

RFQ: PROVISIONS
STANDARD REMARK D78

NOTE: GENERAL ELECTRIC TERMS AND CONDITIONS OF PURCHASE, REMARK C64,
APPLY TO THIS RFQ AND ANY RESULTING PURCHASE ORDER(S).
IF THIS REMARK CONFLICTS WITH THE REVERSE OF FORMS GT78-5,
GT78-21 OR GT78-35, THIS REMARK SHALL GOVERN.

INSTRUCTIONS FOR PREPARING QUOTATION

1. QUOTE BY REQUESTED RESPONSE DATE SHOWN ON THE FACE OF THIS REQUEST FOR QUOTATION (RFQ). QUOTES RECEIVED BY THE BUYER AFTER ANY BID CLOSES DATE SHOWN ON THE FACE OF THIS RFQ MAY BE CONSIDERED NON-RESPONSIVE.
2. QUOTATION MUST BE SIGNED, OR TRANSMITTED WITH AN ELECTRONIC SIGNATURE, AND SHOULD INCLUDE PAYMENT TERMS BASED ON PURCHASER'S STANDARD TERMS OF SETTLEMENT, UNIT PRICES, BEST DELIVERY PROMISE, AND "FOB" TERMS WHICH, IF POSSIBLE, SHOULD BE "FOB" (CITY OF ORIGIN) "FREIGHT COLLECT" WITH ACTUAL CITY OF ORIGIN BEING NAMED. UNLESS OTHERWISE STATED ON THIS RFQ, QUOTE SHOULD BE FIRM FIXED PRICE AND SHOULD BE VALID FOR 180 DAYS.
3. QUOTE THE MAXIMUM AVAILABLE PROMPT PAYMENT DISCOUNT TERMS. IN ADDITION, QUOTE ANY ALTERNATIVE LOT SIZE IF IT WOULD RESULT IN A MORE FAVORABLE UNIT PRICE.
4. QUOTE WHETHER OR NOT US GOVERNMENT FACILITIES ARE TO BE USED. IF SO, QUOTE RENTAL CHARGES SEPARATELY.
5. IF SPECIAL TOOLING AND/OR SPECIAL TEST EQUIPMENT IS REQUIRED FOR WHICH PURCHASER WILL BE CHARGED, QUOTE MUST BE ACCOMPANIED BY A PRELIMINARY BREAKDOWN OF THE ITEMS OF SPECIAL TOOLING AND/OR SPECIAL TEST EQUIPMENT WHICH WILL BE REQUIRED TO FABRICATE THE PART OR OTHER END ITEM. OFFERORS SHALL REFER TO GEAE STANDARD REMARK E21 (FORMERLY FORM GT75T). TOOLING SUPPLEMENT. SUCCESSFUL OFFERORS WILL BE REQUIRED TO SUBMIT A FINAL BREAKDOWN OF SPECIAL TOOLING AND SPECIAL TEST EQUIPMENT ON GEAE FORM GT-166-V SHOWING DESIGN COST AND BUILD COST SEPARATELY FOR EACH TOOL BEFORE AWARD OF TOOLING PURCHASE ORDER. OFFERORS MAY SUBMIT THEIR INITIAL QUOTATION ON THE GT-166-V FORM AT THEIR OPTION.
6. ON GOVERNMENT PURCHASE ORDERS, PROGRESS PAYMENTS MAY BE AVAILABLE UNDER PURCHASER'S CONTRACT IF A FIXED PRICE CONTRACT IS AWARDED AND OFFEROR COMPLIES WITH FAR 52.232-16 AND PART 32 OF THE FAR (LATEST REVISION).
7. WHEN THE RESPONSE TO THIS REQUEST CONTAINS COSTS OR CHARGES FOR ROYALTIES, THE FOLLOWING INFORMATION MUST BE FURNISHED FOR EACH ITEM OF ROYALTY OR LICENSE FEE: NAME AND ADDRESS OF LICENSOR; DATE OF LICENSE AGREEMENT; PATENT NUMBERS, PATENT APPLICATION SERIAL NUMBERS OR OTHER BASIS ON WHICH THE ROYALTY IS PAYABLE; BRIEF DESCRIPTION, INCLUDING ANY PART OR MODEL NUMBERS OF EACH ITEM OR COMPONENT ON WHICH ROYALTY IS PAYABLE; PERCENTAGE OR DOLLAR RATE OF ROYALTY PER UNIT; UNIT PRICE OF EACH ITEM ON WHICH ROYALTY IS PAYABLE; NUMBER OF UNITS AFFECTED BY THE ROYALTY; TOTAL DOLLAR AMOUNT OF ROYALTIES PAYABLE PER THIS QUOTATION. IN ADDITION, IF AND WHEN SPECIFICALLY REQUESTED BY PURCHASER, A COPY OF THE CURRENT LICENSE AGREEMENT AND IDENTIFICATION OF APPLICABLE CLAIMS OF SPECIFIC PATENTS SHALL BE FURNISHED BY OFFEROR TO PURCHASER.
8. IF A GOVERNMENT CONTRACT IS SPECIFIED, AND THE OFFEROR'S QUOTE EXCEEDS \$500,000, EXCEPT FOR QUOTATIONS FROM SMALL BUSINESSES, THE OFFEROR MUST SUBMIT A COPY OF ITS SMALL AND SMALL DISADVANTAGED BUSINESS SUBCONTRACTING PLAN, PER FAR 52.219-9, WITH ITS QUOTATION.
9. IF A GOVERNMENT CONTRACT IS SPECIFIED, OFFEROR SHALL COMPLY WITH DFARS 252.227-7028, REQUIREMENT FOR TECHNICAL DATA REPRESENTATION (OCT 1988). IN ADDITION, ALL TECHNICAL DATA AND COMPUTER SOFTWARE DELIVERED IS SUBJECT TO DFARS 252.227-7013, RIGHTS IN TECHNICAL DATA AND COMPUTER SOFTWARE.
10. IF A GOVERNMENT CONTRACT IS IDENTIFIED, COMPLY WITH FOLLOWING:

IDENTIFICATION OF RESTRICTED RIGHTS COMPUTER SOFTWARE. THE OFFEROR IS REQUIRED TO IDENTIFY IN HIS PROPOSAL, TO THE EXTENT FEASIBLE, ANY SUCH COMPUTER SOFTWARE WHICH WAS DEVELOPED AT PRIVATE EXPENSE AND UPON THE USE OF WHICH IT DESIRES TO NEGOTIATE RESTRICTIONS, AND TO STATE THE NATURE OF THE PROPOSED RESTRICTIONS.

11. ANY RESTRICTIONS ON THE GOVERNMENT'S USE OR DISCLOSURE OF COMPUTER SOFTWARE DEVELOPED AT PRIVATE EXPENSE AND TO BE DELIVERED UNDER THE CONTRACT MUST BE SET FORTH IN AN AGREE-
MENT MADE A PART OF THE PURCHASE ORDER, EITHER NEGOTIATED PRIOR TO AWARD OR INCLUDED IN A MODIFICATION OF THE PURCHASE ORDER BEFORE SUCH DELIVERY. IF NO SUCH COMPUTER SOFTWARE IS IDENTIFIED, ALL DELIVERABLE COMPUTER SOFTWARE WILL BE SUBJECT TO UNLIMITED RIGHTS.