



*Embassy of the United States of America  
Sofia, Bulgaria*

Date: August 7, 2020

Subject: Request for Quotations number PR9332189 – Annual maintenance of the fuel management system and underground fuel storage tank in US Embassy Sofia, Bulgaria

Dear Prospective Offeror:

The Embassy of the United States of America, Sofia, Bulgaria invites you to submit a quotation for annual maintenance of the fuel management system and underground fuel storage tank in US Embassy Sofia, Bulgaria.

The U.S. Government intends to award a contract/purchase order to the responsible company submitting an acceptable quotation at the lowest price.

You are encouraged to make your quotation competitive. You are also cautioned against any collusion with other potential offerors with regard to price quotations to be submitted. The RFQ does not commit the American Embassy to make any award. The Embassy may cancel this RFQ or any part of it.

Submit your quotation in a sealed envelope marked "Quotation Enclosed" to the attention of Ms. Claire Desjardins, Contracting Officer, #16 Kozyak Street, Sofia 1408 on or before close of business on August 18, 2020.

No quotations will be accepted after this time.

Electronic quotations must be sent to: [SofiaProcurement@state.gov](mailto:SofiaProcurement@state.gov)

The Request for Quotations (RFQ) consists of the following sections:

1. Standard Form SF-18
2. Statement of work or specifications and technical qualifications.
3. FAR/DOSAR Clauses

Direct any questions regarding this solicitation to Mrs. Miglena Mihova by e-mail to [MihovaMD@state.gov](mailto:MihovaMD@state.gov) during regular business hours.

Sincerely,

*Claire Desjardins*  
Contracting Officer

<b>REQUEST FOR QUOTATIONS</b> <i>(THIS IS NOT AN ORDER)</i>		THIS RFQ [ ] IS [X] IS NOT A SMALL BUSINESS- SMALL PURCHASE SET-ASIDE (52.219-4)			PAGE 1	OF	PAGES 15
1. REQUEST NO. <b>PR9332189</b>	2. DATE ISSUED <b>August 7, 2020</b>	3. REQUISITION/PURCHASE REQUEST NO. <b>PR9332189</b>	4. CERT. FOR NAT. DEF. UNDER BDSA REG. 2 AND/OR DMS REG. 1		RATING		
5A. ISSUED BY <b>GENERAL SERVICES OFFICE, PROCUREMENT SECTION</b> <b>EMBASSY OF THE UNITED STATE OF AMERICA</b> <b>16 KOZYAK STREET</b> <b>SOFIA, BULGARIA</b>				6. DELIVER BY (Date)			
5B. FOR INFORMATION CALL:				7. DELIVERY			
NAME <b>Miglena Mihova at <a href="mailto:MihovaMD@state.gov">MihovaMD@state.gov</a></b>		TELEPHONE NUMBER		[ ] FOB DESTINATION [X] OTHER (See Schedule)			
		AREA CODE	NUMBER				
8. TO:				9. DESTINATION <b>EMBASSY OF THE UNITED STATE OF AMERICA</b>			
a. NAME		b. COMPANY		a. NAME OF CONSIGNEE <b>EMBASSY OF THE UNITED STATE OF AMERICA</b>			
c. STREET ADDRESS				b. STREET ADDRESS <b>16 KOZYAK STREET</b>			
d. CITY		e. STATE		f. ZIP CODE		c. CITY	
						<b>SOFIA, BULGARIA</b>	
				d. STATE	e. ZIP CODE		
				<b>1408</b>			
10. PLEASE FURNISH QUOTATIONS TO THE ISSUING OFFICE IN BLOCK 5A ON OR BEFORE CLOSE OF BUSINESS (Date) <b>August 18, 2020</b>		<b>IMPORTANT:</b> This is a request for information, and quotations furnished are not offers. If you are unable to quote, please so indicate on this form and return it to the address in Block 5A. This request does not commit the Government to pay any costs incurred in the preparation of the submission of this quotation or to contract for supplies or services. Supplies are of domestic origin unless otherwise indicated by quoter. Any representations and/or certifications attached to this Request for Quotations must be completed by the quoter					

