

TIER IV DoD – DFARS Subcontracts Rev C

The following Federal Acquisition Regulation (“FAR”) and DoD DFARS FAR supplement clauses are incorporated by reference to the extent indicated below. The effective version of each clause shall be the clauses in effect on the date of Subcontract issuance. For purposes of this introductory paragraph and the headings below, the term Subcontract shall include any agreement between Tendeg and Seller, to include Subcontracts, Task Orders, Purchase Orders, Indefinite Delivery, Indefinite Quantity (IDIQ) Agreements and Basic Ordering Agreements. In all cases, clauses shall be interpreted to apply to “Seller”, or the company in receipt of the Subcontract including this attachment, as necessary to reflect the position of Seller as a subcontractor or supplier to Tendeg, to ensure Seller’s obligations to Tendeg, and to enable Tendeg to meet obligations to its customer, except that in those clauses conferring any intellectual property rights or financial audit rights to the Government, the term “Government” or “Contracting Officer” retains its literal meaning and is not to be construed as “Tendeg”. Without limiting the foregoing: (1) unless the context of the clause or applicable law requires otherwise, the term “Contractor” shall mean “Seller” the term “Contract” shall mean the Subcontract as the term is defined above the term “Subcontractor” shall mean Seller’s subcontractor, and the terms “Government”, “Contracting Officer” and equivalent phrases shall mean Tendeg and Tendeg’s Purchasing or Subcontracts Representative, respectively; (2) the words “Government” and “Contracting Officer” do not change when a right, act, authorization or obligation can be granted or performed only by the Government; (3) where a clause specifies the number of days in which Seller must act, that number shall be reduced by one third; and (4) any reference to a “Disputes” clause shall mean the “Disputes” clause of the Order between the Parties. This Subcontract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. The full text of a clause may be accessed electronically at this/these address(es): <https://www.acquisition.gov/>. Seller shall flow all applicable clauses to all sub-tier subcontracts and orders under this Subcontract.

Clauses Applicable to all Subcontracts

52.203-19	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements
52.209-10	Prohibition on Contracting with Inverted Domestic Corporations
52.222-1	Notice to the Government of Labor Disputes
52.222-21	Prohibition of Segregated Facilities
52.222-26	Equal Opportunity
52.222-50	Combating Trafficking in Persons (NOV 2025) (Class Deviation RFO-2025-22)
52.222-90	Addressing DEI Discrimination by Federal Contractors (APR 2026) (Class Deviation RFO-2025-22, Supplement 1)
52.223-3	Hazardous Material Identification and Material Safety Data (NOV 2025) (Class Deviation RFO-2025-23, Supplement 1)52.232-39

Unenforceability of Unauthorized Obligations in All
Solicitations and Contracts

52.232-40	Providing Accelerated Payments to Small Business Concerns (applies only if Seller is a small business as designated in SAM.gov and Tendege has received accelerated payments under its parent contract)
52.233-3	Protest After Award (NOV 2025) (Class Deviation RFO-2025-33) (if cost plus type contract Alternate I shall apply)
52.233-4	Applicable Law for Breach of Contract Claim
52.234-1	Industrial Resources Developed Under Title III, Defense Production Act (NOV 2025) (Class Deviation RFO-2025-34)
52.240-91	Security Prohibitions and Exclusions (NOV 2025) (Class Deviation RFO-2025-40)
52.240-92	Security Requirements (NOV 2025) (Class Deviation RFO-2025-40)
52.240-93	Basic Safeguarding of Covered Contractor Information Systems (NOV 2025) (Class Deviation RFO-2025-40)
52.242-15	Stop-Work Order (Alternate I shall be applicable to cost reimbursement contracts)
52.243-1	Changes- Fixed Price (JUN 2025) (Class Deviation RFO-2025-43) (applicable only to fixed price contracts)
52.244-6	Subcontracts for Commercial Products and Commercial Services (not applicable to commercial products and services meeting the FAR 2.1 definition of Commercial Product or Commercial Service)
52.246-26	Reporting Nonconforming Items
252.203-7000	Requirements Relating to Compensation of Former DoD Officials
252.203-7002	Requirement to Inform Employees of Whistleblower Rights
252.204-7009	Limitations on the Use and Disclosure of Third-Party Contractor Reported Cyber Incident Information (JAN 2023)
252.204-7012	Safeguarding Covered Defense Information and Cyber Incident Reporting (not applicable to Commercial Off-the-Shelf items meeting the definition in FAR 2.1)
252.204-7018	Prohibition on the Acquisition of Covered Defence Telecommunications Equipment or Services (JAN 2023)
252.204-7021	Contractor Compliance with the Cybersecurity Maturity Model Certification Level Requirement (NOV 2025)

