

<b>SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS</b> <i>OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, &amp; 30</i>				1. REQUISITION NUMBER 1083941	
2. CONTRACT NO.		3. AWARD/ EFFECTIVE DATE	4. ORDER NUMBER		5. SOLICITATION NUMBER 1240LR23Q0014
7. <b>FOR SOLICITATION INFORMATION CALL:</b>		a. NAME JONATHAN WYATT		b. TELEPHONE NUMBER (No collect calls) JONATHAN.WYATT@USDA.GOV	8. OFFER DUE DATE/LOCAL TIME 1/18/2023 1700 ET
9. ISSUED BY USDA-FSPROCUREMENT PROPERTY SERV 1249 S VINNELL WAY STE 200 BOISE ID 83709			CODE 40LR	10. THIS ACQUISITION IS <input type="checkbox"/> UNRESTRICTED OR <input type="checkbox"/> SET ASIDE: % FOR: <input checked="" type="checkbox"/> SMALL BUSINESS <input type="checkbox"/> HUBZONE SMALL BUSINESS <input type="checkbox"/> SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS <input type="checkbox"/> WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOMEN-OWNED SMALL BUSINESS PROGRAM <input type="checkbox"/> EDWOSB <input type="checkbox"/> 8(A) NAICS: 811111 SIZE STANDARD: \$8.00	
11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE		12. DISCOUNT TERMS		<input type="checkbox"/> 13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700)	13b. RATING
15. DELIVER TO USDA FOREST SERVICE BOISE NATIONAL FOREST WAREHOUSE 1918 COMMERCE AVENUE BOISE ID 83705-5313			CODE 0260	16. ADMINISTERED BY USDA-FS CSA INTERMOUNTAIN 6 324 25TH ST OGDEN UT 84401-2310	
17a. CONTRACTOR/OFFEROR		CODE	FACILITY CODE	18a. PAYMENT WILL BE MADE BY	
TELEPHONE NO.		<input type="checkbox"/> 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER	18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED <input type="checkbox"/> SEE ADDENDUM		
19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES			21. QUANTITY	22. UNIT
0001	Delivery: 30 Days After Award Period of Performance:  Engine failure and needs rebuilt. Final bill paid with fleet service card  <i>(Use Reverse and/or Attach Additional Sheets as Necessary)</i>			1	EA
25. ACCOUNTING AND APPROPRIATION DATA				26. TOTAL AWARD AMOUNT (For Govt. Use Only)	
<input type="checkbox"/> 27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4, FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA				<input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.	
<input type="checkbox"/> 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4. FAR 52.212-5 IS ATTACHED. ADDENDA				<input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.	
<input type="checkbox"/> 28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN COPIES TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED.				<input type="checkbox"/> 29. AWARD OF CONTRACT: _____ OFFER DATED _____ YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS:	
30a. SIGNATURE OF OFFEROR/CONTRACTOR			31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER)		
30b. NAME AND TITLE OF SIGNER (Type or print)		30c. DATE SIGNED	31b. NAME OF CONTRACTING OFFICER (Type or print)		31c. DATE SIGNED

19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT

32a. QUANTITY IN COLUMN 21 HAS BEEN

RECEIVED     INSPECTED     ACCEPTED, AND CONFORMS TO THE CONTRACT, EXCEPT AS NOTED: \_\_\_\_\_

32b. SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE	32c. DATE	32d. PRINTED NAME AND TITLE OF AUTHORIZED GOVERNMENT REPRESENTATIVE
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32e. MAILING ADDRESS OF AUTHORIZED GOVERNMENT REPRESENTATIVE	32f. TELEPHONE NUMBER OF AUTHORIZED GOVERNMENT REPRESENTATIVE
	32g. E-MAIL OF AUTHORIZED GOVERNMENT REPRESENTATIVE

33. SHIP NUMBER	34. VOUCHER NUMBER	35. AMOUNT VERIFIED CORRECT FOR	36. PAYMENT <input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL	37. CHECK NUMBER
<input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL				

38. S/R ACCOUNT NUMBER	39. S/R VOUCHER NUMBER	40. PAID BY
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41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT	42a. RECEIVED BY ( <i>Print</i> )
41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER	41c. DATE
	42b. RECEIVED AT ( <i>Location</i> )
	42c. DATE REC'D (YY/MM/DD)
	42d. TOTAL CONTAINERS

**SECTION B – CONTINUATION OF SF-1449****\*\*QUOTES ARE DUE BY: 1/18/2023 by 1700 MT\*\*****Schedule of Items/Price Schedule***Schedule of Items*

<i>Item</i>	<i>Supplies/Services</i>	<i>Qty</i>	<i>Unit of Issue</i>	<i>Unit Price</i>	<i>Total Price</i>
<i>1</i>	<i>Rebuild engine on vehicle EN9392</i>	<i>1</i>	<i>EA</i>		

**Statement of work**

The Dixie National Forest, through the Boise, Idaho contracting office, is soliciting quotes for the rebuild of the engine of fleet vehicle EN9392, a 2012 International MA025 526 truck with a DT466/Maxxforce engine , VIN 1HTMMAAL9CH077012.

Work required is supplying parts and rebuilding the vehicle engine due to failed internal components. The truck produced malfunction indicator light (MIL) and lost power while pushing excess fluid out the engine crankcase breather. The vehicle is available for inspection and can be transferred/returned at the bidders expense.

The government has the vehicle stored at Boise Forest Warehouse 1918 Commerce Ave Boise, ID 83705. The vendor will be required to pick up and deliver to that location. The awarded business will transport and accept the truck at the repair facility, inspect and order necessary parts for the repair no later than five (5) business days after award of contract. The awarded contractor shall complete vehicle repairs, test the vehicle and deliver to storage no later than thirty (30) calendar days after contract award.

The rebuilt engine will meet manufacturer OEM specs and will carry a minimum 1-year full warranty. The truck shall operate as manufacturer intended without malfunction indicator lights or warnings. All OEM style connectors and fasteners and manufacturer recommended fluids shall be used. A final road test shall be performed to verify all systems are operating as normal. Work will be performed by certified journeyman technician (ASE cert or equivalent)

A single final payment will be made with fleet service card (Wright Express WEX) once the vehicle has been repaired, returned to the storage location and accepted by Forest Service personnel.

## **SECTION C - CONTRACT CLAUSES**

### **52.252-2 Clauses Incorporated by Reference (FEB 1998)**

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

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

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

### **52.204-21 Basic Safeguarding of Covered Contractor Information Systems (NOV 2021)**

(a) Definitions. As used in this clause—

“Covered contractor information system” means an information system that is owned or operated by a contractor that processes, stores, or transmits Federal contract information.

“Federal contract information” means information, not intended for public release, that is provided by or generated for the Government under a contract to develop or deliver a product or service to the Government, but not including information provided by the Government to the public (such as on public websites) or simple transactional information, such as necessary to process payments.

“Information” means any communication or representation of knowledge such as facts, data, or opinions, in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual (Committee on National Security Systems Instruction (CNSSI) 4009).

“Information system” means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information ([44 U.S.C. 3502](#)).

“Safeguarding” means measures or controls that are prescribed to protect information systems.

(b) Safeguarding requirements and procedures.

