

**M/A-COM Technology Solutions, Inc.**

**Attachment A**

**CLAUSES APPLICABLE TO GOVERNMENT CONTRACTS**

When the items furnished under this purchase order are for use in connection with U.S. Government prime contract or subcontract, the following Federal Acquisition Regulations and Department of Defense Federal Acquisition Regulations Supplements (FAR and DFARS clauses), as contained in or required by the prime contract or subcontract, as the case may be, or as required by law, are hereby incorporated by reference:

<b>FAR/DFARS Clauses No.</b>	<b>Title</b>	<b>FAR/DFARS Clauses No.</b>	<b>Title</b>
252.203-7001 <sup>2,7</sup>	Prohibition on Persons Convicted of Fraud or Other Defense-Contract-Related Felonies	52.222-20	Walsh-Healey Public Contracts Act
252.225-7008	Supplies to be Accorded Duty-Free Entry	52.222-21	Prohibition of Segregated Facilities
252.225-7014 and Alt 1	Preference for Domestic Specialty Metals, and Alt 1	52.222-26	Equal Opportunity
252.225-7014 Deviation	Preference for Domestic Specialty Metals (Deviation) and Alt 1 (Deviation)	52.222-35 <sup>1</sup>	Affirmative Action for Disabled Veterans and Veterans of the Vietnam Era
252.227-7013 <sup>4</sup>	Rights in Technical Data—Noncommercial Items	52.222-36 <sup>2</sup>	Affirmative Action for Workers with Disabilities
252.227-7014	Rights in Noncommercial Computer Software and Noncommercial Computer Software Documentation	52.222-37 <sup>1</sup>	Employment Reports on Disabled Veterans and Veterans of the Vietnam Era
252.227-7019	Validation of Asserted Restrictions—Computer Software	52.223-3 <sup>4</sup>	Hazardous Material Identification and Material Safety Data
252.227-7037 <sup>4</sup>	Validation of Restrictive Markings on Technical Data	52.225-1	Buy American Act—Balance of Payments Program—Supplies (Acceptance or performance of a contract with Buyer which includes this form is deemed a certification by Seller of compliance with this clause, unless specific permission is received for delivery of noncompliant end products)
52.203-6 <sup>2</sup>	Restrictions on Subcontractor Sales to the Government	52.225-3	Buy American Act-North American Free Trade Agreement—Israeli Trade Act – Balance of Payments Program (Acceptance or performance of a contract with Buyer which includes this form is deemed a certification by Seller of compliance with this clause, unless specific permission is received for delivery of noncompliant end products)
52.203-7 <sup>2</sup>	Anti-Kickback Procedures	52.225-5	Trade Agreements (Acceptance or performance of a contract with Buyer which includes this form is deemed a certification by Seller of compliance with this clause, unless specific permission is received for delivery of noncompliant end products)
52.203-12 <sup>2</sup>	Limitation on Payments to Influence Certain Federal Transactions (Acceptance or performance of a contract with Buyer which includes this clause is deemed a certification by Seller of compliance with this clause.)	52.225-8 <sup>9</sup>	Duty Free Entry
52.204-2 <sup>3</sup>	Security Requirements (excludes references to the prime contract Changes clause)	52.225-13	Restrictions on Certain Foreign Purchases
52.211-5	Material Requirements	52.227-1 <sup>2,14</sup>	Authorization and Consent
52.211-15	Defense Priority and Allocation Requirements (Applies when a rating is indicated by Buyer in the contract documents.)	52.227-2 <sup>4,14</sup>	Notice and Assistance Regarding Patent and Copyright Infringement
52.214-26 <sup>3,8</sup>	Audit and Records—Sealed Bidding	52.227-3	Patent Indemnity
52.214-27 <sup>3,8</sup>	Price Reduction for Defective Cost or Pricing Data—Modifications—Sealed Bidding	52.227-10 <sup>5</sup>	Filing of Patent Applications—Classified Subject Matter
52.214-28 <sup>3,8</sup>	Subcontractor Cost or Pricing Data—Modifications—Sealed Bidding	52.227-11 <sup>10</sup>	Patent Rights—Retention by Contractor (Short Form)
52.215-2 <sup>2</sup>	Audit and Records—Negotiation	52.227-12 <sup>11</sup>	Patent-Rights-Retention by Contractor (Long Form)
52.215-10 <sup>3</sup>	Price Reduction for Defective Cost or Pricing Data	52.229-3	Federal, State and Local Taxes
52.215-11 <sup>3</sup>	Price Reduction for Defective Cost or Pricing Data—Modifications	52.230-2 <sup>3,6</sup>	Cost Accounting Standards
52.215-12 <sup>3</sup>	Subcontractor Cost or Pricing Data	52.230-3 <sup>3,6</sup>	Disclosure and Consistency of Cost Accounting Practices
52.215-13 <sup>3</sup>	Subcontractor or Pricing Data—Modifications	52.230-6 <sup>3,6</sup>	Administration of Cost Accounting Standards
52.215-14 <sup>2</sup>	Integrity of Unit Prices	52.242-15	Stop Work Order
52.215-15	Pension Adjustments and Asset Reversions	52.244-5	Competition in Subcontracting
52.219-8 <sup>13</sup>	Utilization of Small Business Concerns	52.245-2 <sup>14</sup>	Government Property Clause (Fixed-Price Contracts)
52.219-9 <sup>5,13</sup>	Small Business Subcontracting Plan	52.245-17 <sup>12</sup>	Special Tooling
52.219-16	Liquidated Damages—Subcontracting Plan	52.245-18 <sup>12</sup>	Special Test Equipment
52.222-1	Notice to the Government of Labor Disputes	52.249-2 <sup>15</sup>	Termination for Convenience of the Government (Fixed Price)
52.222-4 <sup>2</sup>	Contract Work Hours and Safety Standards Act- Overtime Compensation		

