

Dhaka, Bangladesh

September 1, 2015

Dear Prospective Offeror/Quoter:

The American Embassy, Dhaka, Bangladesh, has a requirement for a contractor for local furniture at the Public Affairs Section (PAS), American Embassy, Dhaka. You are invited to submit quotes. The Request for Quotations (RFQ) consists of the following sections:

1. Standard Form SF-18
2. Scope of Work/Bid Schedule
3. Drawings

The Embassy plans to award a purchase order. You are encouraged to make your quote competitive. You are also cautioned against any collusion with other potential offerors in regard to price quotations to be submitted. The RFQ does not commit American Embassy, Dhaka, Bangladesh to make any award. The Embassy may cancel this RFQ or any part of it.

You are requested to be present at Public Affairs Section (PAS) at **16:00 hours for site visit on September 8, 2015.**

In order to obtain the solicitation package, please forward a request to e-mail: DhakaProc@state.gov. You can also download the solicitation package from the Embassy website: <http://dhaka.usembassy.gov> (under the Business Opportunities folder).

Please read the RFQ carefully, and if you are interested, submit your quotation. Return the completed SF-18 to the address shown in Block 5a of the SF-18 by **1600 hours on September 14, 2015**. Oral quotations will not be accepted.

Sincerely,

David Nickerson
Contracting Officer

Enclosure: as stated

Note: If you are interested to attend the site visit, please provide us the name of person (s) to the below e-mail address by September 6, 2015:

E-mail: DhakaProc@state.gov.

Request for Quotations (RFQ)

REQUEST FOR QUOTATIONS <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 1	PAGES 16	
1. REQUEST NO. SBG30015Q1077		2. DATE ISSUED 09/01/2015		3. REQUISITION/PURCHASE REQUEST NO. PR4629269		4. CERT. FOR NAT. DEF. UNDER BDSA REG. 2 AND/OR DMS REG. 1		RATING
5A. ISSUED BY Procurement & Contracting Section, Embassy Annex, Baridhara, Dhaka						6. DELIVER BY (Date)		
5B. FOR INFORMATION CALL: (Name and telephone no.) (No collect calls)						7. DELIVERY		
NAME Shahana Begum – Contracting Specialist Khan Jahan Ali – Procurement Manager				TELEPHONE NUMBER		<input type="checkbox"/> FOB DESTINATION <input type="checkbox"/> OTHER (See Schedule)		
		AREA CODE		NUMBER 5566-2128				
8. TO:						9. DESTINATION		
a. NAME			b. COMPANY			a. NAME OF CONSIGNEE		
c. STREET ADDRESS						b. STREET ADDRESS		
d. CITY			e. STATE		f. ZIP CODE		c. CITY	
							d. STATE e. ZIP CODE	
10. PLEASE FURNISH QUOTATIONS TO THE ISSUING OFFICE IN BLOCK 5A ON OR BEFORE CLOSE OF BUSINESS (Date) 09/14/2015			IMPORTANT: 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)			
X	Supply & installation of furniture at the Public Affairs Section (PAS), American Embassy, Dhaka as per attached scope of work, drawings and bid schedule. Please see attached for details. Date of commencement: Immediately after issuing a purchase order. You are requested to be present at Public Affairs Section (PAS) at 16:00 hours for site visit on September 8, 2015.							
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 [] 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	

AUTHORIZED FOR LOCAL REPRODUCTION
Previous edition not usable

STANDARD FORM 18 (Rev. 6-95)
Prescribed by GSA-FAR (48 CFR) 53.215-1(a)

Supply & Installation of Furniture at the PAS

Period of performance: 90 calendar days

Scope of Works:

A. Library

1) Wooden book shelf:

- i. Wooden book shelf to be constructed, using well-matured and well-seasoned solid teak wood. Width of the shelf unit should be 16” and the each of the panel size should not be bigger than 48”X16”. Edges should be filleted. The book shelf should be polished. Total sft is mentioned in the bid schedule.