(1) The Contractor shall apply the following basic safeguarding requirements and procedures to protect covered contractor information systems. Requirements and procedures for basic safeguarding of covered contractor information systems shall include, at a minimum, the following security controls:

(i) Limit information system access to authorized users, processes acting on behalf of authorized users, or devices (including other information systems).

(ii) Limit information system access to the types of transactions and functions that authorized users are permitted to execute.

(iii) Verify and control/limit connections to and use of external information systems.

(iv) Control information posted or processed on publicly accessible information systems.

- (v) Identify information system users, processes acting on behalf of users, or devices.
- (vi) Authenticate (or verify) the identities of those users, processes, or devices, as a prerequisite to allowing access to organizational information systems.
- (vii) Sanitize or destroy information system media containing Federal Contract Information before disposal or release for reuse.
- (viii) Limit physical access to organizational information systems, equipment, and the respective operating environments to authorized individuals.
- (ix) Escort visitors and monitor visitor activity; maintain audit logs of physical access; and control and manage physical access devices.
- (x) Monitor, control, and protect organizational communications (i.e., information transmitted or received by organizational information systems) at the external boundaries and key internal boundaries of the information systems.
- (xi) Implement subnetworks for publicly accessible system components that are physically or logically separated from internal networks.
- (xii) Identify, report, and correct information and information system flaws in a timely manner.
- (xiii) Provide protection from malicious code at appropriate locations within organizational information systems.
- (xiv) Update malicious code protection mechanisms when new releases are available.
- (xv) Perform periodic scans of the information system and real-time scans of files from external sources as files are downloaded, opened, or executed.

(2) Other requirements. This clause does not relieve the Contractor of any other specific safeguarding requirements specified by Federal agencies and departments relating to covered contractor information systems generally or other Federal safeguarding requirements for controlled unclassified information (CUI) as established by Executive Order 13556.

(c) Subcontracts. The Contractor shall include the substance of this clause, including this paragraph (c), in subcontracts under this contract (including subcontracts for the acquisition of commercial products or commercial services, other than commercially available off-the-shelf items), in which the subcontractor may have Federal contract information residing in or transiting through its information system.

#### **52.212-4 Contract Terms and Conditions – Commercial Products and Commercial Services (NOV 2021) (DEVIATION 2017-1)**

##### **Addenda to 52.212-4:**

#### **52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders– Commercial Products and Commercial Services (OCT 2022) (DEVIATION 2017-1, DEVIATION APR 2020, and 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).

(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. 3805note)).

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

(1) 52.203-6, Restrictions on Subcontractor Sales to the Government (June 2020), with Alternate I (Nov 2021) (41 U.S.C. 4704 and 10 U.S.C. 2402).

(2) 52.203-13, Contractor Code of Business Ethics and Conduct (Nov 2021) (41 U.S.C. 3509)).

(3) 52.203-15, Whistleblower Protections under the American Recovery and Reinvestment Act of 2009 (Jun 2010) (Section 1553 of Pub. L. 111-5). (Applies to contracts funded by the American Recovery and Reinvestment Act of 2009.)

(4) 52.203-17, Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (Jun 2020) (**DEVIATION 2017-1**)

(5) 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards (Jun 2020) (Pub. L. 109-282) (31 U.S.C. 6101 note).

(6) [Reserved].

(7) 52.204-14, Service Contract Reporting Requirements (Oct 2016) (Pub. L. 111-117, section 743 of Div. C).

(8) 52.204-15, Service Contract Reporting Requirements for Indefinite-Delivery Contracts (Oct 2016) (Pub. L. 111-117, section 743 of Div. C).

(9) 52.209-6, Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (Nov 2021) (31 U.S.C. 6101note).

(10) 52.209-9, Updates of Publicly Available Information Regarding Responsibility Matters (Oct 2018) (41 U.S.C. 2313).

(11) [Reserved].

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

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

(14) [Reserved]

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

(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)  
[Contracting Officer check as appropriate.]
  - By the end of the base term of the contract and then by the end of each subsequent option period; or
  - By the end of the performance period for each order issued under the contract.
- (21) 52.219-16, Liquidated Damages-Subcontracting Plan (Sep 2021) (15 U.S.C. 637(d)(4)(F)(i)).
- (22) 52.219-27, Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (Oct 2022) (15 U.S.C. 657f).
- (23) (i) 52.219-28, Post Award Small Business Program Rerepresentation (Oct 2022) (15 U.S.C. 632(a)(2)).
  - (ii) Alternate I (MAR 2020) of 52.219-28.
- (24) 52.219-29, Notice of Set-Aside for, or Sole Source Award to, Economically Disadvantaged Women-Owned Small Business Concerns (Oct 2022) (15 U.S.C. 637(m)).
- (25) 52.219-30, Notice of Set-Aside for, or Sole Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program (Oct 2022) (15 U.S.C. 637(m)).
- (26) 52.219-32, Orders Issued Directly Under Small Business Reserves (Mar 2020) (15 U.S.C. 644(r)).
- (27) 52.219-33, Nonmanufacturer Rule (Sep 2021) (15 U.S.C. 637(a)(17)).
- (28) 52.222-3, Convict Labor (Jun 2003) (E.O.11755).
- (29) 52.222-19, Child Labor-Cooperation with Authorities and Remedies (Jan 2022)  
**(DEVIATION JUL 2020)** (E.O.13126).
- (30) 52.222-21, Prohibition of Segregated Facilities (Apr 2015).
- (31) (i) 52.222-26, Equal Opportunity (Sep 2016) (E.O.11246).
  - (ii) Alternate I (Feb 1999) of 52.222-26.
- (32) (i) 52.222-35, Equal Opportunity for Veterans (Jun 2020) (38 U.S.C. 4212).
  - (ii) Alternate I (Jul 2014) of 52.222-35.
- (33) (i) 52.222-36, Equal Opportunity for Workers with Disabilities (Jun 2020) (29 U.S.C.793).
  - (ii) Alternate I (Jul 2014) of 52.222-36.
- (34) 52.222-37, Employment Reports on Veterans (Jun 2020) (38 U.S.C. 4212).
- (35) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496).

- (36) (i) 52.222-50, Combating Trafficking in Persons (Nov 2021) (22 U.S.C. chapter 78 and E.O. 13627).
  - (ii) Alternate I (Mar 2015) of 52.222-50 (22 U.S.C. 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 (Jun 2014) of 52.223-14.
- (43) 52.223-15, Energy Efficiency in Energy-Consuming Products (May 2020) (42 U.S.C. 8259b).
- (44) (i) 52.223-16, Acquisition of EPEAT®-Registered Personal Computer Products (Oct 2015) (E.O.s 13423 and 13514).
  - (ii) Alternate I (Jun 2014) of 52.223-16.
- (45) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (Jun 2020) (E.O. 13513).
- (46) 52.223-20, Aerosols (Jun 2016) (E.O. 13693).
- (47) 52.223-21, Foams (Jun 2016) (E.O. 13693).
- (48) (i) 52.224-3 Privacy Training (Jan 2017) (5 U.S.C. 552 a).
  - (ii) Alternate I (Jan 2017) of 52.224-3.
- (49)(i) 52.225-1, Buy American-Supplies (Oct 2022) (41 U.S.C. chapter 83).
  - (ii) Alternate I (Oct 2022) of 52.225-1
- (50) (i) 52.225-3, Buy American-Free Trade Agreements-Israeli Trade Act (Oct 2022) **(DEVIATION JUL 2020)** (41 U.S.C. chapter 83, 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)**, Pub. L. 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)~~ **(ii)** Alternate I (May 2014) of 52.225-3.
  - ~~(iii)~~ **(ii)** Alternate II (Jan 2021) **(DEVIATION JUL 2020)** of 52.225-3.
  - ~~(iv)~~ **(iii)** Alternate III (Jan 2021) **(DEVIATION JUL 2020)** of 52.225-3.
  - ~~(v)~~ **(iv)** Alternate IV (Oct 2022) of 52.225-3.
- (51) 52.225-5, Trade Agreements (Oct 2019) **(DEVIATION JUL 2020)** (19 U.S.C. 2501, et seq., 19 U.S.C. 3301 note).

