

The following updates reflect changes to various provisions and clauses of U.S. Government acquisition regulations, including the Federal Acquisition Regulations (FAR) and the Department of Defense FAR Supplement (DFARS). By this reference, said updates are incorporated in and made an integral part of the General Terms and Conditions (TC) documents identified below.

A. Update to TC-001 (10/15), GENERAL TERMS AND CONDITIONS OF PURCHASE

- med* 1. The following clause is **ADDED** to Paragraph 19(e)A as Subparagraph 26:
 26. **52.204-21** "Basic Safeguarding of Covered Contractor Information Systems" (Applicable to Purchase Orders, other than those for commercially available off-the-shelf items, in which Seller may have Federal contract information residing in or transiting through its information system.)
2. The following clause is **ADDED** to Paragraph 19(e)A as Subparagraph 27:
 27. **RESERVED**
3. The following clause is **ADDED** to Paragraph 19(e)A as Subparagraph 28:
 - med* 28. **52.222-60** "Paycheck Transparency (Executive Order 13673)" (Applicable to Purchase Orders that (i) exceed \$500,000 and (ii) are for other than commercially available off-the shelf items (COTS) as defined at FAR 2.101.)
4. The following clause is **ADDED** to Paragraph 19(e)A as Subparagraph 29:
 29. **52.225-1** "Buy American – Supplies" (Not applicable to Purchase Orders for commercially available off-the-shelf items (COTS) as defined at FAR 2.101.)
5. As a result of the DFARS Interim Rule the applicability for the clause in Paragraph 19(e)B Subparagraph 4 is revised:
 4. **252.204-7012** "Safeguarding Covered Defense Information and Cyber Incident Reporting" (DEVIATION 2016-O0001) (Applicable to Purchase Orders under DoD contracts awarded after October 7, 2015 and before December 30, 2015.)
6. As a result of the DFARS Interim Rule the following clause is **ADDED** to Paragraph 19(e)B as Subparagraph 26:
 26. **252.204-7012** "Safeguarding Covered Defense Information and Cyber Incident Reporting" (INTERIM RULE 12/30/2015) (Applicable to Purchase Orders under DoD contracts awarded after December 29, 2015 and before October 21, 2016 for operationally critical support, or for which Purchase Order performance will involve a covered contractor information system.)
7. As a result of the DFARS Final Rule the following clause is **ADDED** to Paragraph 19(e)B as Subparagraph 27:
 - med* 27. **252.246-7008** "Sources of Electronic Parts" (Applicable to Purchase Orders when the goods or services include *electronic parts* or assemblies containing *electronic parts*. This clause applies to all Sellers, at all tiers, without regard to whether the Seller itself is subject to CAS.)
8. As a result of the DFARS Final Rule the following clause is **ADDED** to Paragraph 19(e)B as Subparagraph 28:
 - med* 28. **252.204-7012** "Safeguarding Covered Defense Information and Cyber Incident Reporting" (FINAL RULE 10/21/2016) (Applicable to Purchase Orders under DoD contracts awarded after October 20, 2016 for operationally critical support, or for which Purchase Order performance will involve covered defense information.)

REMOVED BY _____
DATE _____
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B. Update to TC-002 (10/15), GENERAL TERMS AND CONDITIONS OF PURCHASE – Supplement 1, Government Contract Provisions from the Federal Acquisition Regulation

1. The following clause is ADDED to Section A as Subparagraph 48:

need 48. **52.204–21** “Basic Safeguarding of Covered Contractor Information Systems” (Applicable to Purchase Orders in which Seller may have Federal contract information residing in or transiting through its information system.)

2. The following clause is ADDED to Section A as Subparagraph 49:

49. **RESERVED**

3. The following clause is ADDED to Section A as Subparagraph 50:

need 50. **52.222–60** “Paycheck Transparency (Executive Order 13673)” (Applicable to Purchase Orders that exceed \$500,000.)