2) Wooden magazine shelf:

- i. A wooden magazine shelf is to be made with matching wood used for the wooden book shelf described in Item # 1, i.e. well-matured and well-seasoned teak wood. The width of the magazine shelf should be 16”. It to be “L” shaped and each leg should be 24” long as shown in the drawing. Height to be 7’-0”. Edges should be filleted. It should be polished.

3) Storage cabinet:

- i. A storage cabinet of size 108”x 36” x 18” with a sliding door is to be fabricated. Edges should be filleted. It should be polished.

4) Wall-mounted platform for desk top computer:

- i. Metal platform of 18” width to be erected at a height of 48”. Surface to be smooth and all the edges and the corners to be filleted. It should be painted with grey colored deco paint. Inverted “L” support can be used to mount the platform with the wall. Dimensions are shown in the attached drawing.

5) Wall mounted i –Pad stand:

- i. Metal platform of 15” width to be erected at a height of 48”. Surface to be smooth and all the edges and the Corners to be filleted. It should be painted with blue colored deco paint. Inverted “L” support can be used to mount the platform with the wall. Dimensions are shown in the attached drawing.

6) Reception Area:

- i. Reception desk as shown in the drawing is to be fabricated with veneered wood. There should be substantial space dedicated to storage below the table. Graphical images should be prepared as per direction of the COR and after approval, the reception desk to be fabricated.
- ii. i-Pad register stand semi-circular and 2'-0" diameter to be fabricated as shown in the attached drawing and as per direction of the COR.

7) Supervisors' Office:

- i. Two storage cabinets of 18"X72"X96" with sliding door to be fabricated as per direction of THE COR. Edges should be filleted. It should be polished. For convenience it can be made up in pieces. Cabinets to be placed and attached securely to the wall.

8) Children's Corner:

- i. Wooden book shelf to be built with well-matured and well-seasoned solid teak wood, matching the same wood used in construction of other library space shelves. Width of the shelf should be 14" and the panel size should not be bigger than 48"X16". Edges should be filleted.
- ii. A rectangular table of 18"X48" size and 24" height to be made up with veneered wood/ metal sheet. Edges and the Corners should be filleted. It should be polished/ painted with deco paint with a color specified by THE COR. It should contain a tray for keyboard and holes for electrical and data cables. Design should be approved before starting of the fabrication works.
- iii. A semi-circular table of 36" diameter and 24" height to be built with veneered wood/ metal sheet. Edges and the Corners should be filleted. It should be polished/ painted with deco paint with a color specified by the COR. It should contain a tray for keyboard and holes for electrical and data cables. Design should be approved by THE COR before starting of fabrication works.

9) Makers' Space:

- i. Wooden shelf to be built with well-matured and well-seasoned solid teak wood to match the wood used in other parts of the library. Width of shelf should be 24" and panel size should not be bigger than 48"X24". Edges should be filleted. It should be polished with a color specified by the COR. Shelf to be placed and attached securely to the wall so that it remains in position during Code specified seismic ground shaking.
- ii. A table of 30"X72" size and 36" height to be built with veneered wood/ metal sheet. Edges and the Corners should be filleted. It should be polished/ painted with deco paint with a color specified by the COR. It should contain holes for electrical and data cables. Design should be approved by the COR before starting of fabrication works.

10) Map table:

- i. A U S map shaped table to be fabricated with 25 mm Clear Acrylic Sheet. The map of the USA will be supplied by the COR. Design should be approved by the COR before starting of fabrication works. It to be 8'-4" long. It should be colorful and polished/painted with superior quality paint and colors should be approved by the COR.

11) Hexagonal table:

- i. Hexagonal table(s) of 30" edges and 30" height to be built with veneered/plastic wood. Edges and the Corners should be filleted. Specific number of tables to be determined. It should be polished/ painted with deco paint with a color specified by the COR. Graphical images should be approved by the COR before starting of fabrication works.

