- 40 Applies if P.O. may involve access to classified information
- 41 Applies if P.O. will involve Government property acquired or furnished for subcontractor performance

The following provisions of the FAR and DFARS are incorporated into the purchase order mutatis mutandis: References therein to “Government” or “Contracting officer” are changed to read “Buyer” except in such cases where the clear intent of the clause retains the original meaning of the terms. References to “Contractor” shall mean “Seller”. Copies of the full text of a provision may be obtained through the Buyer. If, from time to time, the Government revises or amends these clauses, the same revised or amended clauses shall be incorporated and applied to this purchase order.

Note: Johnson Controls’ contract includes requirements under the Buy American Act (“BAA”) or the Trade Agreements Act (“TAA”). To the extent your product will be delivered to the government without incorporation into or substantial transformation into another product, you are required to provide only product that complies with the relevant BAA or TAA provision of the prime contract.

FAR 52.202-1 Definitions. (11/13)	A
FAR 52.203-6 Restrictions on Subcontractor Sales to the Government. (9/06)	B
FAR 52.203-7 Anti-Kickback Procedures. (5/14) (Less paragraph (c)(1).)	G
FAR 52.203-11 Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions. (9/07)	G
FAR 52.203-12 Limitation on Payments to Influence Certain Federal Transactions. (10/10)	G
FAR 52.203-13 Contractor Code of Business Ethics and Conduct. (10/15)	H
FAR 52.203-14 Display of Hotline Poster(s). (10/15)	I
FAR 52.203-16 Preventing Personal Conflicts of Interest (12/11)	2
FAR 52.203-17 Contractor Employee Whistleblower Rights and Requirement To Inform Employees of Whistleblower Rights. (4/14)	B
FAR 52.203-19 Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements. (1/17)	A
FAR 52.204-2 Security Requirements. (8/96)	40
FAR 52.204-9 Personal Identity Verification of Contractor Personnel. (1/11)	1
FAR 52.204-21 Basic Safeguarding of Covered Contractor Information Systems. (6/16)	19
FAR 52.208-8 Required Sources for Helium and Helium Usage Data. (4/14)	20
FAR 52.209-6 Protecting the Govt’s Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (10/15)	21
FAR 52.211-15 Defense Priority and Allocation Requirements. (4/08)	39
FAR 52.214-26 Audit and Records–Sealed Bidding. (10/10)	C
FAR 52.214-27 Price Reduction for Defective Cost or Pricing Data–Modifications –Sealed Bidding. (8/11)	C
FAR 52.214-28 Subcontractor Cost or Pricing Data–Modifications–Sealed Bidding. (10/10)	C
FAR 52.215-2 Audit and Records–Negotiation. (10/10)	K
FAR 15.406-2 Certificate of Current Cost or Pricing Data.	C
FAR 52.215-10 Price Reduction for Defective Cost or Pricing Data. (8/11)	C
FAR 52.215-11 Price Reduction for Defective Cost or Pricing Data–Modifications. (8/11)	C

FAR 52.215-12 Subcontractor Certified Cost or Pricing Data. (10/10)	C
FAR 52.215-13 Subcontractor Certified Cost or Pricing Data–Modifications. (10/10)	C
FAR 52.215-14 Integrity of Unit Prices. (10/10) (Less paragraph (b).)	L
FAR 52.215-15 Pension Adjustments and Asset Reversions. (10/10)	M
FAR 52.215-18 Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions. (7/05)	M
FAR 52.215-19 Notification of Ownership Changes. (10/97)	M
FAR 52.215-20 Requirements for Certified Cost or Pricing Data or Pricing Data and Data Other Than Certified Cost or Pricing Data. (10/10)	C
FAR 52.215-21 Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data–Modifications. (10/10)	C
FAR 52.216-7 Allowable Cost and Payment. (6/13)	D
FAR 52.219-9 Small Business Subcontracting Plan. (1/17)	F
FAR 52.219-16 Liquidated Damages–Subcontracting Plan. (1/99)	F
FAR 52.222-4 Contract Work Hours and Safety Standards Act–Overtime Compensation. (5/14)	N
FAR 52.222-21 Prohibition of Segregated Facilities. (4/15)	O
FAR 52.222-26 Equal Opportunity. (9/16)	O
FAR 52.222-34 Project Labor Agreement. (5/10)	22
FAR 52.222-35 Equal Opportunity for Veterans. (10/15)	J
FAR 52.222-36 Equal Opportunity for Workers with Disabilities. (7/14)	E
FAR 52.222-37 Employment Reports on Veterans. (2/16)	J
FAR 52.222-40 Notification of Employee Rights Under the National Labor Relations Act. (12/10)	23
FAR 52.222-41 Service Contract Labor Standards. (5/14)	P
FAR 52.222-48 Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment–Certification. (5/14)	24
FAR 52.222-50 Combating Trafficking in Persons. (3/15)	A
FAR 52.222-51 Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements. (5/14)	24
FAR 52.222-52 Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services–Certification. (5/14)	24
FAR 52.222-53 Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements. (05/14)	24
FAR 52.222-54 Employment Eligibility Verification. (10/15)	25
FAR 52.222-55 Minimum Wages Under Executive Order 13658. (12/15)	26
FAR 52.222-62 Paid Sick Leave Under Executive Order 13706. (1/17)	26
FAR 52.223-7 Notice of Radioactive Materials. (1/97)	27
FAR 52.223-18 Encouraging Contractor Policies to Ban Text Messaging While Driving. (8/11)	28
FAR 52.224-3 Privacy Training. (1/17)	29
FAR 52.225-13 Restrictions on Certain Foreign Purchases. (6/08)	A