11. SCHEDULE (Include applicable Federal, State and local taxes)

ITEM NO. (a)	SUPPLIES/SERVICES (b)	QUANTITY (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)
1.	Annual maintenance of the fuel management system and underground fuel storage tank in US Embassy, Sofia, Bulgaria.  <b>FAR/DOSAR clauses in ATTACHMENT 1 apply to this RFQ and all orders resulting from it.</b>	1	All		USD
12 DISCOUNT FOR PROMPT PAYMENT		a. 10 CALENDAR DAYS %	b. 20 CALENDAR DAYS %	c. 30 CALENDAR DAYS %	d. CALENDAR DAYS NUMBER      %

NOTE: Additional provisions and representations [X] are [ ] are not attached.

13 NAME AND ADDRESS OF QUOTER			14 SIGNATURE OF PERSON AUTHORIZED TO SIGN QUOTATION		15 DATE OF QUOTATION	
a. NAME OF QUOTER						
b. STREET ADDRESS			16. SIGNER			
c. COUNTY			a. NAME (Type or print)		b. TELEPHONE	
d. CITY	e. STATE	f. ZIP CODE	c. TITLE (Type or print)		AREA CODE	
					NUMBER	

STANDARD FORM 18



**FACILITY MANAGEMENT OFFICE**

**SCOPE OF WORK**

**DATE:** August 7, 2020

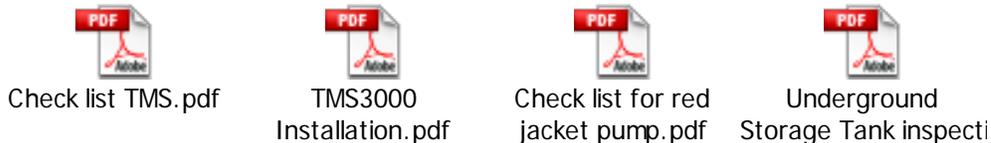
**PROJECT:** AMC of Fuel management system and underground fuel storage tank in US Embassy

**LOCATION:** US Embassy, Sofia, Bulgaria, Europe

**a. Introduction:** The equipment details are:

1. Two double-wall fiberglass underground storage tank with 20K gallon capacity each (Manufacturer: XERXES Corporation). The oil (diesel) is supplied from the underground tanks to different equipment namely three generators with a day tank each, one fire pump with a day tank too, and two boilers.
2. Six Red Jacket “Extracta” remote gasoline pumps (Model: X4P150S17, 380V, 3Ph, 50Hz).
3. Liquid level probe description: One set of automated fuel management system is installed. The TMS3000 Pneumercator is a fully integrated tank monitor system that combines level measurement with precision in-tank leak detection and external sensors for secondary containment. TMS3000 Pneumercator is provided with magnetostrictive level probes for each tank:
  - Model MP450S – Inventory management and EPA-compliant in-tank leak detection on Single-wall USTs.

**b. Scope of work:** The work performed by the Contractor shall consist of furnishing all materials, labor, supervision, tools necessary to provide full maintenance services of Underground Fuel Storage and Automatic fuel management system in US Embassy Sofia. AMC will be valid for the period of one year from day it is executed which will involve one time visit by authorized person covering:



**Basic Checklist for UST:** The information and checklist that follow can help you evaluate your underground storage tank systems (USTs). You can use the checklist to see how closely you meet the Federal regulations for USTs (**40 CFR Part 280**). The checklist can also help you prepare for official

inspections of USTs. Please note that this checklist covers only Federal regulations for operating USTs properly. The checklist does not cover requirements for corrective action in response to UST leaks. Be sure you check with your State and local agencies to see if they have additional or different requirements for your UST.

**Precision Tightness Test:** Conduct precision tightness test on all tanks in both location.

**Use the checklist periodically:** Many of the following items need to be reevaluated periodically to ensure your USTs that may be in compliance at one point in time STAY in compliance over time. Do not fill out the checklist once and then forget about it. At a minimum, you should update your checklist response at least once a year or whenever you make changes to USTs, repair equipment, or respond to any operational problems. You need to make sure you follow all operation and maintenance procedures that can keep your USTs in compliance, protect your investment, and protect human health and the environment from costly leaks.

