(i) Description
This is a combined synopsis/solicitation for commercial products or commercial services prepared in accordance with part 12. This announcement constitutes the only solicitation. Offers are being requested and a separate written solicitation will not be issued.

Solicitation number N00244-26-Q-0050 is issued as a Request for Quotation (RFQ) for the lease, installation, and maintenance of a temporary 12-ton AC unit and 30kw diesel generator.

This acquisition is set-aside for small business concerns. This solicitation incorporates provisions and clauses by reference. The full text of provisions and clauses may be accessed electronically at www.acquisition.gov.

This requirement is not subject to the Defense Priorities and Allocations System (DPAS).

(ii) Line-Item Numbers and Items

CLIN 0001

DESCRIPTION: Lease, installation, and operation of a temporary 12-ton AC unit with 30kw generator, associated equipment, and services for the period of ~~July 1, 2026 – October 31, 2026~~ within 7 days of award date.

QTY: 4

UNIT: Months

(iii) Description of Requirements
The Contractor will provide all equipment, transportation, and services required to lease, deliver, install, and maintain a 12-ton AC unit and 30kw diesel generator. The requirement includes all associated equipment such as hoses, a containment berm, power connections, safety equipment (wheel chocks, cord covers), and a 500-gallon supplemental fuel tank. The contractor will also provide preventative maintenance every 300 hours of operation and all required refueling services in accordance with the attached Statement of Work (SOW). No brand name restriction applies.

(iv) Delivery and Acceptance

- Period of Performance / Delivery Date: ~~July 1, 2026 – October 31, 2026~~ within 7 days of award date.
- Delivery Location: COMNAVSURFPAC, 2841 Rendova Rd., San Diego, CA 92155
- F.O.B. Point: Destination

(v) Solicitation Provisions
The following solicitation provisions apply to this acquisition:

- FAR 52.212-1, Instructions to Offerors – Commercial Products and Commercial Services.

ADDENDUM to FAR 52.212-1 Instructions to Quoters

Addendum to FAR 52.212-1(b), Submission of quotes. This paragraph is tailored as follows:

Provision at 52.212-1, Instructions to Quoters—Commercial, applies to this acquisition. Note below that an addenda to the provision 52.212-1(b) has been incorporated to solicitation N00244-26-Q-0050.

Introduction and Purpose: This section specifies the format that Quoter will use in this RFQ. The intent is not to restrict the quoters in the manner in which they will perform their work but rather to ensure a certain degree of uniformity in the format of the responses for evaluation purposes.

The Government anticipates award of single Firm Fixed Price (FFP) contract resulting from this solicitation. All responses to solicitation N00244-26-Q-0050 identify the Quoter's agreement with all terms, conditions, and provisions included in this solicitation. Offers that fail to furnish required representations or information, or reject the terms and conditions of the solicitation will be excluded from consideration.

Quotes will be submitted to Michelle Muniz at michelle.a.muniz.civ@us.navy.mil no **later than 10:00 AM (PST) San Diego, California Time on ~~29 September 2026~~ July 02, 2026.** Quoters will submit their quotes via email only.

Each attachment will contain the following items in addition to the other information required by this solicitation:

Quote: The quote will indicate the following:

- Title of the Quote
- RFQ Number
- Name and address of Quoter, Cage Code, DUNS and applicable Tax I.D. Number (TIN)
- Quote validity period for 30 days from solicitation closing
- **FACTOR I** - The technical approach.
- **FACTOR II -** No more than 3 relevant and recent past performance references (Relevancy refers to "how similar this work is to what the RFQ asks for" and Recency refers to work performed within the past two years).
- **FACTOR III-** Price

Quoters are advised to submit Quotes that are complete and clear in all respects without a need for additional explanation or information. Quoters are cautioned against general, vague, or insubstantial statements that prevent or render difficult the concise evaluation of the quote. The quote must be sufficient and complete to demonstrate how the Quoter proposes to comply with the contract requirements. Brochure Manship is not desired; clarity and completeness are essential. Quoters are cautioned against restating PWS requirements in their quote, particularly with regard to technical requirements and must state how all RFQ and PWS requirements will be

met. Statement such as “the Quoter understands” and “the Quoter will/can comply,” along with responses that paraphrase the RFQ, are inadequate. The use of phrases such as “standard practices” (with a specific Government reference or industry reference) does not indicate that a Quoter understands the requirements and will result in a unacceptable evaluation. Quoters are hereby notified that the Government may contact references submitted by Quoters in the Past Performance and may use information in Government files or from other sources to verify information provided in the Quoter's quote.

