



Embassy of the United States of America
San Salvador, El Salvador, C.A.
April 6, 2015

Dear Prospective Offeror/Quoter:

The American Embassy San Salvador, has a requirement for a contractor to provide construction materials, tools and equipment to be delivered to Ilobasco, Cabañas. You are invited to submit a quotation. The Request for Quotations (RFQ) consists of the following sections:

1. Standard Form SF-18
2. Basic information and specifications.

The Embassy plans to award a purchase order. 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.

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 April 17, 2015, at 10:00 a.m. Oral quotations will not be accepted.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Bowers".

Scott Bowers
Contracting Officer

Enclosure:
As Stated.

1. REQUEST NO. S-ES600-15-Q-0031	2. DATE ISSUED 04/01/2015	3. REQUISITION/PURCHASE REQUEST NO. PR4205563	4. CERT. FOR NAT. DEF. UNDER BDSA REG. 2 AND/OR DMS REG. 1	RATING
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5A. ISSUED BY General Services Office, American Embassy, (North Gate) Blvd. y Urb. Santa Elena, Antiguo Cuscatlán, El Salvador	6. DELIVER BY (Date) 30 DAYS
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5B. FOR INFORMATION CALL: (Name and telephone no.) (No collect calls)		7. DELIVERY	
NAME Mayra Melara	TELEPHONE NUMBER	FOB DESTINATION	X OTHER (See Schedule)
	AREA CODE	NUMBER 2501-2806	

8. TO:	9. DESTINATION
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a. NAME	b. COMPANY	a. NAME OF CONSIGNEE Centro Penitenciario de Ilobasco
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c. STREET ADDRESS	b. STREET ADDRESS Canton Sitio Viejo, Ilobasco Cabanas
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d. CITY	e. STATE	f. ZIP CODE	c. CITY El Salvador
			d. STATE e. ZIP CODE

10. PLEASE FURNISH QUOTATIONS TO THE ISSUING OFFICE IN BLOCK 5A ON OR BEFORE CLOSE OF BUSINESS (Date) April 17, 2015 at 10:00 a.m.	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
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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	Provide a quotation for construction materials, tools and equipment per attached list. Quotations to be delivered at the Embassy North Gate, final Calle Conchagua. Closing date: April 17, 2015 at 10:00 a.m. No late proposals will be accepted. IVA exemption card: EU-14-107	LUMP SUM			

12 DISCOUNT FOR PROMPT PAYMENT	a. 10 CALENDAR DAYS %	b. 20 CALENDAR DAYS %	c. 30 CALENDAR DAYS %	d. CALENDAR DAYS NUMBER %
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NOTE: Additional provisions and representations [] are [x] 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	

No.	Descripción	Unidad	Cantidad	Precio Unitario Estimado	Sub Total Estimado
1	Acelte para motor a dos tiempos	galón		28.00	
2	Barril metálico sellado, con capacidad de 55 galones cada uno, limpio	unidad		15.00	
3	Bota de hule	par		60.00	
4	Botiquín de primeros auxilios	unidad		3.00	
5	Brocha de 2"	unidad		30.00	
6	Brocha de 4"	unidad		30.00	
7	Calculadora científica, CASIO	unidad		3.00	
8	Cepillo de alambre con mango	unidad		30.00	
9	Diesel	galón		440.00	
10	Disco para metal 17/8" x 9"	unidad		50.00	
11	Gasolina tipo regular	galón		220.00	
12	Guante de cuero/lona	par		75.00	
13	Lápiz bicolor	unidad		100.00	
14	Lazo sintético de 3/4"	yda		100.00	
15	Lente de seguridad claro	unidad		60.00	
16	Lija para madera	piego		100.00	
17	Lija para metal	piego		75.00	
18	Manguera de vinil transparente 1/2"	yda		60.00	
19	Mascarilla desechable	unidad		200.00	
20	Pita nylon nº 18	rollo		10.00	
21	Silicón claro 30 ml	unidad		50.00	
22	Tanque plástico con capacidad de 3100 litros	unidad		1.00	
23	Tapones auditivos	par		100.00	
24	Terminal hembra para manguera de 1/2"	unidad		20.00	
25	Terminal macho para manguera de 1/2"	unidad		20.00	
26	Tirro 2"	rollo		25.00	
27	Unión para manguera de 1/2"	par		20.00	
28	Wipe en retazos grandes	libra		200.00	