- (52) 52.225-13, Restrictions on Certain Foreign Purchases (FEB 2021) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).
- (53) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Oct 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).
- (54) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (Nov 2007) (42 U.S.C. 5150).
- (55) 52.226-5, Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov 2007) (42 U.S.C. 5150).
- (56) 52.229-12, Tax on Certain Foreign Procurements (Feb 2021).
- (57) 52.232-29, Terms for Financing of Purchases of Commercial Products and Commercial Services (Nov 2021) (41 U.S.C.4505, 10 U.S.C.2307(f)).
- (58) 52.232-30, Installment Payments for Commercial Products and Commercial Services (Nov 2021) (41 U.S.C.4505, 10 U.S.C.2307(f)).
- (59) 52.232-33, Payment by Electronic Funds Transfer-System for Award Management (Oct 2018) (31 U.S.C. 3332).
- (60) 52.232-34, Payment by Electronic Funds Transfer-Other than System for Award Management (Jul 2013) (31 U.S.C.3332).
- (61) 52.232-36, Payment by Third Party (May 2014) (31 U.S.C.3332).
- (62) 52.232-40, Providing Accelerated Payments to Small Business Subcontractors (Nov 2021) **(DEVIATION APR 2020)** (31 U.S.C.3332).
- (63) 52.239-1, Privacy or Security Safeguards (Aug 1996) (5 U.S.C. 552a).
- (64) 52.242-5, Payments to Small Business Subcontractors (Jan 2017) (15 U.S.C. 637(d)(13)).
- (65) (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:

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

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

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

Employee Class	Monetary Wage/Fringe Benefits
<b>05190</b>	<b>\$21.41</b>

- (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. 2302 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.

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

**52.223-17 Affirmative Procurement of EPA-designated Items in Service and Construction Contracts (AUG 2018)**

**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 (DEVIATION JUL 2022)**

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

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

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

**SECTION D – CONTRACT DOCUMENTS, EXHIBITS, OR ATTACHMENTS**

**STATE OF IDAHO CERTIFICATE OF VERIFICATION  
OF WORKERS' COMPENSATION INSURANCE**

Read thoroughly before completing form.

***WHAT ARE THE WORKERS' COMPENSATION REQUIREMENTS?***

The Idaho Workers' Compensation Law requires that employers who hire one or more, either full or part-time employees, to perform work in the State of Idaho, carry workers' compensation insurance unless specifically exempted. ***Failure to comply could result in monetary penalties as well as an injunction to prohibit the employer from operating the business. Failure to carry workers' compensation insurance for employees is a misdemeanor under Idaho Law.***

***WHO MUST COMPLETE THIS FORM?***

Any person, partnership, limited liability company, corporation or firm who is bidding on a contract for the United States Department of Agriculture/Forest Service (USFS) for work that is within the State of Idaho and who has been notified by the USFS that he/she/it has been selected for a USFS contract.

***WHEN MUST THE FORM BE COMPLETED?***

The form must be completed and forwarded to one of the Industrial Commission offices when you are notified by the USFS that you have been selected for a USFS contract. The approval of the Industrial Commission is required prior to the final award.

***ADDITIONAL COMMENTS:***

Failure to complete any part of the form that is applicable to your operations could result in a delay in processing.

If any of the work is to be performed by sub-contractors, each sub-contractor must obtain and complete a Certificate of Verification of Workers' Compensation insurance.

If your business is a partnership, limited liability company or corporation, each partner/member/corporate officer must sign the form where designated.

You must submit a separate verification form for each contract awarded.

***ONCE THE BIDDER HAS COMPLETED AND SIGNED THE FORM, FAX, MAIL, OR DELIVER IT TO THE APPROPRIATE INDUSTRIAL COMMISSION OFFICE. IF YOU HAVE ANY QUESTIONS, CONTACT A COMPLIANCE REPRESENTATIVE AT ANY OF THE FOLLOWING OFFICES:***

***North Idaho***

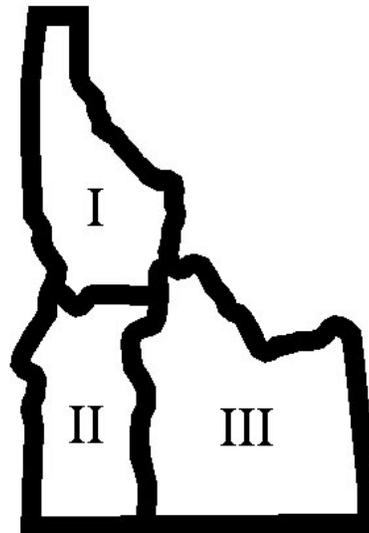
1221 Ironwood Street, Suite 100  
COEUR D'ALENE ID 83814  
(208) 769-1565 or FAX (208) 769-1465

***Southwest Idaho***

317 Main Street  
P O BOX 83720, BOISE ID 83720-0041  
(208) 334-6032 or 1-800-950-2110  
or FAX (208) 334-5145

***Southeast Idaho***

1070 Hiline, Suite 300  
POCATELLO ID 83201  
(208) 236-6366 or FAX (208) 236-6040



**STATE OF IDAHO  
CERTIFICATE OF VERIFICATION  
OF WORKERS' COMPENSATION INSURANCE**

**FOR I.C. USE ONLY**  
IC# \_\_\_\_\_  
Received \_\_\_\_\_

Date: \_\_\_\_\_

1. Contractor's Name \_\_\_\_\_

2. Business Name \_\_\_\_\_

3. Contractor's Federal Identification Number \_\_\_\_\_

4. Contractor's Business Address \_\_\_\_\_  
Street, Box # City, State Zip

5. Contractor's Business Telephone Number \_\_\_\_\_

6. Contractor's Home Address \_\_\_\_\_  
Street, Box # City, State Zip

7. Name of Supervisor in charge of project \_\_\_\_\_

8. Supervisor's Business Address \_\_\_\_\_  
Street, Box # City, State Zip

9. Supervisor's Business Telephone \_\_\_\_\_

10. Supervisor's Home Address \_\_\_\_\_  
Street, Box # City, State Zip

**11. Classification of Business**

(a)  Corporation  
(List names, addresses & telephone numbers of corporate officers and directors, and percent of ownership.)

(b)  Partnership/Limited Liability Company  
(List partner/member names, addresses, telephone numbers, and percent of ownership.)

