

Solicitation Number S-ES60016Q0035

The Embassy of the United States of America has a requirement for a contractor to submit a quotation to provide Instructor Development Course, as per described in Attachment A.

Submit your proposal via e-mail to Kryssia Blandon at blandonki@state.gov on or before 16:00 on Tuesday, December 29, 2015. No proposal will be accepted after this time.

In order for a proposal to be considered, you must complete and submit the attached SF-18.

Please address any questions to:

Kryssia Blandon

Email: blandonki@state.gov



Embassy of the United States of America
GSO/Procurement Office

Antiguo Cuscatlán, December 15, 2015

To: Prospective Quoters

Subject: Request for Quotation No. S- ES60016Q0035

The Embassy of the United States of America has a requirement for a contractor to submit a quotation to provide Instructor Development Course, as per described in Attachment A.

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

1. Standard Form SF-18
2. Attachment A - Specifications
3. Late quotation rules and evaluation method

The U.S. Government plans to award a 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. We intend to award a purchase order based on initial quotation without holding discussions, although we may hold discussions with companies in the competitive range if there is a need to do so.

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 via email with a completed SF-18. Quotations are due December 29, 2015 on or before 161:00 pm. 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

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 2	OF 1	PAGES 12
1. REQUEST NO. SES60016Q0035		2. DATE ISSUED 12/15/2015		3. REQUISITION/PURCHASE REQUEST NO.		4. CERT. FOR NAT. DEF. UNDER BDSA REG. 2 AND/OR DMS REG. 1	
5A. ISSUED BY American Embassy San Salvador, General Services Office, Procurement Office, Blvd. Santa Elena, Antigua Cuscatlan, La Libertad					6. DELIVER BY (Date)		
5B. FOR INFORMATION CALL: (Name and telephone no.) (No collect calls)					7. DELIVERY FOB DESTINATION X OTHER (See Schedule)		
NAME Kryssia de Blandon				TELEPHONE NUMBER			
				AREA CODE 503		NUMBER 2501-2830	
8. TO:					9. DESTINATION		
a. NAME			b. COMPANY		a. NAME OF CONSIGNEE INL		
c. STREET ADDRESS					b. STREET ADDRESS American Embassy San Salvador		
d. CITY			e. STATE		f. ZIP CODE		c. CITY Antigua Cuscatlan, La Libertad
					d. STATE		e. ZIP CODE
10. PLEASE FURNISH QUOTATIONS TO THE ISSUING OFFICE IN BLOCK 5A ON OR BEFORE CLOSE OF BUSINESS (Date) December 29, 2015 before 4:00 p.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		
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	Instructor Development Course (IDC) for the National Prison System in El Salvador. AS PER ATTACHEMENT "A"	1	SVC				
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	

RFQ NUMBER SES60016Q0035
ATTACHMENT "A"

1.1 GENERAL REQUIREMENT:

Statement of Work for

PRISON Train the Trainer Program

San Salvador, El Salvador

BACKGROUND

The International Narcotics and Law Enforcement Affairs (INL) Section is the office in the U.S. Embassy which coordinates all foreign assistance for law enforcement and rule of law projects to the Government of El Salvador (GOES). This assistance is funded under the Central America Regional Security Initiative (CARSI) through the Department of State, Bureau of International Narcotics and Law Enforcement Affairs. One of the objectives of CARSI is to enhance the capacity of the GOES through training curriculums. INL, through CARSI has refined and focused its efforts through targeted assistance directed to training officers in "best practices" of law enforcement and then encouraging the replication of those practices throughout the host nation.

The Prison Directorate (DGCP) currently is staffed with approximately 1350 custodians that oversee 19 prisons nationwide. Most of the officers/custodians are lacking basic training and experience in diverse prison management techniques, self-defense, situational awareness, and response to emergencies among others. This is due in part to the lack of an effective "in-service" training program. The prison system currently holds more than 30,000 prisoners and about 50% of this population is gang affiliated. As part of the DGCP's responsibilities is the management of several prison farms where low risk male and female inmates get the chance to learn skills and abilities that prepare them for reinsertion when their sentence is completed.

The Prison Director General has requested INL assistance in the selection and administration of train the trainer curricula to improve and replicate the operational capabilities of the DGCP personnel.

