

## **Combined Synopsis/Solicitation: 140D0423Q0689 - Amendment 2**

The purpose of this amendment is to change Contracting Officer and Contract Specialist, answer contractor questions, update Line Items, and extend the due date. These changes are highlighted in yellow with in the following combined synopsis/solicitation.

**Areas highlighted in blue shall be completed/submitted by the offeror. Failure to complete areas highlighted in blue may result in an offer not being considered for award.**

This is a combined synopsis/solicitation for commercial products or commercial services prepared in accordance with the format in Federal Acquisition Regulation (FAR) Subpart 12.6, as supplemented with additional information included in this notice. This announcement constitutes the only solicitation; quotes are being requested. The solicitation document and incorporated provisions and clauses are those in effect through the FAR and the Health and Human Services Acquisition Regulation (HHSAR). This solicitation is being issued as a Request for Quotation (RFQ) in accordance with FAR Parts 12 and 13 and the resulting purchase order will be Firm Fixed Price (FFP).

This RFQ is a Full and Open competition in accordance under NAICS code 334510-Patient Monitoring Equipment with a small business size standard of 1,250 employees.

Offerors are required to have an active SAM Registration. SAM registration enables electronic funds transfer of contract payments. If your company is not already actively registered, please register in the SAM database at [www.sam.gov](http://www.sam.gov). If your company is currently registered and close to expiring, begin/complete the process for SAM registration renewal. A SAM Unique Entity ID (UEI) is required for SAM registration. If your company does not have a UEI one can be obtained at [www.sam.gov](http://www.sam.gov).

Whether your company is a current or new registrant in the SAM database, your registration must indicate that you are a provider of NAICS 334510, or a NAICS of similar business size, under the Goods – Services section of the registration to be eligible to receive a contract for this solicitation.

If the prospective awardee for this request for quotes is not actively registered in the SAM database by close of solicitation, including NAICS 334510, or a NAICS of similar business size, under the Goods – Services section, the government reserves the right to proceed to award to the next otherwise successful offeror.

Prospective contractors who have not completed electronic annual representations and certifications at [www.sam.gov](http://www.sam.gov) in conjunction with required registration in the System for Award Management (SAM) database, shall complete and submit FAR 52.212-3 Offeror Representations and Certifications - Commercial Items in SAM to be eligible to receive an award for this solicitation. If the prospective awardee for this RFQ has not completed FAR 52.212-3 Offeror Representations and Certifications - Commercial Items in SAM by close of solicitation the government reserves the right to proceed to award to the next otherwise successful offeror.

**The following is the description of requirements for the items to be acquired. The items to be acquired shall be brand name or equal to the model/part numbers identified. To be considered for award, offers of "equal" products, including "equal" products of the brand name manufacturer, must meet the salient characteristics specified below.**

The Fetal Monitor Carts requested will be housing the hospital owned GE Fetal Monitor Corometrics 250CX, desktop (Dell Optiplex 7090 Micro), two monitors, and an uninterrupted power supply.

The Fetal Monitoring Cart shall be compatible with GE Fetal Monitor Corometrics 250CX system and include the following features:

- Color: Light Maple for non-metal services
- Minimum of 3 drawers
- Must be able to support two monitors side by side (22 inch and 26 inch)
- 4 Locking Base Casters
- GCX channel profile
- Work surface
- Patient lead organizer

Equipment shall include 5-year warranty.