252.211-7003	Item Unique Identification and Valuation
252.223-7001	Hazard Waring Lavesl (DEC 1991)
252.223-7008	Prohibition of Hexavalent Chromium (JAN 2023)
252.225-7001	Buy American – Supplies (NOV 2025) (Class Deviation RFO-2025-25)
252.225-7007	Prohibition on Acquisition of Certain Items from Communist Chinese Military (DEC 2018)
252.225-7009	Restriction on Acquisition of Certain Articles Containing Specialty Metals (JAN 2023)
252.225-7012	Preference for Certain Domestic Commodities
252.225-7013	Duty-Free Entry (not applicable to supplies that will not enter the United States and its territories, if applicable this clause will apply in lieu of FAR 52.225-8)
252.225-7016	Restriction on Acquisition of Ball and Roller Bearings (not applicable if Subcontract is not for ball or roller bearings as end items)
252.225-7033	Waiver of United Kingdom Levies (APR 2003)
252.225-7060	Prohibition on Cerain Procurements from the Xinjian Uyhgur Autonomous Region (JAN 2023)
252.225-7048	Export-Controlled Items
252.227-7015	Technical Data – Commercial Products and Commercial Services (JAN 2025)
252.227-7026	Deferred Delivery of Technical Data or Computer Software (APR 1988)
252.227-7027	Deferred Ordering of Technical Data or Computer Software (APR 1988)
252.227-7028	Technical Data or Computer Software Previously Delivered to the Government (JUN 1995)
252.228-7005	Mishap Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles (NOV 2019)
252.231-7000	Supplemental Cost Principles
252.240-7997	NIST SP 800-171 DOD Assessment Requirements (FEB 2026) (DFARS Deviation 2026-O0025)
252.240-7999	Prohibition on the Procurement of Covered Semiconductor Products and Services from Companies Providing Covered Semiconductor Products and Services to Huawei (SEP 2025)
252.243-7001	Pricing of Contract Modifications (DEC 1991)

252.244-7999	Subcontracts for Commercial Products or Commercial Services (FEB 2026)
252.246-7007	Contractor Counterfeit Electronic Part Detection and Avoidance System (JAN 2023)
252.246-7008	Sources of Electronic Parts (JAN 2023)
252.247-7023	Transportation of Supplies by Sea – Basic
252.249-7002	Notification of Anticipated Contract Termination or Reduction (DEC 2022)
5352.223-9000	Elimination of Use of Class I Ozone Depleting Substances (ODS)

Clauses Applicable to all Subcontracts exceeding \$2,500

52.222-41	Service Contract Labor Standards (NOV 2025) (Class Deviation RFO-2025-22) (not applicable for work performed exclusively outside the United States)
52.222-55	Minimum Wages for Contractor Workers Under Executive Order 14026 (NOV 2025) (Class Deviation RFO-2025-22) (not applicable for work performed exclusively outside the United States)
52.222-62	Paid Sick Leave Under Executive Order 13706 (NOV 2025) (Class Deviation RFO-2025-22) (not applicable for work performed exclusively outside the United States)

Clauses Applicable to all Subcontracts exceeding \$20,000

52.222-36	Equal Opportunity for Workers with Disabilities (NOV 2025) (Class Deviation RFO-2025-22) (does not apply to Subcontracts under \$20,000 and when work is performed, or the recruitment of workers is performed, outside the United States or its territories)
-----------	---

Clauses Applicable to all Subcontracts exceeding \$40,000

52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards (NOV 2025) (Class Deviation RFO 2025-04) (not applicable to Subcontracts under \$40,000 or if an exemption applies under FAR 4.6)
-----------	--

Clauses Applicable to all Subcontracts exceeding \$45,000

52.209-6	Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, Proposed for Debarment, or Voluntarily Excluded (not applicable to Subcontracts under \$45,000)
----------	--

