

**MILITARY SEALIFT COMMAND
N10 - CONTRACTS AND BUSINESS MANAGEMENT DIRECTORATE**

COMBINED SYNOPSIS/SOLICITATION

Military Sealift Command Combined Synopsis and Solicitation Notice Information

1. This is a combined synopsis/solicitation for commercial products and commercial services prepared in accordance with the format in FAR Subpart 12.6, as supplemented with additional information included in this notice. This announcement constitutes the only solicitation; quotations are being requested and a written solicitation will not be issued.
2. Solicitation number is N3220523Q2349 and is being issued as a Request for Quotes (RFQ).
3. The solicitation document and incorporated provisions and clauses are those in effect through:
 - a. Federal Acquisition Circular (FAC) 2023-05, effective 09/07/2023, located on <https://www.acquisition.gov/browse/index/far>
 - b. DFARS Publication Notice 20230817, effective 08/17/2023 located at <https://www.acq.osd.mil/dpap/dars/dfarspgi/current/>
4. The associated NAICS code is 333415 Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing. The associated PSC code is 2090 Miscellaneous Ship and Marine Equipment for this procurement: NOTE: A Class Waiver is not applicable to a procurement unless the NAICS code, PSC, and NAICS Code Descriptor currently in effect, match the item(s) being procured.

☒ is not being set-aside for small businesses.

☐ is being set-aside. The small business size standard is 1250 Employees

5. The table below lists the Contract Line Item Number(s) (CLIN(s)) and items, quantities and units of measure, inclusive of any applicable options:

CLIN	DESCRIPTION	QUANTITY	UNIT OF MEASURE
0001	Part # NGC-0-99-016 AC UNIT CHILL WATER CIRC PUMP	1	Each
	Wood Packaging / DOD unique identification / Shipping	Not separately priced	

6. It is anticipated one firm-fixed price purchase order will be issued in response to this RFQ. No commercial financing. This item describes the need for the Original Equipment Manufacturer (OEM) to provide the required parts to replace the Air Conditioning Chill Water Pump for the USS EMORY S LAND. The required deliver date is 28 February 2024 in Norfolk, VA.
7. The required delivery is FOB Destination and acceptance date is 28 February 2024. Delivery and acceptance will occur at Norfolk, VA.
8. The provision at FAR [52.212-1](#), Instructions to Offerors – Commercial applies to this acquisition and is incorporated by reference. The provision is amended as follows:

52.212-1 (ADDENDUM) INSTRUCTIONS TO OFFERORS--COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES

a. Any inconsistency between FAR Provision 52.212-1 and the Addendum to FAR 52.212-1 shall be solved by giving precedence to the Addendum to FAR 52.212-1.

b. After receipt of quotes the Government may, with or without notice, negotiate with and, if desired, seek quote revisions from as many or as few quoters as it, in its discretion, deems appropriate.

c. The term “offeror” or “offer” as used in FAR 52.212-1 shall be understood to mean “quoter” and “quote,” respectively. Further, the term “award” shall be understood to describe the Government’s issuance of an order.

d. The Government will consider all quotes that are timely received and may consider late quotes in accordance with 52.212-1. Failure of a quote to address any items listed in the attached submission package may make a quote unacceptable.

e. Paragraph (b) of FAR Provision 52.212-1, Submission of Offers, is amended as follows:

In addition to the quote submission requirements stated in FAR provision 52.212-1, quoters shall provide the following, as part of the quote submission package, no later than the required time and date for quote submission:

Responsible sources shall provide the following:

1. Price quote which identifies the requested item(s), unit price inclusive of shipping (if any), and extended price
2. Total Firm Fixed price
3. Any Discount Terms
4. Estimated time of delivery
5. Technical Submission Requirements
 - a. For Parts/Supply buy, the quote shall contain a description including part number and title for each item listed in the solicitation to allow the Government to verify that the quoted parts match the requirements listed in the requirements schedule.
6. Indicate principal place of performance and country of product origin.
7. Responses to the solicitation are due **25 September 2023 at 2 PM EST**. Quotes may be e-mailed to tiffany.l.allen21.civ@us.navy.mil. To be considered timely, an E-mail quote must be received in its entirety in the designated E-mail inbox by the due date and time for quote submission. Quotes received after that time will be considered at the Government’s sole discretion. Please reference the solicitation number on your quote.
8. DOD Class Deviation 2023-O0001. A small business joint venture offeror must submit, with its offer, the representation required in paragraph (c) of FAR solicitation provision 52.212-3, Offeror Representations and Certifications-Commercial Products and Commercial Services, and paragraph (c) of FAR solicitation provision 52.219-1, Small Business Program Representations, in accordance with 52.204-8(d) and 52.212-3(b) for the following categories:
 - (A) Small business;
 - (B) Service-disabled veteran-owned small business;
 - (C) Women-owned small business (WOSB) under the WOSB Program;
 - (D) Economically disadvantaged women-owned small business under the WOSB Program; or
 - (E) Historically underutilized business zone small business.

Primary Point of Contact: Tiffany Allen at tiffany.l.allen21.civ@us.navy.mil

Secondary Point of Contact: Maria Morris at maria.a.morris8.civ@us.navy.mil

9. Provision 52.212-2 Evaluation—Commercial Products and Commercial Services applies to this acquisition.

(a) The Government may issue a purchase order resulting from this solicitation to the responsible quoter whose quote conforming to the solicitation will be most advantageous to the Government, price and other factors considered. The following factors shall be used to evaluate quote:

(i) technical capability of the item quoted to meet the Government requirement;

(ii) price;

Award shall be made to the lowest priced technically acceptable quoter. Award shall be made to Carver Pump as the sole source vendor by providing a technically acceptable quote at a fair and reasonable price.

To be considered a technically acceptable solution for a parts procurement, the quoted parts shall meet the solicitation requirements including required parts, delivery dates, and terms and conditions stated in the solicitation. To be considered a technically acceptable solution for a service, the quoted service shall meet the solicitation requirements including terms and conditions stated in the solicitation. The quote shall state that all aspects of the technical requirement, including required delivery date and part numbers, can be met.

The Government will evaluate quoted pricing for reasonableness utilizing techniques described in FAR 13.106-3.

(c) To consummate a binding contract between the parties, the successful quoter shall accept the purchase order in writing (see FAR 2.101).

(End of Provision)

10. Provision FAR 52.212-3, Offeror Representations and Certifications – Commercial Products and Commercial Services applies to this acquisition. Complete and return with quote, if required

52.212-3 -- Offeror Representations and Certifications -- Commercial Products and Commercial Services
([DEVIATION 2023-O0002](#)) (Dec 2022) with Alternate I (Oct2014)



11. Clause 52.212-4 Contract Terms and Conditions – Commercial Products and Commercial Services, applies to this acquisition.

Quotes submitted in response to this solicitation shall not contain nor be subject to the vendor's standard commercial terms and conditions. Any quote submitted in response to this solicitation, which includes the vendor's standard commercial terms and conditions may be considered a material defect and may be rejected as being non-responsive to the solicitation.

12. Clause 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders – Commercial Products and Commercial Services (Mar 20), applies to this acquisition along with the following FAR Clauses cited in the clause are applicable.

(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).

(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. 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).

— (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]

— (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](#)).

— (22) (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](#).

— (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) ([15 U.S.C. 637\(a\)\(17\)](#)).

— X_ (27) [52.222-3](#), Convict Labor (JUN 2003) (E.O.11755).

— X_ (28) [52.222-19](#), Child Labor-Cooperation with Authorities and Remedies (DEC 2022) (E.O.13126).

— (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](#).

— (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](#).

— (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).

13693). X (39) [52.223-12](#), Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (JUN 2016) (E.O.