Line Item Number	Item Model/Part Number	Item Description	Quantity	Unit of Measure
0001	FC-0003-85C	GCX MC Series Fetal Cart Core Kit	8	Each (EA)
0002	FC-002-71	MC Series Top Crown VHM-25 Variable Height Arm	8	Each (EA)
0003	FC-0003-01	Fetal Monitor Tray and Work Surface	8	Each (EA)
0004	WS-0008-04	VHM-25 Variable Height Arm	8	Each (EA)
0005	FC-0002-30	Counterweight Kit	8	Each (EA)
0006	FC-0001-15	Medical Grade Power Strip with 6 Hospital grade outlets and 15 ft cord	8	Each (EA)
0007	WM-0007-40B	Vertical CPU Channel Mount	8	Each (EA)
0008	WM-0009-27	Flip-Down Work Surface	8	Each (EA)
0009	WM-0001-18B	Channel Mount Basket with Cord Wrap and Cable Hooks	8	Each (EA)
0010	PRB-0001-88	Single Gel Cup Mount Kit	8	Each (EA)
0011	WMM-0005-02	Pivot Arm	8	Each (EA)
0012	BCR-0001-18	Barcode Scanner Short Adapter	8	Each (EA)
0013	WS-0003-25	Patient Lead Organizer with vertical cuff storage	8	Each (EA)
0014		Onsite Installation and configuration of solutions, customer devices, and cable management.	1	Each (EA)

FOB point for this solicitation is Destination, all shipping and handling cost shall be included in the price of the line item and not priced separately. All shipping/handling/freight SHALL BE included in the line

item pricing. Additional shipping/handling/freight will not be paid. All items must include a minimum of 5-year warranty.

The delivery date for this requirement is 30 days after receipt of purchase order. The place of delivery and acceptance is:

Northern Navajo Medical Center

Attention: TBD  
Hwy 491 North  
Shiprock, MN 87420

Questions regarding this solicitation are due no later than 09/18/2023, at 09:00 AM, EDT. Questions shall be submitted via email to the following email addresses:

andrea\_corum@ibc.doi.gov  
jamie\_gregar@ibc.doi.gov

Offers are due no later than 09/20/2023, at 011:00 AM, Eastern Daylight Time. It is the offeror's responsibility to ensure the quote is received by the due date and time. Quotes shall be submitted via email to the following email addresses:

andrea\_corum@ibc.doi.gov  
jamie\_gregar@ibc.doi.gov

The contractor agrees to hold prices in its quote firm for 90 calendar days from the RFQ's offeror due date.

## **QUESTIONS AND ANSWERS AMENDMENT 0002:**

**Question 1.** Onsite Installation and Configuration is listed on the solicitation however the fetal carts come fully assembled with the exception of the hospital's monitors that they already have there. Usually the hospital IT can mount the monitor on the cart. Will this be a concern?

**Answer 1.** If the cart comes fully assembled, only the configuration of cart, customers devices and cables is required.

**Question 2.** In your specs it does not specify whether the keyboard tray should be height adjustable, or a standard pull out tray for the keyboard. What color should the finished color be?

**Answer 2.** The keyboard is not required to be height adjustable. The color is light maple for surfaces that are not metal.

## **FAR Provision and Clauses**

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

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text

available. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es):

<https://www.acquisition.gov>

(End Provision)

- 52.204-7 System for Award Management (Oct 2018)
- 52.204-16 Commercial and Government Entity Code Reporting (Aug 2020)
- 52.204-17 Ownership or Control of Offeror (Aug 2020)
- 52.209-11 Representation by Corporations Regarding Delinquent Tax Liability or a Felony Conviction under any Federal Law (Feb 2016)
- 52.204-20 Predecessor of Offeror (Aug 2020)
- 52.204-26 Covered Telecommunications Equipment or Services Representation (OCT 2020)
- 52.212-1 Instructions to Offerors—Commercial Products and Commercial Services (Mar 2023)
- 52.212-2 -- Evaluation -- Commercial Items (Nov 2021)
- 52.212-3 Offeror Representations and Certifications—Commercial Products and Commercial Services (Dec 2022)
- 52.225-25 Prohibition on Contracting With Entities Engaging in Certain Activities or Transactions Relating to Iran—Representation and Certifications (Jun 2020)

(End Provisions Incorporated By Reference)

Addendum to FAR 52.212-1 – Instructions to Offerors – Commercial Items (Nov 2021)

The following information must be submitted to be considered for award:

**1) Signed Quote**

**Signature:**

**2) Acknowledge Amendments (Acknowledge below if applicable)**

**N/A**

**3) A completed Business Information Table (Below)**

<b>Business Information Table</b>	
<b>Business Name</b>	
<b>Unique Entity Identifier (UEI)</b>	
<b>CAGE Code</b>	
<b>Tax Identification Number (TIN)</b>	
<b>Mailing Address</b>	

Offeror Contact Name	
Offeror Phone Number	
Offeror E-mail Address	

4) Technical information which is detailed (e.g., specification sheets) for the make(s) and model/part number(s) quoted. Technical information shall clearly identify [the item(s) are an exact match to those requested.

