

## **U.S. GOVERNMENT CONTRACTS – ADDITIONAL PROVISIONS**

**FOR SUBCONTRACTORS.** The following Federal Acquisition Regulation ("FAR") clauses, including applicable alternates, as in effect on an Order's, Contract's or Agreement's date, are hereby incorporated by reference to the extent required by the clause, with the same force and effect as if they were incorporated in full text. In reading these clauses "Contractor" or "Offeror" shall mean "Seller" as the context requires and references to "the Government", "the Contracting Officer" or any Federal department or entity shall include 3M, as the context requires, and to the extent necessary to allow 3M to fulfill its contractual obligations to the contracting agency.

The full text of each clause may be accessed electronically at <http://farsite.hill.af.mil/>

FAR 52.203-11	Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions
FAR 52.203-12	Limitation on Payments to Influence Certain Federal Transactions
FAR 52.203-13	Contractor Code of Business Ethics and Conduct
FAR 52.203-17 (Applicable to contracts over \$150,000)	Contractor Employee Whistleblower Rights and Requirement To Inform Employees of Whistleblower Rights.
FAR 52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards
FAR 52.222-17	Nondisplacement of Qualified Workers
FAR 52.222-41	Service Contract Act of 1965
FAR 52.222-51	Exemption from Application of the Service Contract Act to Contracts for Maintenance, Calibration, or Repair of Certain Equipment – Requirements; (f)
FAR 52.222-53	Exemption from Application of the Service Contract Act to Contracts for Certain Services – Requirements
FAR 52.222-54	Employment Eligibility Verification
FAR 52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving
FAR 52.225-8	Duty Free Entry; (j)
DFARS 252.204-7012	Safeguarding of Unclassified Controlled Technical Information.
DFARS 252.223-7008	Prohibition of Hexavalent Chromium
FAR 52.232-40 (Applicable only to small businesses)	Providing Accelerated Payment to Small Business Subcontracts
DFARS 252.244-7000	Subcontracts for Commercial Items
DFARS 252.247-7023 ALT 1, if applicable ALT 2, if applicable ALT 3, if applicable	Transportation of Supplies by Sea
DFARS 252.247-7024	Notification of Transportation of Supplies by Sea

If the Seller is performing the Contract outside the United States and none of Seller's employees assigned to the Contract were recruited in the United States, provisions FAR 52.222-41, FAR 52.222-51, and FAR 52.222-53 are waived. The term "United States," includes the 50 States, the District of Columbia and U.S. territories (e.g. Puerto Rico, Guam, Northern Mariana Islands, American Samoa, the U.S. Virgin Islands, etc.). In some cases, applicability of the FAR

provision cited to the “United States” may also include U.S. outlying areas (e.g., Wake Island, etc.).

If this Agreement exceeds \$150,000 then, in accordance with FAR 52.203-11 and 52.303-12, by accepting this Agreement Seller (1) certifies to best of its knowledge and belief that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on its behalf, and (2) agrees to disclose to 3M if any registrants under the Lobbying Disclosure Act of 1995 have made a lobbying contact on behalf of the Seller, using OMB Standard Form LLL, Disclosure of Lobbying Activities.

Reporting Executive Compensation and First-Tier Subcontract Awards. Provided the subcontractor had gross income from all sources of \$300,000 or more in the previous tax year and the value of this subcontract is \$25,000 or more, the subcontractor agrees to provide 3M the detailed information listed below no later than 10 days after the month of award:

(i) Unique identifier (DUNS Number) for the subcontractor receiving the award and for the subcontractor's parent company, if the subcontractor has a parent company.

(ii) Subcontractor's physical address including street address, city, state, and country, including the nine-digit zip code and congressional district.

(iii) Subcontract primary performance location including street address, city, state, and country, including the nine-digit zip code and congressional district.

(iv) Names and total compensation of each of the subcontractor's five most highly compensated officers, for the preceding completed fiscal year, and annually thereafter, if, in the subcontractor's preceding fiscal year, the subcontractor received--

(1) 80 percent or more of its annual gross revenues in Federal contracts (and subcontracts), loans, grants (and subgrants), and cooperative agreements; and

(2) \$25,000,000 or more in annual gross revenues from Federal contracts (and subcontracts), loans, grants (and subgrants), and cooperative agreements; and

(3) the public does not have access to information about the compensation of the senior executives through periodic reports filed under Section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or Section 6104 of the Internal Revenue Code of 1986 (26 U.S.C. 6104).

The report shall be sent to 3M Government Contract Administrator listed on the contract or agreement form, ATTN: Subcontractor Reporting under FFATA.

The subcontractor is advised that the underlying legislation that established this requirement, the Federal Funding Accountability and Transparency Act of 2006, requires all reported information to be made public.