



**MANDATORY FLOW-DOWN REQUIREMENTS FOR
SUBCONTRACTS FOR COMMERCIAL ITEMS
IN SUPPORT OF GOVERNMENT REQUIREMENTS (Non-DoD)**

This document shall be incorporated by reference into all Aircraft Extrusion Co Subcontracts or Purchase Orders for Commercial Items when such Commercial Items are in support of a U.S. Government, non-Department of Defense, requirement. The Federal Acquisition Regulation (FAR) clauses referenced below are incorporated herein by reference, with the same force and effect as if they were stated in full text, and are applicable, including any notes following the clause citation, to this Contract. If the date or substance of any of the clauses listed below is different from the date or substance of the clause actually incorporated in the Prime Contract referenced by number in the Subcontract, the date or substance of the clause incorporated by said Prime Contract shall apply instead. The Contract Disputes Act, 41 U.S.C. §§ 7101, et seq., shall have no application to this Subcontract. Any reference to “Disputes” or a “Disputes clause” shall mean the disputes provisions of this Subcontract.

Pursuant to FAR 52.244-6, Subcontracts for Commercial Items, Aircraft Extrusion Co Corporation hereby flows down and requires its subcontractors or vendors for commercial items (as defined in FAR 52.202-1) to comply with the FAR clauses set forth below:

1. 52.203-13, Contractor Code of Business Ethics and Conduct (Oct 2015) (41 U.S.C. 3509), if the subcontract exceeds \$5.5. million and has a performance period of more than 120 days.
2. 52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017).
3. 52.204-21, Basic Safeguarding of Covered Contractor Information Systems (Jun 2016), if the subcontractor may have federal contract information residing in or transiting through its information system. The clause does not apply to subcontracts for commercially available off-the-shelf items.
4. 52.219-8, Utilization of Small Business Concerns (Nov 2016) (15 U.S.C. 637(d)(2)(3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds \$700,000 (\$1.5 million for construction of any public facility), the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.
5. 52.222-21, Prohibition of Segregated Facilities (Apr 2015).
6. 52.222-26, Equal Opportunity (Sep 2016) (E.O. 11246).
7. 52.222-35, Equal Opportunity for Veterans (Oct 2015) (38 U.S.C. 4212(a)).

8. 52.222-36, Equal Opportunity for Workers with Disabilities (Jul 2014) (29 U.S.C. 793).
9. 52.222-37, Employments Reports on Veterans (Feb 2016) (38 U.S.C. 4212).
10. 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496), if the subcontract exceeds \$10,000 and will be performed wholly or partially in the United States, unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to section 3 of Executive Order 13496 of January 30, 2009, so that such provisions will be binding upon each subcontractor.
11. 52.222-50, Combating Trafficking in Persons (Mar 2015) (22 U.S.C. chapter 78 and E.O. 13627). Alternate I applies if the subcontract will be performed outside the United States.
12. 52.222-55, Minimum Wages under Executive Order 13658 (Dec 2015), if the subcontract is subject to the Service Contract Labor Standards statute or the Wage Rate Requirements (Construction) statute, and is to be performed in whole or in part in the United States.
13. 52.222-60, Paycheck Transparency (Executive Order 13673) (Oct 2016), if the estimated subcontract value exceeds \$500,000, and is for other than commercially available off-the-shelf items.
14. 52.222-62, Paid Sick Leave Under Executive Order 13706 (Jan 2017) (E.O. 13706), if the contract is subject to the Service Contract Labor Standards statute or the Wage Rate Requirements (Construction) statute.
15. 52.224-3, Privacy Training (Jan 2017) (5 U.S.C. 552a), if on behalf of an agency the subcontractor will: have access to a system of records; 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. Alternate I applies if the agency specifies that only its agency-provided training is acceptable.
16. 52.232-40, Providing Accelerated Payments to Small Business Subcontractors (Dec 2013).
17. 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. App. 1241 and 10 U.S.C. 2631), if flow down is required in accordance with FAR 52.247-64(d).

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