5) A completed Pricing Table (below) with all discounts applied.

Pricing Table						
Completed by government					To be completed by offeror	
Line Item Number	Item Model/Part Number	Item Description	Quantity (QTY)	Unit of Measure (UOM)	Unit Price	Extended Price
0001	FC-0003-85C	GCX MC Series Fetal Cart Core Kit	8	Each (EA)		
0002	FC-002-71	MC Series Top Crown VHM-25 Variable Height Arm	8	Each (EA)		
0003	FC-0003-01	Fetal Monitor Tray and Work Surface	8	Each (EA)		
0004	WS-0008-04	VHM-25 Variable Height Arm	8	Each (EA)		
0005	FC-0002-30	Counterweight Kit	8	Each (EA)		
0006	FC-0001-15	Medical Grade Power Strip with 6 Hospital grade outlets and 15 ft cord	8	Each (EA)		
0007	WM-0007-40B	Vertical CPU Channel Mount	8	Each (EA)		
0008	WM-0009-27	Flip-Down Work Surface	8	Each (EA)		
0009	WM-0001-18B	Channel Mount Basket with Cord Wrap and Cable Hooks	8	Each (EA)		

0010	PRB-0001-88	Single Gel Cup Mount Kit	8	Each (EA)		
0011	WMM-0005-02	Pivot Arm	8	Each (EA)		
0012	BCR-0001-18	Barcode Scanner Short Adapter	8	Each (EA)		
0013	WS-0003-25	Patient Lead Organizer with vertical cuff storage	8	Each (EA)		
0014	GCX-0015-21	Onsite Installation and configuration of solutions, customer devices, and cable management.	1	Each (EA)		
0015	FC-0003-85C	GCX MC Series Fetal Cart Core Kit	8	Each (EA)		
	<b>Total Price</b>					

Quotes that do not meet all the requirements specified in this RFQ may not be considered for award.

(End Addendum)

Addendum to 52.212-2 -- Evaluation -- Commercial Items (Nov 2021)

(a) The Government will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation is the Lowest Price Technically Acceptable (LPTA). The evaluation and award procedures in FAR 13.106 apply.

The following factors will be used to evaluate offers:

- 1) **Technical Capability:** The government will evaluate the offeror's technical information to determine if it is technically acceptable. Technically acceptable is defined as the offeror's ability to meet all the technical requirements identified in the solicitation.
- 2) **Price:** The government will evaluate the offeror's price for award purposes by adding the extended price for all Line Items. The Government will evaluate the offer for price reasonableness.

The Government intends to select one contractor for this acquisition. However, the Government reserves the right not to award a purchase order at all, depending on the quality of the quotations and prices submitted and the availability of funds.

The Government will evaluate quotes based on the LPTA criteria. Only the lowest priced offer will be evaluated for Technical Acceptability. Should the lowest priced offer not be technical acceptable, the process will continue in order of lowest priced offer until the LPTA offer is identified.

Rejection of Unreasonable Offers: The Government may reject any quotation that is evaluated to be unreasonably high or low in cost when compared to Government estimates, such that the quotation is deemed to reflect an inherent lack of competence or failure to comprehend the requirement.

(End Addendum)

#### FAR 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:

<https://www.acquisition.gov>

#### Clause, Title, and Date

52.204-13	System for Award Management Maintenance (Oct 2018)
52.204-18	Commercial and Government Entity Code Maintenance (Aug 2020)
52.204-19	Incorporation by Reference of Representations and Certifications (Dec 2014)
52.212-4	Contract Terms and Conditions -- Commercial Items (Dec 2022)
52.232-1	Payments (Apr 1984)
52.232-18	Availability of Funds (Apr 1984)
52.232-39	Unenforceability of Unauthorized Obligations (Jun 2013)
52.233-1	Disputes (May 2014)

(End Clauses Incorporated by Reference)

#### FAR 52.212-5 Contract Terms and Conditions Required To Implement Statutes or Executive Orders—Commercial Products and Commercial Services (Jun 2023)

(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).