PURPOSE

The purpose of the training program proposed in this SOW is to build the capacity of the DCGP by creating and training a team of 30 officers selected for their leadership and expertise in various prison management tactics, techniques and procedures. The objective is to enhance their capacity as instructors through an Instructor Development Course designed to improve their knowledge, skills and abilities (KSA) with the overall goal of transferring those KSAs to the entire DGCP through regular in-service training protocols. The vendor will deliver one course as described below in El Salvador as directed by the INL Prison Advisor and under the supervision of the post INL Director and Coordinator.

PERIOD OF PERFORMANCE

The vendor will have a maximum of four (4) months to deliver the course from the day it is awarded. The course dates will be determined and negotiated based on instructor and training facility availability.

PLACE OF PERFORMANCE

Training will take place in El Salvador.

RELATIONSHIPS

The vendor will receive direct government oversight, assignments, and direction from the INL Office in El Salvador.

DUTIES AND RESPONSIBILITIES

With this contract, it is expected that the **vendor**:

1. Coordinates consistency across instruction by bringing instructors together with the course director in the US prior to deployment to Central America.
2. Provides individual class material for each student in Spanish according to the native speaking language of the DGCP officers. Materials will include PowerPoint presentations, course manuals, hand-outs, case studies, and practical exercises among others.
3. Procures travel arrangements for instructors including but not limited to: lodging, airfare, daily meals, and incidental expenses.
4. Cover instructor fees, preparation time, and all related administrative costs.
5. Arrangement of, and associated costs for, all training facilities and any site visit logistics, use of facilities, equipment, supplies and security for all the courses held in the US.
6. Printing and delivery to the training site of any workbooks and associated learning materials.

Delivery of Course Curriculum

The vendor will be responsible for delivering the following training course to the DGCP Officers:

1. Provide a 40-hour **Instructor Development Course (IDC)**, with a minimum of two instructors, and a maximum student count of 30 participants.

The IDC course should give future instructors the ability to utilize adult education techniques in classroom instruction and field practical exercises along with team building techniques, table top exercises, communication, and presentation skills.

In order to complete this scope of work, **INL (or their representatives in country) will be responsible for the following:**

1. Conduct all selection, invitation, and vetting of the Host Nation participants.
2. Arrangement of, and associated costs for, all training facilities and any site visit logistics, including meal breaks, use of facilities, training equipment, and security for all the courses held in El Salvador.
3. Simultaneous interpretation services and equipment in El Salvador and at the US training location (If necessary).
4. In-country transportation (and security for any field work or site visits) for visiting consultants/trainers in El Salvador.

MINIMUM QUALIFICATIONS OF VENDOR

1. The vendor must have all course materials available in Spanish.
2. The vendor will have demonstrated experience in the development, implementation and management of instructor development training programs identified in this SOW.
3. The vendor will have demonstrated knowledge of and experience with INL law enforcement and prison programs in El Salvador and the culture and operational environment, and limited resources of the DGCP.
4. Must already have an existing curriculum and course materials for the requested course. In addition the curriculum must focus on the unique operational environment for prison management in the existing conditions of El Salvador.
5. All instructors utilized by the vendor must have a minimum of five years of experience working as a sworn law enforcement officer of a U.S., local, state or federal agency.
6. *For Instructor Development Course:*
 - ✓ Lead Instructor(s) to be fluent in Spanish.
 - ✓ Instructors must possess Instructor certifications from an accredited educational institution or a Bachelors, Masters, or Doctoral Degree.
 - ✓ Must have prior experience in the delivery of Instructor Development courses.

SECURITY CLEARANCE

A security clearance is not required for this project.

2.1 EVALUATION CRITERIA

Factor 1: Work Experience (50%)

Demonstrated experience in the development, implementation and management of police training programs in specified areas/subjects.

Factor 2: Knowledge and Experience of INL Programs in El Salvador's Law Enforcement Agencies (30%)

Factor 3: (Past Performance) (20%)

Proven ability to perform under the proposed contract. (In conducting the evaluation, the Government reserves the right to utilize all evaluation information available at the time of evaluation, whether provided by the applicant or obtained from other sources.)

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 delivery date, 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

IMPORTANT NOTE: In order to be eligible for award, vendors must be registered in the US Government System for Award Management (SAM). Please visit this for our QUICK GUIDE FOR CONTRACTOR REGISTRATION:

http://photos.state.gov/libraries/elsavador/892757/MICLASON/Quick_Guide_for_Contract_Registrations.pdf

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:*

___ (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:

— (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 U.S.C. 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)