— (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 (JUN 2014) 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 (JUN 2016) (E.O. 13693).

— (47) (i) [52.224-3](#) Privacy Training (JAN 2017) (5 U.S.C. 552 a).

— (ii) Alternate I (JAN 2017) of [52.224-3](#).

— (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](#)).

X (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 (Nov 2007) ([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](#)).

— (58) [52.232-33](#), Payment by Electronic Funds Transfer-System for Award Management (OCT 2018) ([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.]

— (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](#)).

— (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.

(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](#)).

(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) [52.232-40](#), Providing Accelerated Payments to Small Business Subcontractors (Mar 2023) ([31 U.S.C. 3903](#) and [10 U.S.C. 3801](#)). Flow down required in accordance with paragraph (c) of [52.232-40](#).

(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.

(End of clause)

13. The following additional information is applicable to this acquisition:

Number	Title	Clause/ provision
52.204-7	System for Award Management	P
52.204-13	System for Award Management Maintenance	C
52.204-16	Commercial and Government Entity Code Reporting	P
52.204-18	Commercial and Government Entity Code Maintenance	C
52.204-21	Basic Safeguarding of Covered Contractor Information Systems	C

52.204-24	Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (Nov 2021)	P
	<p><i>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.</i></p> <p>(a) <i>Definitions.</i> As used in this provision—</p> <p><i>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.</i></p> <p>(b) <i>Prohibition.</i> (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—</p> <p>(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</p> <p>(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.</p> <p>(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—</p> <p>(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</p> <p>(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.</p> <p>(c) <i>Procedures.</i> 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".</p> <p>(d) <i>Representation. The Offeror represents that—</i></p> <p>(1) It <input type="checkbox"/> will, <input type="checkbox"/> 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</p> <p>(2) After conducting a reasonable inquiry, for purposes of this representation, the Offeror represents that—</p> <p>It <input type="checkbox"/> does, <input type="checkbox"/> 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.</p> <p>(e) <i>Disclosures.</i></p> <p>(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:</p> <p>(i) For covered equipment—</p> <p>(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);</p> <p>(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</p> <p>(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.</p> <p>(ii) For covered services—</p> <p>(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</p> <p>(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.</p> <p>(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:</p>	

