

CLAUSES INCORPORATED BY REFERENCE

The following clauses of the Federal Acquisition Regulations (FAR) and the Department of Defense FAR Supplement (DFAR), or any reasonable revision or supplement thereof deemed necessary by Essex with respect to such regulations, and whenever included in Essex's Prime Contract or Government Subcontract, are hereby incorporated into this Purchase Order as if set out in full. The obligations of the Contractor to the Government shall be deemed to be the obligations of the Seller to Essex or, when applicable, to the Government. Clauses referenced below shall be those in effect on the date of the Government Prime Contract. Whenever necessary to make the context of the Clauses applicable to this Purchase Order, the terms "Contractor" and "Offeror" shall mean Essex; the terms "Contract" and "Offer" shall mean this Purchase Order; and the terms "Government" and "Contracting Officer" shall mean Essex, except that "Government" and "Contracting Officer" do not change in the following: (1) 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, the Contracting Officer or his 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) where specifically modified as noted below; and (6) FAR §52.203-6, 52.227-1, 52.227-2.

52.203-3	Gratuities	52.225-13	Restrictions on Certain Foreign Purchases
52.203-5	Covenant Against Contingent Fees	52.227-1	Authorization and Consent
52.203-6	Restrictions on Subcontractor Sales to the Government	52.227-2	Notice and Assistance Regarding Patent and Copyright Infringement
52.203-7	Anti-Kickback Procedures [omit para. (c)(1)]	52.227-3	Patent Indemnity ["Government" includes Essex]
52.203-10	Price or Fee Adjustment for Illegal or Improper Activity	52.227-9	Refund of Royalties
52.203-11	Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions	52.227-10	Filing of Patent Applications--Classified Subject Matter
52.203-12	Limitation on Payments to Influence Certain Federal Transactions	52.227-11	Patent Rights--Retention by the Contractor (Short Form)
52.204-2	Security Requirements ["Government" stays in para. (c)]	52.227-12	Patent Rights--Retention by the Contractor (Long Form)
52.208-8	Helium Requirements Forecast and Required Sources for Helium	52.227-13	Patent Rights--Acquisition by the Government
52.209-6	Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment	52.227-14	Rights in Data--General
52.211-5	Material Requirements	52.229-3	Federal, State, and Local Taxes
52.211-15	Defense Priority and Allocation Requirements	52.232-11	Extras
52.214-26	Audit and Records--Sealed Bidding	52.233-3	Protest after Award
52.214-27	Price Reduction for Defective Cost or Pricing Data--Modifications--Sealed Bidding	52.242-13	Bankruptcy
52.215-2	Audit and Records--Negotiation	52.242-15	Stop Work
52.215-10	Price Reduction for Defective Cost or Pricing Data	52.244-6	Subcontracts for Commercial Items
52.215-11	Price Reduction for Defective Cost or Pricing Data - Modifications	52.245-2	Government Property (Fixed Price Contracts)
52.215-12	Subcontractor Cost or Pricing Data	52.245-17	Special Tooling
52.215-13	Subcontractor Cost or Pricing Data--Modifications	52.245-18	Special Test Equipment
52.215-14	Integrity of Unit Prices [omit para. (c) but include Alternative I]	52.246-2	Inspection of Supplies--Fixed Price ["Government" includes Essex]
52.217-6	Option for Increased Quantity	52.246-4	Inspection of Services--Fixed Price
52.217-7	Option for Increased Quantity--Separately Priced Line Item	52.246-16	Responsibility for Supplies
52.219-8	Utilization of Small Business Concerns	52.248-1	Value Engineering
52.219-9	Small Business Subcontracting Plan	252.203-7001	Prohibition on Persons Convicted of Fraud or other Defense-Contract-Related Felonies
52.222-1	Notice to the Government of Labor Disputes	252.204-7000	Disclosure of Information
52.222-4	Contract Work Hours and Safety Standards Act--Overtime Compensation [Seller shall include in all lower tier subcontracts]	252.208-7000	Intent to Furnish Precious Metals as Government-Furnished Material
52.222-20	Walsh-Healey Public Contracts Act	252.209-7000	Acquisition from Subcontractors Subject to On-Site Inspection under the Intermediate-Range Nuclear Forces (INF) Treaty
52.222-21	Certification of Nonsegregated Facilities	252.219-7003	Small, Small Disadvantaged and Women-Owned Small Business Subcontracting Plan (DOD Contracts)
52.222-26	Equal Opportunity	252.219-7004	Small Business and Small Disadvantaged Business Subcontracting Plan (Test Program)
52.222-35	Affirmative Action for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans	252.223-7001	Hazard Warning Labels
52.222-36	Affirmative Action for Workers with Disabilities	252.223-7002	Safety Precautions for Ammunition & Explosives
52.222-37	Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans	252.225-7001	Buy American Act and Balance of Payments Program
52.222-41	Service Contract Act of 1965, as Amended	252.225-7009	Duty-Free Entry--Qualifying Country Supplies (End Products and Components)
52.223-3	Hazardous Material Identification and Material Safety Data	252.225-7010	Duty-Free Entry--Additional Provisions
52.223-7	Notice of Radioactive Materials [insert 90 days]	252.225-7012	Preference for Certain Domestic Commodities
52.223-11	Ozone-Depleting Substances	252.225-7014	Preference for Domestic Specialty Metals [Alternate I]
52.223-14	Toxic Chemical Release Reporting	252.225-7016	Restriction on Acquisition of Ball and Roller Bearings
52.225-1	Buy American Act--Supplies	252.225-7022	Restriction on Acquisition of Polyacrylonitrile (PAN) Carbon Fiber
52.225-2	Buy American Act--Balance of Payments Program Certificate	252.225-7030	Restriction on Acquisition of Carbon, Alloy, and Armor Steel Plate
52.225-3	Buy American Act--North American Free Trade Agreement--Israeli Trade Act--Balance of Payments Program	252.227-7036	Declaration of Technical Data Conformity
52.225-5	Trade Agreements	252.243-7001	Pricing of Contract Modifications
52.225-8	Duty-Free Entry	252.245-7001	Reports of Government Property
		252.247-7023	Transportation of Supplies by Sea
		252.247-7024	Notification of Transportation of Supplies by Sea