**Spill Protection:** All USTs must be protected from spills by having devices such as "spill buckets" or catchment basins that can contain spilled product.

**Overfill Protection:** All USTs must be protected from overfills by using such devices as automatic shutoff devices, overfill alarms, or ball float valves.

**Recordkeeping:** As a rule of thumb, keep records of reports, tests, repairs, and other actions or know where these records are kept at an off-site location. In some cases, such as closure site assessments, records may be kept by implementing agencies.

**TMS 3000 Controller:** The Contractor shall use all proprietary diagnostic programming and adjustment tools, along with complete adjusting and diagnostic information which may be necessary to adjust or correct any problem within the solid-state system.

- Materials to be used shall be genuine manufacturer's parts and shall satisfy all specifications and requirements as are required for genuine parts made by said manufacturer.
- The Contractor shall make certain all electrical and mechanical equipment is examined, adjusted and repaired or replaced as necessary.
- Location of all sensors in sump, main tank, day oil tank etc.
- Location of manufacturer cut sheet indicating the proper method of testing of different parameter of TMS3000.
- Main panel shall indicate what circuit breaker supplies power and location of the panel where that circuit is located.
- Verify proper connection of each device, including any ground connections, verify proper terminal tightness/torque and verify that wiring is maintained for proper electrical clearance.
- Check, inspect and clean all relays, external and internal, remove any debris found, verify free movement of all internal components, inspect contacts for signs of wear, arcing, etc.

The contractor shall conduct field test and verify the fuel management system performs the following functions:

- Automatic filling of all day oil tank once it reaches 50% of fuel level
- Manual filling of all day oil tank with manual command in touch screen
- All type of alarm/warning should be generated (leak, sensor based, low level, high level, low brine, high brine etc)

**c. Project cost:** All the work shall be a fixed price inclusive of all labor, equipment, materials, shipping, travel and per diem costs. Contractors are requested to quote for all labor required performing the Annual Maintenance Contract as stated in 'Scope of Work'. All the travel expenses, lodging, fooding expenses are to be included in pricing information.

**d. Safety:** Safety is the highest priority on this and all OBO/CFSM/FM projects. The contractor shall direct all of those under his charge to work safely. Regular safety meetings shall be held among on-site contractor personnel, and safety concerns shall be brought to the attention of the Post Safety and Health Officer (POSHO) and the COR.

**e. Requirements and deliverables:** The contractor shall provide one copy of a typed summary report within 30 days of site work statement completion. The report must be written in the English language:

- Narrative summary site report to include all findings, repairs or corrective measures, completed inspection and testing checklists.
- Site personnel training on Fuel Management System and Underground storage tank operation/maintenance system
- Recommended spare parts for system in both location

**f. Work planning:** The contractor shall plan, coordinate, and schedule all site work with the COR.

- At least one month's advance notice should be provided to COR regarding the date of servicing.
- All necessary materials, spare-parts, tools should reach US Embassy, Sofia, two weeks prior to start of work. (It takes at least 4-5 days in customs to clear and delivered in Embassy)
- For your reference, 5-Star hotel in close from city center and Embassy charge to embassy Visitors US\$110.00 per day for bed and breakfast.
- There will not be any airport expedite, pick up-drop and daily up-down from hotel for contractor during AMC. AMC personnel will be responsible for all related cost.
- The onsite team will be escorted whenever necessary.