B. Auditorium

12) Stage:

- i. A rectangular table of 2'-0"X8'-0" size and 30" height to be made up with well-matured and well-seasoned solid teak wood. Edges and the corners should be filleted. It should be polished. Design should be approved by the COR before starting of fabrication works.

13) Podium:

- i. A rectangular podium of 2'-0"X2'-0"x 4 feet high to be made up with well-matured and well-seasoned solid teak wood. It should be polished and to be covered with soft velvet cloth on the sides.

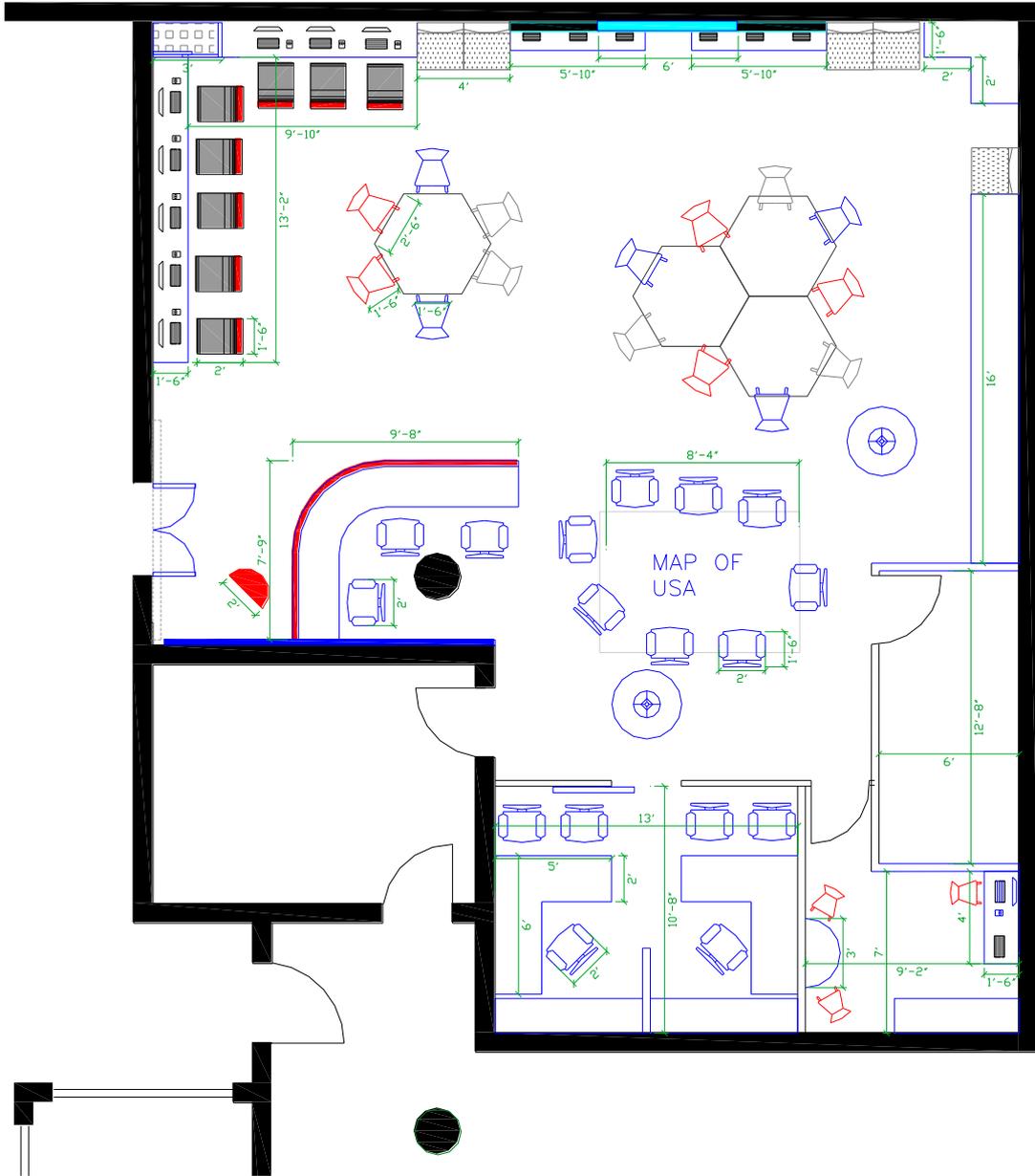
14) Equipment table:

- i. A rectangular table of 2'-0"X3'-0" size and 30" height to be made up with well-matured and well-seasoned solid teak wood. Edges and the corners should be filleted. It should be polished and to be covered with a soft velvet cloth. Color should be approved by the COR. Design should be approved by the COR before starting of fabrication works.

15) Refreshment table:

- i. Two rectangular tables of 3'-0" width and 30" height to be built with well-matured and well-seasoned solid teak wood. Edges and the corners should be filleted. It should be polished and be covered with a soft velvet cloth. Color should be approved by the COR.

Drawing A: Library



Pictures (Library)

1) Wooden book shelf



4) Wall mounted platform for desk top computer



6) Reception inscription



6) Reception inscription



Local Furniture for PAS 2015

Bid Schedule:

#	Description	Unit	Quantity	Rate (Tk.)	Amount (Tk.)
A	Library				
4	<u>Wooden book shelf</u>				
i	Fabrication	sft	160	-	
ii	Fitting	sft	Lot	-	
5	<u>Wooden magazine shelf</u>				
i	Fabrication	sft	50	-	
ii	Fitting	sft	Lot	-	
6	<u>Storage cabinet</u>				
i	Fabrication	sft	30	-	-
ii	Fitting	sft	Lot	-	-
7	<u>Wall mounted platform for desk top computer</u>				
i	Fabrication of platform	Rft	25	-	-
8	<u>Wall mounted i –Pad stand</u>				
i	Fabrication of platform	Rft	12	-	-
9	<u>Reception Area</u>				
i	Fabrication of reception desk	Rft	18	-	-
iv	Semi circular i-Pad register stand	set	1	-	-
10	<u>Supervisors' room</u>				
i	Storage cabinet	sft	96	-	-
ii	Desk	set	2	-	-
11	<u>Children's' corner</u>				

i	Wooden book shelf	sft	25	-	-
ii	Table	sft	6	-	-
iv	semi-circular table	sft	4	-	-
12 Makers' space					
i	Wooden book shelf	sft	48	-	-
ii	Table	sft	15	-	-
13 Map table					
i	Table	sft	35	-	-
14 Hexagonal table					
i	Table (16.24 sft each)	each	4	-	-
B Auditorium					
21 Stage					
22	Podium	set	1	-	-
-					
23 Equipment table					
i	Table	sft	6	-	-
25 Refreshment table					
				Total	
				Taka =	

CLAUSES FOR PURCHASE ORDERS AND BLANKET PURCHASE AGREEMENTS AWARDED BY OVERSEAS CONTRACTING ACTIVITIES
(Current thru FAC 2005-73-75)

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>

E. FEDERAL ACQUISITION REGULATION (48 CFR Chapter 1) CLAUSES

NUMBER	TITLE	DATE
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
52.212-4	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)	MAY 2014
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

The following clause is provided in full text:

52.212-5 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS—COMMERCIAL ITEMS (JUN 2014)

