

YORK INTERNATIONAL CORPORATION, a Johnson Controls Company  
FEDERAL ACQUISITION REGULATION (FAR) AND DEPARTMENT OF DEFENSE FAR (DFAR)  
SUPPLEMENT ARE INCORPORATED BY REFERENCE HEREIN:  
Revised: July 28, 2009

Legend of Limited Applicability:

- A Applies to all P.O.s
- B Applies if P.O. is greater than \$100,000
- C Applies if P.O. is greater than \$650,000
- D Applies to Cost Reimbursement-type P.O.s
- E Applies if P.O. is greater than or equal to \$10,000
- F Applies if P.O. is greater than \$550,000
- G Applies if P.O. has government property provided to seller
- H Applies if P.O. is greater than \$5,000,000, has performance period greater than 120 days, is for non-commercial item and is not performed entirely outside the U.S.
- I Applies if P.O. is greater than \$5,000,000, is for non-commercial item and is not performed entirely outside the U.S.
- J Applies if P.O. requires routine subcontractor access to any federally-controlled facility or information system
- K Applies if P.O. is greater than \$100,000 and 1) is a cost-reimbursement, incentive, time-and-materials, labor-hour, or price-redeterminable type P.O., 2) requires cost or pricing data, or 3) requires cost, funding or performance reports by subcontractor
- L Applies if P.O. is greater than \$100,000, except P.O.s for: construction/architect-engineer services under FAR Part 36, utility services under FAR Part 41, services not requiring supplies, commercial items or petroleum products
- M Applies if P.O. requires cost/pricing data or if preaward/postaward determinations for P.O. are subject to Contract Cost Principles and Procedures under FAR Part 31
- N Applies if P.O. requires or involves employing laborers and mechanics
- O Applies if Contractor has been awarded nonexempt federal contracts with aggregate value greater than \$10,000 during any 12-month period and P.O. is not exempted by the Secretary of Labor under Executive Order 11246 from requirement to include the Equal Opportunity clause
- P Applies if P.O. is subject to Service Contract Act of 1965 (is for services and is greater than \$2,500)
- Q Applies if P.O. is for experimental, developmental or research work by small business concern or nonprofit
- R Applies if P.O. is subject to the Defense Base Act (42 U.S.C. § 1651, *et seq.*)
- S Applies if P.O. involves work on a Government installation
- T Applies to negotiated P.O.s greater than \$500,000, not exempted by 48 C.F.R. 9903.201-1 from the requirement to include a Cost Accounting Standards clause
- U Applies if P.O. is issued in performance of a contract for a major system or item of supply
- V Applies if P.O. is for commercial items and prime contract is for other than commercial items
- W Applies if P.O. may involve international air transportation
- X Applies if P.O. is issued in performance of contract for items requiring Government-furnished precious metals
- Y Applies if P.O. is greater than \$1,000,000
- Z Applies if P.O. is issued under contract for items for which Government's unit acquisition cost is greater than \$5,000
- 1 Applies to all P.O.s except firm-fixed price P.O. awarded on basis of adequate price competition, fixed-price P.O. with economic price adjustment awarded on basis of adequate price competition, firm-fixed-price P.O. for acquisition of commercial item and fixed-price P.O. with economic price adjustment for acquisition of commercial item
- 2 Applies to all P.O.s performed outside the U.S. and P.O.s for non-commercial services performed in the U.S.
- 3 Applies if P.O. requires or may require subcontractor to treat or dispose of toxic or hazardous materials not owned by DoD and Secretary of Defense has granted exception to the statutory prohibition on storing and disposing of such materials on DoD installations
- 4 Applies if P.O. is greater than \$550,000 and is not for commercial item, construction, ore, natural gas, utility, petroleum product/crude, timber/log or subsistence
- 5 Applies if P.O. is for items covered by U.S. Munitions List