X (8) [52.204-27](#), Prohibition on a ByteDance Covered Application (JUN 2023) (Section 102 of Division R of Pub. L. 117-328).

\_\_\_ (9) [52.209-6](#), Protecting the Government’s Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (NOV 2021) ( [31 U.S.C. 6101 note](#)).

\_\_\_ (10) [52.209-9](#), Updates of Publicly Available Information Regarding Responsibility Matters (OCT 2018) ( [41 U.S.C. 2313](#)).

\_\_\_ (11) [Reserved].

\_\_\_ (12) [52.219-3](#), Notice of HUBZone Set-Aside or Sole-Source Award (OCT 2022) ( [15 U.S.C. 657a](#)).

\_\_\_ (13) [52.219-4](#), Notice of Price Evaluation Preference for HUBZone Small Business Concerns (OCT 2022) (if the offeror elects to waive the preference, it shall so indicate in its offer) ( [15 U.S.C. 657a](#)).

\_\_\_ (14) [Reserved]

\_\_\_ (15)(i) [52.219-6](#), Notice of Total Small Business Set-Aside (NOV 2020) ( [15 U.S.C. 644](#)).

\_\_\_ (ii) Alternate I (MAR 2020) of [52.219-6](#).

\_\_\_ (16)(i) [52.219-7](#), Notice of Partial Small Business Set-Aside (NOV 2020) ( [15 U.S.C. 644](#)).

\_\_\_ (ii) Alternate I (MAR 2020) of [52.219-7](#).

\_\_\_ (17) [52.219-8](#), Utilization of Small Business Concerns (OCT 2022) ( [15 U.S.C. 637\(d\)\(2\)](#) and (3)).

\_\_\_ (18)(i) [52.219-9](#), Small Business Subcontracting Plan (OCT 2022) ( [15 U.S.C. 637\(d\)\(4\)](#)).

\_\_\_ (ii) Alternate I (NOV 2016) of [52.219-9](#).

\_\_\_ (iii) Alternate II (NOV 2016) of [52.219-9](#).

\_\_\_ (iv) Alternate III (JUN 2020) of [52.219-9](#).

\_\_\_ (v) Alternate IV (SEP 2021) of [52.219-9](#).

\_\_\_ (19)(i) [52.219-13](#), Notice of Set-Aside of Orders (MAR 2020) ( [15 U.S.C. 644\(r\)](#)).

\_\_\_ (ii) Alternate I (MAR 2020) of [52.219-13](#).

\_\_\_ (20) [52.219-14](#), Limitations on Subcontracting (OCT 2022) ( [15 U.S.C. 637s](#)).

\_\_\_ (21) [52.219-16](#), Liquidated Damages—Subcontracting Plan (SEP 2021) ( [15 U.S.C. 637\(d\)\(4\)\(F\)\(i\)](#)).

\_\_\_ (22) [52.219-27](#), Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (OCT 2022) ( [15 U.S.C. 657f](#)).

X (23)(i) [52.219-28](#), Post Award Small Business Program Representation (MAR 2023)( [15 U.S.C. 632\(a\)\(2\)](#)).

\_\_\_ (ii) Alternate I (MAR 2020) of [52.219-28](#).

\_\_\_ (24) [52.219-29](#), Notice of Set-Aside for, or Sole-Source Award to, Economically Disadvantaged Women-Owned Small Business Concerns (OCT 2022) ( [15 U.S.C. 637\(m\)](#)).

\_\_\_ (25) [52.219-30](#), Notice of Set-Aside for, or Sole-Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program (OCT 2022) ( [15 U.S.C. 637\(m\)](#)).