(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) 52.222-50, Combating Trafficking in Persons (Feb 2009) (22 U.S.C. 7104(g)).
Alternate I (Aug 2007) of 52.222-50 (22 U.S.C. 7104(g)).
- (2) 52.233-3, Protest After Award (AUG 1996) (31 U.S.C. 3553).
- (3) 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 (Apr 2010) (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 (Jul 2013) (Pub. L. 109-282) (31 U.S.C. 6101 note).
- ___ (5) [Reserved].
- ___ (6) 52.204-14, Service Contract Reporting Requirements (Jan 2014) (Pub. L. 111-117, section 743 of Div. C).
- ___ (7) 52.204-15, Service Contract Reporting Requirements for Indefinite-Delivery Contracts (Jan 2014) (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. (Aug 2013) (31 U.S.C. 6101 note).
- ___ (9) 52.209-9, Updates of Publicly Available Information Regarding Responsibility Matters (Jul 2013) (41 U.S.C. 2313).
- ___ (10) 52.209-10, Prohibition on Contracting with Inverted Domestic Corporations (May 2012) (section 738 of Division C of Pub. L. 112-74, section 740 of Division C of Pub. L. 111-117, section 743 of Division D of Pub. L. 111-8, and section 745 of Division D of Pub. L. 110-161).
- ___ (11) 52.219-3, Notice of HUBZone Set-Aside or Sole-Source Award (Nov 2011) (15 U.S.C. 657a).
- ___ (12) 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns (JAN 2011) (if the offeror elects to waive the preference, it shall so indicate in its offer) (15 U.S.C. 657a).
- ___ (13) [Reserved]
- ___ (14)(i) 52.219-6, Notice of Total Small Business Set-Aside (Nov 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 (May 2014) (15 U.S.C. 637(d)(2) and (3)).
- ___ (17)(i) 52.219-9, Small Business Subcontracting Plan (Jul 2013) (15 U.S.C. 637(d)(4)).
- ___ (ii) Alternate I (Oct 2001) of 52.219-9.
- ___ (iii) Alternate II (Oct 2001) of 52.219-9.
- ___ (iv) Alternate III (Jul 2010) 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 (Nov 2011) (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)(i) 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Business Concerns (OCT 2008) (10 U.S.C. 2323) (if the offeror elects to waive the adjustment, it shall so indicate in its offer).
- ___ (ii) Alternate I (June 2003) of 52.219-23.
- ___ (22) 52.219-25, Small Disadvantaged Business Participation Program—Disadvantaged Status and Reporting (Jul 2013) (Pub. L. 103-355, section 7102, and 10 U.S.C. 2323).
- ___ (23) 52.219-26, Small Disadvantaged Business Participation Program— Incentive Subcontracting (Oct 2000) (Pub. L. 103-355, section 7102, and 10 U.S.C. 2323).
- ___ (24) 52.219-27, Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (Nov 2011) (15 U.S.C. 657 f).

- __ (25) 52.219-28, Post Award Small Business Program Rerepresentation (Jul 2013) (15 U.S.C. 632(a)(2)).
- __ (26) 52.219-29, Notice of Set-Aside for Economically Disadvantaged Women-Owned Small Business (EDWOSB) Concerns (Jul 2013) (15 U.S.C. 637(m)).
- __ (27) 52.219-30, Notice of Set-Aside for Women-Owned Small Business (WOSB) Concerns Eligible Under the WOSB Program (Jul 2013) (15 U.S.C. 637(m)).
- __ (28) 52.222-3, Convict Labor (June 2003) (E.O. 11755).
- __ (29) 52.222-19, Child Labor—Cooperation with Authorities and Remedies (Jan 2014) (E.O. 13126).
- __ (30) 52.222-21, Prohibition of Segregated Facilities (Feb 1999).
- __ (31) 52.222-26, Equal Opportunity (Mar 2007) (E.O. 11246).
- __ (32) 52.222-35, Equal Opportunity for Veterans (Sep 2010)(38 U.S.C. 4212).
- __ (33) 52.222-36, Affirmative Action for Workers with Disabilities (Oct 2010) (29 U.S.C. 793).
- __ (34) 52.222-37, Employment Reports on Veterans (SEP 2010) (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) 52.222-54, Employment Eligibility Verification (AUG 2013). (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.)
- __ (37)(i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA–Designated Items (May 2008) (42 U.S.C. 6962(c)(3)(A)(ii)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
- __ (ii) Alternate I (May 2008) of 52.223-9 (42 U.S.C. 6962(i)(2)(C)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
- __ (38)(i) 52.223-13, Acquisition of EPEAT®-Registered Imaging Equipment (JUN 2014) (E.O. 13423 and 13514).
- __ (ii) Alternate I (Jun 2014) of 52.223-13.
- __ (39)(i) 52.223-14, Acquisition of EPEAT®-Registered Televisions (E.O. 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 (JUN 2014) (E.O. 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) 52.225-1, Buy American—Supplies (May 2014) (41 U.S.C. chapter 83).
- __ (44)(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.
- __ (45) 52.225-5, Trade Agreements (Nov 2013) (19 U.S.C. 2501, *et seq.*, 19 U.S.C. 3301 note).
- __ (46) 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).
- __ (47) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Jul 2013) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).
- __ (48) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (Nov 2007) (42 U.S.C. 5150).
- __ (49) 52.226-5, Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov 2007) (42 U.S.C. 5150).
- __ (50) 52.232-29, Terms for Financing of Purchases of Commercial Items (Feb 2002) (41 U.S.C. 4505, 10 U.S.C. 2307(f)).