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- 6 Applies if P.O. is for qualifying country components (countries are specified in DFARS 225.872-1) or nonqualifying country components for which duty is estimated to be greater than \$200 per unit
- 7 Applies if P.O. is greater than \$100,000 and is for an article containing specialty metals
- 8 Applies if P.O. is for non-commercial item containing ball or roller bearings
- 9 Applies if P.O. is greater than \$500,000
- 10 Applies if P.O. is issued under contract that requires subcontractor or supplier to deliver technical data for noncommercial items to Government
- 11 Applies if P.O. is issued under contract that requires subcontractor or supplier to deliver noncommercial computer software or documentation for such software to Government
- 12 Applies if P.O. is issued under contract that requires subcontractor or supplier to furnish computer software to Government
- 13 Applies if P.O. is for experimental, developmental or research work by other than a small business concern or nonprofit, unless FAR 27.303 requires different patent rights clause
- 14 Applies if P.O. is for commodities greater than \$500
- 15 Applies if P.O. requires development, production, construction, testing or operation of device requiring radio frequency authorization
- 16 Applies if P.O. is for critical safety item parts; systems, subsystems, assemblies and subassemblies integral to a system; or repair, maintenance, logistics support and overhaul services for systems, subsystems, assemblies, subassemblies and parts integral to a system
- 17 Applies if P.O. is equal to or less than \$100,000
- 18 Applies if P.O. is for construction, noncommercial items, or certain commercial items specified in DFARS 252.247-7023(b)(2)(ii)(B)

The following provisions of the FAR and DFAR are incorporated into the purchase order mutatis mutandis: References therein to “Government” or “Contracting officer” are changed to read “Buyer” except in such cases where the clear intent of the clause retains the original meaning of the terms. References to “Contractor” shall mean “Seller”. Copies of the full text of a provision may be obtained through the Buyer. If, from time to time, the Government revises or amends these clauses, the same revised or amended clauses shall be incorporated and applied to this purchase order.

Note: York’s contract includes requirements under the Buy American Act (“BAA”) or the Trade Agreements Act (“TAA”). To the extent your product will be delivered to the government without incorporation into or substantial transformation into another product, you are required to provide only product that complies with the relevant BAA or TAA provision of the prime contract.

FAR 52.202-1 Definitions. (7/04)	A
FAR 52.203-6 Restrictions on Subcontractor Sales to the Government. (9/06)	B
FAR 52.203-7 Anti-Kickback Procedures. (7/95) (Less paragraph (c)(1).)	B
FAR 52.203-11 Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions. (9/07)	B
FAR 52.203-12 Limitation on Payments to Influence Certain Federal Transactions. (9/07)	B
FAR 52.203-13 Contractor Code of Business Ethics and Conduct. (12/07)	H
FAR 52.203-14 Display of Hotline Poster(s). (12/07)	I
FAR 52.204-2 Security Requirements. (8/96)	A
FAR 52.204-9 Personal Identity Verification of Contractor Personnel. (9/07)	J

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FAR 52.211-15 Defense Priority and Allocation Requirements. (9/90)	A
FAR 52.214-26 Audit and Records--Sealed Bidding. (10/97)	C
FAR 52.214-27 Price Reduction for Defective Cost or Pricing Data--Modifications-- Sealed Bidding. (10/97)	C
FAR 52.214-28 Subcontractor Cost or Pricing Data--Modifications--Sealed Bidding. (10/97)	C
FAR 52.215-2 Audit and Records--Negotiation. (6/99)	K
FAR 15.406-2 Certificate of Current Cost or Pricing Data.	C
FAR 52.215-10 Price Reduction for Defective Cost or Pricing Data. (10/97)	C
FAR 52.215-11 Price Reduction for Defective Cost or Pricing Data--Modifications. (10/97)	C
FAR 52.215-12 Subcontractor Cost or Pricing Data. (10/97)	C
FAR 52.215-13 Subcontractor Cost or Pricing Data--Modifications. (10/97)	C
FAR 52.215-14 Integrity of Unit Prices. (10/97) (Less paragraph (b).)	L
FAR 52.215-15 Pension Adjustments and Asset Reversions. (10/04)	M
FAR 52.215-18 Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions. (7/05)	M
FAR 52.215-19 Notification of Ownership Changes. (10/97)	M
FAR 52.215-20 Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data. (10/97)	C
FAR 52.215-21 Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data--Modifications. (10/97)	C
FAR 52.216-7 Allowable Cost and Payment. (12/02)	D
FAR 52.219-9 Small Business Subcontracting Plan. (11/07)	F
FAR 52.219-16 Liquidated Damages--Subcontracting Plan. (1/99)	F
FAR 52.222-4 Contract Work Hours and Safety Standards Act—Overtime Compensation. (7/05)	N
FAR 52.222-21 Prohibition of Segregated Facilities. (2/99)	O
FAR 52.222-26 Equal Opportunity. (3/07)	O
FAR 52.222-35 Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans. (9/06)	B
FAR 52.222-36 Affirmative Action for Workers with Disabilities. (6/98)	E