Number	Title	Clause/ provision
	<p>(i) For covered equipment—</p> <p>(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);</p> <p>(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</p> <p>(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.</p> <p>(ii) For covered services—</p> <p>(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</p> <p>(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.</p> <p>(End of provision)</p>	
52.232-40	Providing Accelerated Payments to Small Business Subcontractors	C
252.203-7000	Requirements Relating to Compensation of Former DOD Officials	C
252.203-7002	Requirement to inform Employees of Whistleblower Rights	C
252.203-7005	Representation Relating to Compensation of Former DOD Officials	P
252.204-7003	Control of Government Personnel Work Product	C
252.204-7008	Compliance with Safeguarding Covered Defense Information Controls	P
252.204-7012	Safeguarding Covered Defense Information and Cyber Incident Reporting	C
252.204-7015	Notice of Authorized Disclosure of Information for Litigation Support	C
252.204-7016	Covered Defense Telecommunications Equipment or Services—Representation	P
252.204-7017	<p>Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services—Representation (May 2021)</p> <p><i>The Offeror is not required to complete the representation in this provision if the Offeror has represented in the provision at 252.204-7016, Covered Defense Telecommunications Equipment or Services—Representation, that it “does not provide covered defense 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.”</i></p> <p>(a) <i>Definitions.</i> “Covered defense telecommunications equipment or services,” “covered mission,” “critical technology,” and “substantial or essential component,” as used in this provision, have the meanings given in the 252.204-7018 clause, Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services, of this solicitation.</p> <p>(b) <i>Prohibition.</i> Section 1656 of the National Defense Authorization Act for Fiscal Year 2018 (Pub. L. 115-91) prohibits agencies from procuring or obtaining, or extending or renewing a contract to procure or obtain, any equipment, system, or service to carry out covered missions that uses covered defense telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.</p> <p>(c) <i>Procedures.</i> The Offeror shall review the list of excluded parties in the System for Award Management (SAM) at https://www.sam.gov for entities that are excluded when providing any equipment, system, or service to carry out covered missions that uses covered defense telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system, unless a waiver is granted.</p> <p>(d) <i>Representation.</i> If in its annual representations and certifications in SAM the Offeror has represented in paragraph (c) of the provision at 252.204-7016, Covered Defense Telecommunications Equipment or Services—Representation, that it “does” provide covered defense 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, then the Offeror shall complete the following additional representation:</p> <p>The Offeror represents that it [] will [] will not provide covered defense telecommunications equipment or services as a part of its offered products or services to DoD in the performance of any award resulting from this solicitation.</p> <p>(e) <i>Disclosures.</i> If the Offeror has represented in paragraph (d) of this provision that it “will provide covered defense telecommunications equipment or services,” the Offeror shall provide the following information as part of the offer:</p> <p>(1) A description of all covered defense telecommunications equipment and services offered (include brand or manufacturer; product, such as model number, original equipment manufacturer (OEM) number, manufacturer part number, or wholesaler number; and item description, as applicable).</p> <p>(2) An explanation of the proposed use of covered defense telecommunications equipment and services and any factors relevant to determining if such use would be permissible under the prohibition referenced in paragraph (b) of this provision.</p> <p>(3) For services, the entity providing the covered defense telecommunications services (include entity name, unique entity identifier, and Commercial and Government Entity (CAGE) code, if known).</p> <p>(4) For equipment, the entity that produced or provided the covered defense telecommunications equipment (include entity name, unique entity identifier, CAGE code, and whether the entity was the OEM or a distributor, if known).</p> <p>(End of provision)</p>	P
252.204-7018	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services	C
252.204-7019	Notice of NIST SP 800-171 DoD Assessment Requirements	P

Number	Title	Clause/ provision
252.204-7020	NIST SP 800-171 DoD Assessment Requirements	C
252.211-7003	Item Identification and Validation	C
252.211-7008	Use of Government-Assigned Serial Numbers	C
252.223-7008	Prohibition of Hexavalent Chromium	C
252.225-7001	Buy American and Balance of Payments Program	C
252.225-7012	Preference for Certain Domestic Commodities	C
252.225-7048	Export-Controlled Items	C
252.225-7972	Prohibition on the Procurement of Foreign-Made Unmanned Aircraft Systems (Deviation 2020-O0015)	C
252.225-7973	Prohibition on the Procurement of Foreign-Made Unmanned Aircraft Systems – Representation (Deviation 2020-O0015)	P
252.232-7003	Electronic Submission of Payment Requests and Receiving Reports	C
252.232-7006	Wide Area Work Flow Payment Instructions	C
252.232-7010	Levies on Contract Payments	C
252.232-7017	Accelerating Payments to Small Business Subcontractors-Prohibition on Fees and Consideration	C
252.244-7000	Subcontracts for Commercial Items	C
252.246-7003	Notification of Potential Safety Issues	C
252.247-7023	Transportation of Supplies by Sea	C

MSC SPECIFIC WIDE AREA WORKFLOW (WAWF) INSTRUCTIONS

The information contained in this instruction is supplemental to DFARS 252.232-7006.

The information contained in the table in DFARS 252.232-7006 is for WAWF purposes only. Information included in DFARS 252.232-7006 and this WAWF instruction apply only to WAWF Invoicing and WAWF Receiving Reports. Contradictory information elsewhere in this contract, e.g. Ship to DoDAAC, shall be followed per the terms and conditions of the contract.

When entering the invoice into WAWF, the Contractor shall fill in the DoDAAC fields or DoDAAC extensions exactly as shown in the table in DFARS 252.232-7006. Fields that should not be filled in when entering the invoice into WAWF will be indicated with the direction, “Leave Blank.”

