



PART I

ARAPAHOE WALL PAPER REMOVAL ARAPAHOE, WYOMING

**REQUEST FOR QUOTATIONS
75H709-OEHE23Q-002**

INTRODUCTION:

The Billings Area Indian Health Service in Billings, Montana is acquiring construction services in accordance with the attached specifications and drawing associated with Request for Quotations 75H709-OEHE-23Q-002 for removing existing wall paper, prepare the wall surface for texture, machine texture, prime and paint at the Arapahoe Health Center, Arapahoe, Wyoming.

The procurement is conducted pursuant to the authority of Federal Acquisition Regulation (FAR) Part 13, Simplified Acquisition Procedures and FAR 36, Construction and Architect—Engineer Contracts.

This solicitation will be 100% set-aside for Small Business.

PERIOD OF PERFORMANCE:

Completed within 60 days from date of award.

WAGE DETERMINATION:

General Decision Number: WY20230009 Dated 01/27/2023 is applicable to the construction services as set forth in 40 U.S.C. chapter 31, subchapter IV, Wage Rate Requirements (Building), formerly known as the Davis-Bacon Act.

The estimated price range for this project is between \$25,000 and \$100,000.

PROJECT COMPLETION:

The project is considered complete when the IHS Project Engineer has certified the final inspection, all punch list items are finished, and all required documents and information have been delivered to the homeowner and Project Engineer.

INVOICE SUBMISSION AND PAYMENTS:

Invoices shall be submitted through IPP, a secure, web-based electronic invoicing system provided by the U.S. Department of the Treasury's Bureau of the Fiscal Service, in partnership with the Federal Reserve Bank of St. Louis. The use of IPP shall take precedence over previously established invoicing procedures in accordance with HHSAR 352.232-71, Electronic Submission and Processing of Payment Requests". The IPP website address is: <https://www.ipp.gov>. If you require assistance registering or require IPP account access, please contact the IPP Helpdesk at (866) 973-3131 (M-F 8AM to 6PM ET), or IPPCustomerSupport@fiscal.treasury.gov.

Payment shall be made by the Billings Area Financial Management Branch, P.O. Box 36600, Billings, Montana 59107.

QUESTIONS:

Deadline for submitting questions in response to 75H709-OEHE-23Q-002 will be February 15, 2023 by 2:00 p.m. MST. Questions submitted shall be sent to Tanya.Schwab@ihs.gov. Responses to all questions will be posted no later than February 9, 2023.

PROPOSAL SUBMISSION INSTRUCTIONS:

In order to be considered for award, contractor must be able to submit a bid for all items listed on the Bid Sheet.

Contractors intending to conduct business with the Federal Government must register with the System for Award Management (SAM). SAM is now the primary Government repository, which retains information on Government contractors. You may register via the Internet at www.sam.gov.

All responsible offerors may submit a proposal, which shall be considered by the Agency. Offers shall be submitted to the Billings Area Indian Health Service no later than 2:00 P.M on February 23, 2023. Offers will be accepted by e-mail at Tanya.Schwab@ihs.gov. Please reference the solicitation number in the subject line.

ACCEPTANCE PERIOD:

Your proposal must stipulate that it is predicated upon all the terms and conditions of this RFQ. In addition, it must contain a statement to the effect that it is firm for a period of at least 90 days from the date of receipt by the Government.

TRIBAL REQUIREMENTS and TERO (Tribal Employments Rights Ordinance):

Notice is hereby given that contractors who perform projects within the exterior boundaries of the Wind River Indian Reservation, Fremont County, Wyoming, must be certified through the TERO Office prior to commencing work. The Contractor is also responsible for payment of any tribal taxes and work permits and compliance with the local tribal employment rights ordinances.

Any questions regarding the above should be directed to the Director, Tribal Employment Rights Office, 156 Old Wind River Highway, P.O. Box 127, Fort Washakie, Wyoming 82514.