(c)  Sole Proprietorship

(d)  Other - Please explain

**Description of Project**

12. Contract # \_\_\_\_\_ Estimated Start Date \_\_\_\_\_

13. Location of Work \_\_\_\_\_

14. Description of Work \_\_\_\_\_

15. Forest Service District Office Overseeing Contract \_\_\_\_\_

16. DO YOU HAVE WORKERS' COMPENSATION INSURANCE?  Yes  No

17. Workers' Compensation Insurance Company

Name of Carrier \_\_\_\_\_

Policy # \_\_\_\_\_ Effective Date \_\_\_\_\_

Name of Agent \_\_\_\_\_ Tel. # \_\_\_\_\_

Address \_\_\_\_\_  
*Street, Box City, State Zip*

Extraterritorial Coverage # \_\_\_\_\_

State \_\_\_\_\_ Date Approved \_\_\_\_\_ Expiration Date \_\_\_\_\_

18. If Contractor is a **sole proprietorship/partnership/limited liability company**, will workers other than the proprietor or partners/members be performing any of the work to be done under this contract?

Yes  No

a. **If yes**, state the approximate number of such workers and, if known, their names, permanent addresses, telephone numbers, and date of hire. (*Attach additional pages, if needed.*)

19. If Contractor is a **corporation**, will workers who are not officers and 10% shareholders and directors of the corporation be performing any of the work to be done under this contract?

Yes  No

**If yes**, state the approximate number of such workers and, if known, their names, permanent addresses, telephone numbers, and date of hire. (*Attach additional pages, if needed.*)

20. Do you intend to use any sub-contractors to assist you in the performance of this contract? **Note: All sub-contractors used on this contract must also submit a Certificate of Verification of Workers' Compensation Insurance for approval prior to commencing work on this contract.**

Yes  No

**If yes**, state their names, business names, permanent addresses and telephone numbers.

21. *Based upon my knowledge of the work to be performed under the contract specified on page 1 and upon my knowledge of work practices, methods and technologies to be applied during this contract, I estimate that \_\_\_\_\_ workers are necessary to do the work in the time prescribed, assuming average production rates and conditions.*

22. **I certify** that the above information is true and correct to the best of my knowledge and belief. Further, I agree to inform the Industrial Commission Compliance Officer if there is any change in the above information during the time this contract is in effect.

\_\_\_\_\_  
Type or Print Contractor's Name

By: \_\_\_\_\_  
Signature

Date: \_\_\_\_\_

23. If the business is a partnership, limited liability company or corporation, this document requires the signature of **all** of the partners/members/corporate officers. (Attach additional pages if necessary.)

\_\_\_\_\_  
Partner/Member/Corp. Off. Title % of Ownership Date \_\_\_\_\_

\_\_\_\_\_  
Partner/Member/Corp. Off. Title % of Ownership Date \_\_\_\_\_

\_\_\_\_\_  
Partner/Member/Corp. Off. Title % of Ownership Date \_\_\_\_\_

\_\_\_\_\_  
Partner/Member/Corp. Off. Title % of Ownership Date \_\_\_\_\_

-----  
CONTRACTOR - DO NOT WRITE BELOW THIS LINE

Based solely upon the assertions above set forth, and without warranty of continued compliance, the Idaho Industrial Commission finds that Contractor:

Currently carries workers' compensation insurance as required by state law.

Has a current extraterritorial on file from the State of \_\_\_\_\_ which covers only \_\_\_\_\_ based employees while working temporarily in the State of Idaho. Extraterritorial coverage expires \_\_\_\_\_.

Is not required to provide workers' compensation insurance because:

Is a partnership/limited liability company/sole proprietor which employs no workers other than the partners/members/sole proprietor and will not employ any other workers under this contract.

Is a corporation which employs no workers other than individuals who are corporate officers, directors and 10% shareholders and will not employ any other workers under this contract.

Other (Specify):

(By making the above finding, the Commission does not warrant continued compliance.)

Has not obtained the required workers' compensation insurance.

\_\_\_\_\_  
Industrial Commission Compliance Officer

Date \_\_\_\_\_

Contract/Solicitation # \_\_\_\_\_

"REGISTER OF WAGE DETERMINATIONS UNDER THE SERVICE CONTRACT ACT By direction of the Secretary of Labor		U.S. DEPARTMENT OF LABOR EMPLOYMENT STANDARDS ADMINISTRATION WAGE AND HOUR DIVISION WASHINGTON D.C. 20210  Wage Determination No.: 2015-5503 Revision No.: 18 Date Of Last Revision: 06/27/2022
Daniel W. Simms Director	Division of Wage Determinations	

Note: Contracts subject to the Service Contract Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658.

If the contract is entered into on or after January 30 2022 or the contract is renewed or extended (e.g. an option is exercised) on or after January 30 2022:	With certain exceptions Executive Order 14026 applies to the contract. The contractor must pay all covered workers at least \$15.00 per hour (or the applicable wage rate listed on this wage determination if it is higher) for all hours spent performing on the contract in 2022.
If the contract is entered into on or after January 30 2022 or the 2022 and the contract is not renewed or extended on or after January 30 2022:	With certain exceptions Executive Order 13658 applies to the contract. The contractor must pay all covered workers at least \$11.25 per hour (or the applicable wage rate listed on this wage determination if it is higher) for all hours spent performing on the contract in 2022.

The applicable Executive Order minimum wage rate will be adjusted annually. Additional information on contractor requirements and worker protections under the Executive Orders is available at <https://www.dol.gov/agencies/whd/government-contracts>.

State: Idaho

Area: Idaho Counties of Ada Boise Canyon Gem Owyhee

**\*\*Fringe Benefits Required Follow the Occupational Listing\*\***

OCCUPATION CODE - TITLE	FOOTNOTE	RATE
01000 - Administrative Support And Clerical Occupations		
01011 - Accounting Clerk I		15.05
01012 - Accounting Clerk II		16.89
01013 - Accounting Clerk III		18.91
01020 - Administrative Assistant		25.92
01035 - Court Reporter		22.66
01041 - Customer Service Representative I		13.71***
01042 - Customer Service Representative II		14.96***
01043 - Customer Service Representative III		16.79
01051 - Data Entry Operator I		14.79***
01052 - Data Entry Operator II		16.13
01060 - Dispatcher Motor Vehicle		18.20
01070 - Document Preparation Clerk		14.42***
01090 - Duplicating Machine Operator		14.42***
01111 - General Clerk I		14.10***
01112 - General Clerk II		15.38
01113 - General Clerk III		17.26