4. The following clause is ADDED to Section A as Subparagraph 51:

51. **RESERVED**

C. Update to TC-003 (10/15), GENERAL TERMS AND CONDITIONS OF PURCHASE – Supplement 2, Government Contract Provisions from the Department of Defense FAR Supplement

1. The flowdown requirements for the clause listed in Section A Paragraph 10 have been clarified that Seller shall not report directly to the IUID Registry and as a result the following Paragraph REPLACES the existing Paragraph 10 under Section A:

✓ 10. **252.211-7007** “Reporting of Government-Furnished Property” (Applicable to Purchase Orders when FAR Clause 52.245-1 is contained in the prime contract and Seller is in possession of Government Property. Seller will comply with paragraph (d) of this clause by providing Buyer a Microsoft Excel report containing the data elements required in paragraph (d) when in possession of Government-furnished property.)

2. As a result of the DFARS Interim Rule the applicability for the clause in Section A Paragraph 5 is revised:

✓ 5. **252.204-7012** “Safeguarding Covered Defense Information and Cyber Incident Reporting” (DEVIATION 2016-O0001) (Applicable to Purchase Orders under DoD contracts awarded after October 7, 2015 and before December 30, 2015.)

3. As a result of the DFARS Interim Rule the following clause is ADDED to Section A Paragraph 65:

✓ 65. **252.204-7012** “Safeguarding Covered Defense Information and Cyber Incident Reporting” (INTERIM RULE 12/30/2015) (Applicable to Purchase Orders under DoD contracts awarded after December 29, 2015 and before October 21, 2016 for operationally critical support, or for which Purchase Order performance will involve a covered contractor information system.)

4. As a result of the DFARS Final Rule the following clause is ADDED to Section A Paragraph 66:

need 66. **252.246-7008** “Sources of Electronic Parts” (Applicable to Purchase Orders when the goods or services include *electronic parts* or assemblies containing *electronic parts*. This clause applies to all Sellers, at all tiers, without regard to whether the Seller itself is subject to CAS.)

5. As a result of the DFARS Final Rule the following clause is ADDED to Section A Paragraph 67:

67. 252.204-7012 "Safeguarding Covered Defense Information and Cyber Incident Reporting" (FINAL RULE 10/21/2016) (Applicable to Purchase Orders under DoD contracts awarded after October 20, 2016 for operationally critical support, or for which Purchase Order performance will involve covered defense information.)
- ✓ D. Update to TC-004 (10/15), INTERNATIONAL GENERAL TERMS AND CONDITIONS OF PURCHASE
1. As a result of the DFARS Interim Rule the applicability for the clause in Part II Section A Paragraph 12 is revised:
 12. 252.204-7012 "Safeguarding Covered Defense Information and Cyber Incident Reporting" (DEVIATION 2016-O0001) (Applicable to Purchase Orders under DoD contracts awarded after October 7, 2015 and before December 30, 2015.)
 2. As a result of the DFARS Interim Rule the following clause is ADDED to Part II Section A as Paragraph 34:
 34. 252.204-7012 "Safeguarding Covered Defense Information and Cyber Incident Reporting" (INTERIM RULE 12/30/2015) (Applicable to Purchase Orders under DoD contracts awarded after December 29, 2015 and before October 21, 2016 for operationally critical support, or for which Purchase Order performance will involve a covered contractor information system.)
 3. The following clause is ADDED to Part II Section A as Paragraph 35:
 35. 52.204-21 "Basic Safeguarding of Covered Contractor Information Systems" (Applicable to Purchase Orders, other than those for commercially available off-the-shelf items, in which Seller may have Federal contract information residing in or transiting through its information system.)
 4. As a result of the DFARS Final Rule the following clause is ADDED to Part II Section A as Paragraph 36:
 36. 252.246-7008 "Sources of Electronic Parts" (Applicable to Purchase Orders when the goods or services include *electronic parts* or assemblies containing *electronic parts*. This clause applies to all Sellers, at all tiers, without regard to whether the Seller itself is subject to CAS.)
 5. The following clause is ADDED to Part II Section A as Paragraph 37:
 37. RESERVED
 6. The following clause is ADDED to Part II Section A as Paragraph 38:
 38. 52.222-60 "Paycheck Transparency (Executive Order 13673)" (Applicable to Purchase Orders that (i) exceed \$500,000 and (ii) are for other than commercially available off-the-shelf items (COTS) as defined at FAR 2.101, and then only to the extent that the work under the Purchase Order will be performed in the United States.)
 7. As a result of the DFARS Final Rule the following clause is ADDED to Part II Section A as Paragraph 39:
 39. 252.204-7012 "Safeguarding Covered Defense Information and Cyber Incident Reporting" (FINAL RULE 10/21/2016) (Applicable to Purchase Orders under DoD contracts awarded after October 20, 2016 for operationally critical support, or for which Purchase Order performance will involve covered defense information.)