**g. On site contact:** The following are the designated contact personnel between the US Embassy and the Contractor

-Facility Manager: (Duane Lambert, +35929395682, [LambertDM@state.gov](mailto:LambertDM@state.gov))

-Facility Engineer: (Apostol Vasillev, +35929395621, [PenevGP@state.gov](mailto:PenevGP@state.gov))

**CLAUSES FOR PURCHASE ORDERS AND BLANKET PURCHASE AGREEMENTS  
AWARDED BY OVERSEAS CONTRACTING ACTIVITIES  
(Current thru FAC 2020-03, dated 02/12/2020)**

**COMMERCIAL ITEMS**

**FAR 52.252-2 Clauses Incorporated By Reference (FEB 1998)**

This purchase order or BPA incorporates the following 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 address: <https://www.acquisition.gov/far>

DOSAR clauses may be accessed at: <http://www.statebuy.state.gov/dosar/dosartoc.htm>

**FEDERAL ACQUISITION REGULATION (48 CFR Chapter 1) CLAUSES**

<b>NUMBER</b>	<b>TITLE</b>	<b>DATE</b>
52.204-7	SYSTEM FOR AWARD MANAGEMENT	OCT 2018
52.204-9	Personal Identity Verification of Contractor Personnel (if contractor requires physical access to a federally-controlled facility or access to a Federal information system)	JAN 2011
52.204-13	SYSTEM FOR AWARD MANAGEMENT MAINTENANCE	OCT 2018
52.204-18	COMMERCIAL AND GOVERNMENT ENTITY CODE MAINTENANCE	JUL 2016
52.212-4	Contract Terms and Conditions – Commercial Items (Alternate I (MAY 2014) of 52.212-4 applies if the order is time-and-materials or labor-hour)	OCT 2018
52.225-19	Contractor Personnel in a Diplomatic or Consular Mission Outside the United States (applies to services at danger pay posts only)	MAR 2008
52.227-19	Commercial Computer Software License (if order is for software)	DEC 2007
52.228-3	Workers' Compensation Insurance (Defense Base Act) (if order is for services and contractor employees are covered by Defense Base Act insurance)	JUL 2014
52.228-4	Workers' Compensation and War-Hazard Insurance (if order is for services and contractor employees are <u>not</u> covered by Defense Base Act insurance)	APR 1984

*52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders-Commercial Items. (JAN 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 items:

(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 (Jul 2018) (Section 1634 of Pub. L. 115-91).

(3) [52.204-25](#), Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (Aug 2019) (Section 889(a)(1)(A) of Pub. L. 115-232).

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

(5) [52.233-3](#), Protest After Award (Aug 1996) ([31 U.S.C. 3553](#)).

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

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

[Contracting Officer check as appropriate.]

\_\_ (1) [52.203-6](#), Restrictions on Subcontractor Sales to the Government (Sept 2006), with Alternate I (Oct 1995) ([41 U.S.C. 4704](#) and [10 U.S.C. 2402](#)).

\_\_ (2) [52.203-13](#), Contractor Code of Business Ethics and Conduct (Oct 2015) ([41 U.S.C. 3509](#)).

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

\_\_ (4) [52.204-10](#), Reporting Executive Compensation and First-Tier Subcontract Awards (Oct 2018) (Pub. L. 109-282) ([31 U.S.C. 6101 note](#)).

\_\_ (5)[Reserved].

\_\_ (6) [52.204-14](#), Service Contract Reporting Requirements (Oct 2016) (Pub. L. 111-117, section 743 of Div. C).

\_\_ (7) [52.204-15](#), Service Contract Reporting Requirements for Indefinite-Delivery Contracts (Oct 2016) (Pub. L. 111-117, section 743 of Div. C).

— (8) [52.209-6](#), Protecting the Government’s Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (*Oct* 2015) ([31 U.S.C. 6101 note](#)).

— (9) [52.209-9](#), Updates of Publicly Available Information Regarding Responsibility Matters (*Oct* 2018) ([41 U.S.C. 2313](#)).

— (10)[Reserved].

— (11)

(i) [52.219-3](#), Notice of HUBZone Set-Aside or Sole-Source Award (*Nov* 2011) ([15 U.S.C.657a](#)).

— (ii) Alternate I (*Nov* 2011) of [52.219-3](#).

— (12)

(i) [52.219-4](#), Notice of Price Evaluation Preference for HUBZone Small Business Concerns (*Oct* 2014) (if the offeror elects to waive the preference, it shall so indicate in its offer) ([15 U.S.C. 657a](#)).