- FAR 52.212-2, Evaluation – Commercial Products and Commercial Services. Offers will be evaluated based on: (1) Technical Approach to meet the requirement, (2) Past Performance, and (3) Price.

ADDENDUM to FAR 52.212-2 EVALUATION--COMMERCIAL ITEMS (NOV 2021)

If three (3) or fewer quotes are received, the Government will evaluate all quotes for technical acceptability. If more than three (3) quotes are received, the Government will then evaluate the three (3) lowest priced quotes for Technical Acceptability. However, the Government reserves the right to evaluate additional quotes for technical acceptability. When the agency determines that none of the initial three (3) lowest priced quotes are qualified as acceptable, the Government may evaluate additional quotes for technical acceptability. If additional quotes are evaluated, they will be evaluated in the order of increasing total evaluated price. The agency will reject and not consider for award any quote found technically unacceptable and ineligible for award under the terms of this RFQ.

Best Value will be based on a Lowest Price Technically Acceptable (LPTA) approach. For this solicitation, best value means a single purchase order will be made to the responsible contractor whose quote is technically acceptable and quotes the lowest total evaluated price. The following three (3) factors will be used to evaluate quote(s):

TECHNICAL APPROACH will be assessed by evaluating the vendor’s Technical Approach Submission.

Technical Approach

The Quoter’s Technical Approach, which represents the minimum technically acceptable criteria, is listed below:

1. **A quote that addresses ALL of the elements of the SOW.**

   NOTE: If the contractor fails to address in their quote submission any of the above, they will be deemed unacceptable and will not be further considered for award

The term “technical,” as used herein, refers to non-cost factors other than past performance. The purpose of the Technical Approach factor is to assess whether the Quoter’s quote will satisfy the Government’s requirements. The Technical Evaluation Team will evaluate the Quoter’s

submission against these requirements to determine whether the quote is acceptable or unacceptable, using the ratings and descriptions outlined in Table M-1.

TABLE M-1	**TECHNICAL RATING**
Overall Rating	Description
Acceptable	Quote clearly meets the minimum requirements of the RFQ.
Unacceptable	Quote does not clearly meet the minimum requirements of the RFQ.

PAST PERFORMANCE

Quoter' s past performance information will be used to make a determination of whether the quoter has a satisfactory record of past performance. Quoters should, therefore, provide performance history and references to demonstrate satisfactory performance of similar contracts performed within the past two years. Relevant work refers to "how similar this work is to what the RFQ asks for" and Recency refers to work performed within the past two years.

Past Performance information will be completed as follows:
3 relevant and recent past performance references (Relevancy refers to "how similar this work is to what the RFQ asks for" and Recency refers to work performed within the past three years).

Information on problems encountered on each identified contract and the Quoter's corrective action

In the case of a quoter without a record of relevant past performance or for whom information on past performance is not available or so sparse that no meaningful past performance rating can be reasonably assigned, the quoter may not be evaluated favorably or unfavorably on past performance (see FAR 15.305 (a) (2) (iv)). Therefore, the quoter will be determined to have unknown past performance. In the context of acceptability/unacceptability, "unknown" will be considered "acceptable."

Past Performance Evaluation Ratings	
Rating	Description
Acceptable	Based on the quoter's performance record, the Government has a reasonable expectation that the quoter will successfully perform the required effort, or the quoter's performance record is unknown. (See note below).
Unacceptable	Based on the quoter's performance record, the Government has no reasonable expectation that the quoter will be able to successfully perform the required effort.

PRICE
Quoter will provide sufficiently detailed information to ensure a fair and reasonable determination of the proposed quote. Price will be evaluated in accordance with FAR 15.404-1(b).