01120 - Housing Referral Assistant	20.16
01141 - Messenger Courier	14.26***
01191 - Order Clerk I	18.54
01192 - Order Clerk II	20.22
01261 - Personnel Assistant (Employment) I	16.53
01262 - Personnel Assistant (Employment) II	18.49
01263 - Personnel Assistant (Employment) III	20.61
01270 - Production Control Clerk	24.81
01290 - Rental Clerk	14.95***
01300 - Scheduler Maintenance	16.17
01311 - Secretary I	16.17
01312 - Secretary II	18.09
01313 - Secretary III	20.16
01320 - Service Order Dispatcher	16.49
01410 - Supply Technician	25.92
01420 - Survey Worker	17.66
01460 - Switchboard Operator/Receptionist	14.49***
01531 - Travel Clerk I	16.97
01532 - Travel Clerk II	17.79
01533 - Travel Clerk III	19.31
01611 - Word Processor I	14.40***
01612 - Word Processor II	16.17
01613 - Word Processor III	18.09
05000 - Automotive Service Occupations	
05005 - Automobile Body Repairer Fiberglass	23.40
05010 - Automotive Electrician	20.08
05040 - Automotive Glass Installer	18.90
05070 - Automotive Worker	18.90
05110 - Mobile Equipment Servicer	16.41
05130 - Motor Equipment Metal Mechanic	21.41
05160 - Motor Equipment Metal Worker	18.90
05190 - Motor Vehicle Mechanic	21.41
05220 - Motor Vehicle Mechanic Helper	15.05
05250 - Motor Vehicle Upholstery Worker	17.73
05280 - Motor Vehicle Wrecker	18.90
05310 - Painter Automotive	20.08
05340 - Radiator Repair Specialist	18.90
05370 - Tire Repairer	14.18***
05400 - Transmission Repair Specialist	21.41
07000 - Food Preparation And Service Occupations	
07010 - Baker	14.27***
07041 - Cook I	13.88***
07042 - Cook II	16.00
07070 - Dishwasher	11.02***
07130 - Food Service Worker	11.75***
07210 - Meat Cutter	17.92
07260 - Waiter/Waitress	10.22***
09000 - Furniture Maintenance And Repair Occupations	
09010 - Electrostatic Spray Painter	18.65
09040 - Furniture Handler	11.64***
09080 - Furniture Refinisher	18.03
09090 - Furniture Refinisher Helper	12.66***
09110 - Furniture Repairer Minor	15.93
09130 - Upholsterer	17.20
11000 - General Services And Support Occupations	
11030 - Cleaner Vehicles	14.21***
11060 - Elevator Operator	13.84***
11090 - Gardener	22.18
11122 - Housekeeping Aide	13.84***
11150 - Janitor	13.84***
11210 - Laborer Grounds Maintenance	16.71
11240 - Maid or Houseman	12.57***
11260 - Pruner	14.66***
11270 - Tractor Operator	20.34
11330 - Trail Maintenance Worker	16.71

11360 - Window Cleaner	15.77
12000 - Health Occupations	
12010 - Ambulance Driver	19.95
12011 - Breath Alcohol Technician	21.32
12012 - Certified Occupational Therapist Assistant	28.90
12015 - Certified Physical Therapist Assistant	24.19
12020 - Dental Assistant	17.98
12025 - Dental Hygienist	37.55
12030 - EKG Technician	32.08
12035 - Electroneurodiagnostic Technologist	32.08
12040 - Emergency Medical Technician	19.95
12071 - Licensed Practical Nurse I	19.05
12072 - Licensed Practical Nurse II	21.32
12073 - Licensed Practical Nurse III	23.77
12100 - Medical Assistant	17.85
12130 - Medical Laboratory Technician	21.74
12160 - Medical Record Clerk	20.05
12190 - Medical Record Technician	22.43
12195 - Medical Transcriptionist	19.05
12210 - Nuclear Medicine Technologist	49.84
12221 - Nursing Assistant I	11.81***
12222 - Nursing Assistant II	13.27***
12223 - Nursing Assistant III	14.48***
12224 - Nursing Assistant IV	16.26
12235 - Optical Dispenser	17.48
12236 - Optical Technician	18.57
12250 - Pharmacy Technician	17.85
12280 - Phlebotomist	16.08
12305 - Radiologic Technologist	31.55
12311 - Registered Nurse I	25.03
12312 - Registered Nurse II	30.61
12313 - Registered Nurse II Specialist	30.61
12314 - Registered Nurse III	37.03
12315 - Registered Nurse III Anesthetist	37.03
12316 - Registered Nurse IV	44.40
12317 - Scheduler (Drug and Alcohol Testing)	26.41
12320 - Substance Abuse Treatment Counselor	23.63
13000 - Information And Arts Occupations	
13011 - Exhibits Specialist I	16.78
13012 - Exhibits Specialist II	20.80
13013 - Exhibits Specialist III	25.44
13041 - Illustrator I	16.78
13042 - Illustrator II	20.80
13043 - Illustrator III	25.44
13047 - Librarian	23.03
13050 - Library Aide/Clerk	13.90***
13054 - Library Information Technology Systems Administrator	20.80
13058 - Library Technician	14.10***
13061 - Media Specialist I	15.00
13062 - Media Specialist II	16.78
13063 - Media Specialist III	18.71
13071 - Photographer I	16.40
13072 - Photographer II	18.44
13073 - Photographer III	22.73
13074 - Photographer IV	27.81
13075 - Photographer V	33.65
13090 - Technical Order Library Clerk	17.45
13110 - Video Teleconference Technician	21.91
14000 - Information Technology Occupations	
14041 - Computer Operator I	18.45
14042 - Computer Operator II	20.64
14043 - Computer Operator III	23.01
14044 - Computer Operator IV	25.58
14045 - Computer Operator V	28.32

14071 - Computer Programmer I	(see 1)	20.22
14072 - Computer Programmer II	(see 1)	25.06
14073 - Computer Programmer III	(see 1)	
14074 - Computer Programmer IV	(see 1)	
14101 - Computer Systems Analyst I	(see 1)	
14102 - Computer Systems Analyst II	(see 1)	
14103 - Computer Systems Analyst III	(see 1)	
14150 - Peripheral Equipment Operator		18.45
14160 - Personal Computer Support Technician		25.58
14170 - System Support Specialist		28.32
15000 - Instructional Occupations		
15010 - Aircrew Training Devices Instructor (Non-Rated)		27.93
15020 - Aircrew Training Devices Instructor (Rated)		33.80
15030 - Air Crew Training Devices Instructor (Pilot)		40.51
15050 - Computer Based Training Specialist / Instructor		27.93
15060 - Educational Technologist		31.70
15070 - Flight Instructor (Pilot)		40.51
15080 - Graphic Artist		23.51
15085 - Maintenance Test Pilot Fixed Jet/Prop		40.51
15086 - Maintenance Test Pilot Rotary Wing		40.51
15088 - Non-Maintenance Test/Co-Pilot		40.51
15090 - Technical Instructor		22.93
15095 - Technical Instructor/Course Developer		28.05
15110 - Test Proctor		18.51
15120 - Tutor		18.51
16000 - Laundry Dry-Cleaning Pressing And Related Occupations		
16010 - Assembler		10.50***
16030 - Counter Attendant		10.50***
16040 - Dry Cleaner		12.53***
16070 - Finisher Flatwork Machine		10.50***
16090 - Presser Hand		10.50***
16110 - Presser Machine Drycleaning		10.50***
16130 - Presser Machine Shirts		10.50***
16160 - Presser Machine Wearing Apparel Laundry		10.50***
16190 - Sewing Machine Operator		13.21***
16220 - Tailor		13.95***
16250 - Washer Machine		11.00***
19000 - Machine Tool Operation And Repair Occupations		
19010 - Machine-Tool Operator (Tool Room)		22.50
19040 - Tool And Die Maker		27.36
21000 - Materials Handling And Packing Occupations		
21020 - Forklift Operator		18.23
21030 - Material Coordinator		24.81
21040 - Material Expediter		24.81
21050 - Material Handling Laborer		14.72***
21071 - Order Filler		14.35***
21080 - Production Line Worker (Food Processing)		18.23
21110 - Shipping Packer		15.59
21130 - Shipping/Receiving Clerk		15.59
21140 - Store Worker I		12.08***
21150 - Stock Clerk		17.62
21210 - Tools And Parts Attendant		18.23
21410 - Warehouse Specialist		18.23
23000 - Mechanics And Maintenance And Repair Occupations		
23010 - Aerospace Structural Welder		31.16
23019 - Aircraft Logs and Records Technician		24.44
23021 - Aircraft Mechanic I		29.51
23022 - Aircraft Mechanic II		31.16
23023 - Aircraft Mechanic III		32.57
23040 - Aircraft Mechanic Helper		20.75
23050 - Aircraft Painter		27.70
23060 - Aircraft Servicer		24.44
23070 - Aircraft Survival Flight Equipment Technician		27.70
23080 - Aircraft Worker		26.07
23091 - Aircrew Life Support Equipment (ALSE) Mechanic		26.07