No.	Descripción	Unidad	Cantidad	Precio Unitario Estimado	Sub Total Estimado
1	Adaptador macho de pvc ø 1/2"	unidad		20.00	
2	Adidur 200 gal	galón		2.00	
3	Alambre de amarre	libras		5627.00	
4	Arena de río	m3		350.00	
5	Barril plástico sin tapadera (55 gal)	unidad		6.00	
6	Cinta teflón 1/2"	rollo		25.00	
7	Clavo con cabeza 2 1/2"	libras		136.00	
8	Clavo con cabeza 4"	libras		20.00	
9	Clavo de acero 2 1/2"	unidad		1860.00	
10	Clavo para lámina, liso 2 1/2"	libras		10.00	
11	Codo de 1/2"x90 lisa	unidad		50.00	
12	Costanera de pino	varas		1000.00	
13	Cuadrón de pino de 4" x 2"	varas		1000.00	
14	Curador para concreto	galón		60.00	
15	Curva de 2"x90 lisa para drenaje	unidad		20.00	
16	Cemento portland tipo 1	bolsa		3000.00	
17	Curva de 4"x90 lisa para drenaje	unidad		30.00	
18	Curva de 6"x90 lisa para drenaje	unidad		12.00	
19	Curva pvc 4" o 45°	unidad		66.00	
20	Desenconfianza	galón		90.00	
21	Bloque de concreto stretcher e=15cms	unidad		17000.00	
22	Bloque de concreto stretcher e=20cms	unidad		1462.00	
23	Grava triturada de 3/4"	m3		261.00	
24	Grifo de 1/2" americano con adaptador para manguera	unidad		20.00	
25	Hierro liso # 4	pza		1.00	
26	Ho corrugado #2 grado 40	qq		62.00	
27	Ho corrugado #3 grado 40	qq		511.00	
28	Ho corrugado #3 grado 60	qq		1.00	
29	Ho corrugado #4 grado 40	qq		345.00	
30	Ho corrugado #4 grado 60	qq		37.00	
31	Ho corrugado #5 grado 40	qq		36.00	
32	Ho corrugado #5 grado 60	qq		45.00	
33	Ladrillo de barro	unidad		2161.00	
34	Lámina acanalada calibre 26, 3 x 1 yarda	pieza		932.00	
35	Lamina galvanizada lisa calibre 24	piego		77.00	
36	Bloque de concreto mitad e=15cms	unidad		4825.00	
37	Bloque de concreto mitad e=20cms	unidad		731.00	
38	Pegamento pvc	galón		9.00	
39	Perno ancla 1/4x2.1/4 wedge	unidad		264.00	
40	Perno goloso, 1/4" x 2"	unidad		120.00	
41	Pintura anticorrosiva	galón		30.00	
42	Playwood de 3/4" banac	pieza		221.00	
43	Reductor de pvc 1/2 a 3/4	unidad		5.00	
44	Reductor de pvc 4" a 2"	unidad		10.00	
45	Reductor de pvc 6" a 4"	unidad		12.00	
46	Sifón de pvc comentado ø 2"	unidad		10.00	
47	Sifón de pvc comentado ø 4"	unidad		10.00	
48	bloque de concreto solera e=15cms	unidad		1665.00	
49	bloque de concreto solera e=20cms	unidad		609.00	
50	Tabla de pino	varas		16.00	
51	Tierra amarilla	m3		704.00	
52	Tubería Galvanizada ø 2" tipo mediano	pza		12.00	
53	Tubería galvanizada ø 3" tipo mediano	pza		17.00	
54	Tubería pvc ø 1/2" 315 psi	pieza		9.00	
55	Tubería pvc ø 3/4" 250 psi	pieza		30.00	
56	Tubo pvc ø2" 100 psi	pieza		17.00	
57	Tubo pvc ø4" 100 psi	pieza		80.00	
58	Tubo pvc ø6" 100 psi	pieza		60.00	
59	Tubo pvc ø8" 100 psi	pieza		2.00	
60	Válvula de control a la pared para lavamanos	unidad		3.00	
61	Válvula de control a pared sanitario	unidad		3.00	
62	Válvula de control ø3/4", bronce	unidad		6.00	
63	Yee tee pvc ø6"	unidad		12.00	
Total Materiales					

