



FOR ALL SUBCONTRACTS IN SUPPORT OF UNITED STATES GOVERNMENT PRIME CONTRACTS

NON-COMMERCIAL SUBCONTRACTS

If this subcontract is placed under a United States Government prime contract number, the following additional clauses apply as if set forth fully within the contract:

<u>Clause</u>	<u>Title</u>	<u>Date</u>	<u>Applicability</u>
252.203-7001	Prohibition on Persons Convicted of Fraud or Other Defense-Contract-Related Felonies	Dec 2004	Required to flow down to First-tier subcontracts exceeding the simplified acquisition threshold.
52.203-6	Restrictions on Subcontractor Sales to the Government	Sep 2006	All subcontracts exceeding \$100,000
52.203-7	Anti-Kickback Procedures	Jul 1995	All subcontracts exceeding \$100,000. Subparagraph (c)(1) does not flow down.
52.203-12	Limitation on Payments to Influence Certain Federal Transactions	Sep 2007	Express Scripts, Inc requires submittal of a certification and, if required, a disclosure form by any person who requests or receives any subcontract exceeding \$100,000.
52.203-13	Contractor Code of Business Ethics and Conduct	Dec 2007	Mandatory flow down
52.203-14	Display of Hotline Poster	Dec 2007	Mandatory flow down
252.204-7000	Disclosure of Information	Dec 1991	Required flow down
52.204-9	Personal Identity Verification of Contractor Personnel	Sep 2007	Required flow down when subcontractor is required to have access to federally-controlled information systems.
52.209-6	Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment	Sep 2006	Express Scripts, Inc requires from all subcontractors whose subcontract exceeds \$30,000 a certification that the subcontractor is not disbarred, suspended, or proposed for debarment by the Federal Government pursuant to subparagraph (b) of this clause. Only the certification requirement flows down; the remainder of this clause does not flow down.
252.209-7001	Disclosure of Ownership or Control by the Government of a Terrorist Country	Jan 2009	Required flow down. No subcontract may be awarded without this clause unless TMA PCO provides authorization.
252.209-7002	Disclosure of Ownership or Control by a Foreign Government	Jun 2005	Required flow down. No subcontract may be awarded without this clause unless TMA PCO provides authorization.

Clause	Title	Date	Applicability
52.211-9001	Availability of Regulations	Aug 2004	The Federal Acquisition Regulation (FAR) may be purchased from the Superintendent of Documents, Government Printing Office (GPO), Washington, DC 20402 or viewed on the World Wide Web at http://www.arnet.gov/far/ . The Defense Federal Acquisition Regulations Supplement (DFARS) may be viewed at http://www.acq.osd.mil . The TRICARE Acquisition Manual (TAM) may be viewed at http://www.tricare.osd.mil .
52.211-15	Defense Priority and Allocation Requirements	Apr 2008	Mandatory flow down
52.215-2	Audit and Records--Negotiation	Jun 1999	All subcontracts exceeding the simplified acquisition threshold.
52.215-13	Subcontractor Cost or Pricing Data--Modifications	Oct 1997	All subcontracts exceeding the simplified acquisition threshold.
52.215-14	Integrity of Unit Prices	Oct 1997	All subcontracts exceeding the simplified acquisition threshold.
52.215-18	Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions	Jul 2005	All subcontracts requiring cost or pricing data <i>or</i> for which any preaward or postaward cost determinations will be subject to FAR Part 31 (cost principles).
52.215-19	Notification of Ownership Changes	Oct 1997	All subcontracts exceeding the simplified acquisition threshold.
52.219-8	Utilization of Small Business Concerns	May 2004	All subcontracts where there is further subcontracting opportunity per 52.219-9(d)(9)
52.219-9	Small Business Subcontracting Plan - No Alt	Apr 2008	All subcontracts where there is further subcontracting opportunity per 52.219-9(d)(9)
52.222-1	Notice to the Government of Labor Disputes	Feb 1997	Required flow down
52.222-21	Prohibition of Segregated Facilities	Feb 1999	Required flow down
52.222-26	Equal Opportunity	Mar 2007	All subcontracts that are not exempted by the rules, regulations or orders of the Secretary of Labor issued under E.O. 11246.
52.222-35	Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans	Sep 2006	All subcontracts of \$25,000 or more unless exempted.
52.222-36	Affirmative Action for Workers With Disabilities	Jun 1998	All subcontracts in excess of \$10,000 unless exempted.
52.222-37	Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans	Sep 2006	All subcontracts in excess of \$10,000 unless exempted.
52.222-39	Notification of Employee Rights Concerning Payment of Union Dues or Fees	Dec 2004	All subcontracts exceeding the simplified acquisition threshold.
52.222-41	Service Contract Act of 1965	Nov 2007	All subcontracts subject to the Service Contract Act of 1965.
52.222-50	Combating Trafficking in Persons	Aug 2007	Mandatory flow down
52.223-14	Toxic Chemical Release Reporting	Aug 2003	All competitive subcontracts expected to exceed \$100,000 (including all options).