In some situations, the WAWF system will pre-populate the “Pay DoDAAC,” “Admin By DoDAAC” and “Issue By DoDAAC.” The Contractor shall verify that those DoDAACs automatically entered by the WAWF system match the information in the table in DFARS 252.232-7006. If these DoDAACs do not match, then the Contractor shall correct the field(s).

If Receiving Reports are required, ensure that the “Inspection” and “Acceptance” defaults of “destination” for both fields are not changed in the WAWF online interface.

The CLINs on the WAWF invoice shall be entered exactly as set forth in the contract document including CLIN number (e.g. 0001), Quantity (may be adjusted for actual quantity or dollar value delivered and invoiced), and Unit Price (e.g. \$1.00). The dollar amounts on each CLIN or SubCLIN on the WAWF invoice shall reflect final performance values, but in no instance can the dollar amount for each CLIN or SubCLIN exceed what is specified in the contract document. The Contractor shall bill to the lowest level, e.g., the SubCLIN level. The Quantity and Unit of Measure fields must be filled out exactly as indicated in the CLINs and SubCLINs to reduce the possibility of the invoice being delayed or rejected during processing.

Before closing out of an invoice session in WAWF, but after submitting the document or documents, the Contractor will be given the option to send additional email notifications by clicking on the “Send More Email Notifications” link that appears on the page. The Contractor shall click on this link and add the Technical Point of Contact’s (TPOC) or Contracting Officer’s Representative’s (COR) email address in the first email address block and add any other additional email addresses desired in the following blocks. This additional notification to the Government is

important to ensure the acceptor/receiver is aware that the invoice documents have been submitted into the WAWF system.

(End of instructions)

CAUTION - BRAND NAME ONLY

By accepting this purchase order, the Vendor expressly understands and acknowledges that this purchase order is only for the brand name items and parts identified in this purchase order and that the brand name items and parts constitute a material term of this purchase order. The Vendor shall not tender for delivery any substitute and/or alleged equal item or part. The Vendor is hereby warned that any substitute and/or alleged equal item or part tendered for delivery will be rejected by the Government as a non-conforming item and will provide a basis to cancel the purchase order or terminate the purchase order for cause. The Vendor shall be responsible for all costs, such as but not limited to shipping, delivery, repackaging, etc., and arrangements for the return of any non-conforming item.

(End of instructions)

WOOD PACKAGING MATERIAL (WPM) - ADDITIONAL DELIVERY INSTRUCTIONS

In accordance with the requirements of International Standards for Phytosanitary Measures (ISPM) 15, the following commercial heat treatment process has been approved by the American Lumber Standards Committee (ALSC) and is required for all Wood Packaging Material (WPM). WPM is defined as wood pallets, skids, load boards, pallet collars, wooden boxes, reels, dunnage, crates, frames, and cleats. Packaging materials exempt from the requirements are materials that have undergone a manufacturing process such as corrugated fiberboard, plywood, particleboard, veneer and oriented strand board. All WPM shall be constructed from Heat Treated (HT to 56 degrees Centigrade for 30 minutes) lumber and certified by an accredited agency recognized by the ALSC in accordance with Wood Packaging Material Policy and Wood Packaging Material Enforcement Regulations (see URL: <http://www.alsc.org>). All materials must include certification markings in accordance with ALSC standards and be placed in an unobstructed area that will be readily visible to inspectors. Pallet markings shall be applied to the stringer or block on diagonally opposite sides and ends of the pallet and be contrasting and clearly visible. All dunnage used in configuring and/or securing the load shall also comply with ISPM 15 and be marked with an ALSC approved "DUNNAGE" stamp. Failure to comply with the requirements of this restriction may result in refusal, destruction, or treatment of materials at the point of entry.