Clauses Applicable to Subcontracts exceeding the \$200,000

52.203-7	Anti-Kickback Procedures
52.203-11	Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions
52.203-12	Limitation on Payments to Influence Certain Federal Transactions
52.222-4	Contract Work Hours and Safety Standards-Overtime Compensation (NOV 2025) (Class Deviation RFO-2025-22) (not applicable to commercial products or commercial services meeting the definition in FAR 2.1, for supplies that include incidental services not requiring substantial employment of laborers or mechanics, or work performed outside of the United States, Puerto Rico, American Samoa, Guam, the U.S. Virgin Islands, Johnston Island, Wake Island, and the outer Continental Shelf as defined in the Outer Continental Shelf Lands Act 43 U.S.C. 1331)
52.222-35	Equal Opportunity for Veterans (NOV 2025) (Class Deviation RFO-2025-22) (not applicable if work under the Subcontract is performed outside of the United States and its territories)

Applicable to Subcontracts Over \$174,000

52.225-5	Trade Agreements (applies if the Subcontract contains other than U.S. made or designated country end products)
----------	--

Clauses Applicable to Subcontracts exceeding the Simplified Acquisition Threshold (\$350,000)

52.203-3	Gratuities
52.203-6	Restrictions on Subcontractor Sales to the Government
52.203-8	Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity (does not apply to Commercial Products or Commercial Services meeting the FAR 2.1 definition)
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity (not applicable to Commercial Products or Commercial Services meeting the FAR 2.1 definition)
52.209-5	Certification Regarding Responsibility Matters (AUG 2020)
52.215-2	Audit and Records-Negotiation (not applicable to Subcontracts for Commercial Products or Commercial Services meeting the definition in FAR 2.1)
52.215-14	Integrity of Unit Prices (does not apply to service Subcontracts where supplies are not required or to Commercial Products or Commercial Services meeting the FAR 2.1 definition)

52.219-8	Utilization of Small Business Concerns (NOV 2025) (Class Deviation RFO-2025-19) (does not apply to: small business concerns; personal service contracts; or for work to be performed entirely outside of the United States and its territories)
52.222-40	Notification of Employee Rights under the National Labor Relations Act (NOV 2025) (Class Deviation RFO-2025-22) (does not apply to work performed exclusively outside of the United States and its territories)
52.225-8	Duty-Free Entry (for Subcontracts that may include products imported into the United States and for which duty-free entry may be obtained in accordance with FAR 25.903(a))
52.229-3	Federal, State, and Local Taxes (not applicable if all work performed under the Subcontract is outside of the United States and its territories, or is not a fixed price contract type)
52.232-17	Interest
52.242-13	Bankruptcy
52.244-5	Competition in Subcontracting (not applicable to firm-fixed price contracts awarded on the basis of adequate competition or to time-and-materials or labor-hour contracts)
52.246-2	Inspection of Supplies-Fixed-Price (applicable to Subcontract for supplies or services that involve the furnishing of supplies and the Subcontract is a fixed-price contract type)
52.246-4	Inspection of Services-Fixed-Price (applicable to Subcontract for services or supplies that involve the furnishing of services and Subcontract type is fixed-priced)
52.246-7	Inspection of Research and Development-Fixed-Price (applicable if the primary objective of the Subcontract is the delivery of end items other than designs, drawings, or reports, the contract type and the contract type is fixed price)
52.246-16	Responsibility for Supplies (only applies to fixed priced Subcontracts)
52.246-23	Limitation of Liability (applicable to end items that are not high-value items; does not apply to service Subcontracts where supplies are not required or to Commercial Products or Commercial Services meeting the FAR 2.1 definition)
52.246-24	Limitation of Liability-High Value Items (applicable to end items that are high value; and does not apply to service Subcontracts where supplies are not required or to Commercial Products or Commercial Services meeting the FAR 2.1 definition)

52.246-25	Limitation of Liability Services (applicable to Subcontracts requiring the performance of services; and does not apply to service Subcontracts where supplies are not required or to Commercial Products or Commercial Services meeting the FAR 2.1 definition)
52.249-2	Termination for Convenience of the Government (Fixed-Price) (applicable to fixed-price contracts only)
52.249-8	Default (Fixed-Price Supply and Service) (APR 1984)
52.249-9	Default (Fixed-Price Research and Development) (applies only to fixed price Subcontracts for research and development)
252.203-7001	Prohibition on Persons Convicted of Fraud or Other Defense-Contract Related Felonies (not applicable to Commercial Products and Commercial Services meeting the definition in FAR 2.1)
252.215-7008	Only One Offer (DEC 2022)
252.225-7052	Restriction on the Acquisition of Certain Magnets, Tantalum, and Tungsten