8. As a result of the DFARS Interim Rule the applicability for the clause in Part III Section A Paragraph 35 is revised:
35. 252.204-7012 "Safeguarding Covered Defense Information and Cyber Incident Reporting" (DEVIATION 2016-O0001) (Applicable to Purchase Orders under DoD contracts awarded after October 7, 2015 and before December 30, 2015.)
9. As a result of the DFARS Interim Rule the following clause is ADDED to Part III Section A as Paragraph 90:
90. 252.204-7012 "Safeguarding Covered Defense Information and Cyber Incident Reporting" (INTERIM RULE 12/30/2015) (Applicable to Purchase Orders under DoD contracts awarded after December 29, 2015 and before October 21, 2016 for operationally critical support, or for which Purchase Order performance will involve a covered contractor information system.)
10. The following clause is ADDED to Part III Section A as Paragraph 91:
91. 52.204-21 "Basic Safeguarding of Covered Contractor Information Systems" (Applicable to Purchase Orders in which Seller may have Federal contract information residing in or transiting through its information system.)
11. The flowdown requirements for the clause listed in Part III Section A Paragraph 40 have been clarified that Seller shall not report directly to the IUID Registry and as a result the following Paragraph REPLACES the existing Paragraph 40 under Part III Section A:
40. 252.211-7007 "Reporting of Government-Furnished Property" (Applicable to Purchase Orders when FAR Clause 52.245-1 is contained in the prime contract and Seller is in possession of Government Property. Seller will comply with paragraph (d) of this clause by providing Buyer a Microsoft Excel report containing the data elements required in paragraph (d) when in possession of Government-furnished property.)
12. As a result of the DFARS Final Rule the following clause is ADDED to Part III Section A as Paragraph 92:
92. 252.246-7008 "Sources of Electronic Parts" (Applicable to Purchase Orders when the goods or services include *electronic parts* or assemblies containing *electronic parts*. This clause applies to all Sellers, at all tiers, without regard to whether the Seller itself is subject to CAS.)
13. The following clause is ADDED to Part III Section A as Paragraph 93:
93. RESERVED
14. The following clause is ADDED to Part III Section A as Paragraph 94:
94. 52.222-60 "Paycheck Transparency (Executive Order 13673)" (Applicable to Purchase Orders that exceed \$500,000, and then only to the extent that the work under the Purchase Order will be performed in the United States.)
15. The following clause is ADDED to Part III Section A as Paragraph 95:
95. RESERVED
16. As a result of the DFARS Final Rule the following clause is ADDED to Part III Section A as Paragraph 96:
96. 252.204-7012 "Safeguarding Covered Defense Information and Cyber Incident Reporting" (FINAL RULE 10/21/2016) (Applicable to Purchase Orders under DoD contracts awarded after October 20, 2016 for operationally critical support, or for which Purchase Order performance will involve covered defense information.)