The Quoter will provide a single summary quote that supports the total amount of the deliverables listed in the Salient Characteristics. Pricing will be firm-fixed pricing.

(End of provision)

(vi) Contract Clauses
The following contract clauses apply to this acquisition:

- FAR 52.212-4, Contract Terms and Conditions – Commercial Products and Commercial Services.

(vii) Receipt of Offers and Point of Contact

- Response Time/Date: Quotes are due no later than 10:00 AM PST on ~~29 September 2026~~ **July 02, 2026**. This response time provides offerors a reasonable opportunity to respond based on the complexity of the requirement.
- Submission Method: Quotes will be submitted via email ONLY to the Point of Contact.
- Point of Contact:
  Michelle Muniz, Contract Specialist / Contracting Officer
  Email: michelle.a.muniz.civ@us.navy.mil

(viii) Additional Information

- NAICS Code: 532490 – Other Commercial and Industrial Machinery and Equipment Rental and Leasing (Size Standard: $40.0 Million).
- Product Service Code (PSC): W041 – Lease or Rental of Equipment—Refrigeration, Air Conditioning, and Air Circulating Equipment.
- Inspection and Acceptance: All work will be inspected and accepted by the Facility Operations Manager.
- Technical Point of Contact: Provided at time of Award.
- Additional Contract requirements:
- Failure to meet all of the requirements of the SOW will result in rejection of quotation.
- The vendor must be able to meet all of these requirements and must submit a quote that identifies and shows they can meet all of these requirements. Otherwise, the quote will be rejected and the vendor will not be considered for award.
- Failure to meet the Evaluation Criteria will result in rejection of quotation.
- NO partial bids allowed.

- The method of payment for this procurement will be Wide Area WorkFlow.

Additional Provisions and Clauses

52.204-7	System for Award Management	NOV 2024
52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards	JUN 2020
52.204-13	System for Award Management Maintenance	OCT 2018
52.204-16	Commercial and Government Entity Code Reporting	AUG 2020
52.204-18	Commercial and Government Entity Code Maintenance	AUG 2020
52.204-19	Incorporation by Reference of Representations and Certifications	DEC 2014
52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities	DEC 2023
52.204-25	Prohibition of Contracting for Certain Telecommunications and Video Surveillance Services or Equipment	NOV 2021
52.204-26	Covered Telecommunications Equipment or Services--Representation	OCT 2020
52.204-27	Prohibition on a ByteDance Covered Application	JUN 2023
52.211-6	Brand Name or Equal	AUG 1999
52.212-1	Instructions to Offerors—Commercial Products and Commercial Services	SEP 2023
52.212-4	Contract Terms and Conditions—Commercial Products and Commercial Services	NOV 2023
52.212-5	Contract Terms and Conditions Required to Implement Statutes or Executive Orders—Commercial Products and Commercial Services (Deviation 2025-O0003)	MAR 2025
52.222-90	Addressing DEI Discrimination by Federal Contractors	APR 2026
52.223-23	Sustainable Products and Services.	MAY 2024
52.232-18	Availability Of Funds	APR 1984
52.232-39	Unenforceability of Unauthorized Obligations	JUN 2013
52.240-1	Prohibition on Unmanned Aircraft Systems Manufactured or Assembled by American Security Drone Act-Covered Foreign Entities.	NOV 2024
52.243-1	Changes - Fixed Price	AUG 1987
52.247-34	F.O.B. Destination	JAN 1991
252.203-7000	Requirements Relating to Compensation of Former DoD Officials	JAN 2023
252.203-7002	Requirement to Inform Employees of Whistleblower Rights	DEC 2022
252.203-7005	Representation Relating to Compensation of Former DoD Officials	SEP 2022
252.204-7003	Control of Government Personnel Work Product	APR 1992