— (ii) Alternate I (*Jan* 2011) of [52.219-4](#).

— (13)[Reserved]

— (14)

(i) [52.219-6](#), Notice of Total Small Business Set-Aside (*Nov* 2011) ([15 U.S.C.644](#)).

— (ii) Alternate I (*Nov* 2011).

— (iii) Alternate II (*Nov* 2011).

— (15)

(i) [52.219-7](#), Notice of Partial Small Business Set-Aside (*June* 2003) ([15 U.S.C. 644](#)).

— (ii) Alternate I (*Oct* 1995) of [52.219-7](#).

— (iii) Alternate II (*Mar* 2004) of [52.219-7](#).

— (16) [52.219-8](#), Utilization of Small Business Concerns (*Oct* 2018) ([15 U.S.C. 637\(d\)\(2\)](#) and (3)).

— (17)

(i) [52.219-9](#), Small Business Subcontracting Plan (*Aug* 2018) ([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 (*Nov* 2016) of [52.219-9](#).
- (v) Alternate IV (*Aug* 2018) of [52.219-9](#)
- (18) [52.219-13](#), Notice of Set-Aside of Orders (*Nov* 2011) ([15 U.S.C. 644\(r\)](#)).
- (19) [52.219-14](#), Limitations on Subcontracting (*Jan* 2017) ([15 U.S.C.637\(a\)\(14\)](#)).
- (20) [52.219-16](#), Liquidated Damages-Subcontracting Plan (*Jan* 1999) ([15 U.S.C. 637\(d\)\(4\)\(F\)\(i\)](#)).
- (21) [52.219-27](#), Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (*Oct* 2019) ([15 U.S.C. 657f](#)).
- (22) [52.219-28](#), Post Award Small Business Program Rerepresentation (*Jul* 2013) ([15 U.S.C. 632\(a\)\(2\)](#)).
- (23) [52.219-29](#), Notice of Set-Aside for, or Sole Source Award to, Economically Disadvantaged Women-Owned Small Business Concerns (*Dec* 2015) ([15 U.S.C. 637\(m\)](#)).
- (24) [52.219-30](#), Notice of Set-Aside for, or Sole Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program (*Dec* 2015) ([15 U.S.C. 637\(m\)](#)).
- (25) [52.222-3](#), Convict Labor (*June* 2003) (E.O.11755).
- (26) [52.222-19](#), Child Labor-Cooperation with Authorities and Remedies (*Jan* 2020) (E.O.13126).
- (27) [52.222-21](#), Prohibition of Segregated Facilities (*Apr* 2015).
- (28)
- (i) [52.222-26](#), Equal Opportunity (*Sept* 2016) (E.O.11246).
  - (ii) Alternate I (*Feb* 1999) of [52.222-26](#).
- (29)
- (i) [52.222-35](#), Equal Opportunity for Veterans (*Oct* 2015) ([38 U.S.C. 4212](#)).
- (ii) Alternate I (*July* 2014) of [52.222-35](#).
- (30)
- (i) [52.222-36](#), Equal Opportunity for Workers with Disabilities (*Jul* 2014) ([29 U.S.C.793](#)).
- (ii) Alternate I (*July* 2014) of [52.222-36](#).

— (31) [52.222-37](#), Employment Reports on Veterans (*Feb 2016*) ([38 U.S.C. 4212](#)).

— (32) [52.222-40](#), Notification of Employee Rights Under the National Labor Relations Act (*Dec 2010*) (E.O. 13496).

— (33)

(i) [52.222-50](#), Combating Trafficking in Persons (*Jan 2019*) ([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).

— (34) [52.222-54](#), Employment Eligibility Verification (*Oct 2015*). (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial items as prescribed in [22.1803](#).)

— (35)

(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.)

— (36) [52.223-11](#), Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (*Jun 2016*) (E.O. 13693).

— (37) [52.223-12](#), Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (*Jun 2016*) (E.O. 13693).

— (38)

(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](#).

— (39)

(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](#).

