

**252.225-7014**

(End of clause)

[68 FR 15635, Mar. 31, 2003, as amended at 69 FR 1928, Jan. 13, 2004; 70 FR 2363, Jan. 13, 2005; 70 FR 35547, June 21, 2005; 71 FR 34835, June 16, 2006; 71 FR 58542, Oct. 4, 2006; 74 FR 68384, Dec. 24, 2009]

**252.225-7014 [Reserved]**

**252.225-7015 Restriction on acquisition of hand or measuring tools.**

As prescribed in 225.7002-3(b), use the following clause:

**RESTRICTION ON ACQUISITION OF HAND OR MEASURING TOOLS (JUN 2005)**

Hand or measuring tools delivered under this contract shall be produced in the United States or its outlying areas.

(End of clause)

[70 FR 35547, June 21, 2005, as amended at 74 FR 37641, July 29, 2009]

**252.225-7016 Restriction on acquisition of ball and roller bearings.**

As prescribed in 225.7009-5, use the following clause:

**RESTRICTION ON ACQUISITION OF BALL AND ROLLER BEARINGS (MAR 2006)**

(a) *Definitions.* As used in this clause:

(1) *Bearing components* means the bearing element, retainer, inner race, or outer race.

(2) *Component*, other than bearing components, means any item supplied to the Government as part of an end product or of another component.

(3) *End product* means supplies delivered under a line item of this contract.

(b) Except as provided in paragraph (c) of this clause, all ball and roller bearings and ball and roller bearing components delivered under this contract, either as end items or components of end items, shall be wholly manufactured in the United States, its outlying areas, or Canada. Unless otherwise specified in this contract, raw materials, such as preformed bar, tube, or rod stock and lubricants, need not be mined or produced in the United States, its outlying areas, or Canada.

(c) The restriction in paragraph (b) of this clause does not apply to ball or roller bearings that are acquired as—

(1) Commercial components of a non-commercial end product; or

(2) Commercial or noncommercial components of a commercial component of a non-commercial end product.

(d) The restriction in paragraph (b) of this clause may be waived upon request from the

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Contractor in accordance with subsection 225.7009-4 of the Defense Federal Acquisition Regulation Supplement.

(e) The Contractor shall insert the substance of this clause, including this paragraph (e), in all subcontracts, except those for—

(1) Commercial items; or

(2) Items that do not contain ball or roller bearings.

(End of clause)

[71 FR 14112, Mar. 21, 2006]

**252.225-7017 [Reserved]**

**252.225-7018 Notice of prohibition of certain contracts with foreign entities for the conduct of ballistic missile defense research, development, test, and evaluation.**

As prescribed in 225.7016-4, use the following provision:

**NOTICE OF PROHIBITION OF CERTAIN CONTRACTS WITH FOREIGN ENTITIES FOR THE CONDUCT OF BALLISTIC MISSILE DEFENSE RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (JUN 2005)**

(a) *Definitions.* (1) *Competent* means the ability of an offeror to satisfy the requirements of the solicitation. This determination is based on a comprehensive assessment of each offeror's proposal including consideration of the specific areas of evaluation criteria in the relative order of importance described in the solicitation.

(2) *Foreign firm* means a business entity owned or controlled by one or more foreign nationals or a business entity in which more than 50 percent of the stock is owned or controlled by one or more foreign nationals.

(3) *U.S. firm* means a business entity other than a foreign firm.

(b) Except as provided in paragraph (c) of this provision, the Department of Defense will not enter into or carry out any contract, including any contract awarded as a result of a broad agency announcement, with a foreign government or firm if the contract provides for the conduct of research, development, test, or evaluation in connection with the Ballistic Missile Defense Program. However, foreign governments and firms are encouraged to submit offers, since this provision is not intended to restrict access to unique foreign expertise if the contract will require a level of competency unavailable in the United States or its outlying areas.

(c) This prohibition does not apply to a foreign government or firm if—

(1) The contract will be performed within the United States or its outlying areas;

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(2) The contract is exclusively for research, development, test, or evaluation in connection with antitactical ballistic missile systems;

(End of clause)

(3) The foreign government or firm agrees to share a substantial portion of the total contract cost. The foreign share is considered substantial if it is equitable with respect to the relative benefits that the United States and the foreign parties will derive from the contract. For example, if the contract is more beneficial to the foreign party, its share of the costs should be correspondingly higher; or

[68 FR 15637, Mar. 31, 2003, as amended at 70 FR 35547, June 21, 2005; 74 FR 68384, Dec. 24, 2009]

(4) The U.S. Government determines that a U.S. firm cannot competently perform the contract at a price equal to or less than the price at which a foreign government or firm can perform the contract.

**252.225-7020 Trade Agreements Certificate.**

As prescribed in 225.1101(5), use the following provision:

(d) The offeror ( ) is ( ) is not a U.S. firm.

TRADE AGREEMENTS CERTIFICATE (JAN 2005)

(End of provision)

(a) *Definitions.* Designated country end product, nondesignated country end product, qualifying country end product, and U.S.-made end product have the meanings given in the Trade Agreements clause of this solicitation.

[68 FR 15637, Mar. 31, 2003, as amended at 70 FR 35547, June 21, 2005; 74 FR 53413, Oct. 19, 2009]

**252.225-7019 Restriction on acquisition of anchor and mooring chain.**

(b) *Evaluation.* The Government—

As prescribed in 225.7007-3, use the following clause:

(1) Will evaluate offers in accordance with the policies and procedures of part 225 of the Defense Federal Acquisition Regulation Supplement; and

RESTRICTION ON ACQUISITION OF ANCHOR AND MOORING CHAIN (DEC 2009))

(2) Will consider only offers of end products that are U.S.-made, qualifying country, or designated country end products unless—

(a) *Definition.* "Component," as used in this clause, means an article, material, or supply incorporated directly into an end product.

(i) There are no offers of such end products;

(b) Welded shipboard anchor and mooring chain, four inches or less in diameter, delivered under this contract—

(ii) The offers of such end products are insufficient to fulfill the Government's requirements; or

(1) Shall be manufactured in the United States or its outlying areas, including cutting, heat treating, quality control, testing, and welding (both forging and shot blasting process); and

(iii) A national interest waiver has been granted.

(2) The cost of the components manufactured in the United States or its outlying areas shall exceed 50 percent of the total cost of components.

(c) *Certification and identification of country of origin.* (1) For all line items subject to the Trade Agreements clause of this solicitation, the offeror certifies that each end product to be delivered under this contract, except those listed in paragraph (c)(2) of this provision, is a U.S.-made, qualifying country, or designated country end product.

(c) The Contractor may request a waiver of this restriction if adequate domestic supplies meeting the requirements in paragraph (b) of this clause are not available to meet the contract delivery schedule.

(2) The following supplies are other nondesignated country end products:

(d) The Contractor shall insert the substance of this clause, including this paragraph (d), in all subcontracts for items containing welded shipboard anchor and mooring chain, four inches or less in diameter.

(Line Item Number) (Country of Origin)

(End of provision)

[70 FR 2363, Jan. 13, 2005]

**252.225-7021 Trade agreements.**

As prescribed in 225.1101(6), use the following clause:

TRADE AGREEMENTS (JUL 2009)

(a) *Definitions.* As used in this clause—

(1) *Caribbean Basin country end product*—

(i) Means an article that—

(A) Is wholly the growth, product, or manufacture of a Caribbean Basin country; or

(B) In the case of an article that consists in whole or in part of materials from another country, has been substantially transformed in a Caribbean Basin country into a new and different article of commerce with a name, character, or use distinct from that of the