I	
23092 - Aircrew Life Support Equipment (ALSE) Mechanic	29.51
II	
23110 - Appliance Mechanic	18.73
23120 - Bicycle Repairer	14.98***
23125 - Cable Splicer	40.92
23130 - Carpenter Maintenance	18.16
23140 - Carpet Layer	20.43
23160 - Electrician Maintenance	24.91
23181 - Electronics Technician Maintenance I	23.46
23182 - Electronics Technician Maintenance II	24.93
23183 - Electronics Technician Maintenance III	28.77
23260 - Fabric Worker	19.87
23290 - Fire Alarm System Mechanic	22.06
23310 - Fire Extinguisher Repairer	18.38
23311 - Fuel Distribution System Mechanic	29.92
23312 - Fuel Distribution System Operator	23.52
23370 - General Maintenance Worker	17.96
23380 - Ground Support Equipment Mechanic	29.51
23381 - Ground Support Equipment Servicer	24.44
23382 - Ground Support Equipment Worker	26.07
23391 - Gunsmith I	18.38
23392 - Gunsmith II	21.18
23393 - Gunsmith III	23.98
23410 - Heating Ventilation And Air-Conditioning Mechanic	22.74
23411 - Heating Ventilation And Air Contidioning Mechanic (Research Facility)	24.01
23430 - Heavy Equipment Mechanic	25.74
23440 - Heavy Equipment Operator	22.89
23460 - Instrument Mechanic	23.98
23465 - Laboratory/Shelter Mechanic	22.50
23470 - Laborer	14.72***
23510 - Locksmith	22.50
23530 - Machinery Maintenance Mechanic	23.33
23550 - Machinist Maintenance	23.05
23580 - Maintenance Trades Helper	16.39
23591 - Metrology Technician I	23.98
23592 - Metrology Technician II	25.32
23593 - Metrology Technician III	26.46
23640 - Millwright	23.98
23710 - Office Appliance Repairer	21.14
23760 - Painter Maintenance	17.67
23790 - Pipefitter Maintenance	27.90
23810 - Plumber Maintenance	26.19
23820 - Pneudraulic Systems Mechanic	23.98
23850 - Rigger	23.98
23870 - Scale Mechanic	21.18
23890 - Sheet-Metal Worker Maintenance	23.16
23910 - Small Engine Mechanic	18.94
23931 - Telecommunications Mechanic I	27.69
23932 - Telecommunications Mechanic II	29.23
23950 - Telephone Lineman	22.81
23960 - Welder Combination Maintenance	19.34
23965 - Well Driller	23.51
23970 - Woodcraft Worker	23.98
23980 - Woodworker	18.38
24000 - Personal Needs Occupations	
24550 - Case Manager	18.15
24570 - Child Care Attendant	11.11***
24580 - Child Care Center Clerk	13.86***
24610 - Chore Aide	11.88***
24620 - Family Readiness And Support Services Coordinator	18.15
24630 - Homemaker	18.05

25000 - Plant And System Operations Occupations	
25010 - Boiler Tender	23.98
25040 - Sewage Plant Operator	22.37
25070 - Stationary Engineer	23.98
25190 - Ventilation Equipment Tender	16.85
25210 - Water Treatment Plant Operator	22.37
27000 - Protective Service Occupations	
27004 - Alarm Monitor	19.12
27007 - Baggage Inspector	14.45***
27008 - Corrections Officer	19.49
27010 - Court Security Officer	23.12
27030 - Detection Dog Handler	16.17
27040 - Detention Officer	19.49
27070 - Firefighter	26.76
27101 - Guard I	14.45***
27102 - Guard II	16.17
27131 - Police Officer I	26.85
27132 - Police Officer II	29.84
28000 - Recreation Occupations	
28041 - Carnival Equipment Operator	13.52***
28042 - Carnival Equipment Repairer	14.75***
28043 - Carnival Worker	10.11***
28210 - Gate Attendant/Gate Tender	17.44
28310 - Lifeguard	12.01***
28350 - Park Attendant (Aide)	19.51
28510 - Recreation Aide/Health Facility Attendant	14.24***
28515 - Recreation Specialist	24.17
28630 - Sports Official	15.54
28690 - Swimming Pool Operator	17.28
29000 - Stevedoring/Longshoremen Occupational Services	
29010 - Blocker And Bracer	28.56
29020 - Hatch Tender	28.56
29030 - Line Handler	28.56
29041 - Stevedore I	26.78
29042 - Stevedore II	30.34
30000 - Technical Occupations	
30010 - Air Traffic Control Specialist Center (HFO) (see 2)	41.26
30011 - Air Traffic Control Specialist Station (HFO) (see 2)	28.46
30012 - Air Traffic Control Specialist Terminal (HFO) (see 2)	31.33
30021 - Archeological Technician I	18.68
30022 - Archeological Technician II	20.90
30023 - Archeological Technician III	25.90
30030 - Cartographic Technician	25.90
30040 - Civil Engineering Technician	25.53
30051 - Cryogenic Technician I	28.68
30052 - Cryogenic Technician II	31.68
30061 - Drafter/CAD Operator I	18.68
30062 - Drafter/CAD Operator II	20.90
30063 - Drafter/CAD Operator III	23.30
30064 - Drafter/CAD Operator IV	28.68
30081 - Engineering Technician I	15.29
30082 - Engineering Technician II	17.15
30083 - Engineering Technician III	19.19
30084 - Engineering Technician IV	23.78
30085 - Engineering Technician V	29.09
30086 - Engineering Technician VI	35.19
30090 - Environmental Technician	25.44
30095 - Evidence Control Specialist	25.90
30210 - Laboratory Technician	22.74
30221 - Latent Fingerprint Technician I	24.23
30222 - Latent Fingerprint Technician II	26.76
30240 - Mathematical Technician	27.65
30361 - Paralegal/Legal Assistant I	20.07
30362 - Paralegal/Legal Assistant II	24.86
30363 - Paralegal/Legal Assistant III	30.42