— (40) [52.223-15](#), Energy Efficiency in Energy-Consuming Products (*Dec 2007*) ([42 U.S.C. 8259b](#)).

— (41)

(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](#).
- (42) [52.223-18](#), Encouraging Contractor Policies to Ban Text Messaging While Driving (*Aug 2011*) (E.O. 13513).
- (43) [52.223-20](#), Aerosols (*Jun* 2016) (E.O. 13693).
- (44) [52.223-21](#), Foams (*Jun* 2016) (E.O. 13693).
- (45)
- (i) [52.224-3](#) Privacy Training (*Jan* 2017) (5 U.S.C. 552 a).
  - (ii) Alternate I (*Jan* 2017) of [52.224-3](#).
  - (46) [52.225-1](#), Buy American-Supplies (*May* 2014) ([41 U.S.C. chapter 83](#)).
  - (47)
  - (i) [52.225-3](#), Buy American-Free Trade Agreements-Israeli Trade Act (*May* 2014) ([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, 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) Alternate I (*May* 2014) of [52.225-3](#).
    - (iii) Alternate II (*May* 2014) of [52.225-3](#).
    - (iv) Alternate III (*May* 2014) of [52.225-3](#).
    - (48) [52.225-5](#), Trade Agreements (*Oct* 2019) ([19 U.S.C. 2501](#), *et seq.*, [19 U.S.C. 3301](#) note).
    - (49) [52.225-13](#), Restrictions on Certain Foreign Purchases (*June* 2008) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).
    - (50) [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](#)).
    - (51) [52.226-4](#), Notice of Disaster or Emergency Area Set-Aside (*Nov* 2007) ([42 U.S.C. 5150](#)).
    - (52) [52.226-5](#), Restrictions on Subcontracting Outside Disaster or Emergency Area (*Nov* 2007) ([42 U.S.C. 5150](#)).
    - (53) [52.232-29](#), Terms for Financing of Purchases of Commercial Items (*Feb* 2002) ([41 U.S.C.4505](#), [10 U.S.C.2307\(f\)](#)).
    - (54) [52.232-30](#), Installment Payments for Commercial Items (*Jan* 2017) ([41 U.S.C.4505](#), [10 U.S.C.2307\(f\)](#)).

— (55) [52.232-33](#), Payment by Electronic Funds Transfer-System for Award Management (Oct 2018) ([31 U.S.C. 3332](#)).

— (56) [52.232-34](#), Payment by Electronic Funds Transfer-Other than System for Award Management (Jul 2013) ([31 U.S.C.3332](#)).

— (57) [52.232-36](#), Payment by Third Party (May 2014) ([31 U.S.C.3332](#)).

— (58) [52.239-1](#), Privacy or Security Safeguards (Aug 1996) ([5 U.S.C. 552a](#)).

— (59) [52.242-5](#), Payments to Small Business Subcontractors (Jan 2017) ([15 U.S.C. 637\(d\)\(13\)](#)).

— (60)

(i) [52.247-64](#), Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) ([46 U.S.C. Appx. 1241\(b\)](#) and [10 U.S.C. 2631](#)).

— (ii) Alternate I (Apr 2003) of [52.247-64](#).

— (iii) Alternate II (Feb 2006) 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 items:

[Contracting Officer check as appropriate.]

— (1) [52.222-17](#), Nondisplacement of Qualified Workers (May 2014)(E.O. 13495).

— (2) [52.222-41](#), Service Contract Labor Standards (Aug 2018) ([41 U.S.C. chapter 67](#)).

— (3) [52.222-42](#), Statement of Equivalent Rates for Federal Hires (May 2014) ([29 U.S.C. 206](#) and [41 U.S.C. chapter 67](#)).

— (4) [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](#)).

— (5) [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](#)).

— (6) [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](#)).

— (7) [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](#)).

— (8) [52.222-55](#), Minimum Wages Under Executive Order 13658 (Dec 2015).

— (9) [52.222-62](#), Paid Sick Leave Under Executive Order 13706 (*Jan 2017*) (E.O. 13706).