<u>Clause</u>	<u>Title</u>	<u>Date</u>	<u>Applicability</u>
52.225-13	Restrictions on Certain Foreign Purchases	Feb 2006	Required flow down
252.226-7001	Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns	Sep 2004	All subcontracts exceeding \$500,000.
52.227-1	Authorization and Consent	Dec 2007	All subcontracts exceeding the simplified acquisition threshold.
52.227-14	Rights in Data--General	Dec 2007	Required flow down. No subcontract may be awarded without this clause unless TMA PCO provides
52.230-2	Cost Accounting Standards	Apr 1998	All subcontracts requiring cost or pricing data unless exempted by 48 CFR 9903.201-1.
52.230-6	Administration of Cost Accounting Standards	Mar 2008	All subcontracts subject to FAR 52.230-2, 52.230-3, or 52.230-5 and submit information to Contractor's ACO.
52.237-7	Indemnification and Medical Liability Insurance	Jan 1997	All subcontracts for health care services.
52.244-6	Subcontracts for Commercial Items	Mar 2007	Mandatory flow down
52.249-2	Termination for Convenience of the Government (Fixed-Price)	May 2004	This clause is only applicable in the event the Government terminates the prime contract for convenience.

COMMERCIAL SUBCONTRACTS

If this subcontract is identified as a "commercial item" or "commercial service" within the definition of FAR 2.101, the following clauses shall apply in lieu of those listed herein above:

<u>Clause</u>	<u>Title</u>	<u>Date</u>	<u>Type of Incorporation</u>
52.203-13	Contractor Code of Business Ethics and Conduct	Dec 2007	Mandatory flow down
52.203-7	Anti-Kickback Procedures	Jul 1995	Mandatory for all subcontracts exceeding \$100,000. Subparagraph (c)(1) does not flow down.
52.204-9	Personal Identity Verification of Contractor Personnel	Sep 2007	Required flow down when subcontractor is required to have access to federally-controlled information systems
52.209-6	Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment	Sep 2006	Certification flow down requirement. Express Scripts, Inc requires from all subcontractors whose subcontract exceeds \$30,000 a certification that the subcontractor is not disbarred, suspended, or proposed for debarment by the Federal Government pursuant to subparagraph (b) of this clause. Only the certification requirement flows down; the remainder of this clause does not flow down
52.211-15	Defense Priority and Allocation Requirements	Apr 2008	Mandatory flow down

Clause	Title	Date	Applicability
52.211-9001	Availability of Regulations	Aug 2004	The Federal Acquisition Regulation (FAR) may be purchased from the Superintendent of Documents, Government Printing Office (GPO), Washington, DC 20402 or viewed on the World Wide Web at http://www.arnet.gov/far/ . The Defense Federal Acquisition Regulations Supplement (DFARS) may be viewed at http://www.acq.osd.mil . The TRICARE Acquisition Manual (TAM) may be viewed at http://www.tricare.osd.mil .
52.219-8	Utilization of Small Business Concerns	May 2004	Mandatory for all subcontracts where there is further subcontracting opportunity per 52.219-9(d)(9)
52.222-26	Equal Opportunity	Mar 2007	Mandatory for all subcontracts that are not exempted by the rules, regulations or orders of the Secretary of Labor issued under E.O. 11246
52.222-35	Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans	Sep 2006	Mandatory flow down for all subcontracts of \$25,000 or more unless exempted
52.222-36	Affirmative Action for Workers With Disabilities	Jun 1998	Mandatory flow down for all subcontracts in excess of \$10,000 unless exempted
52.222-39	Notification of Employee Rights Concerning Payment of Union Dues or Fees	Dec 2004	Mandatory flow down for all subcontracts exceeding the simplified acquisition threshold
52.222-41	Service Contract Act of 1965	Nov 2007	Mandatory for all subcontracts subject to the Service Contract Act of 1965
52.222-50	Combating Trafficking in Persons	Aug 2007	Mandatory flow down
52.225-13	Restrictions on Certain Foreign Purchases	Feb 2006	Required flow down
252.226-7001	Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns	Sep 2004	Mandatory flow down for all subcontracts exceeding \$500,000
52.237-7	Indemnification and Medical Liability Insurance	Jan 1997	All subcontracts for health care services
52.244-6	Subcontracts for Commercial Items	Mar 2007	Mandatory flow down