PART II

CONTRACT CLAUSES AND REPRESENTATIONS AND CERTIFICATIONS

**The Representations and Certifications MUST BE
FILLED OUT AND RETURNED with your quote.**

PART II - CONTRACT CLAUSES

52.252-2 Clauses Incorporated by Reference (Feb 1998)

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(s):

<https://www.acquisition.gov/>

52.204-9	Personal Identity Verification of Contractor Personnel	Jan 2011
52.204-13	System for Award Management Maintenance	Oct 2018
52.209-10	Prohibition on Contracting with Inverted Domestic Corporations	Nov 2015
52.211-5	Material Requirements	Aug 2000
52.211-18	Variation in Estimated Quantity	Apr 1984
52.213-4	Terms and Conditions—Simplified Acquisitions (Other Than Commercial Items)	Dec 2022
52.219-28	Post-Award Small Business Program Rerepresentation	Oct 2022
52.222-6	Construction Wage Rate Requirements	Aug 2018
52.222-7	Withholding of Funds	May 2014
52.222-8	Payrolls and Basic Records	Jul 2021
52.222-9	Apprentices and Trainees	Jul 2005
52.222-10	Compliance with Copeland Act Requirements	Feb 1988
52.222-11	Subcontracts (Labor Standards)	May 2014
52.222-12	Contract Termination – Debarment	May 2014
52.222-13	Compliance with Davis-Bacon and Related Act Regulations	May 2014
52.222-14	Disputes Concerning Labor Standards	Feb 1988
52.222-15	Certification of Eligibility	May 2014
52.222-27	Affirmative Action Compliance Requirements for Construction	Apr 2015
52.223-6	Drug-Free Workplace	May 2001
52.223-17	Affirmative Procurement of EPA-designated Items in Service and Construction Contracts	Aug 2018
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving	Jun 2020
52.225-9	Buy American Act—Construction Materials	Oct 2022
52.228-5	Insurance—Work on a Government Installation	Jan 1997
52.228-12	Prospective Subcontractor Requests for Bonds	Dec 2022
52.229-3	Federal, State, and Local Taxes	Feb 2013
52.232-5	Payments under Fixed-Price Construction Contracts	May 2014
52.232-18	Availability of Funds	Apr 1984
52.232-23	Assignment of Claims	May 2014
52.232-27	Prompt Payment for Construction Contracts	Jan 2017
52.236-2	Differing Site Conditions	Apr 1984
52.236-3	Site Investigation and Conditions Affecting the Work	Apr 1984
52.236-5	Material and Workmanship	Apr 1984
52.236-6	Superintendence by the Contractor	Apr 1984
52.236-7	Permits and Responsibilities	Nov 1991
52.236-8	Other Contracts	Apr 1984
52.236-9	Protection of Existing Vegetation, Structures, Equipment, Utilities, and Improvements	Apr 1984
52.236-10	Operations and Storage Areas	Apr 1984
52.236-11	Use and Possession Prior to Completion	Apr 1984
52.236-12	Cleaning Up	Apr 1984
52.236-13	Accident Prevention	Nov 1991
52.236-21	Specifications and Drawings for Construction	Feb 1997
52.236-26	Preconstruction Conference	Feb 1995
52.242-14	Suspension of Work	Apr 1984
52.243-5	Changes and Changed Conditions	Apr 1984
52.246-2	Inspection of Supplies – Fixed-Price	Aug 1996
52.246-12	Inspection of Construction	Aug 1996
52.246-21	Warranty of Construction	Mar 1994
52.249-1	Termination for Convenience of the Government (Fixed-Price) (Short Form) Alternate I (Apr 1984)	Apr 1984
52.249-10	Default (Fixed-Price Construction)	Apr 1984

52.211-10 Commencement, Prosecution, and Completion of Work (APR 1984)

The Contractor shall be required to (a) commence work under this contract within 1 calendar days after the date the Contractor receives the notice to proceed, (b) prosecute the work diligently, and (c) complete the entire work ready for use not later than eight weeks. The time stated for completion shall include final cleanup of the premises.

