



FLEX FORCE
ENTERPRISES INC

Flex Force Enterprises Inc.
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Title: Supplier Mandatory Flow-downs

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Version	Date	Author	Rationale
1.0	July 29, 2020	Greg Valentin (COO)	This document is the initial issue of Flex Force FAR and DFAR flow-down requirements
2.0	January 25, 2023	Greg Valentin (President)	Update with mandatory flow-downs
2.1	February 10, 2023	Jacob Sullivan (CEO)	Updated with "Procurement with suppliers from Russia and Belarus" flow-downs
3.0	August 29, 2023	Jacob Sullivan	Updated flow down clauses from prime contracts

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1.0 Contents

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2.0 PURPOSE

The purpose of this document is to consolidate and communicate Flex Force’s FAR and DFARS flowdown clauses. The document is available to view and download from the Flex Force supplier portal on www.flexforce.us/suppliers.

3.0 CONTENTS, SCOPE & RESPONSIBILITY

The referenced clauses are set forth or referred to in the Federal Acquisition Regulation (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS) and are incorporated by reference and shall predominate in the event of conflict with any other provision of this Purchase Order unless specifically noted. In order to make the context of these clauses applicable to this Purchase Order, Government shall mean Flex Force, Contractor shall mean Seller, Contract shall mean this Purchase Order, and Contracting Officer shall mean Flex Force Purchasing Representative unless otherwise specified. The terms Government and Contracting Officer do not change (1) in the phrases Government Property, Government-Owned Property, Government Equipment, Government-Furnished Property, and Government-Owned Equipment; (2) when a right, act, authorization, or obligation can be granted or performed only by the Government or the Prime Contract Contracting Officer or his duly authorized representative; (3) when access to proprietary financial information or other proprietary data is required; (4) when title to property is to be transferred directly to the Government; (5) in patent rights clauses, if any; (6) where specifically modified as noted below; and (7) in DFARS 252.227-7013, 252.227-7015, and 252.227-7037.

The full text of FAR can be found at <http://acquisition.gov/comp/far/index.html>.

The full text of DFARS can be found at <http://www.acq.osd.mil/dpap/dars/dfarspgi/current/index.html>.

4.0 FAR and DFAR Clauses

- 52.204-10 Reporting Executive Compensation and First-Tier Subcontract Award
- 52.204-14 Service Contract Reporting Requirements
- 52.204-21 Basic Safeguarding of Covered Contractor Information Systems
- 52.209-6 Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (9/06)
- 52.215-23 Limitations on Pass-Through Charges
- 52.222-4 Contract Work Hours and Safety Standards - Overtime Compensation
- 52.225-13 Restrictions on Certain Foreign Purchases
- 52.225-19 Contractor Personnel in a Designated Operational Area or Supporting a Diplomatic or Consular Mission Outside the United States
- 52.227-1 Authorization and Consent (12/07)
- 52.227-10 Filing of Patent Applications-Classified Subject Matter (12/07)



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- 52.227-2 Notice and Assistance Regarding Patent and Copyright Infringement (12/07)
- 52.227-3 Patent Indemnity
- 52.227-3 It 1 Patent Indemnity, Alternate 1
- 52.228-3 Worker's Compensation Insurance (Defense Base Act)
- 52.244-6 Subcontracts for Commercial Items (6/10)
- 52.247-63 Preference for U.S.- Flag Air Carriers
- 240.13P-1 Requirement of report regarding disclosure of registrant's supply chain information regarding conflict minerals.
- 52.203-14 DISPLAY OF HOTLINE POSTER(S)
- 52.209-12 CERTIFICATION REGARDING TAX MATTERS
- 252.204-7016 REPRESENTATION AND CERTIFICATION REGARDING COVERED DEFENSE TELECOMMUNICATIONS EQUIPMENT OR SERVICES
- 252.204-7017 REPRESENTATION AND CERTIFICATION REGARDING PROHIBITION ON THE ACQUISITION OF COVERED DEFENSE TELECOMMUNICATIONS EQUIPMENT OR SERVICES
- 52.204-26 COVERED TELECOMMUNICATION EQUIPMENT OR SERVICES – REPRESENTATION
- 52.204-24 REPRESENTATION REGARDING CERTAIN TELECOMMUNICATIONS VIDEO SURVEILLANCE SERVICES OR EQUIPMENT
- 252.204-7012 REPRESENTATION AND CERTIFICATION OF COMPLIANCE WITH SAFEGUARDING COVERED DEFENSE INFORMATION AND CYBER INCIDENT REPORTING (06/09/2023)
- 252.204-7020 REPRESENTATION AND CERTIFICATION OF COMPLIANCE WITH DFARS 252.204-7020 NIST SP 800-171 DoD ASSESSMENT REQUIREMENTS
- 52.252-1 Solicitation Provisions Incorporated by Reference
- 252.203-7002 Requirement to Inform Employees of Whistleblower Rights. Dec 2022
- 252.204-7015 Notice of Authorized Disclosure of Information for Litigation Support. Jan 2023
- 252.204-7018 Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services. Jan 2023
- 252.223-7008 Prohibition of Hexavalent Chromium. Jan 2023
- 252.225-7001 Buy American and Balance of Payments Program. Jan 2023
- 252.225-7056 Prohibition Regarding Business Operations with the Maduro Regime. Jan 2023
- 252.225-7060 Prohibition on Certain Procurements from the Xinjiang Uyghur Autonomous Region. Jan 2023