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FAR 52.222-37 Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans. (9/06)	B
FAR 52.222-39 Notification of Employee Rights Concerning Payment of Union Dues or Fees. (12/04)	B
FAR 52.222-41 Service Contract Act of 1965. (11/07)	P
FAR 52.222-48 Exemption from Application of the Service Contract Act to Contracts for Maintenance, Calibration, or Repair of Certain Equipment--Certification. (11/07)	P
FAR 52.222-50 Combating Trafficking in Persons. (8/07)	A
FAR 52.222-52 Exemption from Application of the Service Contract Act to Contracts for Certain Services--Certification. (11/07)	P
FAR 52.223-14 Toxic Chemical Release Reporting (8/03) (Less paragraph (e).)	B
FAR 52.225-13 Restrictions on Certain Foreign Purchases. (2/06)	A
FAR 52.227-1 Authorization and Consent. (12/07)	B
FAR 52.227-2 Notice and Assistance Regarding Patent and Copyright Infringement. (12/07)	B
FAR 52.227-3 Patent Indemnity. (4/84)	A
FAR 52.227-10 Filing of Patent Applications--Classified Subject Matter. (12/07)	A
FAR 52.227-11 Patent Rights--Ownership by the Contractor. (12/07)	Q
FAR 52.228-3 Workers' Compensation Insurance (Defense Base Act). (4/84)	R
FAR 52.228-5 Insurance--Work on a Government Installation. (1/97)	S
FAR 52.230-2 Cost Accounting Standards. (4/98) (Less paragraph (b).)	T
FAR 52.230-3 Disclosure and Consistency of Cost Accounting Practices. (4/98) (Less paragraph (b).)	T
FAR 52.230-6 Administration of Cost Accounting Standards. (4/05)	T
FAR 52.232-20 Limitation of Cost. (4/84)	D
FAR 52.232-22 Limitation of Funds. (4/84)	D
FAR 52.234-1 Industrial Resources Developed Under Defense Production Act Title III. (12/94)	U
FAR 52.236-13 Accident Prevention. (11/91)	A
FAR 52.244-6 Subcontracts for Commercial Items. (3/07)	V
FAR 52.245-1 Government Property (6/07)	A



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Small Business Innovation Research (SBIR) Program (6/95)

DFARS 252.227-7019 Validation of Asserted Restrictions--Computer Software. (6/95)	12
DFARS 252.227-7033 Rights in Shop Drawings. (4/66)	A
DFARS 252.227-7037 Validation of Restrictive Markings on Technical Data. (9/99)	10
DFARS 252.227-7038 Patent Rights--Ownership by the Contractor (Large Business). (12/07)	13
DFARS 252.228-7005 Accident Reporting and Investigation Involving Aircraft, Missiles, and Space Launch Vehicles. (12/91)	A
DFARS 252.229-7004 Status of Contractor as a Direct Contractor (Spain). (6/97)	A
DFARS 252.229-7011 Reporting of Foreign Taxes--U.S. Assistance Programs. (9/05)	14
DFARS 252.235-7003 Frequency Authorization. (12/91)	15
DFARS 252.246-7003 Notification of Potential Safety Issues. (1/07)	16
DFARS 252.247-7023 Transportation of Supplies by Sea. (5/02)	B
DFARS 252.247-7023 Transportation of Supplies by Sea (5/02) (Less paragraphs (f) and (g).)	17
DFARS 252.247-7023 Transportation of Supplies by Sea. (Alternate III - (5/02))	18
DFARS 252.247-7024 Notification of Transportation of Supplies by Sea. (3/00)	18

FAR 52.228-4 Workers' Compensation and War-Hazard Insurance Overseas. (4/84)  
(Less paragraph a.)

*3. The following applies if P.O. is for construction, alterations or repairs within the U.S.*

FAR 52.222-6 Davis-Bacon Act. (7/05)	
FAR 52.222-7 Withholding of Funds. (2/88)	
FAR 52.222-8 Payrolls and Basic Records. (2/88)	
FAR 52.222-9 Apprentices and Trainees. (7/05)	
FAR 52.222-10 Compliance with Copeland Act Requirements. (2/88)	
FAR 52.222-11 Subcontracts (Labor Standards). (7/05)	
FAR 52.222-12 Contract Termination--Debarment. (2/88)	
FAR 52.222-13 Compliance with Davis-Bacon and Related Act Regulations. (2/88)	
FAR 52.222-14 Disputes Concerning Labor Standards. (2/88)	
FAR 52.222-15 Certification of Eligibility. (2/88)	

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