As used in the foregoing FAR and DFARS clauses, the term “Contractor” shall mean Seller, the term “Contract” shall mean this Order, and the terms “Government,” “United States” and “Contracting Officer” shall mean this Buyer to fulfill the intent of such clauses, except where the clauses or context otherwise requires referral of the rights directly to the Government (e.g., in data rights clauses).

If this purchase order is placed under a prime contract or subcontract from a U.S. Government agency other than the Department of Defense, the above references to DFARS clauses regarding technical data shall be deemed to have reference to the equivalent FAR or agency regulations.

In addition to the foregoing, Seller shall at all times comply with all applicable Federal, State and Local Laws, rules and regulations.

The FAR and DFARS are obtainable from the Superintendent of Documents, Government Printing Office Washington D.C. 20402. Title 48 of the Code of Federal Regulations, containing the Federal Acquisition Regulation and the Defense FAR Supplement clauses cited here, can be found at <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>.

**Footnotes:**

1,2 & 3. These clauses apply if the original or modified total order exceeds the following (select amount corresponding to footnote number) and the conditions of any other applicable footnotes are met: (1) \$10,000 (2) \$100,000 or (3) \$650,000.

4,5,6,7,8,9,10,11, 12 & 13. These clauses apply if the following conditions are met (select condition(s) corresponding to footnote number) and the conditions of any other applicable footnotes are met: (4) deliveries include or contain item suggested in clause title; (5) order involves access to classified information; (6) order was negotiated; (7) order is first tier subcontract; (8) related prime contract was let under sealed bid; (9) only available for purchases of foreign supplies over \$10,000; (10) order involves experimental, developmental, or research work by nonprofit organization or small business firm; (11) order involves experimental, developmental, or research work by other entity; (12) order provides for acquisition or fabrication of special tooling or test equipment; or (13) Seller is not a small business.

14. The term “Government” shall mean government or Buyer and the term “Contracting Officer” shall mean Contracting Officer or buyer and “Subcontractor” shall mean the vendor receiving this order as may be appropriate throughout such clauses.

15. Change “120 days” to “60 days” in subparagraph (c), “1 year” to “6 months” in subparagraph (e) and change “90 days” to “45 days” in Subparagraph (l).