Clauses Applicable to Subcontracts exceeding \$500,000

252.226-7001	Utilization of Indian Organizations, Indian-Owned Economic Enterprises and Native Hawaiian Small Business Concerns
--------------	--

Applicable to Subcontracts Over \$900,000

52.219-9	Small Business Subcontracting Plan (FEB 2026) (Class Deviation RFO-2025-19) (unless Seller is a designated Small Business in SAM.gov)
252.219-7996	Small Business Subcontracting Plan (DOD Contracts) – Basic (FEB 2026) (Deviation 2026-O0037)

Applicable to Subcontracts Over \$5,000,000

252.225-7058	Post-Award Disclosure of Employment of Individuals Who Work in the People’s Republic of China (JAN 2023)
--------------	--

Applicable to Time-&-Material and Labor-Hour, & Cost Reimbursable Subcontracts

52.212-4 Alt I	Contract Terms and Conditions-Commercial Products and Commercial Services (Alt I is applicable only to time-&-material and labor hour contracts)
52.216-7	Allowable Cost and Payment (applies only to the material portion of time and materials and cost plus contracts; does not apply to labor-hour contracts)
52.216-8	Fixed Fee (applies if Subcontract includes a fixed-fee)

52.222-2 Payment for Overtime Premiums (not applicable if subcontract is below the simplified acquisition threshold)

52.232-22 Limitation of Funds (if Subcontract is incrementally funded)

Applicable Only to the Extent Indicated

52.203-15 Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009 (if the subcontract is funded under the Recovery Act)

52.204-9 Personal Identity Verification of Contractor Personnel (if Seller has routine access needs to Government facilities or systems)

52.204-21 Basic Safeguarding of Covered Contractor Information Systems (applicable to Subcontracts when the Seller or subcontractor at any tier may have Federal contract information residing or transiting through its information system)

52.211-5 Material Requirements (JUN 2025) (Class Deviation RFO-2025-11) (not applicable to Commercial Products meeting the definition in FAR 2.1)

52.211-15 Defense Priority and Allocation Requirements (applies if the Subcontract is a rated order)

52.212-4 Contract Terms and Conditions-Commercial Products and Commercial Services (applicable only to Subcontracts meeting the FAR 2.1 definition of Commercial Products or Commercial Services)

52.215-17 Waiver of Facilities Capital Cost of Money (if Subcontract is subject to FAR 31.2 and Seller did not propose facilities capital cost of money)

52.215-21 Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data-Modifications (NOV 2025) (Class Deviation RFO-2025-15)

52.215-23 Limitations on Pass-Through Charges (NOV 2025) (Class Deviation RFO-2025-15)

52.222-3 Hazardous Material Identification and Material Safety Data (applicable only to Subcontracts that require the delivery of hazardous materials)

52.222-37 Employment Reports on Veterans (NOV 2025) (Class Deviation RFO-2025-22) (applies only if clause 52.222-35 is applicable)

52.222-54 Employment Eligibility Verification (NOV 2025) (Class Deviation RFO-2025-22) (not applicable to work performed exclusively outside of the United States and its territories, to period of performance less than 120

	days, or to Commercially available off the shelf items meeting the FAR 2.1 definition)
52.223-5	Pollution Prevention and Right-to-Know Information (if Subcontract involves performance, in whole or in part, on a Government facility)
52.223-7	Notice of Radioactive Materials (NOV 2025) (Class Deviation RFO-2025-23 Supplement 1) (applicable only to Subcontracts of supplies that are or that contain radioactive material requiring specific licensure or radioactive material not requiring specific licensing in which the specific activity is greater than 0.002 microcuries per gram or the activity per item equals or exceeds 0.01 microcuries. Such supplies include, but are not limited to, aircraft, ammunition, missiles, vehicles, electronic tubes, instrument panel gauges, compasses, and identification markers)
52.223-11	Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (NOV 2025) (Class Deviation RFO-2025-23 Supplement 1) (applicable to Subcontracts for refrigeration equipment, air conditioning equipment, clean agent fire suppression systems/equipment, bulk refrigerants and fire suppressants, solvents, dusters, freezing compounds, mold release agents, and any other miscellaneous chemical specialty that may contain ozone-depleting substances or high global warming potential hydrofluorocarbons, corrosion prevention compounds, foam sealants, aerosol mold release agents, and any other preservative or sealing compound that may contain ozone-depleting substances or high global warming potential hydrofluorocarbons, fluorocarbon lubricants, or any other manufactured end products that may contain or be manufactured with ozone-depleting substances.
52.227-1	Authorization and Consent (optional when using simplified acquisition procedures; prohibited if both performance and delivery are outside of the United States and its territories)
52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement (if 52.227-1 is included)
52.227-9	Refund of Royalties (applicable to fixed-price Subcontracts when royalties may be paid under the Subcontract)
52.227-11	Patent Rights-Ownership by the Contractor (applicable to inventions made in the performance of the work under a Government Subcontract)
52.227-14	Rights in Data-General (applicable if data will be produced, furnished, or acquired under the Subcontract, not applicable to the acquisition of existing data, commercial computer software, or is to be performed outside of the United States and its territories)

