

## **BAE Systems**

### **Interim Terms and Conditions Changes (2025)**

#### **Changes Effective 27 March 2025:**

- 1. ADD FAR 52.246-11 HIGHER LEVEL CONTRACT QUALITY REQUIREMENT (DEC 2014) to USGOVA, USGOVA-CON, USGOVB, and USGOVA-COMMERCIAL**

#### **Changes Effective 8 April 2025:**

- UPDATE FAR 52.223-18 (RESERVED) to 52.226-8, ENCOURAGING CONTRACTOR POLICIES TO BAN TEXT MESSAGING WHILE DRIVING (MAY 2024) (USGOVA, USGOVB, USGOVA-CON)
- UPDATE FAR 52.223-6 DRUG-FREE WORKPLACE (MAY 2001) TO BE 52.226-7. CLAUSE 52.223-6 IS NOW RESERVED.(USGOVA, USGOVB, USGOVA-CON)

#### **Changes Effective 22 April 2025:**

- The Changes set forth herein are applicable as of April 22, 2025, and relate to the following forms:
  - BAEDOC USGOVA
  - BAEDOC USGOVB
  - BAEDOC US GOVA-CON
  - BAE DOC USGOV-COMMERCIAL ONLY
- Interim modification to new and existing Subcontract/Purchase Orders (Agreement). In the event a new solicitation/customer Agreement is issued and/or a BAE Systems, Inc. or its businesses ("BAE Systems") customer contract is modified in order to implement Class Deviations relating to Diversity, Equity and Inclusion terms, as directed by recent Executive Orders, the following modifications may apply to the existing Agreement (these modifications shall not apply to contract actions with less than six months remaining which do not have an option to extend) because they are no longer enforceable and/or have been removed from BAE Systems' customer contract:
  - Compliance with procedures in the DFARS Subpart 222.8 and DFARS Procedures, Guidance and Information subpart 222.8 is not required.
  - As a result of the Class Deviation directing that no action be taken to implement Executive Order 11246 Equal Employment Opportunity, as implemented by FAR subpart 22.8 and if your Agreement contains any of the following FAR clauses, this Modification removes the following FAR clauses from said Agreement:
    - **FAR 52.222-21 PROHIBITION OF SEGREGATED FACILITIES (APR 2015)**
    - **FAR 52.222-22 PREVIOUS CONTRACTS AND COMPLIANCE REPORTS (FEB 1999)**
    - **FAR 52.222-24 PREAWARD ON-SITE EQUAL OPPORTUNITY COMPLIANCE EVALUATION (FEB 1999)**
    - **FAR 52.222-25 AFFIRMATIVE ACTION COMPLIANCE (APR 1984)**
    - **FAR 52.222-26 EQUAL OPPORTUNITY (SEP 2016)**
    - **FAR 52.222-27 AFFIRMATIVE ACTION COMPLIANCE REQUIREMENT FOR CONSTRUCTION (APR 2015)**

- **FAR 52.222-29 NOTIFICATION OF VISA DENIAL (APR 2015)**
- To the extent your Agreement contains any of the following FAR clauses, said FAR clauses are modified as follows:
  - **FAR 52.204-8 (c)(1)(xiv) and (xv) ANNUAL REPRESENTATIONS AND CERTIFICATIONS (MAR 2025) (DEVIATION 2025-00003)**
    - (c)(1)(xiv) Reserved
    - (c)(1)(xv) Reserved
  - **FAR 52.212-3 OFFEROR REPRESENTATIONS AND CERTIFICATIONS—COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES.** Substitute the following paragraph (d) for that paragraph in the provision at FAR 52.212-3:
    - (d) Reserved
  - **FAR 52.212-5 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS—COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES.** Substitute the following paragraphs (b)(33), (34), and (e)(1)(ix) and (x) for those paragraphs in the clause at FAR 52.212-5:
    - (b)(33) [Reserved]
    - (b)(34) [Reserved]
    - (e)(1) \* \* \*
      - (ix) [Reserved]
      - (x) [Reserved]
  - *Alternate II* (MAR 2025) (DEVIATION 2025-00003). Substitute the following paragraphs (e)(1)(ii)(I) and (J) for those paragraphs in Alternate II of FAR 52.212-5
    - (e)(1)(ii)(I) [Reserved]
    - (e)(1)(ii)(J) [Reserved]
- **52.213-4 TERMS AND CONDITIONS—SIMPLIFIED ACQUISITIONS (OTHER THAN COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES).** Substitute the following paragraphs (a)(1)(vii) and (viii) for those paragraphs in the clause at Federal Acquisition Regulation 52.213-4:
  - FAR 52.213-4(a)(1)(vii) [Reserved]
  - FAR 52.213-4(a)(1)(viii) [Reserved]
- **FAR 52.222-9 APPRENTICES AND TRAINEES.** Substitute the following paragraph (c) for that paragraph in the clause at Federal Acquisition Regulation 52.222-9:
  - (c) [Reserved]
- **52.244-6 SUBCONTRACTS FOR COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES.** Substitute the following paragraphs (c)(1)(xi) and (xii) for those paragraphs in the clause at Federal Acquisition Regulation 52.244-6:
  - (c)(1)(xi) [Reserved]
  - (c)(1)(xii) [Reserved]

The remainder of your Agreement is unchanged.

**Changes Effective 22 MAY 2025:**

1. **EDIT BAEDOC Short Form paragraph 7.1** to read: “To the maximum extent under law, BAE Systems maintains all right, title, and interest in and to all intellectual property and proprietary information not expressly licensed herein, **except intellectual property received from or provided by the US Government or in which the US Government has licensed data rights in BAE Systems’ Intellectual Property, to the extent of such rights.** To the extent BAE Systems’ intellectual property is shared with Supplier for the purpose of the Work, BAE Systems grants Supplier a limited, revocable, non-sublicensable, paid-up, royalty-free license to use the intellectual property for the sole purpose of performing the Contract.”

**Changes Effective 25 JUNE 2025:**

1. EDIT USGOVA (03/2025), USGOVA-CON (03/2025) and USGOVB (03/2025) as follows:
  - FAR 52.223-6 is now RESERVED. **Replace** with FAR 52.226-7, Drug-Free Workplace (MAY 2024)
  - FAR 52.223-18 is now RESERVED. **Replace** with FAR 52.226-8, Encouraging Contractor Policies to Ban Text Messaging While Driving (MAY 2024)
  - The section heading for part 12 of USGOVA (03/2025), USGOVA-CON (03/2025), and USGOVB (03/2025) is edited as follows: The following additional clauses apply to this Contract as defined by the respective FAR clause if the Contract equals or exceeds \$750,000 (for contracts awarded before July 1, 2018) or \$2,000,000 (for contracts awarded on or after July 1, 2018) and is for a Non-Commercial Product