— (51) 52.232-30, Installment Payments for Commercial Items (Oct 1995) (41 U.S.C. 4505, 10 U.S.C. 2307(f)).

— (52) 52.232-33, Payment by Electronic Funds Transfer—System for Award Management (Jul 2013) (31 U.S.C. 3332).

— (53) 52.232-34, Payment by Electronic Funds Transfer—Other than System for Award Management (Jul 2013) (31 U.S.C. 3332).

— (54) 52.232-36, Payment by Third Party (May 2014) (31 U.S.C. 3332).

— (55) 52.239-1, Privacy or Security Safeguards (Aug 1996) (5 U.S.C. 552a).

— (56)(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.

(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) 52.222-41, Service Contract Labor Standards (May 2014) (41 U.S.C. chapter 67).

— (2) 52.222-42, Statement of Equivalent Rates for Federal Hires (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

— (3) 52.222-43, Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (Multiple Year and Option Contracts) (May 2014) (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) 52.222-17, Nondisplacement of Qualified Workers (May 2014) (E.O.13495).

— (8) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (May 2014) (42 U.S.C. 1792).

— (9) 52.237-11, Accepting and Dispensing of \$1 Coin (Sept 2008) (31 U.S.C. 5112(p)(1)).

(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 (Apr 2010) (41 U.S.C. 3509).
 - (ii) 52.219-8, Utilization of Small Business Concerns (May 2014) (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 \$650,000 (\$1.5 million for construction of any public facility), the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.
 - (iii) 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.
 - (iv) 52.222-26, Equal Opportunity (Mar 2007) (E.O. 11246).
 - (v) 52.222-35, Equal Opportunity for Veterans (Sep 2010) (38 U.S.C. 4212).
 - (vi) 52.222-36, Affirmative Action for Workers with Disabilities (Oct 2010) (29 U.S.C. 793).
 - (vii) 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.
 - (viii) 52.222-41, Service Contract Labor Standards (May 2014) (41 U.S.C. chapter 67).
 - (ix) 52.222-50, Combating Trafficking in Persons (Feb 2009) (22 U.S.C. 7104(g)).
 ___Alternate I (Aug 2007) of 52.222-50 (22 U.S.C. 7104(g)).
 - (x) 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).
 - (xi) 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).
 - (xii) 52.222-54, Employment Eligibility Verification (AUG 2013).
 - (xiii) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Jul 2013) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).
 - (xiv) 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.
 - (xv) 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

NUMBER	TITLE	DATE
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	SEP 2007

	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)	
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 (for overseas shipment of supplies)	JUL 1988
652.242-73	Authorization and Performance	AUG 1999
652.243-70	Notices	AUG 1999

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)