No.	Descripción	Unidad	Cantidad	Precio Unitario Estimado	Sub Total Estimado
1	Alicate 6.5"	unidad	10.00		
2	Almódana 10 libras	unidad	4.00		
3	Almódana 2 libras	unidad	6.00		
4	Allanadora de 36", 4 hojas, motor gasolina de 4.8 hp	Unidad	1.00		
5	Amperímetro digital, 600V _{AC} - 600A _{AC} TES	c/u	1.00		
6	Andamio con crucetas, plataformas y rodos	juego	22.00		
7	Arnés de cuerpo completo con cuerda de vida (klímax)	unidad	10.00		
8	Azadón con cabo	unidad	2.00		
9	Barra lineal	unidad	3.00		
10	Barriles plásticos	unidad	15.00		
11	Bomba para insecticida, 20 litros	unidad	2.00		
12	Botiquín de primeros auxilios	unidad	3.00		
13	Broca de titanio 1/16-1/2" star	juego	5.00		
14	Cadena galvanizada de 1/2"	m	25.00		
15	Careta para esmerilar	unidad	10.00		
16	Careta para soldar	unidad	5.00		
17	Carretilla de heresa rueda de hule 4 pies	unidad	10.00		
18	Cascos blancos (north)	unidad	40.00		
19	Chaleco fluorescente color naranja	unidad	40.00		
20	Chimbo de acetileno y 3 cargas de 102 pies cúbicos	unidad	1.00		
21	Chimbo de oxígeno y 3 cargas de 220 pies cúbicos	unidad	1.00		
22	Chuzo de 1.8 libras con cabo largo	unidad	10.00		
23	Cincol 3/4"x7"	unidad	3.00		
24	Cinta métrica 8m	unidad	7.00		
25	Concretera manual, con capacidad de 9 pies cúbicos, a gasolina	unidad	3.00		
26	Cortafilo de 36"	unidad	1.00		
27	Cubeta 5 galones	unidad	25.00		
28	Cuchara para albañil, 8"	unidad	10.00		
29	Decámetro 30 m	unidad	1.00		
30	Dobladora de tubo conduit 1/2", GRENLEE, con brazo	c/u	1.00		
31	Equipo para soldadura autógena	juego	1.00		
32	Escala de dos bandas de 12', aluminio.	c/u	1.00		
33	Escala de extensión de 20 pies fibra de vidrio 135kgs tipo Ia	c/u	3.00		
34	Escala de extensión 24', aluminio. Tipo III, 90Kg.	c/u	1.00		
35	Escuadra metálicas 12"	unidad	5.00		
36	Esmeril angular 9", 4.1 hp	unidad	3.00		
37	Extensiones para 110 v 10m, 12/3	unidad	6.00		
38	Formón 1/2"	unidad	2.00		
39	Grifa de 1/4" - 3/8"	par	5.00		
40	Grifa de 3/8" - 1/2"	par	5.00		
41	Juego de 10 desarmadores PRO. Stanley.	c/u	2.00		
42	Llana para albañil	unidad	10.00		
43	Llave cangreja de 15"	unidad	2.00		
44	Manguera reforzada 100 pies	unidad	8.00		
45	Marco con sierra de 12"	unidad	5.00		
46	Martillo de bola de 2.5 lbs	unidad	2.00		
47	Martillo para carpintero	unidad	10.00		
48	Mascarilla de protección contra gases con filtro	unidad	3.00		
49	Navaja para electricista, KLEIN	c/u	2.00		
50	Nivel de aluminio de 36"	unidad	10.00		
51	Nivel estilo magnético de 9"	unidad	5.00		
52	Pala cuadrada, mango corto	c/u	1.00		
53	Pala dúplex, mango largo	c/u	1.00		
54	Pala punta redonda mango largo	unidad	20.00		
55	Pala redonda, mango corto	c/u	1.00		
56	Plocha con cabo	unidad	11.00		
57	Pistola para calafatear	unidad	4.00		
58	Plomada tipo trompo 400g	unidad	10.00		
59	Plomada de 8 onzas tipo topográfica	unidad	4.00		
60	Puntales metálicos hasta 4m capacidad 1.5ton	unidad	8.00		
61	Remachadora giratoria	unidad	1.00		
62	Rodillo y bandeja + 4 respuestos	juego	15.00		
63	Rotomartillo 1" 7amp	unidad	1.00		
64	SERRUCHO profesional 20"	unidad	3.00		
65	Set de llaves mixtas 1/4"-3/4"	juego	2.00		
66	Sierra caladora compacta de 5.5 amperios	unidad	1.00		
67	Sierra circular de 8-1/4"	unidad	2.00		
68	Sierra para marco diente ordinario	unidad	50.00		
69	Soldador Lincoln 35-225amperios 110-220volts	unidad	2.00		
70	Taladro de velocidad variable reversible de 1/2"	unidad	3.00		
71	Tecle de cadena con capacidad de 1 tonelada	unidad	4.00		
72	Tenaza para electricista de 9", KLEIN	c/u	4.00		
73	Ventilador de pedestal, tres velocidades	unidad	9.00		
74	Vibrocompactadora a base de gasolina	unidad	4.00		
Total Equipos y Herramientas					

Perishable materials: Vendor will be required to do partial deliveries.