(End of clause)

52.247-21 Contractor Liability for Personal Injury and/or Property Damage (Apr 1984)

The Contractor assumes responsibility for all damage or injury to persons or property occasioned through the use, maintenance, and operation of the Contractor’s vehicles or other equipment by, or the action of, the Contractor or the Contractor’s employees and agents. The Contractor assumes responsibility for any and all damage and/or injury to persons or property resulting from any action of prime contractor and subcontractor employees (at any tier).

The Contractor, at the Contractor’s expense, shall maintain adequate public liability and property damage insurance during the continuance of this contract, insuring the Contractor against all claims for injury or damage.

The Contractor shall maintain Workers’ Compensation and other legally required insurance with respect to the Contractor’s own employees and agents.

The Government shall in no event be liable or responsible for damage or injury to any person or property occasioned through the use, maintenance, or operation of any vehicle or other equipment by, or the action of, the Contractor or the Contractor’s employees and agents in performing under this contract, and the Government shall be indemnified and held harmless against claims for damage or injury in such cases.

(End of clause)

PHYSICAL BARRIER AND ACCESS CONTROL

Subject to prior submittal and approval of the IHS, the Contractor shall install or construct a physical barrier between the construction activity/work zone and ongoing hospital/clinic operations. The barrier shall be installed prior to the commencement of all other work and shall control the access of all Contractor personnel to the approved construction activity/work zone. The Contractor must further prohibit all Contractor personnel authorized to perform work under this contract from entering any area of the facility other than those areas where work is being performed and is cordoned off from facility operations. The barrier shall be removed upon completion of all work and as approved by the IHS.

Failure to adhere to this requirement may result in permanent removal of the Contractor employee found to be outside of the approved construction activity/work zone. Repeated failure to adhere to this requirement may result in termination of this contract for default in accordance with FAR 52.249-10.

(End of clause)

(HHSAR) (48 CFR Chapter 3) Clauses

315.215-70	Late Proposals and Revisions	Dec 2015
352.222-70	Contractor Cooperation in Equal Employment Opportunity Investigations	Dec 2015
352.223-70	Safety and Health	Dec 2015
352.226-1	Indian Preference	Dec 2015
352.226-2	Indian Preference Program	Dec 2015
352.226-3	Native American Graves Protection and Repatriation Act	Dec 2015
352.232-71	Electronic Submission of Payments Request	Feb 2022
352.237-70	Pro-Children Act	Dec 2015
352.239-73	Electronic Information and Technology Accessibility Notice	Dec 2015
352.239-74	Electronic and Information Technology Accessibility	Dec 2015

PART II – REPRESENTATIONS AND CERTIFICATIONS

52.252-1 Solicitation Provisions Incorporated by Reference (Feb 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es):

<https://www.acquisition.gov/>

52.215-5	Facsimile Proposals	Oct 1997
52.222-5	Construction Wage rate Requirements—Secondary Site of the Work	May 2014
52.225-20	Prohibition on Conducting Restricted Business Operations in Sudan—Certification	Aug 2009
52.236-28	Preparation of Proposals – Construction	Oct 1997

52.204-8 Annual Representations and Certifications (OCT 2018)