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- 52.203-19 Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (JAN 2017) (section 743 of Division E Title VII of the Consolidated and Further Continuing Appropriations Act 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).
- 52.204-23 Prohibition on Contracting for Hardware Software and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (NOV 2021) (Section 1634 of Pub. L. 115-91).
- 52.204-25 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (NOV 2021) (Section 889(a)(1)(A) of Pub. L. 115-232).
- 52.204-27 Prohibition on a ByteDance Covered Application (JUN 2023) (Section 102 of Division R of Pub. L. 117-328).
- 52.219-28 Post Award Small Business Program Rerepresentation (MAR 2023)(15 U.S.C. 632(a)(2)).
- 52.222-21 Prohibition of Segregated Facilities (APR 2015).
- 52.223-18 Encouraging Contractor Policies to Ban Text Messaging While Driving (JUN 2020) (E.O. 13513).
- 52.203-13 Contractor Code of Business Ethics and Conduct (NOV 2021) (41 U.S.C. 3509).
- 52.222-35 Equal Opportunity for Veterans (JUN 2020) (38 U.S.C. 4212).
- 52.222-36 Equal Opportunity for Workers with Disabilities (JUN 2020) (29 U.S.C. 793).
- 52.222-37 Employment Reports on Veterans (JUN 2020) (38 U.S.C. 4212).
- 52.222-40 Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause 52.222-40.
- 52.222-41 Service Contract Labor Standards (AUG 2018) (41 U.S.C. chapter 67).
- 52.222-50 Combating Trafficking in Persons (NOV 2021) (22 U.S.C. chapter 78 and E.O 13627). (B) Alternate I (MAR 2015) of 52.222-50 (22 U.S.C. chapter 78 and E.O. 13627).
- 52.222-51 Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance Calibration or Repair of Certain Equipment-Requirements (May 2014) (41 U.S.C. chapter 67).
- 52.222-53 Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (MAY 2014) (41 U.S.C. chapter 67).
- 52.222-54 Employment Eligibility Verification (MAY 2022) (E.O. 12989).
- 52.222-55 Minimum Wages for Contractor Workers Under Executive Order 14026 (JAN 2022).
- 52.222-62 Paid Sick Leave Under Executive Order 13706 (JAN 2022) (E.O. 13706).



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- 52.224-3 Privacy Training (Jan 2017) (5 U.S.C. 552a). (B) Alternate I (JAN 2017) of 52.224-3.
- 52.225-26 Contractors Performing Private Security Functions Outside the United States (OCT 2016) (Section 862 as amended of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. Subtitle A Part V Subpart G Note).
- 52.226-6 Promoting Excess Food Donation to Nonprofit Organizations (JUN 2020) (42 U.S.C. 1792). Flow down required in accordance with paragraph (e) of FAR clause 52.226-6.
- 52.232-40 Providing Accelerated Payments to Small Business Subcontractors (Mar 2023) (31 U.S.C. 3903 and 10 U.S.C. 3801). Flow down required in accordance with paragraph (c) of 52.232-40.
- 52.211-15 Defense Priority and Allocation Requirements.
- 52.203-6 Restrictions on Subcontractor Sales to the Government.
- 252.247-7023 Transportation of Supplies by Sea.
- 252.227-7037 Validation of Restrictive Markings on Technical Data.
- 252.227-7015 Technical Data–Commercial Items.
- 252.225-7048 Export-Controlled Items.
- 252.225-7013 Duty-Free Entry. (DEVIATION 2020-00019)
- 252.223-7008 Prohibition of Hexavalent Chromium. (Jan 2023)
- 252.211-7003 Item Unique Identification and Valuation. (JAN 2023)
- 252.209-7004 Subcontracting with Firms that are Owned or Controlled by the Government of a Country that is a State Sponsor of Terrorism. (may 2019)
- 252.204-7018 Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services. (jan 2023)
- 252.204-7015 Notice of Authorized Disclosure of Information for Litigation Support.
- 252.204-7012 Safeguarding Covered Defense Information and Cyber Incident Reporting. (jan 2023)
- 252.204-7009 Limitations on the Use or Disclosure of Third-Party Contractor Reported Cyber Incident Information. (jan 2023)
- 252.204-7000 Disclosure of Information.
- 252.203-7002 Requirement to Inform Employees of Whistleblower Rights.

5.0 Procurement with suppliers from Russia and Belarus

Flex Force Enterprises Inc. will not be accepting Tenders that:

1. Contain any Russian/Belarusian products and / or services; and/or



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2. Are linked to entities who are constituted or organised under the law of Russia or Belarus, or under the control (full or partial) of a Russian/Belarusian person or entity.
3. Tenderers must confirm in writing that their Tender, including any element that may be provided by any part of the Contractor's supply chain, does not contain any Russian/Belarusian products and/or services.
4. Tenderers must include provisions equivalent to those set out in this clause in all relevant Sub-Contracting Arrangements