- \_\_ (26) [52.219-32](#), Orders Issued Directly Under Small Business Reserves (MAR 2020) ( [15 U.S.C. 644\(r\)](#)).
- \_\_ (27) [52.219-33](#), Nonmanufacturer Rule (SEP 2021) ( [15U.S.C. 637\(a\)\(17\)](#)).
- \_X\_ (28) [52.222-3](#), Convict Labor (JUN 2003) (E.O.11755).
- \_\_ (29) [52.222-19](#), Child Labor-Cooperation with Authorities and Remedies (DEC 2022) (E.O.13126).
- \_X\_ (30) [52.222-21](#), Prohibition of Segregated Facilities (APR 2015).
- \_X\_ (31)(i) [52.222-26](#), Equal Opportunity (SEP 2016) (E.O.11246).
- \_\_ (ii) Alternate I (FEB 1999) of [52.222-26](#).
- \_X\_ (32)(i) [52.222-35](#), Equal Opportunity for Veterans (JUN 2020) ( [38 U.S.C. 4212](#)).
- \_\_ (ii) Alternate I (JUL 2014) of [52.222-35](#).
- \_X\_ (33)(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](#).
- \_\_ (34) [52.222-37](#), Employment Reports on Veterans (JUN 2020) ( [38 U.S.C. 4212](#)).
- \_\_ (35) [52.222-40](#), Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496).
- \_X\_ (36)(i) [52.222-50](#), Combating Trafficking in Persons (NOV 2021) ( [22 U.S.C. chapter 78](#) and E.O. 13627).
- \_\_ (ii) Alternate I (MAR 2015) of [52.222-50](#) ( [22 U.S.C. chapter 78](#) and E.O. 13627).
- \_\_ (37) [52.222-54](#), Employment Eligibility Verification (MAY 2022) (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial products or commercial services as prescribed in FAR [22.1803](#).)
- \_\_ (38)(i) [52.223-9](#), Estimate of Percentage of Recovered Material Content for EPA–Designated Items (May 2008) ( [42 U.S.C. 6962\(c\)\(3\)\(A\)\(ii\)](#)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
- \_\_ (ii) Alternate I (MAY 2008) of [52.223-9](#) ( [42 U.S.C. 6962\(i\)\(2\)\(C\)](#)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
- \_\_ (39) [52.223-11](#), Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (Jun 2016) (E.O. 13693).
- \_\_ (40) [52.223-12](#), Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (JUN 2016) (E.O. 13693).
- \_\_ (41)(i) [52.223-13](#), Acquisition of EPEAT®-Registered Imaging Equipment (JUN 2014) (E.O.s 13423 and 13514).
- \_\_ (ii) Alternate I (OCT 2015) of [52.223-13](#).
- \_\_ (42)(i) [52.223-14](#), Acquisition of EPEAT®-Registered Televisions (JUN 2014) (E.O.s 13423 and 13514).
- \_\_ (ii) Alternate I (Jun2014) of [52.223-14](#).
- \_\_ (43) [52.223-15](#), Energy Efficiency in Energy-Consuming Products (MAY 2020) ( [42 U.S.C. 8259b](#)).
- \_\_ (44)(i) [52.223-16](#), Acquisition of EPEAT®-Registered Personal Computer Products (OCT 2015) (E.O.s 13423 and 13514).
- \_\_ (ii) Alternate I (JUN 2014) of [52.223-16](#).
- \_X\_ (45) [52.223-18](#), Encouraging Contractor Policies to Ban Text Messaging While Driving (JUN 2020) (E.O. 13513).
- \_\_ (46) [52.223-20](#), Aerosols (JUN 2016) (E.O. 13693).
- \_\_ (47) [52.223-21](#), Foams (Jun2016) (E.O. 13693).
- \_\_ (48)(i) [52.224-3](#) Privacy Training (JAN 2017) (5 U.S.C. 552 a).
- \_\_ (ii) Alternate I (JAN 2017) of [52.224-3](#).
- \_\_ (49)(i) [52.225-1](#), Buy American-Supplies (OCT 2022) ( [41 U.S.C. chapter 83](#)).
- \_\_ (ii) Alternate I (OCT 2022) of [52.225-1](#).
- \_\_ (50)(i) [52.225-3](#), Buy American-Free Trade Agreements-Israeli Trade Act (DEC 2022) ( [19 U.S.C. 3301 note](#), [19 U.S.C. 2112 note](#), [19 U.S.C. 3805 note](#), [19 U.S.C. 4001 note](#), 19 U.S.C. chapter 29

(sections 4501-4732), Public Law 103-182, 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, 110-138, 112-41, 112-42, and 112-43.

