

FAR/DFARS Clauses – Firm Fixed Price Orders under a U.S. Government Contract/Subcontract

The Federal Acquisition Regulations (FAR) and US Department of Defense Supplement (DFARS) clauses provided in this document are incorporated herein by reference with the same force and effect as if provided in full text. The full text of all FAR/DFARS clauses is available at <https://www.acquisition.gov/> for the FAR clauses and at <http://www.acq.osd.mil/dpap/dars/dfarspgi/current/index.html> for the DFARS clauses

Definitions. Unless otherwise provided, the below FAR/DFARS terms are modified as follows where necessary to derive the proper meaning in a subcontract situation:

- “Contract” or “Schedule” or “Order” means this Purchase Order, Subcontract or related Schedule.
- “Contractor” and “Prime Contractor” and “Offeror” means Seller.
- “Subcontractor” means Seller’s suppliers and/or subcontractors.
- “Buyer” or “Government” means Jabil.
- “Contracting Officer” means Jabil’s Authorized Representative, except for those specific clauses where the context refers to rights, acts, authorizations or obligations that are uniquely performed or granted by the U.S. Government.

However, the words “Government” and “Contracting Officer” do not change: (i) when a right, act, authorization or obligation can be granted or performed only by the Government or the Prime Contract Contracting Officer or duly authorized representative, or (ii) when title to property is to be transferred directly to the Government. Any inconsistencies between the FAR/DFARS clauses and the foregoing terms and conditions shall be resolved by giving precedence to the FAR/DFARS clauses.

Administration. The FAR/DFARS clauses listed below that are not applicable to this Contract due to monetary threshold, place, performance, type of effort or contract shall be treated as self-deleting.

Disputes. The Contract Disputes Act is not applicable to the Contract. Whenever a FAR/DFARS clause includes a requirement for the resolution of disputes between the parties in accordance with the “Disputes” FAR/DFARS clause, the dispute must be disposed of in accordance with the clause entitled “Disputes” as set forth in Jabil’s General Terms and Conditions of Purchase (SCO111885).

ALL ORDERS	
FAR Clause No.	Clause Description
52.202-1*	Definitions
52.203-15*	Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009
52.203-19*	Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements
52.204-2	NA - Security Requirements
52.204-9*	NA - Personal Identity Verification – Contract Clause
52.204-21*	Basic Safeguarding of Covered Contractor Information Systems
52.211-5	Material Requirements
52.211-14*	Notice of Priority Rating for National Defense Use, Emergency Preparedness, and Energy Use Program
52.211-15*	Defense Priority and Allocation Requirements
52.212-4*	NA - Contract Terms and Conditions – Commercial Items
52.222-21*	Prohibition on Segregated Facilities
52.222-26*	Equal Opportunity
52.222-35*	Equal Opportunity for Veterans
52.222-37*	Employment Reports on Veterans
52.222-54	Employment Eligibility Verification
52.222-50*	Combatting Trafficking in Person
52.222-55*	Minimum Wages under Executive Order 13658
52.223-3	Hazardous Material Identification and Material Safety Data
52.223-7	Notice of Radioactive Materials
52.223-11	Ozone Depleting Substances and High Global Warming Potential Hydrocarbons
52.223.99*	Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors (DEVIATION)
52.225-1*	NA – Buy American Act – Supplies
52.225-5	Trade Agreements
52.225-8*	Duty Free Entry
52.225-13*	Restrictions on Certain Foreign Purchases
52.227-6*	Royalty Information
52.227-9	Refund of Royalties
52.227-11	Patent Rights-Ownership by the Contractor
52.227-13	Patent Rights-Ownership by the Government
52.227-14	Rights in Data-General
52.230-2	Cost Accounting Standards
52.230-3	Disclosure and Consistency of Cost Accounting Practices
52.230-4	Disclosure and Consistency of Cost Accounting Practices for Contracts Awarded to Foreign Concerns
52.230-6	Administration of Cost Accounting Standards
52.232-40*	Providing Accelerated Payments to Small Business Subcontractors
52.234-1	Industrial Resources Developed Under Defense Production Act
52.245-1*	Government Property
52.244-6*	Subcontracts for Commercial Items
52.247-63*	Preference for U.S. Flag Air Carriers
52.247-64*	Preference for Privately Owned U.S. Flag Commercial Vessels
252.203-7002*	Requirement to Inform Employees of Whistleblower Rights
252.204-7000*	Disclosure of Information – NOT FOREIGN