- (a)(1) The North American Industry Classification System (NAICS) code for this acquisition is **238320**.
- (2) The small business size standard is **\$16.5 million**.
- (3) The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is 500 employees.
- (b)(1) If the provision at [52.204-7](#), System for Award Management, is included in this solicitation, paragraph (d) of this provision applies.
- (2) If the provision at [52.204-7](#) is not included in this solicitation, and the offeror is currently registered in the System for Award Management (SAM), and has completed the Representations and Certifications section of SAM electronically, the offeror may choose to use paragraph (d) of this provision instead of completing the corresponding individual representations and certifications in the solicitation. The offeror shall indicate which option applies by checking one of the following boxes:
- (i) Paragraph (d) applies.
- (ii) Paragraph (d) does not apply and the offeror has completed the individual representations and certifications in the solicitation.
- (c)(1) The following representations or certifications in SAM are applicable to this solicitation as indicated:
- (i) [52.203-2](#), Certificate of Independent Price Determination. This provision applies to solicitations when a firm-fixed-price contract or fixed-price contract with economic price adjustment is contemplated, unless—
- (A) The acquisition is to be made under the simplified acquisition procedures in [Part 13](#);
- (B) The solicitation is a request for technical proposals under two-step sealed bidding procedures; or
- (C) The solicitation is for utility services for which rates are set by law or regulation.
- (ii) [52.203-11](#), Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions. This provision applies to solicitations expected to exceed \$150,000.
- (iii) [52.203-18](#), Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements or Statements-Representation. This provision applies to all solicitations.
- (iv) [52.204-3](#), Taxpayer Identification. This provision applies to solicitations that do not include the provision at [52.204-7](#), System for Award Management.
- (v) [52.204-5](#), Women-Owned Business (Other Than Small Business). This provision applies to solicitations that—

- (A) Are not set aside for small business concerns;
 - (B) Exceed the simplified acquisition threshold; and
 - (C) Are for contracts that will be performed in the United States or its outlying areas.
- (vi) [52.209-2](#), Prohibition on Contracting with Inverted Domestic Corporations—Representation.
- (vii) [52.209-5](#), Certification Regarding Responsibility Matters. This provision applies to solicitations where the contract value is expected to exceed the simplified acquisition threshold.
- (viii) [52.209-11](#), Representation by Corporations Regarding Delinquent Tax Liability or a Felony Conviction under any Federal Law. This provision applies to all solicitations.
- (ix) [52.214-14](#), Place of Performance—Sealed Bidding. This provision applies to invitations for bids except those in which the place of performance is specified by the Government.
- (x) [52.215-6](#), Place of Performance. This provision applies to solicitations unless the place of performance is specified by the Government.
- (xi) [52.219-1](#), Small Business Program Representations (Basic & Alternate I). This provision applies to solicitations when the contract will be performed in the United States or its outlying areas.
- (A) The basic provision applies when the solicitations are issued by other than DoD, NASA, and the Coast Guard.
 - (B) The provision with its Alternate I applies to solicitations issued by DoD, NASA, or the Coast Guard.
- (xii) [52.219-2](#), Equal Low Bids. This provision applies to solicitations when contracting by sealed bidding and the contract will be performed in the United States or its outlying areas.
- (xiii) [52.222-22](#), Previous Contracts and Compliance Reports. This provision applies to solicitations that include the clause at [52.222-26](#), Equal Opportunity.
- (xiv) [52.222-25](#), Affirmative Action Compliance. This provision applies to solicitations, other than those for construction, when the solicitation includes the clause at [52.222-26](#), Equal Opportunity.
- (xv) [52.222-38](#), Compliance with Veterans’ Employment Reporting Requirements. This provision applies to solicitations when it is anticipated the contract award will exceed the simplified acquisition threshold and the contract is not for acquisition of commercial items.
- (xvi) [52.223-1](#), Biobased Product Certification. This provision applies to solicitations that require the delivery or specify the use of USDA–designated items; or include the clause at [52.223-2](#), Affirmative Procurement of Biobased Products Under Service and Construction Contracts.
- (xvii) [52.223-4](#), Recovered Material Certification. This provision applies to solicitations that are for, or specify the use of, EPA–designated items.
- (xviii) [52.223-22](#), Public Disclosure of Greenhouse Gas Emissions and Reduction Goals—Representation. This provision applies to solicitation that include the clause at [52.204-7](#).
- (xix) [52.225-2](#), Buy American Certificate. This provision applies to solicitations containing the clause at [52.225-1](#).
- (xx) [52.225-4](#), Buy American—Free Trade Agreements—Israeli Trade Act Certificate. (Basic, Alternates I, II, and III.) This provision applies to solicitations containing the clause at [52.225-3](#).
- (A) If the acquisition value is less than \$25,000, the basic provision applies.
 - (B) If the acquisition value is \$25,000 or more but is less than \$50,000, the provision with its Alternate I applies.
 - (C) If the acquisition value is \$50,000 or more but is less than \$80,317, the provision with its Alternate II applies.
 - (D) If the acquisition value is \$80,317 or more but is less than \$100,000, the provision with its Alternate III applies.

