

<b>SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS</b> <i>OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, &amp; 30</i>				1. REQUISITION NUMBER 1092659		PAGE OF 1 21		
2. CONTRACT NO.		3. AWARD/ EFFECTIVE DATE	4. ORDER NUMBER		5. SOLICITATION NUMBER 1240BK23Q0090		6. SOLICITATION ISSUE DATE 07/21/2023	
7. <b>FOR SOLICITATION INFORMATION CALL:</b>		a. NAME JARED MACHGAN			b. TELEPHONE NUMBER <i>(No collect calls)</i>		8. OFFER DUE DATE/LOCAL TIME 08/04/2023 1700 PT	
9. ISSUED BY USDA-FS CSA NORTHWEST 1 1220 SW 3RD AVE STE 310 PORTLAND OR 97204-2829				CODE 40BK	10. THIS ACQUISITION IS <input checked="" type="checkbox"/> UNRESTRICTED OR <input type="checkbox"/> SET ASIDE: % FOR: <input type="checkbox"/> SMALL BUSINESS <input type="checkbox"/> WOMEN-OWNED SMALL BUSINESS (WOSB) <input type="checkbox"/> HUBZONE SMALL BUSINESS <input type="checkbox"/> ECONOMICALLY DISADVANTAGED WOMEN-OWNED SMALL BUSINESS (EDWOSB) <input type="checkbox"/> SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS (SDVOSB) <input type="checkbox"/> 8(A)		NORTH AMERICAN INDUSTRY CLASSIFICATION STANDARD (NAICS): 561621 SIZE STANDARD: \$25	
11. DELIVERY FOR FREE ON BOARD (FOB) DESTINATION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE		12. DISCOUNT TERMS		13a. THIS CONTRACT IS A RATED ORDER UNDER THE DEFENSE PRIORITIES AND ALLOCATIONS SYSTEM - DPAS (15 CFR 700) <input type="checkbox"/>		13b. RATING		
15. DELIVER TO UMPQUA NATIONAL FOREST, Dorena Genetic Resource Center 34963 Shoreview Dr. Cottage Grove, OR 97424		CODE 04T1	16. ADMINISTERED BY USDA-FS CSA NORTHWEST 1 1220 SW 3RD AVE STE 310 PORTLAND OR 97204-2829				CODE 40BK	
17a. CONTRACTOR/ OFFEROR		CODE	FACILITY CODE	18a. PAYMENT WILL BE MADE BY		CODE		
TELEPHONE NO.				17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER <input type="checkbox"/>				
				18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED <input type="checkbox"/> SEE ADDENDUM				
19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES				21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT
0001	Delivery: 10/31/2023 Period of Performance: 08/21/2023 to 10/31/2023 Upgrade Security Monitoring System Equipment Supply and install				1	LS	\$ _____	\$ _____
0002	Option Line Item 1. Upgrade to Fire Alarm System Equipment Supply and install				1	LS	\$ _____	\$ _____
0003	2. Additional Key Cards <i>(Use Reverse and/or Attach Additional Sheets as Necessary)</i>				25	EA	\$ _____	\$ _____
25. ACCOUNTING AND APPROPRIATION DATA						26. TOTAL AWARD AMOUNT <i>(For Government Use Only)</i>		
<input checked="" type="checkbox"/> 27a. SOLICITATION INCORPORATES BY REFERENCE (FEDERAL ACQUISITION REGULATION) FAR 52.212-1, 52.212-4. FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA						<input checked="" type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.		
<input type="checkbox"/> 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4. FAR 52.212-5 IS ATTACHED. ADDENDA						<input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.		
<input checked="" type="checkbox"/> 28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN <u>1</u> COPIES TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED.					<input type="checkbox"/> 29. AWARD OF CONTRACT: REFERENCE _____ OFFER DATED _____. YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS:			
30a. SIGNATURE OF OFFEROR/CONTRACTOR				31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER)				
30b. NAME AND TITLE OF SIGNER <i>(Type or print)</i>			30c. DATE SIGNED	31b. NAME OF CONTRACTING OFFICER <i>(Type or print)</i>			31c. DATE SIGNED	
				JARED D. MACHGAN				

## **USFS Dorena Genetic Resource Center Monitoring System Upgrade**

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1240BK23Q0090

### **(vi) Description of Requirement (including a list of any attachments)**

The Forest Service is looking to upgrade Dorena Genetic Resource Center buildings monitoring system by installing a nonproprietary modern alarm system which can be monitored by any company that provides monitoring services and has an ACTIVE status in SAM.gov.

#### **Equipment Installation (Line Item 0001)**

The Dorena Genetic Resource Center is looking to upgrade the current building monitoring system. Dorena Genetic Resource Center currently has two proprietary panels for audio intrusion monitoring, managed access, and fire monitoring for five (5) buildings. The Government wishes to combine these two systems by upgrading to one new non-proprietary panel with "remote panels" in designated buildings.

The site has extremely poor cell service and therefore communication with the new panel will be accomplished through the existing network for primary communication and Plain Old Telephone (POT) landlines for backup.

Currently there are network switches located in the Main Office (Building No. 2019), Seed Plant (2108), and the Inoculation Chamber building (2105). The contractor will install new remote security panels in each of these buildings and connect them to the existing network switches to allow the central panel to monitor the field devices. Contractor shall make all effort to retain the use of all existing field devices, including, but not limited to: door contacts, motion sensors, audio sensors, card readers, electric door strikes, and power supplies for access control but may replace if necessary. Contractor must notify the Contracting Officer Representative COR or Contracting Officer prior to replacing devices. The five buildings Main Office (2019), Seed Plant (2108), Inoculation Chamber building (2105), Water Treatment Plant (2636), and Shop (2220) will be separate zones on the system.

Additionally, the Government has a recently installed Firelite ES50X fire panel that communicates via the existing proprietary panels. Under this contract the fire, trouble, and supervisory alarms will continue to communicate via the main panel using IP for primary communication and a POT landline for backup. Contractor shall install a separate keypad for fire and mount this keypad next to existing fire panel.

**Note on product substitutions:** The existing system is heavily integrated with proprietary products. It is the goal of the government to install nonproprietary modern alarm system which can be monitored by any business providing security monitor services.

For clarity, brand names and model numbers for these devices and their modern replacements are used in this solicitation. In all cases, unless proprietary needs prevent product competition or substitution with alternate products would otherwise compromise system functionality, it should be considered that any products listed in this solicitation can be replaced with an "or equal." Alternate products that meet, or exceed, the intent of this solicitation will be considered.

## **USFS Dorena Genetic Resource Center Monitoring System Upgrade**

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1240BK23Q0090

### **Zone A – Seed Plant (Building 2108):**

- The monitoring panel (FlexIP, or equal) will be located in the IT room in the Seed Plant (Building 2108).
- The monitoring panel will be housed in a 27" enclosure provided by the Contractor; allow room to accommodate other devices and/or future expansion (access kit, power hub, backup battery, etc.).
- Three (3) existing access doors in the Seed Plant will tie into the new module.
- Power hub in main enclosure will connect all devices to LAN port and existing network to communicate to remote panels/devices in the field.
- Two (2) new keypads will replace old keypads at Front Entry door and Break Room door.
- One Winland EnviroAlert EA400 (or equal) will be installed to monitor temperature for a new freezer in the Seed Plant.
- Run CAT5 wire for each new keypad to Front Entry door and Break Room door from the IT room where main panel will be located.
- Run 6 conductor 22 AWG shielded plenum wire to the new EnviroAlert unit for power and zone monitoring.

### **Zone B – Main Office (Building 2019):**

- "Remote panel" which will consist of two (2) Audio 8 (or equal) modules and two (2) Access 4 Pro (or equal) modules will be located in IT room where old enclosures are located. Modules will be housed in a 27" enclosure.
- Access 4 Pro (or equal) modules will accommodate existing access control doors in the Main Office.
- Audio 8 (or equal) modules will accommodate existing alarm points and audio sensors. Each module shall support 8 Audio Sensors and 8 hard-wired alarm devices.
- Two (2) Power Hubs (or equal) will connect all devices to LAN port and into existing network port for communication to the FlexIP (or equal) panel.
- Two (2) new keypads will replace old keypads located at Front Entry and Rear Entry doors.
- Run CAT 6 from each keypad location to the IT room in Main Office.

## **USFS Dorena Genetic Resource Center Monitoring System Upgrade**

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1240BK23Q0090

### **Zone C – Shop (Building 2220):**

- Shop will have one (1) new keypad to replace old and is connected to the panel in the Seed Plant.
- Shop has one (1) existing access door also connected to Access 4 Pro module in Seed Plant.
- Run CAT 6 from keypad location to the IT room in Seed Plant.

### **Zone D – Chamber Building (Building 2105):**

- "Remote panel" which will consist of one (1) Audio 8 (or equal) module and one (1) Access 4 Pro (or equal) module will be located in restroom where old enclosures are located. Modules will be housed in a 27" enclosure.
- There is a network switch next to the panel which will provide LAN connection to the FlexIP (or equal) in the Seed Plant.
- Power Hub (or equal) will provide power and LAN connection to the existing devices and switch.
- Access 4 Pro (or equal) module will accommodate two (2) existing access doors.
- Audio 8 (or equal) module will accommodate existing audio sensors and hard-wired intrusion devices.
- Contractor will add two (2) additional Audio Sensors: one in the Entry area and one in the Warehouse. Wire run for audio sensors will be performed by contractor.
- Run CAT 6 from keypad location at entry door to remote panel location in restroom.

### **Zone E – Water Treatment Plant (Building 2636):**

- Replace old keypad by entry door and connect to remote panel in Inoculation Chamber Building.
- Run CAT 6 from Entry door to the remote panel near the Restroom in the Rooting Chamber Building.

### **Additional items included in Base Installation:**

- Provide electrician for any work outside of low-voltage work, including, but not limited to, adding power outlets near equipment, or running hardwire line voltage circuits to devices. **Notify COR or CO before work is started.**

## USFS Dorena Genetic Resource Center Monitoring System Upgrade

1240BK23Q0090

### System Functionality: in addition to the characteristics described above, system shall be able to:

- Final installed system to provide 24 hour per day remote monitoring of access control, sensors, and alarm system.
- System supplier must be capable of providing a premium self-service account management feature that includes the Government's ability to independently customize front gate access schedule and controls.
- Provide an interface, preferably internet based, for the maintenance of an authorized personnel list, and the addition and removal of personnel to and from that list. Keycards shall be uniquely identified when swiped and the system shall have the ability to retain a record of access logs for at least a 30-day period.
- Access control for the gate will be integrated into monitoring system which provides for occasional schedule changes due to holidays, inclement weather closures, and times of heightened security.

### Estimated Equipment for Base Installation (contractor to verify during SITE VISIT):

<i>Estimated Quantity</i>	<i>Description</i>
1	<i>SonIP FlexIP/Acc Kit-27; Kit; Combo, 27in</i>
4	<i>Module Power Hub Sonitrol</i>
8	<i>Keypad</i>
8	<i>12v 7ah Battery</i>
8	<i>MB-MGT2440; 24VAC Wall Mount Power Adapter</i>
3	<i>SonIP Audio-8 Pro Module</i>
3	<i>SonIP Access-4 Pro Module</i>
2	<i>Audio Sensor</i>
2	<i>27" Enclosure</i>
1	<i>Enviro Alert 4-Zone 12 Vdc</i>
2	<i>Waterproof Thermistor</i>
2	<i>Temp Sensor Probe Housing</i>
2	<i>Temp Probe Buffer Kit</i>

Note: Does not include incidentals, wire, spare parts, or other items needed for a fully functional system. List is provided for a general overview of expected equipment only. Contractor to provide all accessories and appurtenances to provide functionality described in the contract.

## USFS Dorena Genetic Resource Center Monitoring System Upgrade

1240BK23Q0090

### Option Item 0002 Fire Alarm Upgrades

Dorena Genetic Resource Center currently has fire detection devices in the Inoculation Chamber (Building 2105) and Water Treatment Plant (Building 2636) connected to an old proprietary panel. This Option Item, if exercised, would include adding new fire detection devices to the Inoculation Chamber and Water Treatment Plant buildings to connect to the Fire Alarm Control Panel (FACP) in the Main Office/Seed Plant and provide full integration with the equipment installed under the Base Installation Line Item.

#### Work under this item includes:

- Contractor will run cables underground in existing conduit from Main Office IT Room where there is an existing power supply with an open output to run Notification Appliance Circuit (NAC) to Chamber & Water Treatment buildings.
- Contractor shall tie in to existing MM300 Module for Signal Line Circuits (SLC) to Smokes, Heats, and Manual Pull Stations (MPS) in the Chambers and Water Treatment buildings.
- Wire run from Main Office to Chamber is approximately 500 feet (estimated, contractor to field verify); from Chamber to Water Treatment is approximately 150 feet (estimated, contractor to field verify).
- Contractor shall place a Power Supply in the Chamber building to provide power to the NACs in the Chamber & Water Treatment buildings.
- Contractor shall provide electrician to provide power to the new power supply in the Inoculation Chamber building.
- All panels and surge protection devices shall be grounded per NEC requirements.
- Installer shall provide battery backup calculations for the new system and place the documentation for the battery backup with manuals and other system information

#### Additional items included in Base Installation:

- Provide electrician for any work outside of low-voltage work, including, but not limited to, adding power outlets near equipment, or running hardwire line voltage circuits to devices

#### Estimated Equipment for Option Item (Fire Alarm) Installation (contractor to verify during bidding):

Estimated Quantity	Description
1	Power Supply UL Listed 6 Amp 120VAC
3	FireLite Addressable Manual Pull Station
4	Addressable Photoelectric Smoke Detector
1	Addressable Heat Detector
3	Horn Strobe – Wall-Mounted

## USFS Dorena Genetic Resource Center Monitoring System Upgrade

1240BK23Q0090

1	FireLite Addressable Monitor
1	Surge Suppression Device (SPD)
1	Relay Module
2	12V 7AH SLA Battery
4	Ditek DTK-2MHL P24BWB (or equal) Data and Signal Surge Protector

Note: Does not include incidentals, wire, spare parts, or other items needed for a fully functional system. List is provided for a general overview of expected equipment only. Contractor to provide all accessories and appurtenances to provide functionality described in the contract.

### Option Item 0003 Key Cards

- Provide key cards for exterior door and gate access that are compatible with both existing card readers and any additional readers installed under this contract.

### Warranty

Manufacturer's warranty information for all products installed by the contractor must be provided. Additionally, contractor shall provide warranty for the performance and integration of the system once initial setup is complete. It is expected that the contractor shall thoroughly test all existing sensors and equipment to ensure they are working properly and have been successfully integrated into the access control and alarm monitoring systems as part of the initial setup of the system.

For one calendar year following the acceptance of work installed under the Base Installation Fee (Line Item 0001) and Option Item 0002 and 0003 (if awarded), all repairs shall be completed at no additional cost to the government.

### (vii) Date(s) and Place(s) of Delivery and Acceptance/Location

Estimated Period of Performance 8/17/2023 to October 31,2023

U.S. Forest Service, Dorena Genetic Resource Center  
34963 Shoreview Dr.  
Cottage Grove, OR 97424

## USFS Dorena Genetic Resource Center Monitoring System Upgrade

1240BK23Q0090

### (viii) 52.212-1 Instructions to Offerors – Commercial Products and Commercial Services (MAR 2023) (Provision)

#### Addenda to provision 52.212-1:

##### *Addenda to Provision 52.212-1 paragraph (b) Submission of Offers:*

- 1) Offerors must have an active entity registration in the System for Award Management in order to submit an offer. <https://www.sam.gov/SAM/>
- 2) **A SITE VISIT IS REQUIRED TO BE CONSIDER FOR AWARD**
- 3) Offers submitted in response to this solicitation shall include a technical proposal, a price proposal, and required documentation.

a) *Technical Proposal* – The technical proposal shall address the evaluation factors in 52.212-2. At a minimum technical proposal shall include:

i) **Past Performance** – provide a list of similar projects completed by your firm over the **past three years**. Include a brief description of the project, dollar amount, year completed, and project owner contact information (name, phone, and email).

The government may use past performance information from any available source. If a company does not have past performance information available, information may be provided for predecessor companies, key personnel, or subcontractors. In the event that there is no past performance information available, the offeror will receive a neutral rating in this factor.

ii) **Technical Capability** – Provide a list of equipment that will be installed with along with specification.

iii) Number and key personnel (with qualifications) that will be used to complete this project.

b) **Price Proposal** – Include the following: 1) the completed Schedule of Items from Section B of this solicitation, and 2) acknowledgement of any amendments to this solicitation by following the instructions that accompany the amendment(s).

3) Submit offer by email to [\\_Jared.Machgan@usda.gov](mailto:_Jared.Machgan@usda.gov) \_\_\_\_ so that it is delivered into this inbox by the due date and time. It is the offerors responsibility to confirm receipt of the offer from the Contracting Officer Jared Machgan\_\_\_\_.

4) Address all Technical questions to John Beagle at [John.Beagle@usda.gov](mailto:John.Beagle@usda.gov) 541-957-3397 or Eric Russell [Eric.Russell@usda.gov](mailto:Eric.Russell@usda.gov) 541-315-8436\_.

Please contact the following persons to schedule site visit requests. Current business hours are Monday – Thursday from 07:00 to 16:30. Phil Parker, Facilities Maintenance Mechanic, [Philip.parker@usda.gov](mailto:Philip.parker@usda.gov)

## USFS Dorena Genetic Resource Center Monitoring System Upgrade

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1240BK23Q0090

### (ix) 52.212-2 Evaluation – Commercial Products and Commercial Services (NOV 2021) (Provision)

(a) The Government will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the Government, price and other factors considered. The following factors shall be used to evaluate offers:

     **Technical capability, price, past performance, and submission of other supporting documentation**     

### (x) Representations and Certifications (complete highlighted items in this section and return with your offer)

**VENDOR NAME:** \_\_\_\_\_

**VENDOR UEI:** \_\_\_\_\_

#### **52.204-24 Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (NOV 2021) (Provision)**

The Offeror shall not complete the representation at paragraph (d)(1) of this provision if the Offeror has represented that it "does not provide covered telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument" in paragraph (c)(1) in the provision at 52.204-26, Covered Telecommunications Equipment or Services—Representation, or in paragraph (v)(2)(i) of the provision at 52.212-3, Offeror Representations and Certifications-Commercial Products or Commercial Services. The Offeror shall not complete the representation in paragraph (d)(2) of this provision if the Offeror has represented that it "does not use covered telecommunications equipment or services, or any equipment, system, or service that uses covered telecommunications equipment or services" in paragraph (c)(2) of the provision at 52.204-26, or in paragraph (v)(2)(ii) of the provision at 52.212-3.

(a) Definitions. As used in this provision—

Backhaul, covered telecommunications equipment or services, critical technology, interconnection arrangements, reasonable inquiry, roaming, and substantial or essential component have the meanings provided in the clause 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.

(b) Prohibition. (1) Section 889(a)(1)(A) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232) prohibits the head of an executive agency on or after August 13, 2019, from procuring or obtaining, or extending or renewing a contract to procure or obtain, any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. Nothing in the prohibition shall be construed to—

## USFS Dorena Genetic Resource Center Monitoring System Upgrade

1240BK23Q0090

(i) Prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

(ii) Cover telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(2) Section 889(a)(1)(B) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232) prohibits the head of an executive agency on or after August 13, 2020, from entering into a contract or extending or renewing a contract with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. This prohibition applies to the use of covered telecommunications equipment or services, regardless of whether that use is in performance of work under a Federal contract. Nothing in the prohibition shall be construed to—

(i) Prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

(ii) Cover telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(c) Procedures. The Offeror shall review the list of excluded parties in the System for Award Management (SAM) (<https://www.sam.gov>) for entities excluded from receiving federal awards for "covered telecommunications equipment or services".

(d) Representation. The Offeror represents that—

(1) It  will,  will not provide covered telecommunications equipment or services to the Government in the performance of any contract, subcontract or other contractual instrument resulting from this solicitation. The Offeror shall provide the additional disclosure information required at paragraph (e)(1) of this section if the Offeror responds "will" in paragraph (d)(1) of this section; and

(2) After conducting a reasonable inquiry, for purposes of this representation, the Offeror represents that—

It  does,  does not use covered telecommunications equipment or services, or use any equipment, system, or service that uses covered telecommunications equipment or services. The Offeror shall provide the additional disclosure information required at paragraph (e)(2) of this section if the Offeror responds "does" in paragraph (d)(2) of this section.

(e) Disclosures. (1) Disclosure for the representation in paragraph (d)(1) of this provision. If the Offeror has responded "will" in the representation in paragraph (d)(1) of this provision, the Offeror shall provide the following information as part of the offer:

(i) For covered equipment—

(A) The entity that produced the covered telecommunications equipment (include entity name, unique entity identifier, CAGE code, and whether the entity was the original equipment manufacturer (OEM) or a distributor, if known);

(B) A description of all covered telecommunications equipment offered (include brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); and

(C) Explanation of the proposed use of covered telecommunications equipment and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(1) of this provision.

(ii) For covered services—

(A) If the service is related to item maintenance: A description of all covered telecommunications services offered (include on the item being maintained: Brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); or

(B) If not associated with maintenance, the Product Service Code (PSC) of the service being provided; and explanation of the proposed use of covered telecommunications services and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(1) of this provision.

(2) Disclosure for the representation in paragraph (d)(2) of this provision. If the Offeror has responded "does" in the representation in paragraph (d)(2) of this provision, the Offeror shall provide the following information as part of the offer:

(i) For covered equipment—

(A) The entity that produced the covered telecommunications equipment (include entity name, unique entity identifier, CAGE code, and whether the entity was the OEM or a distributor, if known);

(B) A description of all covered telecommunications equipment offered (include brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); and

(C) Explanation of the proposed use of covered telecommunications equipment and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(2) of this provision.

(ii) For covered services—

(A) If the service is related to item maintenance: A description of all covered telecommunications services offered (include on the item being maintained: Brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); or

(B) If not associated with maintenance, the PSC of the service being provided; and explanation of the proposed use of covered telecommunications services and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(2) of this provision.

**52.212-3 Offeror Representations and Certifications – Commercial Products and Commercial Services (DEC 2022) ([DEVIATION DEC 2022](#)) ([DEVIATION NOV 2022](#)) (Provision)**

*If Offeror Representations and Certifications are not complete in SAM the offeror shall submit a completed copy of the provision at 52.212-3, Offeror Representations and Certifications-Commercial Products and Commercial Services, with your offer. The full provision is available from <http://www.acquisition.gov/far/>.*

*If Offeror Representations and Certifications are complete in SAM, the offeror shall complete the following:*

(b)(1) *Annual Representations and Certifications.* Any changes provided by the Offeror in paragraph (b)(2) of this provision do not automatically change the representations and certifications in SAM.

(2) The offeror has completed the annual representations and certifications electronically in SAM accessed through <http://www.sam.gov>. After reviewing SAM information, the Offeror verifies by submission of this offer that the representations and certifications currently posted electronically at FAR [52.212-3](#), Offeror Representations and Certifications-Commercial Products and Commercial Services, have been entered or updated in the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the business size standard(s) applicable to the NAICS code(s) referenced for this solicitation), at the time this offer is submitted and are incorporated in this offer by reference (see FAR [4.1201](#)), except for paragraphs                     .

**(xi) 52.212-4 Contract Terms and Conditions – Commercial Products and Commercial Services (DEC 2022) ([DEVIATION 2017-1](#))**

**Addenda to 52.212-4:**

**(xii) 52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders– Commercial Products and Commercial Services (JUN 2023) ([DEVIATION 2017-1](#), [DEVIATION DEC 2022](#))**

(a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses, which are incorporated in this contract by reference, to implement provisions of law or Executive orders applicable to acquisitions of commercial products and commercial services:

(1) 52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).

(2) 52.204-23, Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (Nov 2021) (Section 1634 of Pub. L. 115-91).

## USFS Dorena Genetic Resource Center Monitoring System Upgrade

---

1240BK23Q0090

(3) 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (Nov 2021) (Section 889(a)(1)(A) of Pub. L. 115-232).

(4) 52.209-10, Prohibition on Contracting with Inverted Domestic Corporations (Nov 2015)

(5) 52.232-40, Providing Accelerated Payments to Small Business Subcontractors (MAR 2023) (31 U.S.C.3903 and 10 U.S.C. 3801)

(6) 52.233-3, Protest After Award (Aug 1996) (31 U.S.C. 3553).

(7) 52.233-4, Applicable Law for Breach of Contract Claim (Oct 2004) (Public Laws 108-77 and 108-78 (19 U.S.C. 3805note)).

(b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial products and commercial services:

*[Contracting Officer check as appropriate.]*

- (1) 52.203-6, Restrictions on Subcontractor Sales to the Government (June 2020), with Alternate I (Nov 2021) (41 U.S.C. 4704 and 10 U.S.C. 4655).
- (2) 52.203-13, Contractor Code of Business Ethics and Conduct (Nov 2021) (41 U.S.C. 3509)).
- (3) 52.203-15, Whistleblower Protections under the American Recovery and Reinvestment Act of 2009 (Jun 2010) (Section 1553 of Pub. L. 111-5). (Applies to contracts funded by the American Recovery and Reinvestment Act of 2009.)
- (4) 52.203-17, Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (Jun 2020) ([DEVIATION 2017-1](#)) ([Whistleblower Guidance to Contractor Employees](#))
- (5) 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards (Jun 2020) (Pub. L. 109-282) (31 U.S.C. 6101 note).
- (6) 52.204-14, Service Contract Reporting Requirements (Oct 2016) (Pub. L. 111-117, section 743 of Div. C).
- (7) 52.204-15, Service Contract Reporting Requirements for Indefinite-Delivery Contracts (Oct 2016) (Pub. L. 111-117, section 743 of Div. C).
- (8) 52.204-27, Prohibition on a ByteDance Covered Application (JUN 2023) (Section 102 of Division R of Pub. L. 117-328).
- (9) 52.209-6, Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (Nov 2021) (31 U.S.C. 6101note).
- (10) 52.209-9, Updates of Publicly Available Information Regarding Responsibility Matters (Oct 2018) (41 U.S.C. 2313).
- (11) [Reserved].
- (12) (i) 52.219-3, Notice of HUBZone Set-Aside or Sole-Source Award (Oct 2022) (15 U.S.C.657a).
- (13) (i) 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns (Oct 2022) (if the offeror elects to waive the preference, it shall so indicate in its offer) (15 U.S.C. 657a).
- (14) [Reserved]
- (15) (i) 52.219-6, Notice of Total Small Business Set-Aside (Nov 2020) (15 U.S.C.644).

## USFS Dorena Genetic Resource Center Monitoring System Upgrade

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1240BK23Q0090

- (ii) Alternate I (Mar 2020) of 52.219-6.
- (16) (i) 52.219-7, Notice of Partial Small Business Set-Aside (Nov 2020) (15 U.S.C. 644).
  - (ii) Alternate I (Mar 2020) of 52.219-7.
- (17) 52.219-8, Utilization of Small Business Concerns (Oct 2022) (15 U.S.C. 637(d)(2) and (3)). [DEVIATION DEC 2022](#)
- (18) (i) 52.219-9, Small Business Subcontracting Plan (Oct 2022) (15 U.S.C. 637(d)(4)).
  - (ii) Alternate I (Nov 2016) of 52.219-9.
  - (iii) Alternate II (Nov 2016) of 52.219-9.
  - (iv) Alternate III (Jun 2020) of 52.219-9.
  - (v) Alternate IV (Sep 2021) of 52.219-9.
- (19) (i) 52.219-13, Notice of Set-Aside of Orders (Mar 2020) (15 U.S.C. 644(r)).
  - (ii) Alternate I (MAR 2020) of 52.219-13
- (20) 52.219-14, Limitations on Subcontracting (Oct 2022) (15 U.S.C.637s)
  - [Contracting Officer check as appropriate.]*

    - By the end of the base term of the contract and then by the end of each subsequent option period; or
    - By the end of the performance period for each order issued under the contract.
- (21) 52.219-16, Liquidated Damages-Subcontracting Plan (Sep 2021) (15 U.S.C. 637(d)(4)(F)(i)).
- (22) 52.219-27, Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (Oct 2022) (15 U.S.C. 657f).
- (23) (i) 52.219-28, Post Award Small Business Program Rerepresentation (MAR 2023) (15 U.S.C. 632(a)(2)).
  - (ii) Alternate I (MAR 2020) of 52.219-28.
- (24) 52.219-29, Notice of Set-Aside for, or Sole Source Award to, Economically Disadvantaged Women-Owned Small Business Concerns (Oct 2022) (15 U.S.C. 637(m)).
- (25) 52.219-30, Notice of Set-Aside for, or Sole Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program (Oct 2022) (15 U.S.C. 637(m)).
- (26) 52.219-32, Orders Issued Directly Under Small Business Reserves (Mar 2020) (15 U.S.C. 644(r)).
- (27) 52.219-33, Nonmanufacturer Rule (Sep 2021) (15 U.S.C. 637(a)(17)).
- (28) 52.222-3, Convict Labor (Jun 2003) (E.O.11755).
- (29) 52.222-19, Child Labor-Cooperation with Authorities and Remedies (Dec 2022) (E.O.13126).
- (30) 52.222-21, Prohibition of Segregated Facilities (Apr 2015).
- (31) (i) 52.222-26, Equal Opportunity (Sep 2016) (E.O.11246).
  - (ii) Alternate I (Feb 1999) of 52.222-26.
- (32) (i) 52.222-35, Equal Opportunity for Veterans (Jun 2020) (38 U.S.C. 4212).
  - (ii) Alternate I (Jul 2014) of 52.222-35.
- (33) (i) 52.222-36, Equal Opportunity for Workers with Disabilities (Jun 2020) (29 U.S.C.793).

## USFS Dorena Genetic Resource Center Monitoring System Upgrade

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1240BK23Q0090

- (ii) Alternate I (Jul 2014) of 52.222-36.
- (34) 52.222-37, Employment Reports on Veterans (Jun 2020) (38 U.S.C. 4212).
- (35) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496).
- (36) (i) 52.222-50, Combating Trafficking in Persons (Nov 2021) (22 U.S.C. chapter 78 and E.O. 13627).
  - (ii) Alternate I (Mar 2015) of 52.222-50 (22 U.S.C. chapter78 and E.O. 13627).
- (37) 52.222-54, Employment Eligibility Verification (May 2022). (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial products or commercial services as prescribed in FAR 22.1803.)
- (38) (i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA–Designated Items (May 2008) (42 U.S.C. 6962(c)(3)(A)(ii)). (Not applicable to the acquisition of commercially available off-the-shelf items).
  - (ii) Alternate I (May 2008) of 52.223-9 (42 U.S.C. 6962(i)(2)(C)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
- (39) 52.223-11, Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (Jun 2016) (E.O. 13693).
- (40) 52.223-12, Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (Jun 2016) (E.O. 13693).
- (41) (i) 52.223-13, Acquisition of EPEAT®-Registered Imaging Equipment (Jun 2014) (E.O.s 13423 and 13514).
  - (ii) Alternate I (Oct 2015) of 52.223-13.
- (42) (i) 52.223-14, Acquisition of EPEAT®-Registered Televisions (Jun 2014) (E.O.s 13423 and 13514).
  - (ii) Alternate I (Jun 2014) of 52.223-14.
- (43) 52.223-15, Energy Efficiency in Energy-Consuming Products (May 2020) (42 U.S.C. 8259b).
- (44) (i) 52.223-16, Acquisition of EPEAT®-Registered Personal Computer Products (Oct 2015) (E.O.s 13423 and 13514).
  - (ii) Alternate I (Jun 2014) of 52.223-16.
- (45) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (Jun 2020) (E.O. 13513).
- (46) 52.223-20, Aerosols (Jun 2016) (E.O. 13693).
- (47) 52.223-21, Foams (Jun 2016) (E.O. 13693).
- (48) (i) 52.224-3 Privacy Training (Jan 2017) (5 U.S.C. 552 a).
  - (ii) Alternate I (Jan 2017) of 52.224-3.
- (49)(i) 52.225-1, Buy American-Supplies (Oct 2022) (41 U.S.C. chapter 83).
  - (ii) Alternate I (Oct 2022) of 52.225-1
- (50) (i) 52.225-3, Buy American-Free Trade Agreements-Israeli Trade Act (DEC 2022) (19 U.S.C. 3301 note, 19 U.S.C. 2112 note, 19 U.S.C. 3805 note, 19 U.S.C. 4001 note, 19 U.S.C. chapter 29 (sections 4501-4732), Public Law. 103-182, 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, 110-138, 112-41, 112-42, and 112-43).
  - (ii) Alternate I [Reserved]

## USFS Dorena Genetic Resource Center Monitoring System Upgrade

1240BK23Q0090

- (iii) Alternate II (Dec 2022) of 52.225-3.
- (iv) Alternate III (Jan 2021) of 52.225-3.
- (v) Alternate IV (Oct 2022) of 52.225-3.
- (51) 52.225-5, Trade Agreements (Dec 2022) (19 U.S.C. 2501, et seq., 19 U.S.C. 3301 note).
- (52) 52.225-13, Restrictions on Certain Foreign Purchases (FEB 2021) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).
- (53) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Oct 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. Subtitle A, Part V, Subpart G Note).
- (54) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (Nov 2007) (42 U.S.C. 5150).
- (55) 52.226-5, Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov 2007) (42 U.S.C. 5150).
- (56) 52.229-12, Tax on Certain Foreign Procurements (Feb 2021).
- (57) 52.232-29, Terms for Financing of Purchases of Commercial Products and Commercial Services (Nov 2021) (41 U.S.C.4505, 10 U.S.C.3805).
- (58) 52.232-30, Installment Payments for Commercial Products and Commercial Services (Nov 2021) (41 U.S.C.4505, 10 U.S.C.3805).
- (59) 52.232-33, Payment by Electronic Funds Transfer-System for Award Management (Oct 2018) (31 U.S.C. 3332).
- (60) 52.232-34, Payment by Electronic Funds Transfer-Other than System for Award Management (Jul 2013) (31 U.S.C.3332).
- (61) 52.232-36, Payment by Third Party (May 2014) (31 U.S.C.3332).
- (62) 52.239-1, Privacy or Security Safeguards (Aug 1996) (5 U.S.C. 552a).
- (63) 52.242-5, Payments to Small Business Subcontractors (Jan 2017) (15 U.S.C. 637(d)(13)).
- (64) (i) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Nov 2021) (46 U.S.C. 55305 and 10 U.S.C. 2631).
  - (ii) Alternate I (Apr 2003) of 52.247-64.
  - (iii) Alternate II (Nov 2021) of 52.247-64.

(c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial products and commercial services:

Contracting Officer check as appropriate.]

- (1) 52.222-41, Service Contract Labor Standards (Aug 2018) (41 U.S.C. chapter 67).
- (2) 52.222-42, Statement of Equivalent Rates for Federal Hires (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

In compliance with the Service Contract Labor Standards statute and the regulations of the Secretary of Labor (29 CFR Part 4), this clause identifies the classes of service employees expected to be employed under the contract and states the wages and fringe benefits payable to each if they were employed by the contracting agency subject to the provisions of [5 U.S.C.5341](#) or [5 332](#).

**USFS Dorena Genetic Resource Center Monitoring System Upgrade**

1240BK23Q0090

This Statement is for Information Only: It is not a Wage Determination

Employee Class	Monetary Wage/Fringe Benefits
_____	_____/_____

- (3) 52.222-43, Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (Multiple Year and Option Contracts) (Aug 2018) (29 U.S.C. 206 and 41 U.S.C. chapter 67).
- (4) 52.222-44, Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).
- (5) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (May 2014) (41 U.S.C. chapter 67).
- (6) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (May 2014) (41 U.S.C. chapter 67).
- (7) 52.222-55, Minimum Wages for Contractor Workers Under Executive Order 14026 (Jan 2022).
- (8) 52.222-62, Paid Sick Leave Under Executive Order 13706 (Jan 2022) (E.O. 13706).
- (9) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (Jun 2020) (42 U.S.C. 1792).

(d) Comptroller General Examination of Record. The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, as defined in FAR 2.101, on the date of award of this contract, and does not contain the clause at 52.215-2, Audit and Records-Negotiation.

(1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.

(2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR subpart 4.7, Contractor Records Retention, of the other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.

(3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.

## USFS Dorena Genetic Resource Center Monitoring System Upgrade

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1240BK23Q0090

(e) (1) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c), and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1), in a subcontract for commercial products or commercial services. Unless otherwise indicated below, the extent of the flow down shall be as required by the clause-

(i) 52.203-13, Contractor Code of Business Ethics and Conduct (Nov 2021) (41 U.S.C. 3509).

(ii) 52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).

(iii) 52.204-23, Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (Nov 2021) (Section 1634 of Pub. L. 115-91).

(iv) 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (Nov 2021) (Section 889(a)(1)(A) of Pub. L. 115-232).

(v) 52.204-27, Prohibition on a ByteDance Covered Application (JUN 2023) (Section 102 of Division R of Pub. L. 117-328)

(v) 52.219-8, Utilization of Small Business Concerns (Oct 2022) (15 U.S.C.637(d)(2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds the applicable threshold specified in FAR 19.702(a) on the date of subcontract award, the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.

(vi) 52.222-21, Prohibition of Segregated Facilities (Apr 2015).

(vii) 52.222-26, Equal Opportunity (Sep 2015) (E.O.11246).

(viii) 52.222-35, Equal Opportunity for Veterans (Jun 2020) (38 U.S.C.4212).

(ix) 52.222-36, Equal Opportunity for Workers with Disabilities (Jun 2020) (29 U.S.C.793).

(x) 52.222-37, Employment Reports on Veterans (Jun 2020) (38 U.S.C.4212).

(xi) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause 52.222-40.

(xii) 52.222-41, Service Contract Labor Standards (Aug 2018) (41 U.S.C. chapter 67).

(xiii) (A) 52.222-50, Combating Trafficking in Persons (Nov 2021) (22 U.S.C. chapter 78 and E.O 13627).

(B) Alternate I (Mar 2015) of 52.222-50(22 U.S.C. chapter 78 and E.O 13627).

(xiv) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (May 2014) (41 U.S.C. chapter 67).

(xv) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (May 2014) (41 U.S.C. chapter 67).

(xvi) 52.222-54, Employment Eligibility Verification (May 2022) (E.O. 12989).

(xvii) 52.222-55, Minimum Wages for Contractor Workers Under Executive Order 14026 (Jan 2022).

(xviii) 52.222-62, Paid Sick Leave Under Executive Order 13706 (Jan 2022) (E.O. 13706).

(xix) (A) 52.224-3, Privacy Training (Jan 2017) (5 U.S.C. 552a).

## **USFS Dorena Genetic Resource Center Monitoring System Upgrade**

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1240BK23Q0090

(B) Alternate I (Jan 2017) of 52.224-3.

(xx) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Oct 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. Subtitle A, Part V, Subpart G Note).

(xxi) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (Jun 2020) (42 U.S.C. 1792). Flow down required in accordance with paragraph (e) of FAR clause 52.226-6.

(xxii) 52.232-40, Providing Accelerated Payments to Small Business Subcontractors (MAR 2023) (31 U.S.C. 3903 and 10 U.S.C. 3801)

(xxiii) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Nov 2021) (46 U.S.C. 55305 and 10 U.S.C.2631). Flow down required in accordance with paragraph (d) of FAR clause 52.247-64.

(2) While not required, the Contractor may include in its subcontracts for commercial products and commercial services a minimal number of additional clauses necessary to satisfy its contractual obligations.

### **(xiii) Additional Requirements/Terms and Conditions:**

#### **Clauses:**

**52.203-3 Gratuities (APR 1984)**

**52.203-16 Preventing Personal Conflicts of Interest (JUN 2020)**

**52.204-13 System for Award Management Maintenance (OCT 2018)**

**52.217-8 Option to Extend Services (Nov 1999)**

The Government may require continued performance of any services within the limits and at the rates specified in the contract. These rates may be adjusted only as a result of revisions to prevailing labor rates provided by the Secretary of Labor. The option provision may be exercised more than once, but the total extension of performance hereunder shall not exceed 6 months. The Contracting Officer may exercise the option by written notice to the Contractor within \_\_\_\_\_ [*insert the period of time within which the Contracting Officer may exercise the option*].

**52.228-5 Insurance – Work on a Government Installation (JAN 1997)**

**52.237-2 Protection of Government Buildings, Equipment, and Vegetation (APR 1984)**

**52.242-15 Stop-Work Order (AUG 1989)**

**52.242-17 Government Delay of Work (APR 1984)**

**52.245-1 Government Property (SEP 2021) Alt 1 (APR 2012)**

**52.245-9 Use and Charges (APR 2012)**

**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(es):

Federal Acquisition Regulation (FAR) Clauses:

<https://www.acquisition.gov/browse/index/far> (FAR clauses begin with 52)

Department of Agriculture Acquisition Regulation (AGAR) Clauses:

<https://www.acquisition.gov/agar> (AGAR clauses begin with 452)

FAR and AGAR Deviations to clauses may be viewed at: [Policies & Regulations | USDA](#)

**452.204-70 Modification for Contract Closeout ([DEVIATION JUL 2022](#))**

Upon contract closeout for contracts utilizing Simplified Acquisition Procedures (SAP) according to FAR 13:

(a) If unobligated funds in the amount of \$1000 or less remain on the contract, the Contracting Officer (CO) shall issue a unilateral modification for deobligation. The contractor will receive a copy of the modification but will not be required to provide a signature. The CO shall immediately proceed with contract closeout upon completion of the period of performance, receipt and acceptance of supplies or services, and final payment.

(b) If unobligated funds of more than \$1000 remain on the contract, the CO shall issue a bilateral modification for deobligation. The contractor will receive a copy of the modification and will be required to provide a signature. (The CO may also request a Release of Claims be completed by the contractor, although not required for contract and orders using SAP procedures.) If the bilateral modification and Release of Claims are not returned to the CO within 60 days, the CO shall release the modification as unilateral and proceed with contract closeout upon completion of the period of performance, receipt and acceptance of supplies or services, and final payment.

**452.211-74 Period of Performance (FEB 1988)**

The period of performance of this contract is from \_8/21/2023\_ through 10/31/2023\_.

**452.215-73 Post Award Conference (NOV 1996)**

A post award conference with the successful offeror is required. It will be scheduled within \_5\_ days after the date of contract award. The conference will be held at: \_a location and time TBD\_\_\_\_\_.

**452.237-75 Restrictions Against Disclosure (FEB 1988)**

(a) The Contractor agrees, in the performance of this contract, to keep all information contained in source documents or other media furnished by the Government in the strictest confidence. The Contractor also agrees not to publish or otherwise divulge such information in whole or in part in any manner or form, or to authorize or permit others to do so, taking such reasonable measures as are necessary to restrict access to such information while in the Contractor's possession, to those employees needing such information to perform the work provided herein, i.e., on a "need to know" basis. The Contractor agrees to immediately notify in writing, the Contracting Officer, named herein, in the event that the Contractor determines or has reason to suspect a breach of this requirement.

(b) The Contractor agrees not to disclose any information concerning the work under this contract to any persons or individual unless prior written approval is obtained from the Contracting Officer. The Contractor agrees to insert the substance of this clause in any consultant agreement or subcontract hereunder.

**Provisions:**

**52.204-7 System for Award Management (OCT 2018)**

**52.204-16 Commercial and Government Entity Code Reporting (AUG 2020)**

**52.237-1 Site Visit (APR 1984) DEVIATION**

Offerors or quoters are REQUIRED and expected to inspect the site where services are to be performed and to satisfy themselves regarding all general and local conditions that may affect the cost of contract performance, to the extent that the information is reasonably obtainable. In no event shall failure to inspect the site constitute grounds for a claim after contract award.

**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):

Federal Acquisition Regulation (FAR) Provisions:

<https://www.acquisition.gov/browse/index/far> (FAR Provisions begin with 52)

Department of Agriculture Acquisition Regulation (AGAR) Provisions:

<https://www.acquisition.gov/agar> (AGAR Provisions begin with 452)

FAR and AGAR Deviations to provisions may be viewed at: [Policies & Regulations | USDA](#)

**52.252-5 Authorized Deviations in Provisions (NOV 2020)**

(a) The use in this solicitation of any Federal Acquisition Regulation (48 CFR Chapter 1) provision with an authorized deviation is indicated by the addition of "(DEVIATION)" after the date of the provision.

(b) The use in this solicitation of any Agriculture Acquisition Regulation (48 CFR Chapter 4) provision with an authorized deviation is indicated by the addition of "(DEVIATION)" after the name of the regulation.