

GE Healthcare Government Acquisition of Commercial Items Appendix

Supplier agrees to comply with the following FAR clauses (found at Title 48 of the Code of Federal Regulations) in effect on the date of the Order, and these requirements are hereby incorporated by reference, to the extent they apply to Buyer's contract with the U.S. Government or to the extent they are required by the use of U.S. Government funding. In the event of a conflict between the clauses listed below and the Buyer's contract with the Government, the terms of Buyer's contract with the Government shall prevail. Where applicable, the terms "government", "Contracting Officer", and similar terms in clauses below shall mean Buyer, and the term "Contractor" and similar terms shall mean Supplier.

FAR COMMERCIAL ITEM FLOW-DOWN

- 52.203–13, Contractor Code of Business Ethics and Conduct (Oct 2015) (41 U.S.C. 3509).
- 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)).
- 52.204-21, Basic Safeguarding of Covered Contractor Information Systems (June 2016) - in all subcontracts (including subcontracts for the acquisition of commercial items, other than commercially available off-the-shelf items), in which the subcontractor may have Federal contract information residing in or transiting through its information system.
- 52.204-23, Prohibition on Contracting for Hardware, Software and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (Jul 2018)
- 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment (August 2020)
- 52.219–8, Utilization of Small Business Concerns (Nov 2016) (15 U.S.C. 637(d)(2) and (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.
- 52.222-17, Non-displacement of Qualified Workers (May 2014) (E.O. 13495). Flow down required in accordance with paragraph (1) of FAR clause 52.222-17.
- 52.222-21, Prohibition of Segregated Facilities (Apr 2015).
- 52.222-26, Equal Opportunity (Sep 2016) (E.O. 11246).
- 52.222–35, Equal Opportunity for Veterans (Oct 2015) (38 U.S.C. 4212).
- 52.222–36, Equal Opportunity for Workers with Disabilities (July 2014) (29 U.S.C. 793).
- 52.222-37, Employment Reports on Veterans (Feb 2016) (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 (May 2014), (41 U.S.C. chapter 67).
- 52.222–50, Combating Trafficking in Persons (Mar 2015) (22 U.S.C. 7104(g)).
- 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 Labor Standards to Contracts for Certain Services-Requirements (May 2014) (41 U.S.C. chapter 67).
- 52.222–54, Employment Eligibility Verification (Oct 2015) (E.O. 12989).
- 52.222-55 Minimum Wages Under Executive Order 13658 (Dec 2015).
- 52.222-62, Paid sick Leave Under Executive Order 13706 (JAN 2017) (E.O. 13706).
- 52.223-99 Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors in Multiple Award or Federal Supply Schedule Contracts for Products and Services - in subcontracts at any tier that exceed the simplified acquisition threshold, as defined in Federal Acquisition Regulation 2.101 on the date of subcontract award, and are for services, including construction, performed in whole or in part within the United States or its outlying areas.
- 52.224-3, Privacy Training (Jan 2017) (5 U.S.C. 552a).
- 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. 2302 Note).
- 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations. (May 2014) (42 U.S.C. 1792). Flow down required in accordance with paragraph (e) of FAR clause 52.226-6.
- 52.247-64, Preference for Privately-Owned U.S. Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx 1241(b) and 10 U.S.C. 2631). Flow down required in accordance with paragraph (d) of FAR clause 52.247-64.
- 252.204-7018 Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services.
- 252.211-7003 Item Unique Identification and Valuation.
- 252.232-7017 Accelerating Payments to Small Business Subcontractors—Prohibition on Fees and Consideration.
- 252.247-7023 Transportation of Supplies by Sea.
- 252.223-7999 Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors (Deviation 2021-O0009) - applicable to subcontracts at any tier that exceed the simplified acquisition threshold, as defined in Federal Acquisition Regulation 2.101 on the date of subcontract award, and are for services, including construction, performed in whole or in part within the United States or its outlying areas.
- 352.223-70 Safety and Health – applicable to subcontracts involving toxic substances, hazardous materials, or hazardous operations.