30364 - Paralegal/Legal Assistant IV	36.80
30375 - Petroleum Supply Specialist	31.68
30390 - Photo-Optics Technician	25.90
30395 - Radiation Control Technician	31.68
30461 - Technical Writer I	24.99
30462 - Technical Writer II	30.57
30463 - Technical Writer III	36.98
30491 - Unexploded Ordnance (UXO) Technician I	26.22
30492 - Unexploded Ordnance (UXO) Technician II	31.73
30493 - Unexploded Ordnance (UXO) Technician III	38.03
30494 - Unexploded (UXO) Safety Escort	26.22
30495 - Unexploded (UXO) Sweep Personnel	26.22
30501 - Weather Forecaster I	28.68
30502 - Weather Forecaster II	34.88
30620 - Weather Observer Combined Upper Air Or (see 2)	23.30
Surface Programs	
30621 - Weather Observer Senior (see 2)	25.90
31000 - Transportation/Mobile Equipment Operation Occupations	
31010 - Airplane Pilot	31.73
31020 - Bus Aide	13.15***
31030 - Bus Driver	18.32
31043 - Driver Courier	15.98
31260 - Parking and Lot Attendant	11.76***
31290 - Shuttle Bus Driver	15.85
31310 - Taxi Driver	13.02***
31361 - Truckdriver Light	17.86
31362 - Truckdriver Medium	19.31
31363 - Truckdriver Heavy	23.33
31364 - Truckdriver Tractor-Trailer	23.33
99000 - Miscellaneous Occupations	
99020 - Cabin Safety Specialist	15.47
99030 - Cashier	12.15***
99050 - Desk Clerk	11.41***
99095 - Embalmer	28.45
99130 - Flight Follower	26.22
99251 - Laboratory Animal Caretaker I	14.22***
99252 - Laboratory Animal Caretaker II	15.51
99260 - Marketing Analyst	27.45
99310 - Mortician	28.45
99410 - Pest Controller	16.64
99510 - Photofinishing Worker	14.65***
99710 - Recycling Laborer	20.94
99711 - Recycling Specialist	25.50
99730 - Refuse Collector	18.38
99810 - Sales Clerk	13.75***
99820 - School Crossing Guard	15.00
99830 - Survey Party Chief	25.35
99831 - Surveying Aide	17.18
99832 - Surveying Technician	23.05
99840 - Vending Machine Attendant	15.52
99841 - Vending Machine Repairer	19.50
99842 - Vending Machine Repairer Helper	15.52

\*\*\*Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 (\$15.00 per hour) or 13658 (\$11.25 per hour). Please see the Note at the top of the wage determination for more information. Please also note that the minimum wage requirements of Executive Order 14026 and 13658 are not currently being enforced as to contracts or contract-like instruments entered into with the federal government in connection with seasonal recreational services or seasonal recreational equipment rental for the general public on federal lands.

Note: Executive Order (EO) 13706 Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Service Contract Act for which the contract is awarded (and any solicitation was issued) on or after January 1 2017. If this contract is covered by the EO the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness injury or other health-related needs including preventive care; to assist a family member (or person who is like family to the employee) who is ill injured or has other health-related needs including preventive care; or for reasons resulting from or to assist a family member (or person who is like family to the employee) who is the victim of domestic violence sexual assault or stalking. Additional information on contractor requirements and worker protections under the EO is available at [www.dol.gov/whd/govcontracts](http://www.dol.gov/whd/govcontracts).

ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:

HEALTH & WELFARE: \$4.80 per hour up to 40 hours per week or \$192.00 per week or \$832.00 per month

HEALTH & WELFARE EO 13706: \$4.41 per hour up to 40 hours per week or \$176.40 per week or \$764.40 per month\*

\*This rate is to be used only when compensating employees for performance on an SCA-covered contract also covered by EO 13706 Establishing Paid Sick Leave for Federal Contractors. A contractor may not receive credit toward its SCA obligations for any paid sick leave provided pursuant to EO 13706.

VACATION: 2 weeks paid vacation after 1 year of service with a contractor or successor 3 weeks after 5 years and 4 weeks after 15 years. Length of service includes the whole span of continuous service with the present contractor or successor wherever employed and with the predecessor contractors in the performance of similar work at the same Federal facility. (Reg. 29 CFR 4.173)

HOLIDAYS: A minimum of eleven paid holidays per year: New Year's Day Martin Luther King Jr.'s Birthday Washington's Birthday Memorial Day Juneteenth National Independence Day Independence Day Labor Day Columbus Day Veterans' Day Thanksgiving Day and Christmas Day. (A contractor may substitute for any of the named holidays another day off with pay in accordance with a plan communicated to the employees involved.) (See 29 CFR 4.174)

THE OCCUPATIONS WHICH HAVE NUMBERED FOOTNOTES IN PARENTHESES RECEIVE THE FOLLOWING:

1) COMPUTER EMPLOYEES: This wage determination does not apply to any individual employed in a bona fide executive administrative or professional capacity as defined in 29 C.F.R. Part 541. (See 41 C.F.R. 6701(3)). Because most Computer Systems Analysts and Computer Programmers who are paid at least \$27.63 per hour (or at least \$684 per week if paid on a salary or fee basis) likely qualify as exempt computer professionals under 29 U.S.C. 213(a)(1) and 29 U.S.C. 213(a)(17) this wage determination may not include wage rates for all occupations within those job families. In such instances a conformance will be necessary if there are nonexempt employees in these job families working on the contract.

Job titles vary widely and change quickly in the computer industry and are not determinative of whether an employee is an exempt computer professional. To be exempt computer employees who satisfy the compensation requirements must also have a primary duty that consists of:

(1) The application of systems analysis techniques and procedures including consulting with users to determine hardware software or system functional specifications;

(2) The design development documentation analysis creation testing or modification of computer systems or programs including prototypes based on and

related to user or system design specifications;

(3) The design documentation testing creation or modification of computer programs related to machine operating systems; or

(4) A combination of the aforementioned duties the performance of which requires the same level of skills. (29 C.F.R. 541.400).

Any computer employee who meets the applicable compensation requirements and the above duties test qualifies as an exempt computer professional under both section 13(a)(1) and section 13(a)(17) of the Fair Labor Standards Act. (Field Assistance Bulletin No. 2006-3 (Dec. 14 2006)). Accordingly this wage determination will not apply to any exempt computer employee regardless of which of these two exemptions is utilized.

2) AIR TRAFFIC CONTROLLERS AND WEATHER OBSERVERS - NIGHT PAY & SUNDAY PAY: If you work at night as part of a regular tour of duty you will earn a night differential and receive an additional 10% of basic pay for any hours worked between 6pm and 6am. If you are a full-time employed (40 hours a week) and Sunday is part of your regularly scheduled workweek you are paid at your rate of basic pay plus a Sunday premium of 25% of your basic rate for each hour of Sunday work which is not overtime (i.e. occasional work on Sunday outside the normal tour of duty is considered overtime work).

**\*\* HAZARDOUS PAY DIFFERENTIAL \*\***

An 8 percent differential is applicable to employees employed in a position that represents a high degree of hazard when working with or in close proximity to ordnance explosives and incendiary materials. This includes work such as screening blending dying mixing and pressing of sensitive ordnance explosives and pyrotechnic compositions such as lead azide black powder and photoflash powder. All dry-house activities involving propellants or explosives. Demilitarization modification renovation demolition and maintenance operations on sensitive ordnance explosives and incendiary materials. All operations involving re-grading and cleaning of artillery ranges.