252.204-7012*	Safeguarding Covered Defense Information and Cyber Incident Reporting
252.204-7015*	Notice of Authorized Disclosure of Information for Litigation Support
252.204-7016	Covered Defense Telecommunications Equipment or Services – Representations
252.204-7017	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services - Representation
252.204-7018	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services
252.204-7019	Notice of NIST SP 800-171 DoD Assessment Requirements
252.204-7020	NIST SP 800-171 DoD Assessment Requirements
252.204-7021	Cybersecurity Maturity Model Certification Requirements
252.205-7014*	Limitation on the Use or Disclosure of Information by Litigation Support Contractors
252.208-7000	Intent to Furnish Precious Metals as Government-Furnished Material
252.222-7000*	Restrictions on Employment of Personnel
252.222-7007*	Representation Regarding Combating Trafficking in Persons
252.223-7001*	Hazard Warning Labels
252.223-7008*	Prohibition of Hexavalent Chromium
252.223-7999*	Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors (Deviation 2021-O0009)
252.225-7001*	NA - Buy American and Balance of Payments Program
252.225-7007*	Prohibition on Acquisition of United States Munitions List Items from Communist Chinese Military Companies
252.225-7009*	Restriction on Acquisition of Certain Articles Containing Specialty Metals
252.225-7013*	NA - Duty-Free Entry
252.225-7020*	NA - Trade Agreements
252.225-7021	Trade Agreements
252.225-7048*	Export Controlled Items
252.227-7013*	Rights in Technical Data – Noncommercial Items
252.227-7014*	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation
252.227-7015*	Technical Data-Commercial Item
252.227-7016*	Rights in Bid or Proposal Information
252.227-7019*	Validation of Asserted Restrictions-Computer Software
252.227-7025*	Limitations on the Use or Disclosure of Government Furnished Information Marked with Restrictive Legends
252.227-7028	Technical Data or Computer Software Previously Delivered to the Government
252.227-7037*	Validation of Restrictive Markings on Technical Data
252.227-7038	Patent Rights-Ownership by the Contractor (Large Business)
252.228-7001*	Ground and Flight Risk
252.228-7006	Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles
252.235-7003*	Frequency Authorization
252.243-7001	Pricing of Contract Modifications
252.244-7000*	Subcontracts for Commercial Items
252.246-7003*	Notification of Potential Safety Issues
252.246-7007*	Contractor Counterfeit Electronic Part Detection and Avoidance System
252.246-7008*	Source of Electronic Parts
252.247-7003*	Pass-Through of Motor Carrier Fuel Surcharge Adjustment to the Cost Bearer
252.247-7023*	Transportation of Supplies by Sea-Basic
252.247-7024*	Notification of Transportation of Supplies by Sea
ORDERS THAT EXCEED \$3,500	
52.222-18	Certification Regarding Knowledge of Child Labor for Listed End Products
52.222-19	Child Labor – Cooperation with Authorities and Remedies
52.223-18*	Encouraging Contractor Practices to Ban Text Messaging While Driving
ORDERS THAT EXCEED \$5,000	
252.211-7003*	Item Unique Identification and Valuation
ORDERS THAT EXCEED \$10,000	
52.222-40*	Notification of Employee Rights Under the National Labor Relations Act
ORDERS THAT EXCEED \$15,000	
52.222-36	Equal Opportunity for Workers with Disabilities
ORDERS THAT EXCEED \$30,000	
52.204-10	Reporting Executive Compensation and First Tier Subcontract Awards
ORDERS THAT EXCEED \$35,000	
52.209-6	Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment
ORDERS THAT EXCEED \$250,000; SIMPLIFIED ACQUISITION THRESHOLD	
52.203-2	Certificate of Independent Price Determination
52.203-3	Gratuities
52.203-5	Covenant Against Contingent Fees
52.203-6*	Restrictions on Subcontractor Sales to the Government
52.203-7*	Anti-Kickback Procedures
52.203-8	Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity
52.203-10	Price or Fee Adjustment for Illegal or Improper Activities
52.203-12*	Limitation on Payments to Influence Certain Federal Transactions
52.203-16	Preventing Personnel Conflicts of Interest for Employees Performing Acquisition Functions
52.203-17*	Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights
52.204-5*	Woman-Owned Business (Other than Small Business)
52.215-2	Audit and Records-Negotiation
52.215-14	Integrity of Units Prices
52.219-8*	Utilization of Small Business Concerns
52.222-4	Contract Work Hours and Safety Standards Act - Overtime Compensation

52.222-17*	Non-displacement of Qualified Workers
52.222-35	Equal Opportunity for Veterans
52.222-37	Employment Reports on Veterans
52.223-6	Drug Free Workplace
52.227-1*	Authorization and Consent
52.227-2*	Notice and Assistance Regarding Patent and Copyright Infringement
ORDERS THAT EXCEED \$500,000	
52.222-56	Certification Regarding Trafficking in Person Compliance Plan NOT COTS
52.222-59*	Compliance with Labor Laws (Executive Order 13673)
52.222-60*	Paycheck Transparency (Executive Order 13673)
252.226-7001*	Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns
ORDERS THAT EXCEED \$700,000	
52.219-9	Small Business Subcontracting Plan
252.219-7003	Small Business Subcontracting Plans
ORDERS THAT EXCEED \$750,000	
52.214-26	Audit and Records-Sealed Records
52.215-10	Price Reduction for Defective Cost or Pricing Data
52.215-11	Price Reduction for Defective Cost or Pricing Data - Modification
52.215-12	Subcontractor Cost or Pricing Data
52.215-13	Subcontractor Cost or Pricing Data - Modification
52.215-15	Pension Adjustments and Asset Reversions
52.215-16	Facilities Capital Cost of Money
52.215-17	Waiver of Facilities Capital Cost of Money
52.215-18	Revision or Adjustment of Plans for Postretirement Benefits Other than Pensions
52.215-19	Notification of Ownership Changes
52.215-20	Requirements of Cost or Pricing Data or Information Other than Cost or Pricing Data
52.215-21	Requirements of Cost or Pricing Data or Information Other than Cost or Pricing Data - Modifications
252.215-7000	Pricing Adjustments
ORDERS THAT EXCEED \$1,000,000	
252.222-7006	Restriction on the Use of Mandatory Arbitration Agreements
ORDERS THAT EXCEED \$5,500,000	
52.203-13*	Contractor Code of Business Ethics
252.203-7004*	Display of Hotline Posters

*Indicates applicability to Subcontracts for Commercial Items as defined in FAR 2.101.