252.204-7008	Compliance with Safeguarding Covered Defense Information Controls	OCT 2016
252.204-7012	Safeguarding Covered Defense Information and Cyber Incident Reporting	MAY 2024
252.204-7016	Covered Defense Telecommunications Equipment or Services--Representation	DEC 2019
252.204-7017	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services--Representation	MAY 2021
252.204-7018	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services	JAN 2023
252.204-7019	Notice of NIST SP 800-171 DoD Assessment Requirements	NOV 2023
252.204-7020	NIST SP 800-171 DoD Assessment Requirements	NOV 2023
252.204-7024	Notice on the Use of the Supplier Performance Risk System.	MAR 2023
252.209-7004	Subcontracting with Firms that are Owned or Controlled by the Government of a Country that is a State Sponsor of Terrorism	MAY 2019
252.223-7006	Prohibition on Storage, Treatment, and Disposal of Toxic or Hazardous Materials--Basic	SEP 2014
252.223-7008	Prohibition of Hexavalent Chromium	JAN 2023
252.225-7001	Buy American and Balance of Payments Program--Basic	FEB 2024
252.225-7002	Qualifying Country Sources as Subcontractors	MAR 2022
252.225-7012	Preference for Certain Domestic Commodities	APR 2022
252.225-7048	Export-Controlled Items	JUN 2013
252.225-7055	Representation Regarding Business Operations with the Maduro Regime.	MAY 2022
252.225-7056	Prohibition Regarding Business Operations with the Maduro Regime	JAN 2023
252.225-7059	Prohibition on Certain Procurements from the Xinjiang Uyghur Autonomous Region-Representation	JUN 2023
252.225-7060	Prohibition on Certain Procurements from the Xinjiang Uyghur Autonomous Region	JUN 2023
252.232-7003	Electronic Submission of Payment Requests and Receiving Reports	MAY 2023
252.232-7010	Levies on Contract Payment	DEC 2006
252.244-7000	Subcontracts for Commercial Products or Commercial Services	NOV 2023
252.247-7023	Transportation of Supplies by Sea--Basic	Oct 2024

CLAUSES INCORPORATED BY FULL TEXT

52.204-24 REPRESENTATION REGARDING CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT (NOV 2021)

The Quoter will not complete the representation in this provision if the Quoter has represented that it "does not provide covered telecommunications equipment or services as a part of its quoted products or services to the Government in the performance of any contract, subcontract, or other contractual

instrument" in the provision at 52.204-26, Covered Telecommunications Equipment or Services--Representation, or in paragraph (v) of the provision at 52.212-3, Quoter Representations and Certifications--Commercial Items.

(a) Definitions. As used in this provision--

Covered telecommunications equipment or services, critical technology, and substantial or essential component have the meanings provided in clause 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.

(b) Prohibition. Section 889(a)(1)(A) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232) prohibits the head of an executive agency on or after August 13, 2019, from procuring or obtaining, or extending or renewing a contract to procure or obtain, any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. Contractors are not prohibited from providing--

(1) A service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

(2) Telecommunications equipment that cannot route or redirect user data traffic or permit visibility into any user data or packets that such equipment transmits or otherwise handles.

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

(d) Representation. The Quoter represents that it [ ] will, [ ] will not provide covered telecommunications equipment or services to the Government in the performance of any contract, subcontract or other contractual instrument resulting from this solicitation.

(e) Disclosures. If the Quoter has represented in paragraph (d) of this provision that it "will" provide covered telecommunications equipment or services", the Quoter will provide the following information as part of the quote-

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

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

(3) For services, the entity providing the covered telecommunications services (include entity name, unique entity
identifier, and Commercial and Government Entity (CAGE) code, if known); and

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

(End of provision)

52.212-2 EVALUATION--COMMERCIAL ITEMS (NOV 2021)

(a) The Government will make a single award to the responsible Quoter using a low price technically acceptable (LPTA) source selection. The Government intends to award on initial quotes but reserves the right to conduct discussions. The following factors will be used to evaluate quotes:

Factor I – Technical (Do Not Include Pricing Info)
Factor II – Past Performance
Factor III - Price

(b) Options. (if applicable) The Government will evaluate quotes for award purposes by adding the total price for all options to the total price for the basic requirement. The Government may determine that a quote is unacceptable if the option prices are significantly unbalanced. Evaluation of options will not obligate the Government to exercise the option(s).