A 4 percent differential is applicable to employees employed in a position that represents a low degree of hazard when working with or in close proximity to ordnance (or employees possibly adjacent to) explosives and incendiary materials which involves potential injury such as laceration of hands face or arms of the employee engaged in the operation irritation of the skin minor burns and the like; minimal damage to immediate or adjacent work area or equipment being used. All operations involving unloading storage and hauling of ordnance explosive and incendiary ordnance material other than small arms ammunition. These differentials are only applicable to work that has been specifically designated by the agency for ordnance explosives and incendiary material differential pay.

**\*\* UNIFORM ALLOWANCE \*\***

If employees are required to wear uniforms in the performance of this contract (either by the terms of the Government contract by the employer by the state or local law etc.) the cost of furnishing such uniforms and maintaining (by laundering or dry cleaning) such uniforms is an expense that may not be borne by an employee where such cost reduces the hourly rate below that required by the wage determination. The Department of Labor will accept payment in accordance with the following standards as compliance:

The contractor or subcontractor is required to furnish all employees with an adequate number of uniforms without cost or to reimburse employees for the actual cost of the uniforms. In addition where uniform cleaning and maintenance is made the responsibility of the employee all contractors and subcontractors subject to this wage determination shall (in the absence of a bona fide collective bargaining agreement providing for a different amount or the furnishing of contrary affirmative proof as to the actual cost) reimburse all employees for such cleaning

and maintenance at a rate of \$3.35 per week (or \$.67 cents per day). However in those instances where the uniforms furnished are made of "wash and wear" materials may be routinely washed and dried with other personal garments and do not require any special treatment such as dry cleaning daily washing or commercial laundering in order to meet the cleanliness or appearance standards set by the terms of the Government contract by the contractor by law or by the nature of the work there is no requirement that employees be reimbursed for uniform maintenance costs.

**\*\* SERVICE CONTRACT ACT DIRECTORY OF OCCUPATIONS \*\***

The duties of employees under job titles listed are those described in the "Service Contract Act Directory of Occupations" Fifth Edition (Revision 1) dated September 2015 unless otherwise indicated.

**\*\* REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND WAGE RATE Standard Form 1444 (SF-1444) \*\***

**Conformance Process:**

The contracting officer shall require that any class of service employee which is not listed herein and which is to be employed under the contract (i.e. the work to be performed is not performed by any classification listed in the wage determination) be classified by the contractor so as to provide a reasonable relationship (i.e. appropriate level of skill comparison) between such unlisted classifications and the classifications listed in the wage determination (See 29 CFR 4.6(b)(2)(i)). Such conforming procedures shall be initiated by the contractor prior to the performance of contract work by such unlisted class(es) of employees (See 29 CFR 4.6(b)(2)(ii)). The Wage and Hour Division shall make a final determination of conformed classification wage rate and/or fringe benefits which shall be paid to all employees performing in the classification from the first day of work on which contract work is performed by them in the classification. Failure to pay such unlisted employees the compensation agreed upon by the interested parties and/or fully determined by the Wage and Hour Division retroactive to the date such class of employees commenced contract work shall be a violation of the Act and this contract. (See 29 CFR 4.6(b)(2)(v)). When multiple wage determinations are included in a contract a separate SF-1444 should be prepared for each wage determination to which a class(es) is to be conformed.

The process for preparing a conformance request is as follows:

- 1) When preparing the bid the contractor identifies the need for a conformed occupation(s) and computes a proposed rate(s).
- 2) After contract award the contractor prepares a written report listing in order the proposed classification title(s) a Federal grade equivalency (FGE) for each proposed classification(s) job description(s) and rationale for proposed wage rate(s) including information regarding the agreement or disagreement of the authorized representative of the employees involved or where there is no authorized representative the employees themselves. This report should be submitted to the contracting officer no later than 30 days after such unlisted class(es) of employees performs any contract work.
- 3) The contracting officer reviews the proposed action and promptly submits a report of the action together with the agency's recommendations and pertinent information including the position of the contractor and the employees to the U.S. Department of Labor Wage and Hour Division for review (See 29 CFR 4.6(b)(2)(ii)).
- 4) Within 30 days of receipt the Wage and Hour Division approves modifies or disapproves the action via transmittal to the agency contracting officer or notifies the contracting officer that additional time will be required to process the request.
- 5) The contracting officer transmits the Wage and Hour Division's decision to the contractor.

6) Each affected employee shall be furnished by the contractor with a written copy of such determination or it shall be posted as a part of the wage determination (See 29 CFR 4.6(b)(2)(iii)).

Information required by the Regulations must be submitted on SF-1444 or bond paper.

When preparing a conformance request the ""Service Contract Act Directory of Occupations"" should be used to compare job definitions to ensure that duties requested are not performed by a classification already listed in the wage determination. Remember it is not the job title but the required tasks that determine whether a class is included in an established wage determination. Conformances may not be used to artificially split combine or subdivide classifications listed in the wage determination (See 29 CFR 4.152(c)(1))."

## **SECTION E - SOLICITATION 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) Provisions:

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

Department of Agriculture Acquisition Regulation (AGAR) Provisions:

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

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

### **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)**

#### **Addenda to provision 52.212-1:**

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

*1) Offerors must have an active entity registration in the System for Award Management in order to submit an offer. <https://www.sam.gov/SAM/>*

*2) Offers submitted in response to this solicitation shall include a technical proposal, a price proposal, and contractor representations and certifications.*

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

*ii) Technical Capability – Provide a list of equipment and key personnel (with qualifications) that will be used to complete this project.*

*b) Price Proposal – Include the following: 1) the completed, signed SF-1449, 2) acknowledgement of any amendments to this solicitation by following the instructions that accompany the amendment(s), and 3) the completed Schedule of Items contained in Section B of this solicitation.*

*c) Representations and Certifications – Fill in the check boxes for provisions 52.204-24, 52.209-7, 52.212-3, and Employment of Eligible Workers-Workforce Certification found in Section F of this solicitation and include a copy with your offer.*

3) *Submit offer by email to Jonathan Wyatt so that it is delivered into this inbox by the due date and time. Emails should contain 3 separate attachments (Technical Proposal, Price Proposal, and Representations and Certifications) in Microsoft Word, Excel, or Adobe PDF format. Be aware that large attachments may increase the time required to deliver an email. It is the offerors responsibility to confirm receipt of the offer from Jonathan Wyatt.*

4) *Address questions about this solicitation to Jonathan Wyatt at Jonathan.Wyatt@usda.gov.*

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

(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:

-price

-technical capability

-timeframe for completion of the service

(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.

### **52.252-5 Authorized Deviations in Provisions (NOV2020)**

(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.

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

(d) Representation. The Offeror represents that—

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

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

It  does,  does not use covered telecommunications equipment or services, or use any equipment, system, or service that uses covered telecommunications equipment or services. The

Offeror shall provide the additional disclosure information required at paragraph (e)(2) of this section if the Offeror responds "does" in paragraph (d)(2) of this section.

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

(i) For covered equipment—

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

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

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

(ii) For covered services—

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

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

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

(i) For covered equipment—

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

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

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

(ii) For covered services—

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

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

**52.212-3 Offeror Representations and Certifications – Commercial Products and Commercial Services (OCT 2022) (DEVIATION JUL 2020)**

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

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

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

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

*[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. Offerors that are representing as joint ventures should submit their socio-economic status in the space provided above until such time that SAM.gov has been updated to include the joint venture representations contained within provision 52.212-3 paragraph (c).*

*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.]*