

APPENDIX A
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
FEDERAL GOVERNMENT FLOWDOWN CLAUSES

Dated: January 2022

In this Appendix A, the party other than Con Edison is referred to as the "Contractor."

As a contractor for the U.S. government, Con Edison must require the Contractor to agree to be bound by and comply with the Federal Acquisition Regulation ("FAR") clauses below, which are hereby incorporated by reference with the same force and effect as if they were provided in full text. These clauses, together with any relevant law, regulations and guidance, should be consulted to determine applicability to the Contractor and/or the contract to which this Appendix A is a part. If any of the clauses are not applicable by their terms, they shall be self-deleting. The full text of a clause may be accessed electronically at this address: <https://www.acquisition.gov>. This Appendix A shall be deemed updated as clauses are modified, replaced or supplemented, or additional clauses become applicable, in accordance with U.S. government requirements.

Where necessary to derive proper meaning in connection with a prime-subcontractor relationship, the following modifications to defined terms within the clauses shall be made: "Contractor" shall mean the party to the contract to which this Appendix A is a part other than Con Edison, "Contracting Officer" means "Con Edison," "Contract" means the contract to which this Appendix A is a part, and "Government" means "Con Edison." However, the words "Government" and "Contracting Officer" do not change: (a) when a right, act, authorization or obligation can be granted or performed only by the Government or the Government Contracting Officer or duly authorized representative and (b) when title to property is to be transferred directly to the Government.

| FAR Clause | Title/Date |
|-------------------|--|
| 52.202-1 | Definitions (JUL 2004) |
| 52.203-6 | Restrictions on Subcontractor Sales to the Government (SEPT 2006) |
| 52.203-7 | Anti-Kickback Procedures (MAY 2014) |
| 52.203-12 | Limitation on Payments to Influence Certain Federal Transactions (OCT 2010) |
| 52.204-25 | Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment (AUG 2020) (subsection (b)(2) does not apply) |
| 52.219-8 | Utilization of Small Business Concerns (OCT 2018) |
| 52.222-21 | Prohibition of Segregated Facilities (APR 2015) |
| 52.222-26 | Equal Opportunity (SEP 2016) |
| 52.222-35 | Equal Opportunity for Veterans (OCT 2015) |
| 52.222-36 | Equal Opportunity for Workers with Disabilities (JUL 2014) |
| 52.222-50 | Combating Trafficking in Persons (JAN 2019) |

(continued on the next page)

ADDITIONAL REQUIREMENTS

In addition to the above, the Contractor further agrees to be bound by and comply with the applicable regulations contained in Chapter 60 of Title 41 of the Code of Federal Regulations which implement Executive Order 11246, Section 503 of the Rehabilitation Act of 1973, as amended, and Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended and set forth the Contractor's obligations, including its affirmative action obligations. **Specifically, the Contractor and its subcontractors shall abide by the requirements of Sections 60-1.4(a), 60-300.5(a) and 60-741-5(a) of Title 41 of the Code of Federal Regulations. These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities, and prohibit discrimination against all individuals based on their race, color, religion, sex or national origin. Moreover, these regulations require that covered prime contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, national origin, protected veteran status or disability.**