FAR 52.225-19 Contractor Personnel in a Designated Operational Area or Supporting a Diplomatic or Consular Mission Outside the U.S. (3/08)	30
FAR 52.227-1 Authorization and Consent. (12/07)	B
FAR 52.227-2 Notice and Assistance Regarding Patent and Copyright Infringement. (12/07)	B
FAR 52.227-3 Patent Indemnity (4/84)	A
FAR 52.227-10 Filing of Patent Applications–Classified Subject Matter. (12/07)	40
FAR 52.227-11 Patent Rights–Ownership by the Contractor. (5/14)	Q
FAR 52.228-3 Workers’ Compensation Insurance (Defense Base Act). (7/14)	R
FAR 52.228-5 Insurance–Work on a Government Installation. (1/97)	S
FAR 52.230-2 Cost Accounting Standards. (10/15) (Less paragraph (b).)	T
FAR 52.230-3 Disclosure and Consistency of Cost Accounting Practices. (10/15) (Less paragraph (b).)	T
FAR 52.230-4 Disclosure and Consistency of Cost Accounting Practices— Foreign Concerns. (10/15) (Less paragraph (b).)	T
FAR 52.230-6 Administration of Cost Accounting Standards. (6/10)	T
FAR 52.232-20 Limitation of Cost. (4/84)	D
FAR 52.232-22 Limitation of Funds. (4/84)	D
FAR 52.232-27 Prompt Payment for Construction Contracts. (1/17)	22
FAR 52.232-40 Providing Accelerated Payments to Small Business Subcontractors. (12/13)	31
FAR 52.234-1 Industrial Resources Developed Under Defense Production Act Title III. (9/16)	U
FAR 52.236-13 Accident Prevention. (11/91)	A
FAR 52.244-6 Subcontracts for Commercial Items. (11/17)	V
FAR 52.245-1 Government Property (1/17)	41
FAR 52.247-63 Preference for U.S.-Flag Air Carriers. (6/03)	W
FAR 52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels. (2/06)	A
FAR 52.248-1 Value Engineering (10/10)	J
DFARS 252.203-7001 Prohibition on persons convicted of fraud or other defense-contract-related felonies. (12/08)	B
DFARS 252.203-7002 Requirement to Inform Employees of Whistleblower Rights. (9/13)	A
DFARS 252.203-7004 Display of Hotline Posters. (10/16)	32
DFARS 252.204-7000 Disclosure of Information. (10/16)	A
DFARS 252.204-7012 Safeguarding Covered Defense Information and Cyber Incident Reporting. (10/16)	33
DFARS 252.204-7014 Limitations on the Use or Disclosure of Information by Litigation Support Contractors. (5/16)	A
DFARS 252.204-7015 Notice of Authorized Disclosure of Information for Litigation Support. (5/16)	A
DFARS 252.208-7000 Intent to Furnish Precious Metals as Government-Furnished Material. (12/91)	X