- \_\_\_ (ii) Alternate I [Reserved].
  - \_\_\_ (iii) Alternate II (DEC 2022) of [52.225-3](#).
  - \_\_\_ (iv) Alternate III (JAN 2021) of [52.225-3](#).
  - \_\_\_ (v) Alternate IV (Oct 2022) of [52.225-3](#).
  - \_\_\_ (51) [52.225-5](#), Trade Agreements (DEC 2022) ( [19 U.S.C. 2501](#), *et seq.*, [19 U.S.C. 3301](#) note).
  - \_\_X\_ (52) [52.225-13](#), Restrictions on Certain Foreign Purchases (FEB 2021) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).
  - \_\_\_ (53) [52.225-26](#), Contractors Performing Private Security Functions Outside the United States (Oct 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. Subtitle A, Part V, Subpart G Note).
  - \_\_\_ (54) [52.226-4](#), Notice of Disaster or Emergency Area Set-Aside (Nov 2007) ( [42 U.S.C. 5150](#)).
  - \_\_\_ (55) [52.226-5](#), Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov2007) ( [42 U.S.C. 5150](#)).
  - \_\_\_ (56) [52.229-12](#), Tax on Certain Foreign Procurements (FEB 2021).
  - \_\_\_ (57) [52.232-29](#), Terms for Financing of Purchases of Commercial Products and Commercial Services (NOV 2021) ( [41 U.S.C. 4505](#), [10 U.S.C. 3805](#)).
  - \_\_\_ (58) [52.232-30](#), Installment Payments for Commercial Products and Commercial Services (NOV 2021) ( [41 U.S.C. 4505](#), [10 U.S.C. 3805](#)).
  - \_\_X\_ (59) [52.232-33](#), Payment by Electronic Funds Transfer-System for Award Management (OCT2018) ( [31 U.S.C. 3332](#)).
  - \_\_\_ (60) [52.232-34](#), Payment by Electronic Funds Transfer-Other than System for Award Management (Jul 2013) ( [31 U.S.C. 3332](#)).
  - \_\_\_ (61) [52.232-36](#), Payment by Third Party (MAY 2014) ( [31 U.S.C. 3332](#)).
  - \_\_\_ (62) [52.239-1](#), Privacy or Security Safeguards (AUG 1996) ( [5 U.S.C. 552a](#)).
  - \_\_\_ (63) [52.242-5](#), Payments to Small Business Subcontractors (JAN 2017) ( [15 U.S.C. 637\(d\)\(13\)](#)).
  - \_\_\_ (64)(i) [52.247-64](#), Preference for Privately Owned U.S.-Flag Commercial Vessels (NOV 2021) ( [46 U.S.C. 55305](#) and [10 U.S.C. 2631](#)).
  - \_\_\_ (ii) Alternate I (APR 2003) of [52.247-64](#).
  - \_\_\_ (iii) Alternate II (NOV 2021) of [52.247-64](#).
- (c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial products and commercial services:
- [*Contracting Officer check as appropriate.*]
- \_\_\_ (1) [52.222-41](#), Service Contract Labor Standards (AUG 2018) ( [41 U.S.C. chapter 67](#)).
  - \_\_\_ (2) [52.222-42](#), Statement of Equivalent Rates for Federal Hires (MAY 2014) ( [29 U.S.C. 206](#) and [41 U.S.C. chapter 67](#)).
  - \_\_\_ (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](#)).
  - \_\_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).

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

(vi) [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.

(vii) [52.222-21](#), Prohibition of Segregated Facilities (APR 2015).

(viii) [52.222-26](#), Equal Opportunity (SEP 2015) (E.O.11246).