52.227-16	Additional Data Requirements (applicable to contracts involving experimental, developmental, research, or demonstration work, unless all the requirements for data are believed to be known at the time of Subcontract award and are specified in the Subcontract)
52.227-17	Rights in Data-Special Works (applies to the production and compilation of data for other than limited rights or restricted computer software)
52.232-32	Performance-Based Payments (applicable only to fixed price Subcontracts with performance-based payments)
52.245-1	Government Property (if Subcontract involves Government Property)
52.245-9	Use and Charges (applicable when clause 52.245-1 is applicable)
52.247-63	Preference for U.S.-Flag Air Carriers (applicable if Seller personnel will use air travel in the performance of this Subcontract and does not apply to Subcontracts under \$250,000, or to Commercial Products or Commercial Services meeting the FAR 2.1 definition)
52.247-64	Preference for Privately Owned U.S.-Flag Commercial Vessels (NOV 2025) (Class Deviation RFO-2025-47) (not applicable for subcontracts or purchase orders for the acquisition of commercial products of services applicable when a Subcontract may involve ocean transport of supplies subject to the Cargo Preference Act of 1954)
252.203-7003	Agency Office of the Inspector General (applicable to Subcontracts where FAR 52.203-13 is applicable)
252.204-7000	Disclosure of Information (applicable to Subcontracts when the Seller will have access to or generate unclassified information that may be sensitive and inappropriate for release to the public)
252.215-7010	Requirements for Certified Cost or Pricing Data and Data Other Than Certified Cost or Pricing Data (MAY 2024)
252.223-7006	Prohibition on Storage, Treatment, and Disposal of Toxic or Hazardous Materials (applicable only to Subcontracts which require, may require, or permit Seller access to a DoD installation)
252.227-7013	Rights in Technical Data – Noncommercial items (applicable to Subcontracts when the Seller will be required to deliver to the Government technical data pertaining to other than commercial products or commercial services, or pertaining to commercial products or commercial services for which the Government will have paid for any portion of the development costs)
252.227-7014	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation (applicable when Subcontract

	requires Seller to deliver computer software or computer software documentation. Not applicable when the only deliverable items are technical data (other than computer software documentation), commercial computer software or commercial computer software documentation, commercial products, commercial services)
252.227-7016	Rights in Bid or Proposal Information (applicable if 252.227-7013 or 252.227-7014 are applicable)
252.227-7019	Validation of Asserted Restrictions – Computer Software (applicable if 252.227-7014 is applicable)
252.227-7025	Limitation on the Use of Disclosure of Government Furnished Information Marked with Restrictive Legends (applicable when it is anticipated that Seller will be provided computer software or computer software documentation marked with another contractor's restrictive legend(s) solely for performance of its Subcontract, by the Government).
252.227-7030	Technical Data – Withholding of Payment (applicable if 252.227-7014 is applicable)
252.227-7037	Validation of Restrictive Markings on Technical Data (applicable if 252.227-7013 or 252.227-7014 are applicable)
252.227-7039	Patents – Reporting of Subject Inventions (applicable when FAR 52.227-11 is applicable)
252.235-7010	Acknowledgement of Support and Disclaimer (applicable only to Subcontracts involving research and development)
252.246-7003	Notification of Potential Safety Issues (applicable only to Subcontracts involving repairable or consumable parts identified as critical safety item; systems and subsystems, assemblies, and subassemblies integral to a system; or repair, maintenance, logistics support, or overhaul services for systems and subsystems, assemblies, subassemblies, and parts integral to a system)