DFARS 252.211-7000 Acquisition Streamlining. (10/10)	Y
DFARS 252.211-7003 Item Unique Identification and Valuation. (3/16)	Z
DFARS 252.215-7010 Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data. (1/18)	B
DFARS 252.222-7000 Restrictions on Employment of Personnel. (3/00)	A
DFARS 252.222-7007 Representation Regarding Combating Trafficking in Persons. (1/15)	B
DFARS 252.223-7006 Prohibition on Storage, Treatment and Disposal of Toxic or Hazardous Materials. (Alternate I - (9/14))	3
DFARS 252.223-7008 Prohibition of Hexavalent Chromium. (6/13)	34
DFARS 252.225-7000 Buy American - Balance of Payments Program Certificate. (11/14)	A
DFARS 252.225-7001 Buy American Act and Balance of Payments Program. (1/09)	A
DFARS 252.225-7007 Prohibition on Acquisition of United States Munitions List Items from Communist Chinese Military Companies. (9/06)	5
DFARS 252.225-7008 Restriction on Acquisition of Specialty Metals. (3/13)	A
DFARS 252.225-7009 Restriction on Acquisition of Certain Articles Containing Specialty Metals. (10/14)	A
DFARS 252.225-7013 Duty-Free Entry. (5/16)	6
DFARS 252.225-7016 Restriction on acquisition of ball and roller bearings. (6/11)	8
DFARS 252.225-7040 Contractor Personnel Supporting U.S. Armed Forces Deployed Outside the United States. (10/15)	35
DFARS 252.225-7048 Export-Controlled Items. (6/13)	A
DFARS 252.226-7001 Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns. (9/04)	9
DFARS 252.227-7013 Rights in Technical Data–Noncommercial Items. (2/14)	10
DFARS 252.227-7014 Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation. (2/14)	11
DFARS 252.227-7015 Technical Data–Commercial Items. (2/14)	A
DFARS 252.227-7016 Rights in Bid or Proposal Information. (1/11)	A
DFARS 252.227-7018 Rights in Noncommercial Technical Data and Computer Software– Small Business Innovation Research (SBIR) Program. (2/14)	11
DFARS 252.227-7019 Validation of Asserted Restrictions–Computer Software. (9/16)	12
DFARS 252.227-7033 Rights in Shop Drawings. (4/66)	A
DFARS 252.227-7037 Validation of Restrictive Markings on Technical Data. (9/16)	10
DFARS 252.227-7038 Patent Rights–Ownership by the Contractor (Large Business). (6/12)	13

DFARS 252.228-7005 Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles. (12/91)	A
DFARS 252.229-7004 Status of Contractor as a Direct Contractor (Spain). (6/97)	A
DFARS 252.229-7011 Reporting of Foreign Taxes—U.S. Assistance Programs. (9/05)	14
DFARS 252.229-7014 Taxes—Foreign Contracts in Afghanistan. (12/15)	A
DFARS 252.229-7015 Taxes—Foreign Contracts in Afghanistan (North Atlantic Treaty Organization Status of Forces Agreement). (12/15)	A
DFARS 252.235-7003 Frequency Authorization. (3/14)	15
DFARS 252.236-7013 Requirement for Competition Opportunity for American Steel Producers, Fabricators, and Manufacturers. (06/13)	36
DFARS 252.237-7023 Continuation of Essential Contractor Services. (10/10)	37
DFARS 252.244-7000 Subcontracts for Commercial Items. (06/13)	A
DFARS 252.246-7003 Notification of Potential Safety Issues. (6/13)	16
DFARS 252.246-7007 Contractor Counterfeit Electronic Part Detection and Avoidance System. (08/16) (only paragraphs (a) through (e))	7
DFARS 252.246-7008 Sources of Electronic Parts. (12/17)	7
DFARS 252.247-7003 Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer. (06/13)	4
DFARS 252.247-7023 Transportation of Supplies by Sea. (4/14)	B
DFARS 252.247-7023 Transportation of Supplies by Sea. (4/14) (Less paragraphs (f) and (g).)	17
DFARS 252.247-7024 Notification of Transportation of Supplies by Sea. (3/00)	18
FAR 52.228-4 Workers' Compensation and War-Hazard Insurance Overseas. (4/84) (Less paragraph a.)	38

The following clauses apply if the P.O. is for construction within the U.S.

- FAR 52.222-6 Construction Wage Requirements. (5/14)
- FAR 52.222-7 Withholding of Funds. (5/14)
- FAR 52.222-8 Payrolls and Basic Records. (5/14)
- FAR 52.222-9 Apprentices and Trainees. (7/05)
- FAR 52.222-10 Compliance with Copeland Act Requirements. (2/88)
- FAR 52.222-11 Subcontracts (Labor Standards). (5/14)
- FAR 52.222-12 Contract Termination—Debarment. (5/14)
- FAR 52.222-13 Compliance with Construction Wage Rate and Related Regulations. (5/14)
- FAR 52.222-14 Disputes Concerning Labor Standards. (2/88)
- FAR 52.222-15 Certification of Eligibility. (5/14)