



**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA) FLOWDOWN PROVISIONS FOR
SUBCONTRACTS/PURCHASE ORDERS FOR COMMERCIAL ITEMS UNDER A U.S. GOVERNMENT PRIME
CONTRACT**

A. **INCORPORATION OF FAR/NASA FAR SUPP CLAUSES**

The Federal Acquisition Regulation (FAR) and National Aeronautics and Space Administration (NASA) FAR Supplement (NASA FAR Supp) clauses referenced below are incorporated herein by reference, with the same force and effect as if they were given in full text, and are applicable, including any notes following the clause citation, during the performance of this Contract. If the date or substance of any of the clauses listed below is different than the date or substance of the clause actually incorporated in the Prime Contract referenced by number herein, the date or substance of the clause incorporated by said Prime Contract shall apply instead.

B. **GOVERNMENT SUBCONTRACT**

This Contract is entered into by the Parties in support of a U.S. Government contract.

As used in the clauses referenced below and otherwise in this Contract:

1. "Commercial Item" means a commercial item as defined in FAR 2.101.
2. "Contract" means this contract.
3. "CONTRACTOR" means the SELLER, as defined in CORPDOC 2, acting as the immediate (first-tier) subcontractor to LOCKHEED MARTIN.
4. "Prime Contract" means the contract between LOCKHEED MARTIN and the U.S. Government or between LOCKHEED MARTIN and its higher-tier contractor who has a contract with the U.S. Government.
5. "Subcontract" means any contract placed by the CONTRACTOR or lower-tier subcontractors under this Contract
6. "Administrator" means the Administrator or Deputy Administrator of

- (a) 18-52.219-73 SMALL BUSINESS SUBCONTRACTING PLAN (MAY 1999) (Not applicable to small business concerns. Applicable if FAR 219-9 applies to this Contract. See Note 2)
- (b) 18-52.219-75 SMALL BUSINESS SUBCONTRACTING REPORTING (MAY 1999) Applicable if FAR 52.219-9 applies to this Contract.)

4. **The following clauses apply to this contract only if the stipulation in the relevant parenthetical applies:**

- (a) 18-52.223-70 SAFETY AND HEALTH (MAR 1997) (Applicable if this Contract, (1) amounts to \$1 Million or more, (2) requires construction, repair or alteration in excess of the simplified acquisition threshold, or (3) regardless of dollar amount, involves the use of hazardous materials or operations. This clause is applicable to all sub-tier contractors that meet the requirements above. See Notes 1 and 2.)
- (b) 18-52.223-71 FREQUENCY AUTHORIZATION (DEC 1988) (Applicable if this Contract requires the development, production, test or operation of a device for which a radio frequency is required. See Note 2.)

(c) 18-52.227-11 PATENT RIGHTS - ~~REVENUE~~ (R) (T) (J) (18.6.4(r)72T4(.Y(if) 2 0HE.1746 TD0.6.5(o)0.1(r)7.5(e)7...47))T0Tns0())7.3C2 RI15.20rHE.159oT75rth