- (xxi) [52.225-6](#), Trade Agreements Certificate. This provision applies to solicitations containing the clause at [52.225-5](#).
- (xxii) [52.225-20](#), Prohibition on Conducting Restricted Business Operations in Sudan—Certification. This provision applies to all solicitations.
- (xxiii) [52.225-25](#), Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran-Representation and Certifications. This provision applies to all solicitations.
- (xxiv) [52.226-2](#), Historically Black College or University and Minority Institution Representation. This provision applies to solicitations for research, studies, supplies, or services of the type normally acquired from higher educational institutions.

(2) The following representations or certifications are applicable as indicated by the Contracting Officer:

- (i) [52.204-17](#), Ownership or Control of Offeror.
- (ii) [52.204-20](#), Predecessor of Offeror.
- (iii) [52.222-18](#), Certification Regarding Knowledge of Child Labor for Listed End Products.
- (iv) [52.222-48](#), Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment- Certification.
- (v) [52.222-52](#), Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services- Certification.
- (vi) [52.223-9](#), with its Alternate I, Estimate of Percentage of Recovered Material Content for EPA–Designated Products (Alternate I only).
- (vii) [52.227-6](#), Royalty Information.
 - (A) Basic.
 - (B) Alternate I.
- (viii) [52.227-15](#), Representation of Limited Rights Data and Restricted Computer Software.

(d) The offeror has completed the annual representations and certifications electronically via the SAM website accessed through <https://www.acquisition.gov>. After reviewing the SAM database information, the offeror verifies by submission of the offer that the representations and certifications currently posted electronically that apply to this solicitation as indicated in paragraph (c) of this provision have been entered or updated within the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the business size standard applicable to the NAICS code referenced for this solicitation), as of the date of this offer and are incorporated in this offer by reference (see FAR [4.1201](#)); except for the changes identified below [*offeror to insert changes, identifying change by clause number, title, date*]. These amended representation(s) and/or certification(s) are also incorporated in this offer and are current, accurate, and complete as of the date of this offer.

FAR CLAUSE # TITLE DATE CHANGE

Any changes provided by the offeror are applicable to this solicitation only, and do not result in an update to the representations and certifications posted on SAM.

52.233-2 Service of Protest (Sep 2006)

(a) Protests, as defined in section 33.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the General Accounting Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from Mr. Jerry L. Black, Senior Contracting Officer, 2900 Fourth Avenue North, Room 304, Billings, Montana 59107.

(b) The copy of any protest shall be received in the office designated above within one day of filing a protest with the GAO.

52.236-27 Site Visit (Construction) (Feb 1995)

(a) The clauses at 52.236-2, Differing Site Conditions, and 52.236-3, Site Investigations and Conditions Affecting the Work, will be included in any contract awarded as a result of this solicitation. Accordingly, offerors or quoters are urged and expected to inspect the site where the work will be performed.

(b) Site visits may be arranged during normal duty hours by contacting:

Name: Bridger Hanway
Address: Indian Health Service
2900 Fourth Avenue North
Billings, Montana 59107
(307) 840-1821
Bridger.Hanway@ihs.gov



PART III

DOCUMENTS; EXHIBITS AND ATTACHMENTS

ATTACHMENT NUMBER

ATTACHMENT TITLE

A-01

Specifications

A-02

Drawings

A-03

Bid Form

A-04

Wage Rates