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Delivery address will be:

Centro Penitenciario de Ilobasco
Al norte de Colonia Elen #1, Canton Sitio Viejo
Ilobasco, Cabanas

Payment terms: Net-30 days

Prices must not include IVA tax.

EVALUATION CRITERIA

Award will be made to the lowest priced, acceptable, responsible quoter. The Government reserves the right to reject quotations that are unreasonably low or high in price.

The Government will determine acceptability by assessing the offeror's compliance with the terms of the RFQ. The Government will determine responsibility by analyzing whether the apparent successful quoter complies with the requirements of FAR 9.1, including:

- ability to comply with the required performance period, taking into consideration all existing commercial and governmental business commitments;
- satisfactory record of integrity and business ethics;
- necessary organization, experience, and skills or the ability to obtain them;
- necessary equipment and facilities or the ability to obtain them; and
- otherwise qualified and eligible to receive an award under applicable laws and regulations.

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**

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 (OCT 2008) of 52.212-4 applies if the order is time-and-materials or labor-hour)	SEPT 2013
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
52.225-25	Prohibition on Contracting with Entities Engaging in Sanctioned Activities Relating to Iran – Representation and Certification (applies to acquisitions above the micropurchase threshold)	DEC 2012
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)	APR 1984
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 (SEPT 2013)

(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) (Pub. L. 108-77, 108-78).

(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. 253g and 10 U.S.C. 2402).
- ___ (2) 52.203-13, *Contractor Code of Business Ethics and Conduct* (Apr 2010) (Pub. L. 110-252, Title VI, Chapter 1 (41 U.S.C. 251 note)).
- ___ (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) 52.204-11, *American Recovery and Reinvestment Act—Reporting Requirements* (Jul 2010) (Pub. L. 111-5).
- ___ (6) 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).
- ___ (7) 52.209-9, *Updates of Publicly Available Information Regarding Responsibility Matters* (Jul 2013) (41 U.S.C. 2313).
- ___ (8) 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).
- ___ (9) 52.219-3, *Notice of HUBZone Set-Aside or Sole-Source Award* (Nov 2011) (15 U.S.C. 657a).
- ___ (10) 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).
- ___ (11) [Reserved]
- ___ (12)(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).
- ___ (13)(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.

- ___ (14) 52.219-8, *Utilization of Small Business Concerns* (Jul 2013) (15 U.S.C. 637(d)(2) and (3)).
- ___ (15)(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.
- ___ (16) 52.219-13, *Notice of Set-Aside of Orders* (Nov 2011)(15 U.S.C. 644(r)).
- ___ (17) 52.219-14, *Limitations on Subcontracting* (Nov 2011) (15 U.S.C. 637(a)(14)).
- ___ (18) 52.219-16, *Liquidated Damages—Subcontracting Plan* (Jan 1999) (15 U.S.C. 637(d)(4)(F)(i)).
- ___ (19)(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.
- ___ (20) 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).
- ___ (21) 52.219-26, *Small Disadvantaged Business Participation Program—Incentive Subcontracting* (Oct 2000) (Pub. L. 103-355, section 7102, and 10 U.S.C. 2323).
- ___ (22) 52.219-27, *Notice of Service-Disabled Veteran-Owned Small Business Set-Aside* (Nov 2011) (15 U.S.C. 657 f).
- ___ (23) 52.219-28, *Post Award Small Business Program Rerepresentation* (Jul 2013) (15 U.S.C. 632(a)(2)).
- ___ (24) 52.219-29, *Notice of Set-Aside for Economically Disadvantaged Women-Owned Small Business (EDWOSB) Concerns* (Jul 2013) (15 U.S.C. 637(m)).
- ___ (25) 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)).
- ___ (26) 52.222-3, *Convict Labor* (June 2003) (E.O. 11755).
- X (27) 52.222-19, *Child Labor—Cooperation with Authorities and Remedies* (Mar 2012) (E.O. 13126).
- ___ (28) 52.222-21, *Prohibition of Segregated Facilities* (Feb 1999).
- ___ (29) 52.222-26, *Equal Opportunity* (Mar 2007) (E.O. 11246).
- ___ (30) 52.222-35, *Equal Opportunity for Veterans* (Sep 2010)(38 U.S.C. 4212).
- ___ (31) 52.222-36, *Affirmative Action for Workers with Disabilities* (Oct 2010) (29 U.S.C. 793).