— (10) [52.226-6](#), Promoting Excess Food Donation to Nonprofit Organizations (*May 2014*) ([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, 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 items. 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 (*Oct 2015*) ([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 (*Jul 2018*) (Section 1634 of Pub. L. 115-91).

(iv) [52.204-25](#), Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (*Aug 2019*) (Section 889(a)(1)(A) of Pub. L. 115-232).

(v) [52.219-8](#), Utilization of Small Business Concerns (*Oct 2018*) ([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 \$700,000 (\$1.5 million for construction of any public

facility), the subcontractor must include [52.219-8](#) in lower tier subcontracts that offer subcontracting opportunities.

(vi) [52.222-17](#), Nondisplacement of Qualified Workers (*May 2014*) (E.O. 13495). Flow down required in accordance with paragraph (l) of FAR clause [52.222-17](#).

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

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

(ix) [52.222-35](#), Equal Opportunity for Veterans (*Oct 2015*) ([38 U.S.C.4212](#)).

(x) [52.222-36](#), Equal Opportunity for Workers with Disabilities (*Jul 2014*) ([29 U.S.C.793](#)).

(xi) [52.222-37](#), Employment Reports on Veterans (*Feb 2016*) ([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 (*Jan 2019*) ([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 (*Oct 2015*) (E.O. 12989).

(xviii) [52.222-55](#), Minimum Wages Under Executive Order 13658 (*Dec 2015*).

(xix) [52.222-62](#), Paid Sick Leave Under Executive Order 13706 (*Jan 2017*) (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. 2302 Note](#)).

(xxii) [52.226-6](#), Promoting Excess Food Donation to Nonprofit Organizations (*May* 2014) ([42 U.S.C. 1792](#)). Flow down required in accordance with paragraph (e) of FAR clause [52.226-6](#).

(xxiii) [52.247-64](#), Preference for Privately Owned U.S.-Flag Commercial Vessels (*Feb* 2006) ([46 U.S.C. Appx.1241\(b\)](#) 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 items a minimal number of additional clauses necessary to satisfy its contractual obligations.

(End of clause)

**DEPARTMENT OF STATE ACQUISITION REGULATION (48 CFR Chapter 6)  
CLAUSES**

<b>NUMBER</b>	<b>TITLE</b>	<b>DATE</b>
652.225-71	Section 8(a) of the Export Administration Act of 1979, As Amended (if order exceeds simplified acquisition threshold)	AUG 1999
652.229-70	Excise Tax Exemption Statement for Contractors Within the United States (for supplies to be delivered to an overseas post)	JUL 1988
652.229-71	Personal Property Disposition at Posts Abroad	AUG 1999
652.237-72	Observance of Legal Holidays and Administrative Leave (for services where performance will be on-site in a Department of State facility)	APR 2004
652.239-71	Security Requirements for Unclassified Information Technology Resources (for orders that include information technology resources or services in which the contractor will have physical or electronic access to Department information that directly supports the mission of the Department)	SEP 2007
652.242-70	Contracting Officer's Representative (if a COR will be named for the order) Fill-in for paragraph b: "The COR is _____"	AUG 1999
652.242-71	Notice of Shipments	JUL 1988
652.242-73	Authorization and Performance	AUG 1999
652.243-70	Notices	AUG 1999
652.247-71	Shipping Instruction	FEB 2015

The following clause is provided in full text, and is applicable for orders for services that will require contractor employees to perform on-site at a DOS location and/or that require contractor employees to have access to DOS information systems:

**652.204-70 Department of State Personal Identification Card Issuance Procedures  
(MAY 2011)**

(a) The Contractor shall comply with the Department of State (DOS) Personal Identification Card Issuance Procedures for all employees performing under this contract who require frequent and continuing access to DOS facilities, or information systems. The Contractor shall insert this clause in all subcontracts when the subcontractor's employees will require frequent and continuing access to DOS facilities, or information systems.

(b) The DOS Personal Identification Card Issuance Procedures may be accessed at <http://www.state.gov/m/ds/rls/rpt/c21664.htm>.

(End of clause)