

Customer Contract Requirements

Customer Contract N0001424C1147

ONR- Contract Authority for Development and Demonstration of Initial or Additional Prototypes
In accordance with 10 USC 4004 (Section 861 of the National Defense Authorization Act (NDAA) for Fiscal Year 2018 as amended by Section 831 of the NDAA for Fiscal Year 2021), this contract issued under BAA N0001424SB001, may be modified to contain a contract line item or contract option for the development and demonstration or initial production of technology developed under the contract or for the delivery of initial or additional items if the item or prototype thereof is created as the result of work performed under the contract.

ONR- Intelligence Oversight

1. In compliance with DoDD 5148.13 paragraph 4.1.e and SECNAVINST 3820.3F, all contractor personnel conducting Intelligence or Intelligence-related activities or supporting those efforts under Department of Defense authorities shall report any Questionable Intelligence Activity (QIA) or Significant or Highly Sensitive Matter (S/HSM) to the Office of Naval Research Contracting Officer Representative/Program Officer and the Senior Intelligence Officer.

Intelligence-Related Activities: Activities that are not conducted under the authority of Executive Order 12333 that involves the collection, retention, or analysis of information, and the activities' primary purpose is to:

- Train intelligence personnel.
 - Conduct research, development, or testing and evaluation for the purpose of developing intelligencespecific capabilities. Activities that use intelligence funding (e.g., Military Intelligence Program or National Intelligence Program) are presumed to be intelligence or intelligence-related activities. Specifically excluded from this definition are operational security activities, such as own force monitoring, force protection, maintenance of technologies or systems, cyberspace surveillance and reconnaissance operations. This is not an exhaustive list. See DODM 5204.01 Section 3.1.a (3) for additional information.
- Questionable Intelligence Activity (QIA): Any Intelligence or Intelligence-related activity when there is reason to believe such activity may be unlawful or contrary to an Executive Order, Presidential Directive, Intelligence Community Directive, or applicable DoD policy governing that activity.
- Significant or Highly Sensitive Matter (S/HSM): An Intelligence or Intelligence-related activity (regardless of whether the Intelligence or Intelligence-related activity is unlawful or contrary to an Executive Order, Presidential Directive, Intelligence Community Directive, or DoD policy), or serious criminal activity by Intelligence personnel, that could impugn the reputation or integrity of the Intelligence Community, or otherwise call into question the propriety of Intelligence activities. Such matters might involve actual or potential:

- Congressional inquiries or investigations.
 - Adverse media coverage.
 - Impact on foreign relations or foreign partners.
 - Systemic compromise, loss, or unauthorized disclosure of protected information.
2. An activity or conduct that qualifies as either a Questionable Intelligence Activity (QIA) or a Significant or Highly Sensitive Matter (S/HSM) is reportable without waiting for substantiation, completion of an investigation, formal adjudication, or final resolution of the issue.
3. No adverse action will be taken against DoD contractor personnel because they intend to report to the appropriate authorities what they reasonably believe is a QIA or S/HSM.
4. The above requirements do not preclude, supersede, or limit the existing authorities and policies governing reporting of criminal or counterintelligence matters to the Defense Criminal Investigative Organizations (DCIO) and Military Department Counterintelligence Organizations (MDCO). NCIS is the DON DCIO and MDCO.
5. The contractor shall include paragraphs 1-4, including this paragraph (5), in all subcontracts, or similar contractual instruments.

ONR- Comprehensive Subcontracting Plan

The Contractor's Comprehensive Subcontracting Plan, dated 09/26/2023, effective from 10/01/2023 through 09/30/2024 is hereby incorporated by reference.

ONR- DD254

A DD254 is provided as an attachment in Section J.

ONR- Technical Direction

(a) Performance of the work hereunder is subject to the technical direction of the Program Officer/COR designated in this contract, or duly authorized representative. Technical direction includes the following:

(1) Direction to the Contractor which shifts work emphasis between work areas or tasks, requires pursuit of certain lines of inquiry, fills in details or otherwise serves to accomplish the objectives described in the statement of work;

(2) Guidelines to the Contractor which assist in the interpretation of drawings, specifications or technical portions of work description.

(b) Technical direction must be within the general scope of work stated in the contract. Technical direction may not be used to:

(1) Assign additional work under the contract;

(2) Direct a change as defined in the contract clause entitled "Changes";

(3) Increase or decrease the estimated contract cost, the fixed fee, or the time required for contract performance; or

(4) Change any of the terms, conditions or specifications of the contract.

(c) The only individual authorized to in any way amend or modify any of the terms of this contract shall be the Contracting Officer. When, in the opinion of the Contractor, any technical direction calls for effort outside the scope of the contract or inconsistent with this special provision, the Contractor shall notify the Contracting Officer in writing within ten working days after its receipt. The Contractor shall not proceed with the work affected by the technical direction until the Contractor is notified by the Contracting Officer that the technical direction is within the scope of the contract.

(d) Nothing in the foregoing paragraphs may be construed to excuse the Contractor from performing that portion of the work statement which is not affected by the disputed technical direction.