(End of instructions)

PACKAGING AND MARKING

Material and equipment designated for turn over to the Government shall be packed, crated, and prepared for shipment by the Contractor. Package material IAW DODMANUAL 4140.01, VOLUME 9, DOD SUPPLY CHAIN MATERIEL MANAGEMENT PROCEDURES, utilizing MIL-STD 2073-1(series) or commercial packaging in accordance with the ASTM D3951(series). All crating shall be IAW the International Standards for Phytosanitary Measures (ISPM): Guidelines for Regulating Wood Packaging Material in International Trade (ISPM Publication No. 15) to include certifying that the wood packaging material bears the mark has been subjected to an approved measure.

Per MIL-STD 129R(series) markings on outside of box/crate/container shall consist of a minimum 2-inch stenciled letters with:

VESSEL'S NAME/HULL NUMBER: USS EMORY S LAND

REQUISITION NUMBER: 13011108559

PURCHASE/DELIVERY ORDER NUMBER: N3220523P2349

Any previous markings that contradict current material inventory shall be painted over/removed.

Shipments for multiple vessels shall be delivered in separate boxes/crates/containers for each vessel.

CLINs MARKED FOB DESTINATION (NORFOLK, VA): Deliveries requires 48-hour advance notification to MSC_N48_Transportation_Team@us.navy.mil, phone number 757-443-3888 to facilitate delivery location (Bldg. W-143, Bldg. LP-26 or Williamsburg, VA). Contract number, requisition number, quantity, weight, and dimensions required. Hours of operation: 7:30 am – 3:00pm Eastern Time.

CLINs MARKED FOB ORIGIN: Contact MSC_N48_Transportation_Team@us.navy.mil or phone number: 757-443-3888 to coordinate Government pickup.

(End of instructions)

DUTY-FREE ENTRY

In accordance with DFARS 252.225-7013, this material requires duty free entry into the US. Contractor is to initiate the entitlement request via Defense Contract Management Agency's (DCMA) Duty Free Entitlement (DFE) 1.5 website: <https://www.dcms.mil/aboutetools/>. If you require assistance, please contact the DCMA helpdesk at 1-888-576-DCMA (3262). This purchase order will not be modified to reimburse the contractor for any customs fees incurred for failure to request duty free entry via this program.

(End of instructions)

SHIP & BASE ACCESS

Vendors are responsible for correctly submitting forms/applications. Vendors are encouraged to monitor email using the "Request a Read Receipt" function and to confirm receipt of facsimile transmissions.

Due to enhanced security measures, ship and base access is required for pre-award ship visits (e.g. ship-check) and contract performance. Specifically, the following permissions are required:

1. Navy Installation Access
2. Ship Access List (vendor-provided)

Navy Installation Access: Offerors must complete a Department of the Navy Local Population ID Card/Base Access Pass Registration form (SECNAV 5512/1). This form is required to conduct the background vetting and complete the access credentialing process. Contact Angelito Riodique at angelito.b.riodique.civ@us.navy.mil for a DoD SAFE link to submit the form encrypted.

Ship Access List (Vendor-Provided): On company letterhead, the vendor is required to provide an accurate, current list of visiting personnel prior to being admitted aboard the vessel. This list shall include name, title, and company name. No PII shall be submitted. A hand-delivered list will not be accepted. E-mail the letter at least four (4) days prior to the scheduled site visit to Angelito Riodique at angelito.b.riodique.civ@us.navy.mil

(End of instructions)

14. This solicitation does not have a Defense Priorities and Allocation System (DPAS) rating.

15. Quotes shall be e-mailed directly to Tiffany Allen at tiffany.l.allen21.civ@us.navy.mil the sole designated E-mail address and inbox for receipt of E-mail submissions. E-mail quotes shall be in either Adobe or Microsoft Office format. To be timely, a quote must be received in its entirety in the designated E-mail inbox by the due date and time for quote submission. No other method of submission is acceptable.

16. For additional information regarding this solicitation contact tiffany.l.allen21.civ@us.navy.mil