(ix) [52.222-35](#), Equal Opportunity for Veterans (JUN 2020) ([38 U.S.C. 4212](#)).

(x) [52.222-36](#), Equal Opportunity for Workers with Disabilities (JUN 2020) ([29 U.S.C. 793](#)).

(xi) [52.222-37](#), Employment Reports on Veterans (JUN 2020) ([38 U.S.C. 4212](#)).

(xii) [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](#).

(xiii) [52.222-41](#), Service Contract Labor Standards (AUG 2018) ([41 U.S.C. chapter 67](#)).

(xiv)

(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](#)).

(xv) [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](#)).

(xvi) [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](#)).

(xvii) [52.222-54](#), Employment Eligibility Verification (MAY 2022) (E.O. 12989).

(xviii) [52.222-55](#), Minimum Wages for Contractor Workers Under Executive Order 14026 (JAN 2022).

(xix) [52.222-62](#), Paid Sick Leave Under Executive Order 13706 (JAN 2022) (E.O. 13706).

(xx)(A) [52.224-3](#), Privacy Training (Jan 2017) ( [5 U.S.C. 552a](#)).

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

(xxi) [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).

(xxii) [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](#).

(xxiii) [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](#).

(xxiv) [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)

### **HHSAR Provisions Incorporated by Reference**

352.239-73 Electronic and Information Technology Accessibility Notice

### **HHSAR Clauses Incorporated by Reference**

352.239-74 Electronic and Information Technology Accessibility

### **Department Of Interior Local Clauses**

DOI-AAAP-0028 Electronic Invoicing and Payment Requirements - Invoice Processing Platform (IPP) - (April 2013)

Payment requests must be submitted electronically through the U. S. Department of the Treasury's Invoice Processing Platform System (IPP).

"Payment request" means any request for contract financing payment or invoice payment by the Contractor. To constitute a proper invoice, the payment request must comply with the requirements identified in the applicable Prompt Payment clause included in the contract, or the clause 52.212-4 Contract Terms and Conditions - Commercial Items included in commercial item contracts. The IPP website address is: <https://www.ipp.gov>.

Under this contract, the following documents are required to be submitted as an attachment to the IPP invoice acceptance documents: (1) One invoice stating what was provided to the Government and the date of acceptance. Invoices shall include, as a minimum, the following information:

Contractor Name  
Contractor Address  
Contract Number  
Invoice Date & Number  
Billing period for services performed or supplies provided  
Line Item(s)

The Contractor must use the IPP website to register access and use IPP for submitting requests for payment. The Contractor Government Business Point of Contact (as listed in SAM) will receive enrollment instructions via email from the Federal Reserve Bank of St. Louis (FRBSTL) within 3 - 5 business days of the contract award date. Contractor assistance with enrollment can be obtained by contacting the IPP Production Helpdesk via email [IPPCustomerSupport@fiscal.treasury.gov](mailto:IPPCustomerSupport@fiscal.treasury.gov) or phone (866) 973-3131.

If the Contractor is unable to comply with the requirement to use IPP for submitting invoices for payment, the Contractor must submit a waiver request in writing to the Contracting Officer with its proposal or quotation.

The vendor must submit an invoice for payment no later than 30 calendar days after the end of the month of performance of services for each month services are performed. The vendor must notify the contracting officer in writing if the invoice will not be submitted within the specified time frame. Invoices must be submitted electronically. Hard copies of invoices will not be processed.

The contractor is responsible for ensuring invoices submitted are accurate and complete, and all labor, travel and other direct costs are in accordance with federal guidelines, the Federal Travel Regulations and other Government mandates and directives.

#### **Section 508 Compliance:**

Section 508 of the Rehabilitation Act of 1973 (found at 29 USC 794d) requires access to and use of information by individuals with disabilities. Electronic reports, video footage, and other electronic data are subject to Section 508 guidelines. Contractors shall comply with the applicable accessibility standards at 36 CFR 1194, which implements Section 508 of the Rehabilitation Act of 1973, as amended, and is viewable at <http://www.section508.gov>