(c) A written notice of award or acceptance of a quote, mailed or otherwise furnished to the successful quoter within the time for acceptance specified in the quote, will result in a binding contract without further action by either party. Before the quote's specified expiration time, the Government may accept a quote (or part of a quote), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award.

(End of provision)

52.212-3 QUOTER REPRESENTATIONS AND CERTIFICATIONS--COMMERCIAL ITEMS (MAY 2024)

The Quoter will complete only paragraph (b) of this provision if the Quoter has completed the annual representations and certification electronically in the System for Award Management (SAM) accessed through https://www.sam.gov. If the Quoter has not completed the annual representations and certifications electronically, the Quoter will complete only paragraphs (c) through (v) of this provision.

(a) Definitions. As used in this provision --

“Covered telecommunications equipment or services” has the meaning provided in the clause 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.

“Economically disadvantaged women-owned small business (EDWOSB) Concern” means a small business concern that is at least 51 percent directly and unconditionally owned by, and the management and daily
business operations of which are controlled by, one or more women who are citizens of the United States and who are economically disadvantaged in accordance with 13 CFR part 127. It automatically qualifies as a women-owned small business eligible under the WOSB Program.

"Forced or indentured child labor" means all work or service-

(1) Exacted from any person under the age of 18 under the menace of any penalty for its nonperformance and for which the worker does not quote himself voluntarily; or

(2) Performed by any person under the age of 18 pursuant to a contract the enforcement of which can be accomplished by process or penalties.

“Highest-level owner” means the entity that owns or controls an immediate owner of the quoter, or that owns or controls one or more entities that control an immediate owner of the quoter. No entity owns or exercises control of the highest level owner.

“Immediate owner” means an entity, other than the quoter, that has direct control of the quoter. Indicators of control include, but are not limited to, one or more of the following: Ownership or interlocking management, identity of interests among family members, shared facilities and equipment, and the common use of employees.

“Inverted domestic corporation” means a foreign incorporated entity that meets the definition of an inverted domestic corporation under 6 U.S.C. 395(b), applied in accordance with the rules and definitions of 6 U.S.C. 395(c).

“Manufactured end product” means any end product in product and service codes (PSCs) 1000-9999, except--

(1) PSC 5510, Lumber and Related Basic Wood Materials;

(2) Product or Service Group (PSG) 87, Agricultural Supplies;

(3) PSG 88, Live Animals;

(4) PSG 89, Subsistence;

(5) PSC 9410, Crude Grades of Plant Materials;

(6) PSC 9430, Miscellaneous Crude Animal Products, Inedible;

(7) PSC 9440, Miscellaneous Crude Agricultural and Forestry Products;

(8) PSC 9610, Ores;

(9) PSC 9620, Minerals, Natural and Synthetic; and

(10) PSC 9630, Additive Metal Materials.

“Place of manufacture” means the place where an end product is assembled out of components, or otherwise made or processed from raw materials into the finished product that is to be provided to the Government. If a product is disassembled and reassembled, the place of reassembly is not the place of manufacture.

“Predecessor” means an entity that is replaced by a successor and includes any predecessors of the predecessor.

“Restricted business operations” means business operations in Sudan that include power production activities, mineral extraction activities, oil-related activities, or the production of military equipment, as those terms are defined in the Sudan Accountability and Divestment Act of 2007 (Pub. L. 110-174). Restricted business operations do not include business operations that the person (as that term is defined in Section 2 of the Sudan Accountability and Divestment Act of 2007) conducting the business can demonstrate--

(1) Are conducted under contract directly and exclusively with the regional government of southern Sudan;

(2) Are conducted pursuant to specific authorization from the Office of Foreign Assets Control in the Department of the Treasury, or are expressly exempted under Federal law from the requirement to be conducted under such authorization;

(3) Consist of providing goods or services to marginalized populations of Sudan;

(4) Consist of providing goods or services to an internationally recognized peacekeeping force or humanitarian organization;

(5) Consist of providing goods or services that are used only to promote health or education; or

(6) Have been voluntarily suspended.