- ___ (32) 52.222-37, Employment Reports on Veterans (SEP 2010) (38 U.S.C. 4212).
- ___ (33) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496).
- ___ (34) 52.222-54, Employment Eligibility Verification (JUL 2012). (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) 52.223-15, Energy Efficiency in Energy-Consuming Products (DEC 2007) (42 U.S.C. 8259b).
- ___ (37)(i) 52.223-16, IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products (DEC 2007) (E.O. 13423).
- ___ (ii) Alternate I (DEC 2007) of 52.223-16.
- ___ (38) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (AUG 2011) (E.O. 13513).
- ___ (39) 52.225-1, Buy American Act—Supplies (Feb 2009) (41 U.S.C. 10a-10d).
- ___ (40)(i) 52.225-3, Buy American Act—Free Trade Agreements—Israeli Trade Act (Nov 2012) (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 (Mar 2012) of 52.225-3.
- ___ (iii) Alternate II (Mar 2012) of 52.225-3.
- ___ (iv) Alternate III (Nov 2012) of 52.225-3.
- ___ (41) 52.225-5, Trade Agreements (SEPT 2013) (19 U.S.C. 2501, *et seq.*, 19 U.S.C. 3301 note).
- ___ (42) 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).
- ___ (43) 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).
- ___ (44) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (Nov 2007) (42 U.S.C. 5150).

___ (45) 52.226-5, Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov 2007) (42 U.S.C. 5150).

___ (46) 52.232-29, Terms for Financing of Purchases of Commercial Items (Feb 2002) (41 U.S.C. 255(f), 10 U.S.C. 2307(f)).

___ (47) 52.232-30, Installment Payments for Commercial Items (Oct 1995) (41 U.S.C. 255(f), 10 U.S.C. 2307(f)).

X (48) 52.232-33, Payment by Electronic Funds Transfer—System for Award Management (Jul 2013) (31 U.S.C. 3332).

___ (49) 52.232-34, Payment by Electronic Funds Transfer—Other than System for Award Management (Jul 2013) (31 U.S.C. 3332).

___ (50) 52.232-36, Payment by Third Party (Jul 2013) (31 U.S.C. 3332).

___ (51) 52.239-1, Privacy or Security Safeguards (Aug 1996) (5 U.S.C. 552a).

___ (52)(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 Act of 1965 (Nov 2007) (41 U.S.C. 351, et seq.).

___ (2) 52.222-42, Statement of Equivalent Rates for Federal Hires (May 1989) (29 U.S.C. 206 and 41 U.S.C. 351, et seq.).

___ (3) 52.222-43, Fair Labor Standards Act and Service Contract Act—Price Adjustment (Multiple Year and Option Contracts) (Sep 2009) (29 U.S.C. 206 and 41 U.S.C. 351, et seq.).

___ (4) 52.222-44, Fair Labor Standards Act and Service Contract Act—Price Adjustment (Sep 2009) (29 U.S.C. 206 and 41 U.S.C. 351, et seq.).

___ (5) 52.222-51, Exemption from Application of the Service Contract Act to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements (Nov 2007) (41 351, et seq.).

___ (6) 52.222-53, Exemption from Application of the Service Contract Act to Contracts for Certain Services—Requirements (Feb 2009) (41 U.S.C. 351, et seq.).

___ (7) 52.222-17, Nondisplacement of Qualified Workers (JAN 2013) (E.O.13495).

___ (8) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (Mar 2009) (Pub. L. 110-247).

__ (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) (Pub. L. 110-252, Title VI, Chapter 1 (41 U.S.C. 251 note)).

(ii) 52.219-8, Utilization of Small Business Concerns (Jul 2013) (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 (JAN 2013) (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 Act of 1965 (Nov 2007) (41 U.S.C. 351, et seq.).

X (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 Act to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (Nov 2007) (41 U.S.C. 351, et seq.).

(xi) 52.222-53, Exemption from Application of the Service Contract Act to Contracts for Certain Services-Requirements (Feb 2009) (41 U.S.C. 351, et seq.).

(xii) 52.222-54, Employment Eligibility Verification (JUL 2012).

(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 (Mar 2009) (Pub. L. 110-247). 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 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 (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)

