- (b) Certification.
- By submitting this offer, the Offeror, if a foreign person, company or entity, certifies that it-
- (1) Does not comply with the Secondary Arab Boycott of Israel; and
- (2) Is not taking or knowingly agreeing to take any action, with respect to the Secondary Boycott of Israel by Arab countries, which 50 U.S.C. App. Sec. 2407(a) prohibits a United States person from taking.

(c) Representation of Extent of Transportation by Sea. (This representation does not apply to solicitations for the direct purchase of ocean transportation services).

(1) The Offeror shall indicate by checking the appropriate blank in paragraph (c)(2) of this provision whether transportation of supplies by sea is anticipated under the resultant contract. The term "supplies" is defined in the Transportation of Supplies by Sea clause of this solicitation.

(2) Representation.

The Offeror represents that it—

Does anticipate that supplies will be transported by sea in the performance of any contract or subcontract resulting from this solicitation.

Does not anticipate that supplies will be transported by sea in the performance of any contract or subcontract resulting from this solicitation.

(3) Any contract resulting from this solicitation will include the Transportation of Supplies by Sea clause. If the Offeror represents that it will not use ocean transportation, the resulting contract will also include the Defense Federal Acquisition Regulation Supplement clause at 252.247-7024, Notification of Transportation of Supplies by Sea.

(End of provision)

#### 252.212-7001 Contract terms and conditions required to implement statutes or Executive Orders applicable to Defense acquisitions of commercial items.

As prescribed in 212.301(f)(iv), use the following clause:

CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS APPLICABLE TO DEFENSE ACQUISITIONS OF COMMERCIAL ITEMS (NOV 1995)

- (a) The Contractor agrees to comply with the Defense Federal Acquisition Regulation Supplement (DFARS) clause 252.247-7023, Transportation of Supplies by Sea, which is included in this contract by reference to implement 10 U.S.C. 2631.
- (b) The Contractor agrees to comply with any clause that is checked on the following list of DFARS clauses which, if checked, is included in this contract by reference to implement provisions of law or Executive Orders applicable to acquisitions of commercial items or components.
- 252.205-7000 Provision of Information to Cooperative Agreement Holders (10 U.S.C. 2416). 252.206-7000 Domestic Source Restriction (10 U.S.C. 2304).

- 252.219-7001 Notice of Partial Small Business Set-Aside with Preferential Consideration for Small Disadvantaged Business Concerns ( Alternate I) (Section 9004, Pub. L. 101-165 (10 U.S.C. 2301 (repealed) note)). 252.219-7002 Notice of Small Disadvantaged Business Set-Aside ( Alternate I) (15 U.S.C. 644).
- 252.219-7003 Small Business and Small Disadvantaged Business Subcontracting Plan (DoD Contracts) (15 U.S.C. 637).
- 252.219-7005 Incentive for Subcontracting with Small Businesses, Small Disadvantaged Businesses, Historically Black Colleges and Universities and Minority Institutions Alternate I) (Section 9004, Pub. L. 101-165 (10 U.S.C. 2301 (repealed) note)).
- 252.219-7006 Noice of Evaluation Preference for Small Disadvantaged Business Concerns (\_\_\_\_ Alternate I) (15 U.S.C. 644).
- 252.225-7001 Buy American Act and Balance of Payment Program (41 U.S.C. 10, E.O. 10582).
- 252.225–7007 Trade Agreements (10 U.S.C. 2501-2582).
- 252.225-7012 Preference for Certain Domestic Commodities.
- 252.225-7014 Preference for Domestic Speciality Metals (10 U.S.C. 2241 note).
- 252.225-7015 Preference for Domestic Hand or Measuring Tools (10 U.S.C. 2241 note).
- 252.225-7017 Preference for United States and Canadian Valves and Machine Tools (10 U.S.C. 2534(c)(2)). \_\_\_252.225-7027 Limitation on Sales
- Commissions and Fees (12 U.S.C. 2779). 252.225-7028 Exclusionary Policies and Practices of Foreign Governments (22 U.S.C. 2755).
- 252.225-7029 Restriction on Acquisition of Air Circuit Breakers (10 U.S.C. 2534(a)(3)).
- 252.225-7036 North American Free Trade Agreement Implementation Act. 252.227-7015 Technical Data-Commercial Items (10 U.S.C. 2320).

252.227-7037 Validation of Restrictive Markings on Technical Data (10 U.S.C. 2321).

- 252.233-7000 Certification of Claims and Requests for Adjustment or Relief (10 U.S.C. 2410).
- 252.242-7002 Submission of Commercial Freight Bills for Audit (31 U.S.C. 3726).
- 252.247-7024 Notification of Transportation of Supplies by Sea (10 U.S.C. 2631).
- 252.249-7001 Notification of Substantial Impact on Employment (10 U.S.C. 2501 note).

(End of clause)

### 252.215-7001 [Removed and Reserved]

131. Section 252.215-7001 is removed and reserved.

132. Section 252.217-7026 is amended by revising the clause date to read "(NOV 1995)" and revising paragraph (3) of the table to read as follows:

#### 252.217-7026 Identification of sources of supply.

(b) \* \* \*

(3) Use "Y" if the item is a commercial item; otherwise use "N." If "Y" is listed, the Offeror need not complete the remaining columns in the table.

133. Section 252.219-7003 is amended by revising the title; by revising the clause date to read "(NOV 1995)"; by revising the introductory text of the clause and by revising in paragraph (b) the word "products" to read "items" as follows:

#### 252.219-7003 Small, small disadvantaged and women-owned small business subcontracting plan (DoD contracts).

This clause supplements the Federal Acquisition Regulation 52.219-9, Small, Small Disadvantaged and Women-Owned Small Business Subcontracting Plan, clause of this contract.

# 252.219-7005 [Amended]

134. Section 252.219-7005 is amended by revising the clause date to read "(NOV 1995)" and by revising in paragraph (d) the word "products" to read "items."

135. Section 252.223-7006, ALTERNATE I, is amended by revising the date to read "(NOV 1995)"; by revising in paragraph (c) the word "material" to read "materials"; and by revising paragraph (d) to read as follows:

## 252.223-7006 Prohibition on storage and disposal of toxic and hazardous materials.

**ALTERNATE I (NOV 1995)** 

(d) The Contractor shall include this

clause, including this paragraph (d), in each subcontract which requires, may require, or permits a subcontractor to treat or dispose of non-DoD-owned toxic or hazardous materials as defined in this clause.

136-137. Section 252.225-7012 is amended by revising the clause date to read "(NOV 1995)"; by removing the word "or" at the end of paragraph (b)(2); by removing the period at the end of paragraph (b)(3) and adding a semicolon and the word "or" in its place; and by adding a new paragraph (b)(4) to read as follows: