

1240LN23Q0009
Custer-Gallatin Toilet Pumping
Custer-Gallatin National Forest

Solicitation Issue Date: February 6, 2023

Method of Solicitation: Request for Quotation (RFQ).

This is a combined synopsis/solicitation for commercial items prepared in accordance with the format in Subpart 12.6, as supplemented with additional information included in this notice. This announcement constitutes the only solicitation; quotes are being requested and a written solicitation will not be issued. The solicitation and incorporated provisions and clauses are those in effect through the most current Federal Acquisition Circular FAC 2023-01.

Responsible sources may submit a quotation which, if timely received, shall be considered by this agency.

North American Industry Classification (NAICS): 562991 (Septic Tank and Related Services): Size Standard is \$8.0M

Set Aside: 100% small business set-aside.

General Information: The intent of this solicitation is to obtain quotes for pumping vault toilets. See below for complete project description.

Provide quote by: 3:00 PM, Mountain Standard Time on February 23, 2023.

DOCUMENTS TO RETURN:

The following documents shall be submitted by the offeror for evaluation to be considered responsive:

- Schedule of Items
- Experience Questionnaire or a document demonstrating recent and relevant experience in respect to the size and scope of this particular project.
- Annual Representations & Certifications.
- Acknowledge Amendments (per the instructions in Block 11 on the SF-30) **if applicable**.

Send quote to: Forest Service, Property and Procurement Services, Intermountain Zone, CSA #3

Email: shawn.harwood@usda.gov

Email all solicitation questions to shawn.harwood@usda.gov.

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Schedule B: Schedule of Items/Price Schedule

Beartooth Ranger District

Item No.	Location Name	Site Type	No. of Vaults	Size (gallon)	Unit Price BASE 2023	Unit Price OPT1 2024	Unit Price OPT2 2025
1.01	BASIN CAMPGROUND	CAMPGROUND	5	1000	\$	\$	\$
1.02	BASIN TRAILHEAD	TRAILHEAD	1	1000	\$	\$	\$
1.03	BIG ICE CAVE	PICNIC SITE	1	850	\$	\$	\$
1.04	CASCADE	CAMPGROUND	2	850	\$	\$	\$
1.05	CASCADE	CAMPGROUND	2	1000	\$	\$	\$
1.06	EAST ROSEBUD TRAILHEAD	TRAILHEAD	1	1000	\$	\$	\$
1.07	EAST ROSEBUD LAKE CAMPGROUND	CAMPGROUND	2	1000	\$	\$	\$
1.08	EAST ROSEBUD LAKE PARKING	PICNIC SITE	1	1000	\$	\$	\$
1.09	EMERALD LAKE CAMPGROUND	CAMPGROUND	5	1000	\$	\$	\$
1.10	EMERALD LAKE FISHING ACCESS	FISHING SITE	1	1000	\$	\$	\$
1.11	GLACIER LAKE TRAILHEAD	TRAILHEAD	1	1000	\$	\$	\$
1.12	GREENOUGH TRAILHEAD	TRAILHEAD	1	1000	\$	\$	\$
1.13	GREENOUGH LAKE CAMPGROUND	CAMPGROUND	3	1000	\$	\$	\$
1.14	INITIAL CREEK CAMPGROUND	CAMPGROUND	2	1000	\$	\$	\$
1.15	JIMMY JOE CAMPGROUND	CAMPGROUND	2	1000	\$	\$	\$
1.16	LAKE FORK TRAILHEAD	TRAILHEAD	1	1000	\$	\$	\$
1.17	LIMBER PINE CAMPGROUND	CAMPGROUND	2	1000	\$	\$	\$
1.18	M K CAMPGROUND	CAMPGROUND	2	1000	\$	\$	\$
1.19	MEYERS CREEK RENTAL CABIN	LOOKOUT/CABIN	1	1000	\$	\$	\$
1.20	OLD NYE PICNIC SITE	PICNIC SITE	2	850	\$	\$	\$
1.21	PALISADES CAMPGROUND	CAMPGROUND	2	1000	\$	\$	\$
1.22	PARKSIDE CAMPGROUND	CAMPGROUND	4	1000	\$	\$	\$
1.23	PARKSIDE PICNIC	GROUP PICNIC SITE	2	1000	\$	\$	\$
1.24	PINE GROVE CAMPGROUND	CAMPGROUND	10	850	\$	\$	\$
1.25	RABBIT GULCH TRAILHEAD	TRAILHEAD	1	250	\$	\$	\$
1.26	RATTIN CAMPGROUND	CAMPGROUND	2	1000	\$	\$	\$
1.27	ROCK CREEK WORK CENTER	ADMIN SITE	1	250	\$	\$	\$
1.28	SAGE CREEK CAMPGROUND	CAMPGROUND	2	1000	\$	\$	\$
1.29	SAGE CREEK CABIN	LOOKOUT/CABIN	1	1000	\$	\$	\$
1.30	SAND DUNES PICNIC SITE	PICNIC SITE	2	1000	\$	\$	\$
1.31	SHERIDAN CAMPGROUND	CAMPGROUND	2	1000	\$	\$	\$
1.32	SILVER RUN PLATEAU TRAILHEAD	TRAILHEAD	1	1000	\$	\$	\$
1.33	SILVER RUN TRAILHEAD	TRAILHEAD	1	1000	\$	\$	\$
1.34	STILLWATER TRAILHEAD	TRAILHEAD	1	1000	\$	\$	\$

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1.35	TIMBERLINE TRAILHEAD	TRAILHEAD	1	1000	\$	\$	\$
1.36	WEST FORK TRAILHEAD	TRAILHEAD	1	1000	\$	\$	\$
1.37	WEST FORK STILLWATER TRAIL	TRAILHEAD	1	1000	\$	\$	\$
1.38	WEST ROSEBUD TRAILHEAD	TRAILHEAD	1	1000	\$	\$	\$
1.39	WEST ROSEBUD LAKE FISHING ACCESS	FISHING SITE	2	1000	\$	\$	\$
1.40	WILD BILL LAKE PICNIC SITE	PICNIC SITE	3	1000	\$	\$	\$
1.41	WOODBINE CAMPGROUND	CAMPGROUND	8	1000	\$	\$	\$

Bozeman Ranger District

Item No.	Location Name	Site Type	No. of Vaults	Size (gallon)	Unit Price BASE 2023	Unit Price OPT1 2024	Unit Price OPT2 2025
2.01	"M"	TRAILHEAD	1	1000	\$	\$	\$
2.02	BATTLE RIDGE	LOOKOUT/CABIN	1	1000	\$	\$	\$
2.03	BATTLE RIDGE	CAMPGROUND	4	600	\$	\$	\$
2.04	BATTLE RIDGE	CAMPGROUND	2	1000	\$	\$	\$
2.05	BLACKMORE	TRAILHEAD	1	1000	\$	\$	\$
2.06	BLACKMORE CAMP	CAMPGROUND	2	1000	\$	\$	\$
2.07	BOZEMAN CREEK	TRAILHEAD	1	1000	\$	\$	\$
2.08	BOZEMAN CREEK TRAIL	TRAILSIDE outhouse	1	1000	\$	\$	\$
2.09	BRACKET CREEK	TRAILHEAD	1	1000	\$	\$	\$
2.10	BUCK CREEK RIDGE SNOWPARK	SNOWPARK	1	1000	\$	\$	\$
2.11	BUFFALO HORN	TRAILHEAD	1	1000	\$	\$	\$
2.12	CHISHOLM	CAMPGROUND	1	1000	\$	\$	\$
2.13	DEER CREEK	TRAILHEAD	1	1000	\$	\$	\$
2.14	EDSALL CABIN SEPTIC	ADMIN SITE	1	2500	\$	\$	\$
2.15	FAIRY LAKE	TRAILHEAD	1	1000	\$	\$	\$
2.16	FAIRY LAKE	CAMPGROUND	2	1000	\$	\$	\$
2.17	GREEK CREEK	CAMPGROUND	3	1000	\$	\$	\$
2.18	HOOD CREEK	CAMPGROUND	8	1000	\$	\$	\$
2.19	HYALITE CREEK (GROTTO FALLS TH)	TRAILHEAD	1	1000	\$	\$	\$
2.20	HYALITE DAY USE	PICNIC SITE	3	1000	\$	\$	\$
2.21	LANGOHR	CAMPGROUND	4	1000	\$	\$	\$
2.22	LAVA LAKE	TRAILHEAD	1	1000	\$	\$	\$
2.23	LITTLE BEAR	LOOKOUT/CABIN	1	1000	\$	\$	\$
2.24	LOWER HYALITE	GROUP CAMPGROUND	1	1000	\$	\$	\$
2.25	MAXEY CABIN	LOOKOUT/CABIN	1	1000	\$	\$	\$
2.26	MOOSE CREEK	GROUP PICNIC SITE	1	1000	\$	\$	\$
2.27	MOOSE CREEK FLAT	CAMPGROUND	2	1000	\$	\$	\$

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2.28	MYSTIC LAKE	LOOKOUT/CABIN	1	1000	\$	\$	\$
2.29	PALISADE FALLS	TRAILHEAD	1	1000	\$	\$	\$
2.30	PORCUPINE CREEK	TRAILHEAD	1	600	\$	\$	\$
2.31	RED CLIFF	CAMPGROUND	8	1000	\$	\$	\$
2.32	RED CLIFF	PICNIC SITE	1	1000	\$	\$	\$
2.33	SPANISH CREEK	TRAILHEAD	1	1000	\$	\$	\$
2.34	SPANISH CREEK	LOOKOUT/CABIN	1	1000	\$	\$	\$
2.35	SPIRE ROCK	CAMPGROUND	8	1000	\$	\$	\$
2.36	SQUAW FLAT (RAT FLATS)	CAMPGROUND	1	600	\$	\$	\$
2.37	SWAN CREEK	CAMPGROUND	2	1000	\$	\$	\$
2.38	TWIN CABIN	TRAILHEAD	1	1000	\$	\$	\$
2.39	WINDOW ROCK CABIN	LOOKOUT/CABIN	1	1000	\$	\$	\$

Gardiner Ranger District

Item No.	Location Name	Site Type	No. of Vaults	Size (gallon)	Unit Price BASE 2023	Unit Price OPT1 2024	Unit Price OPT2 2025
3.01	BEAR CREEK	CAMPGROUND	1	1000	\$	\$	\$
3.02	BRDWTR/CL FRK HORSE TH	TRAILHEAD	1	1000	\$	\$	\$
3.03	CANYON	CAMPGROUND	2	1000	\$	\$	\$
3.04	CINNABAR	BOATING SITE	1	1000	\$	\$	\$
3.05	CLARKS FORK	TRAILHEAD	1	1000	\$	\$	\$
3.06	COLTER	CAMPGROUND	5	1000	\$	\$	\$
3.07	COOKE CITY ADMIN	ADMIN SITE	1	1000	\$	\$	\$
3.08	COOKE CITY SNOWMOBILE TH	TRAILHEAD	1	1000	\$	\$	\$
3.09	EAGLE CREEK	CAMPGROUND	3	1000	\$	\$	\$
3.10	LADUKE	PICNIC SITE	1	1000	\$	\$	\$
3.11	MC CONNELL	BOATING SITE	1	1000	\$	\$	\$
3.12	PALMER	TRAILHEAD	1	1000	\$	\$	\$
3.13	SODA BUTTE	CAMPGROUND	6	1000	\$	\$	\$
3.14	SPHINX CREEK	TRAILHEAD	1	1000	\$	\$	\$
3.15	TIMBER CAMP	GROUP CAMPGROUND	1	1000	\$	\$	\$
3.16	TOM MINER	CAMPGROUND	3	1000	\$	\$	\$
3.17	YANKEE JIM	BOATING SITE	1	1000	\$	\$	\$

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Hebgen Lake Ranger District

Item No.	Location Name	Site Type	No. of Vaults	Size (gallon)	Unit Price BASE 2023	Unit Price OPT1 2024	Unit Price OPT2 2025
4.01	BAKERS HOLE CAMPGROUND	CAMPGROUND	5	1000	\$	\$	\$
4.02	BASIN STATION	LOOKOUT/CABIN	1	1000	\$	\$	\$
4.03	BEAVER CREEK CABIN	LOOKOUT/CABIN	1	500	\$	\$	\$
4.04	BEAVER CREEK CAMPGROUND	CAMPGROUND	4	1000	\$	\$	\$
4.05	BEAVER CREEK TRAILHEAD	TRAILHEAD	1	1000	\$	\$	\$
4.06	CABIN CREEK CAMPGROUND	CAMPGROUND	2	1000	\$	\$	\$
4.07	CHERRY CREEK CAMPGROUND	CAMPGROUND	2	750	\$	\$	\$
4.08	EARTHQUAKE LAKE	INTERPRETIVE SITE	1	1000	\$	\$	\$
4.09	ELDRIDGE CABIN	LOOKOUT/CABIN	1	750	\$	\$	\$
4.10	FISHERMAN'S POINT	FISHING SITE	1	1000	\$	\$	\$
4.11	GHOST VILLAGE	PICNIC SITE	1	1000	\$	\$	\$
4.12	HEBGEN DAM	FISHING SITE	1	1000	\$	\$	\$
4.13	HORSE BUTTE	PICNIC SITE	1	500	\$	\$	\$
4.14	LONESOMEHURST	BOATING SITE	2	750	\$	\$	\$
4.15	LONESOMEHURST CAMPGROUND	CAMPGROUND	3	1000	\$	\$	\$
4.16	LOWER WAPITI	TRAILHEAD	1	1000	\$	\$	\$
4.17	POTOMAGETON PARK	TRAILHEAD	1	1000	\$	\$	\$
4.18	RAINBOW POINT CAMPGROUND	CAMPGROUND	7	1000	\$	\$	\$
4.19	RAINBOW POINT PICNIC GROUNDS	PICNIC SITE	1	1000	\$	\$	\$
4.20	REAS PASS	INFO SITE	1	1000	\$	\$	\$
4.21	RED CANYON	TRAILHEAD	1	1000	\$	\$	\$
4.22	RENDEZVOUS SKI AREA	SKI AREA NORDIC	1	1000	\$	\$	\$
4.23	ROMSETT BEACH	PICNIC SITE	1	1000	\$	\$	\$
4.24	SAGE CREEK	TRAILHEAD	1	1000	\$	\$	\$
4.25	SHEEP CREEK	TRAILHEAD	1	500	\$	\$	\$
4.26	SPRING CREEK CAMP AREA	CAMPGROUND	1	1000	\$	\$	\$
4.27	WAPITI CABIN	LOOKOUT/CABIN	1	1000	\$	\$	\$

Yellowstone Ranger District

Item No.	Location Name	Site Type	No. of Vaults	Size (gallon)	Unit Price BASE 2023	Unit Price OPT1 2024	Unit Price OPT2 2025
5.01	ANDERSON CAMP	CAMPGROUND	1	1000	\$	\$	\$
5.02	ASPEN	CAMPGROUND	1	1200	\$	\$	\$

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5.03	BIG BEAVER	CAMPGROUND	1	600	\$	\$	\$
5.04	BIG CREEK CABIN	LOOKOUT/CABIN	1	1000	\$	\$	\$
5.05	BIG CREEK CAMPGROUND	CAMPGROUND	2	600	\$	\$	\$
5.06	BIG CREEK TH	TRAILHEAD	1	600	\$	\$	\$
5.07	BIG TIMBER CANYON	TRAILHEAD	1	1000	\$	\$	\$
5.08	BIG TIMBER CANYON	PICNIC SITE	1	1000	\$	\$	\$
5.09	BOX CANYON	TRAILHEAD	1	1200	\$	\$	\$
5.10	BOX CANYON CABIN	LOOKOUT/CABIN	1	600	\$	\$	\$
5.11	CHIPPY PARK	CAMPGROUND	2	600	\$	\$	\$
5.12	COTTONWOOD LAKE TRAILHEAD	TRAILHEAD	1	1000	\$	\$	\$
5.13	CRANDALL CABIN	LOOKOUT/CABIN	1	1000	\$	\$	\$
5.14	EAST BOULDER	CAMPGROUND	1	1000	\$	\$	\$
5.15	FALLS CREEK	CAMPGROUND	2	600	\$	\$	\$
5.16	FOURMILE	TRAILHEAD	1	600	\$	\$	\$
5.17	FOURMILE CABIN*	LOOKOUT/CABIN	1	1000	\$	\$	\$
5.18	GROUSE CREEK	TRAILHEAD	1	1200	\$	\$	\$
5.19	HALFMOON	CAMPGROUND	2	1000	\$	\$	\$
5.20	HELLS CANYON	CAMPGROUND	2	600	\$	\$	\$
5.21	HICKS PARK	CAMPGROUND	2	600	\$	\$	\$
5.22	IBEX CABIN	LOOKOUT/CABIN	1	600	\$	\$	\$
5.23	MAIN BOULDER BUNK CABIN	ADMIN SITE	1	600	\$	\$	\$
5.24	MILL CREEK CABIN	LOOKOUT/CABIN	1	1000	\$	\$	\$
5.25	NATURAL BRIDGE & FALLS	INTERPRETIVE SITE	2	1200	\$	\$	\$
5.26	PINE CREEK	CAMPGROUND	6	1000	\$	\$	\$
5.27	PORCUPINE CABIN	LOOKOUT/CABIN	1	1000	\$	\$	\$
5.28	ROCK CREEK SOUTH	CAMPGROUND	1	600	\$	\$	\$
5.29	SHIELDS RIVER	CAMPGROUND	2	1000	\$	\$	\$
5.30	SHIPPING CORRAL	PICNIC SITE	1	600	\$	\$	\$
5.31	SNOWBANK CAMPGROUND	CAMPGROUND	4	1000	\$	\$	\$
5.32	SNOWBANK HOST	CAMPGROUND HOST	1	2000	\$	\$	\$
5.33	SNOWBANK SNOWPARK	SNOWPARK	1	1000	\$	\$	\$
5.34	SUCE CREEK	PICNIC SITE	1	1000	\$	\$	\$
5.35	TRAIL CREEK CABIN	LOOKOUT/CABIN	1	600	\$	\$	\$
5.36	WEST BOULDER	LOOKOUT/CABIN	1	1000	\$	\$	\$
5.37	WEST BOULDER	CAMPGROUND	2	1000	\$	\$	\$
5.38	WEST BRIDGER	LOOKOUT/CABIN	1	600	\$	\$	\$
5.39	CHIPPY PARK	CAMPGROUND	1	1200	\$	\$	\$
5.40	HICKS PARK	CAMPGROUND	2	1200	\$	\$	\$

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Ashland Ranger District

Item No.	Location Name	Site Type	No. of Vaults	Size (gallon)	Unit Price BASE 2023	Unit Price OPT1 2024	Unit Price OPT2 2025
6.01	COW CREEK PG TOILET #1 (SST)	CAMPGROUND	1	1000	\$	\$	\$
6.02	RED SHALE CG SST	CAMPGROUND	1	1000	\$	\$	\$
6.03	RED SHALE CG SST	CAMPGROUND	1	1000	\$	\$	\$
6.04	RED SHALE CG SST	CAMPGROUND	1	1000	\$	\$	\$
6.05	DIAMOND BUTTE L.O. SST	LOOKOUT/CABIN	1	1000	\$	\$	\$
6.06	BLACKS POND TOILET	CAMPGROUND	1	1000	\$	\$	\$
6.07	HOLIDAY SPRINGS SST	CAMPGROUND	1	1000	\$	\$	\$
6.08	POKER JIM SST	LOOKOUT/CABIN	1	1000	\$	\$	\$
6.09	COW CREEK SST 2	CAMPGROUND	1	1000	\$	\$	\$
6.10	WHITETAIL SST	LOOKOUT/CABIN	1	1000	\$	\$	\$
6.11	Mud Turtle *Future*	PICNIC SITE	1	1000	\$	\$	\$

Sioux Ranger District (Montana)

Item No.	Location Name		No. of Vaults	Size (gallon)	Unit Price BASE 2023	Unit Price OPT1 2024	Unit Price OPT2 2025
7.01	LANTIS SPRING CG TOILET #1	CAMPGROUND	1	1000	\$	\$	\$
7.02	LANTIS SPRING CG TOILET #2	CAMPGROUND	1	1000	\$	\$	\$
7.03	MAC NAB POND SST	PICNIC SITE	1	1000	\$	\$	\$
7.04	EKALAKA PARK SST	CAMPGROUND	1	1000	\$	\$	\$
7.05	WICKHAM GULCH SST	CAMPGROUND	1	1000	\$	\$	\$

Sioux Ranger District (South Dakota)

Item No.	Location Name		No. of Vaults	Size (gallon)	Unit Price BASE 2023	Unit Price OPT1 2024	Unit Price OPT2 2025
8.01	PICNIC SPRINGS CG TOILET #1	CAMPGROUND	1	1000	\$	\$	\$
8.02	PICNIC SPRINGS CG TOILET #2	CAMPGROUND	1	1000	\$	\$	\$
8.03	REVA GAP CG NORTH TOILET	CAMPGROUND	1	1000	\$	\$	\$
8.04	REVA GAP SST 2	CAMPGROUND	1	1000	\$	\$	\$
8.05	REVA GAP SST 3	CAMPGROUND	1	1000	\$	\$	\$
8.06	REVA GAP SST 4	CAMPGROUND	1	1000	\$	\$	\$
8.07	Riley Pass	ADMINISTRATIVE	1	1000	\$	\$	\$

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Price quotation furnished by:

Name _____ Phone (____) _____
Address _____ Email _____
_____ SAM.gov UEID _____

Schedule Notes:

- a) **Minimum and Maximum Contract Amounts** -During the period specified in FAR clause 52.216-18, ORDERING, the Government shall place orders totaling a minimum of \$2,500.00, but not in excess of \$250,000.00. The minimum guarantee will be met with the initial task order contract concurrent with the award.
- b) The unit prices in the above Schedule B shall be used as the basis for all subsequent Task Orders issued against the awarded contract. Actual services provided will be paid at the unit prices offered. Include all costs into unit pricing such as miles, materials, chemicals, equipment, etc. When calculating unit prices ensure to account for possible future costs/inflation. The link provided by AAA can be used for example. <https://gasprices.aaa.com/?state=MT>
- c) More than one award may be made as a result of this solicitation. Contractors may submit quotes on one or all Ranger Districts if they choose but are not required to submit on every Ranger District to receive an award. The contractor is required to fill out pricing for each year on the districts of their choosing. An award will be made for a Ranger District (can be multiple) to the responsible quoter whose quote is determined to be the best value to the Government.

Description of Requirement

The purpose of this contract is to furnish all materials, chemicals, equipment, supervision, transportation, and incidentals necessary to pump toilets identified by this solicitation on the Custer-Gallatin National Forest. A copy of Tech Tips: Vault Toilet Pumping, Publication Number 2300, published by USDA Department of Technology and Development, dated October 1992, is attached for specifications.

Disposal of waste shall meet all sanitation and health laws, ordinances, or regulations by any municipal, county, state or Federal authority to govern collection and disposal of human waste shall be recognized and observed while performing the services. Disposal is not allowed on any Forest Service Lands. All fees imposed for sewage disposal under this contract are the responsibility of the contractor.

Contractor shall provide a schedule of anticipated dates of completion of each vault pumping on the task order award and shall provide weekly notification to Contracting Officer's Representative after pumping has been completed. Toilets identified for pumping must start after May 1st weather permitting and will be pumped through the summer season. The TO will determine the period of performance for each vault toilet pumping. A minimum of two vault pumps will be requested to be serviced for each order per geographically similar area.

See the following specifications in Tech Tips C. 1-4, 1-5, 1-6 and C. 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, 2-7

The period of performance of this contract is approximately from May 1, 2023 through April 30, 2024 with two potential option periods. Option One May 1, 2024 through April 30, 2025; Option Two May 1, 2025 through April 30, 2026.

Toilet vault pumping shall be accomplished Monday through Friday. No pumping will be accomplished on Saturday, Sunday or Holidays unless approved by the Contracting Officer. The Contractor shall maintain progress at a rate which will assure completion of work within the contract time specified above.

GOVERNMENT FURNISHED PROPERTY

Government Furnished Property includes Forest Service Keys. The Government will provide a Forest Service Key to the contractor for use in the performance of this contract. Key shall be returned to the Contracting Officer

BIOBASED PRODUCT UTILIZATION

The Contractor must comply with the Agricultural Act of 2014; the Food, Conservation and Energy Act of 2008 (FCEA), 7 U.S.C. 8102; the Farm Security and Rural Investment Act of 2002 (FSRIA), 7 U.S.C. 8102; the Federal Acquisition Regulation; Executive Order (EO) 13514, “Federal Leadership in Environmental, Energy and Economic Performance,” dated October 5, 2009; EO 13423, “Strengthening Federal Environmental, Energy, and Transportation Management,” dated January 24, 2007; and Presidential Memorandum, “Driving Innovation and Creating Jobs in Rural America through Biobased and Sustainable Product Procurement,” dated February 2012, to provide biobased products.

The Contractor shall utilize products and material made from biobased materials to the maximum extent possible without jeopardizing the intended end use or detracting from the overall quality delivered to the end user. All supplies and materials shall be of a type and quality that conform to applicable Federal specifications and standards. All supplies and materials to be used in the performance of work described herein are subject to the approval of the Contracting Officer’s Representative (COR).

Biobased products that are designated for preferred procurement under USDA’s Biopreferred Program must meet the required minimum biobased content as stated in the USDA Final Rule available at www.biopreferred.gov. The Contractor should provide data for their biobased products such as biobased content and source of biobased material.

In addition to the biobased products designated by the U.S. Department of Agriculture in the Biopreferred Program, the Contractor is encouraged to use other commercially available biobased products.

Additionally, the awarded Contractor on each anniversary date of the contract shall compile a complete list of biobased products, including the information above, purchased to carry out the contract requirements. The Contractor shall list volume to be used and total cost for each individual product. This information will be used for reporting purposes (FAR Clause 52.223-2).

INVOICING/PAYMENTS

All payments are processed using The Invoice Processing Platform (IPP). This is a mandatory requirement initiated by the U.S. Department of Treasury and you can find more information at this website <https://www.ipp.gov/index.htm>. Please make sure that your company has registered at <https://www.ipp.gov/vendors/enrollment-vendors.htm> to establish your account.

The IPP Customer Support Desk is available to assist users Monday through Friday (excluding Federal holidays) from 8 a.m. to 6 p.m. ET, to answer questions related to accessing IPP or completing the registration process. Their toll-free number is 1-866-973-3131 or they can be reached at IPPCustomerSupport@fms.treas.gov. If you have any additional questions or concerns, please contact the Controller Operations Division Help Desk at 1-877-243-3072 or cod.help@usda.gov.

TERMS AND CONDITIONS

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)

Deviations to clauses may be viewed at:

<https://www.dm.usda.gov/procurement/policy/FARClassDeviations.htm>

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

52.204-18 Commercial and Government Entity Code Maintenance (AUG 2020)

52.223-2 Affirmative Procurement of Biobased Products Under Service and Construction Contracts (SEP 2013)

52.232-40 Providing Accelerated Payments to Small Business Subcontractors (NOV 2021) (DEVIATION APR 2020) (31 USC 3903 and 10 USC 2307)

52.212-4 Contract Terms and Conditions – Commercial Products and Commercial Services (DEC 2022)

Addenda to 52.212-4:

Replace paragraph (r) of clause 52.212-4 with the following as specified in DEVIATION 2017-1 (AUG 2017):

(r) Compliance with laws unique to Government contracts. The Contractor agrees to comply with 31 U.S.C. 1352 relating to limitations on the use of appropriated funds to influence certain Federal contracts; 18 U.S.C 431 relating to officials not to benefit; 40 U.S.C. chapter 37, Contract Work Hours and Safety Standards; 41 U.S.C. chapter 87, Kickbacks; ~~41 U.S.C 4712 and 10 U.S.C 2409~~ **10 U.S.C. 2409** relating to whistleblower protections; 49 U.S.C. 40118, Fly American; and 41 U.S.C chapter 21 relating to procurement integrity.

52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders – Commercial Products and Commercial Services (DEC 2022) (DEVIATION JUL 2020)

(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).

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

(6) 52.233-4, Applicable Law for Breach of Contract Claim (Oct 2004) (Public Laws 108-77 and 108-78 (19 U.S.C. 3805 note)).

(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 (Jun 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.)

X (4) 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards (Jun 2020) (Pub. L. 109-282) (31 U.S.C. 6101 note).

__ (5) [Reserved].

__ (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).

X (8) 52.209-6, Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (Nov 2021) (31 U.S.C. 6101 note).

__ (9) 52.209-9, Updates of Publicly Available Information Regarding Responsibility Matters (Oct 2018) (41 U.S.C. 2313).

__ (10) [Reserved].

__ (11) 52.219-3, Notice of HUBZone Set-Aside or Sole-Source Award (Oct 2022) (15 U.S.C. 657a).

__ (12) 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).

__ (13) [Reserved]

X (14) (i) 52.219-6, Notice of Total Small Business Set-Aside (Nov 2020) (15 U.S.C. 644).

__ (ii) Alternate I (Mar 2020) of 52.219-6.

__ (15) (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.

__ (16) 52.219-8, Utilization of Small Business Concerns (Oct 2022) (15 U.S.C. 637(d)(2) and (3)).

__ (17) (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.

__ (18) (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.

__ (19) 52.219-14, Limitations on Subcontracting (Oct 2022) (15 U.S.C. 637s).

__ (20) 52.219-16, Liquidated Damages—Subcontracting Plan (Sep 2021) (15 U.S.C. 637(d)(4)(F)(i)).

__ (21) 52.219-27, Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (Oct 2022) (15 U.S.C. 657f).

X (22) (i) 52.219-28, Post Award Small Business Program Rerepresentation (Oct 2022) (15 U.S.C. 632(a)(2)).

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- __ (ii) Alternate I (Mar 2020) of 52.219-28.
- __ (23) 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)).
- __ (24) 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)).
- __ (25) 52.219-32, Orders Issued Directly Under Small Business Reserves (Mar 2020) (15 U.S.C. 644(r)).
- __ (26) 52.219-33, Nonmanufacturer Rule (Sep 2021) (15U.S.C. 637(a)(17)).
- X (27) 52.222-3, Convict Labor (Jun 2003) (E.O.11755).
- __ (28) 52.222-19, Child Labor-Cooperation with Authorities and Remedies (Dec 2022) (E.O.13126).
- X (29) 52.222-21, Prohibition of Segregated Facilities (Apr 2015).
- X (30) (i) 52.222-26, Equal Opportunity (Sep 2016) (E.O.11246).
 - __ (ii) Alternate I (Feb 1999) of 52.222-26.
- X (31) (i) 52.222-35, Equal Opportunity for Veterans (Jun 2020) (38 U.S.C. 4212).
 - __ (ii) Alternate I (Jul 2014) of 52.222-35.
- X (32) (i) 52.222-36, Equal Opportunity for Workers with Disabilities (Jun 2020) (29 U.S.C. 793).
 - __ (ii) Alternate I (Jul 2014) of 52.222-36.
- X (33) 52.222-37, Employment Reports on Veterans (Jun 2020) (38 U.S.C. 4212).
- __ (34) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496).
- X (35) (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. chapter 78 and E.O. 13627).
- __ (36) 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.)
- __ (37) (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.)
- __ (38) 52.223-11, Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (Jun 2016) (E.O. 13693).
- __ (39) 52.223-12, Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (Jun 2016) (E.O. 13693).
- __ (40) (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.
- __ (41) (i) 52.223-14, Acquisition of EPEAT®-Registered Televisions (Jun 2014) (E.O.s 13423 and 13514).
 - __ (ii) Alternate I (Jun2014) of 52.223-14.
- __ (42) 52.223-15, Energy Efficiency in Energy-Consuming Products (May 2020) (42 U.S.C. 8259b).
- __ (43) (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.
- X (44) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (Jun 2020) (E.O. 13513).
- __ (45) 52.223-20, Aerosols (Jun 2016) (E.O. 13693).
- __ (46) 52.223-21, Foams (Jun2016) (E.O. 13693).
- __ (47) (i) 52.224-3 Privacy Training (Jan 2017) (5 U.S.C. 552 a).

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- ___ (ii) Alternate I (Jan 2017) of 52.224-3.
- X (48) (i) 52.225-1, Buy American-Supplies (Oct 2022) (41 U.S.C. chapter 83).
- ___ (ii) Alternate I (Oct 2022) of 52.225-1.
- ___ (49) (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].
- ___ (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.
- ___ (50) 52.225-5, Trade Agreements (Dec 2022) (19 U.S.C. 2501, et seq., 19 U.S.C. 3301 note).
- ___ (51) 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).
- ___ (52) 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).
- ___ (53) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (Nov 2007) (42 U.S.C. 5150).
- ___ (54) 52.226-5, Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov2007) (42 U.S.C. 5150).
- ___ (55) 52.229-12, Tax on Certain Foreign Procurements (Feb 2021).
- ___ (56) 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).
- ___ (57) 52.232-30, Installment Payments for Commercial Products and Commercial Services (Nov 2021) (41 U.S.C. 4505, 10 U.S.C. 3805).
- X (58) 52.232-33, Payment by Electronic Funds Transfer-System for Award Management (Oct2018) (31 U.S.C. 3332).
- ___ (59) 52.232-34, Payment by Electronic Funds Transfer-Other than System for Award Management (Jul 2013) (31 U.S.C. 3332).
- ___ (60) 52.232-36, Payment by Third Party (May 2014) (31 U.S.C. 3332).
- ___ (61) 52.239-1, Privacy or Security Safeguards (Aug 1996) (5 U.S.C. 552a).
- ___ (62) 52.242-5, Payments to Small Business Subcontractors (Jan 2017) (15 U.S.C. 637(d)(13)).
- ___ (63) (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.]
- X (1) 52.222-41, Service Contract Labor Standards (Aug 2018) (41 U.S.C. chapter67).
- X (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).
- X (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) (29U.S.C.206 and 41 U.S.C. chapter 67).

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__ (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).

X (7) 52.222-55, Minimum Wages for Contractor Workers Under Executive Order 14026 (Jan 2022).

X (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.

(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) 52.219-8, 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).

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- (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).
(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) 52.247-64, 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.

52.216-18 Ordering (AUG 2020)

(a) Any supplies and services to be furnished under this contract shall be ordered by issuance of delivery orders or task orders by the individuals or activities designated in the Schedule. Such orders may be issued from date of contract award through July 30, 2026.

(b) All delivery orders or task orders are subject to the terms and conditions of this contract. In the event of conflict between a delivery order or task order and this contract, the contract shall control.

(c) A delivery order or task order is considered “issued” when—

(1) If sent by mail (includes transmittal by U.S. mail or private delivery service), the Government deposits the order in the mail;

(2) If sent by fax, the Government transmits the order to the Contractor's fax number; or

(3) If sent electronically, the Government either—

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(i) Posts a copy of the delivery order or task order to a Government document access system, and notice is sent to the Contractor; or

(ii) Distributes the delivery order or task order via email to the Contractor's email address.

(d) Orders may be issued by methods other than those enumerated in this clause only if authorized in the contract.

52.216-19 Order Limitations (Oct 1995)

(a) *Minimum order.* When the Government requires supplies or services covered by this contract in an amount of less than \$2,500.00, the Government is not obligated to purchase, nor is the Contractor obligated to furnish, those supplies or services under the contract.

(b) *Maximum order.* The Contractor is not obligated to honor—

(1) Any order for a single item in excess of \$100,000;

(2) Any order for a combination of items in excess of \$100,000; or

(3) A series of orders from the same ordering office within 7 days that together call for quantities exceeding the limitation in paragraph (b)(1) or (2) of this section.

(c) If this is a requirements contract (*i.e.*, includes the Requirements clause at subsection [52.216-21](#) of the Federal Acquisition Regulation (FAR)), the Government is not required to order a part of any one requirement from the Contractor if that requirement exceeds the maximum-order limitations in paragraph (b) of this section.

(d) Notwithstanding paragraphs (b) and (c) of this section, the Contractor shall honor any order exceeding the maximum order limitations in paragraph (b), unless that order (or orders) is returned to the ordering office within 5 days after issuance, with written notice stating the Contractor's intent not to ship the item (or items) called for and the reasons. Upon receiving this notice, the Government may acquire the supplies or services from another source.

52.216-22 Indefinite Quantity (Oct 1995)

(a) This is an indefinite-quantity contract for the supplies or services specified, and effective for the period stated, in the Schedule. The quantities of supplies and services specified in the Schedule are estimates only and are not purchased by this contract.

(b) Delivery or performance shall be made only as authorized by orders issued in accordance with the Ordering clause. The Contractor shall furnish to the Government, when and if ordered, the supplies or services specified in the Schedule up to and including the quantity designated in the Schedule as the "maximum." The Government shall order at least the quantity of supplies or services designated in the Schedule as the "minimum."

(c) Except for any limitations on quantities in the Order Limitations clause or in the Schedule, there is no limit on the number of orders that may be issued. The Government may issue orders requiring delivery to multiple destinations or performance at multiple locations.

(d) Any order issued during the effective period of this contract and not completed within that period shall be completed by the Contractor within the time specified in the order. The contract shall govern the Contractor's and Government's rights and obligations with respect to that order to the same extent as if the order were completed during the contract's effective period; *provided*, that the Contractor shall not be required to make any deliveries under this contract after July 30, 2026.

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 7 days [insert the period of time within which the Contracting Officer may exercise the option].

52.217-9 Option to Extend the Term of the Contract (Mar 2000)

(a) The Government may extend the term of this contract by written notice to the Contractor within 7 days [insert the period of time within which the Contracting Officer may exercise the option]; provided that the Government gives the Contractor a preliminary written notice of its intent to extend at least 30 days before the contract expires. The preliminary notice does not commit the Government to an extension.

(b) If the Government exercises this option, the extended contract shall be considered to include this option clause.

(c) The total duration of this contract, including the exercise of any options under this clause, shall not exceed 3 years.

52.252-6 Authorized Deviations in Clauses (NOV 2020)

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

(b) The use in this solicitation or contract of any Agriculture Acquisition Regulation (48 CFR __4__) clause with an authorized deviation is indicated by the addition of “(DEVIATION)” after the name of the regulation.

452.204-70 Modification for Contract Closeout (OCT 2021)

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.

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Post Award Conference

A post award conference with the successful offeror is required. It will be scheduled within 30 days after the date of contract award. The conference will be held at a later date and time to be determined.

LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS

Attachment 1: Service Contract Act, Wage Determination posted on www.wdol.gov on 12/27/2022, 2015-5389, 2015-5399, 2015-5377 and 2015-5395, 4 PDF attachments with a total of 44 Pages.

OR Four Links below:

Wage Determination links per Ranger Districts:

- Beartooth - <https://sam.gov/wage-determination/2015-5389/19>
- Gardiner/Yellowstone/Bozeman/Hebgen Lake <https://sam.gov/wage-determination/2015-5399/19>
- Sioux - <https://sam.gov/wage-determination/2015-5377/21>
- Ashland - <https://sam.gov/wage-determination/2015-5395/19>

Attachment 2: Experience Questionnaire, 2 Pages

Attachment 3: Tech Tips: Vault Toilet Pumping Contract Specifications, Section C.2 Technical Specifications (Pages 3 – 6)

Attachment 4: Maps, 7 PDF attachments with a total of 15 Pages

Provisions:

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) 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)

Deviations to provisions may be viewed at:

<https://www.dm.usda.gov/procurement/policy/FARClassDeviations.htm>

52.204-7 System for Award Management (OCT 2018)

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

52.212-1 Instructions to Offerors – Commercial Products and Commercial Services (NOV 2021)

52.223-1 Biobased Product Certification (MAY 2012)

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.

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

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—

(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.

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(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.

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(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) (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

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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 .

[Offeror to identify the applicable paragraphs at (c) through (v) of this provision that the offeror has completed for the purposes of this solicitation only, if any. Write "None" if there are no changes needed to your online reps and certs.

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.

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 electronically on SAM.]

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:

- **Contractor's experience**
- **Past performance**
- **Price**

The Contractor shall submit a Schedule of Items with prices and Experience Questionnaire as part of their quote. The experience questionnaire will be used as part of the evaluation.

Price Evaluation – each geographic area, defined as the Beartooth Ranger District (RD), the Bozeman RD, the Gardiner RD, the Hebgen Lake RD, the Yellowstone RD, the Ashland RD, the Sioux RD (Montana), and the Sioux RD (South Dakota), will be evaluated as if each toilet will be pumped once each year for a total of three years using prices identified in the schedule of items. One or more awards may be made for a Ranger District/Zone to the responsible quoter whose quote is determined to be the best value to the Government.

For an example, if Contractor A has the best value for the Beartooth RD for the total of the 3 years, then an award will be made to Contractor A. Or if Contractor B has the best value for the Beartooth RD, Bozeman RD and Gardiner RD for the total of the 3 years, then an award will be made to Contractor B.

(c) A written notice of award or acceptance of an offer, mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer, shall result in a binding contract without further action by either party. Before the offer's specified expiration time, the Government may accept an offer (or part of an offer), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award.

52.217-5 Evaluation of Options. (July 1990)

Except when it is determined in accordance with FAR 17.206(b) not to be in the Government's best interests, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. Evaluation of options will not obligate the Government to exercise the option(s).