“Sensitive technology”--

(1) Means hardware, software, telecommunications equipment, or any other technology that is to be used specifically--

(i) To restrict the free flow of unbiased information in Iran; or

(ii) To disrupt, monitor, or otherwise restrict speech of the people of Iran; and

(2) Does not include information or informational materials the export of which the President does not have the authority to regulate or prohibit pursuant to section 203(b)(3) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)(3)).

“Service-disabled veteran-owned small business concern”--

(1) Means a small business concern--

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a service-disabled veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(2) Service-disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

“Small business concern” means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and size standards in this solicitation.

“Small disadvantaged business concern”, consistent with 13 CFR 124.1002, means a small business concern under the size standard applicable to the acquisition, that--

(1) Is at least 51 percent unconditionally and directly owned (as defined at 13 CFR 124.105) by--

(i) One or more socially disadvantaged (as defined at 13 CFR 124.103) and economically disadvantaged (as defined at 13 CFR 124.104) individuals who are citizens of the United States; and

(ii) Each individual claiming economic disadvantage has a net worth not exceeding $750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); and

(2) The management and daily business operations of which are controlled (as defined at 13.CFR 124.106) by individuals, who meet the criteria in paragraphs (1)(i) and (ii) of this definition.

“Subsidiary” means an entity in which more than 50 percent of the entity is owned--

(1) Directly by a parent corporation; or

(2) Through another subsidiary of a parent corporation.

“Successor” means an entity that has replaced a predecessor by acquiring the assets and carrying out the affairs of the predecessor under a new name (often through acquisition or merger). The term “successor” does not include new offices/divisions of the same company or a company that only changes its name. The extent of the responsibility of the successor for the liabilities of the predecessor may vary, depending on State law and specific circumstances.

“Veteran-owned small business concern” means a small business concern--

(1) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and

(2) The management and daily business operations of which are controlled by one or more veterans.

"Women-owned business concern" means a concern which is at least 51 percent owned by one or more women; or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and whose management and daily business operations are controlled by one or more women.

“Women-owned small business concern” means a small business concern--

(1) That is at least 51 percent owned by one or more women or, in the case of any publicly owned business, at least 51 percent of its stock is owned by one or more women; or

(2) Whose management and daily business operations are controlled by one or more women.

"Women-owned small business (WOSB) concern eligible under the WOSB Program (in accordance with 13 CFR part 127)", means a small business concern that is at least 51 percent directly and unconditionally owned by, and the management and daily business operations of which are controlled by, one or more women who are citizens of the United States.

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

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

[Quoter to identify the applicable paragraphs at (c) through (v) of this provision that the quoter has completed for the purposes of this solicitation only, if any.

These amended representation(s) and/or certification(s) are also incorporated in this quote and are current, accurate, and complete as of the date of this quote.

Any changes provided by the quoter are applicable to this solicitation only, and do not result in an update to the representations and certifications posted electronically on SAM.]

(c) Quoters must complete the following representations when the resulting contract will be performed in the United States or its outlying areas. Check all that apply.

(1) Small business concern. The quoter represents as part of its quote that it (___) is, (___) is not a small business concern.

(2) Veteran-owned small business concern. (Complete only if the quoter represented itself as a small business concern in paragraph (c)(1) of this provision.) The quoter represents as part of its quote that it (___) is, (___) is not a veteran-owned small business concern.

(3) Service-disabled veteran-owned small business concern. (Complete only if the quoter represented itself as a veteran-owned small business concern in paragraph (c)(2) of this provision.) The quoter represents as part of its quote that it (___) is, (___) is not a service-disabled veteran-owned small business concern.

(4) Small disadvantaged business concern. (Complete only if the quoter represented itself as a small business concern in paragraph (c)(1) of this provision.) The quoter represents that it (___) is, (___) is not a small disadvantaged business concern as defined in 13 CFR 124.1002.

(5) Women-owned small business concern. (Complete only if the quoter represented itself as a small business concern in paragraph (c)(1) of this provision.) The quoter represents that it (___) is, (___) is not a women-owned small business concern.

(6) WOSB concern eligible under the WOSB Program. [Complete only if the quoter represented itself as a women-owned small business concern in paragraph (c)(5) of this provision.] The quoter represents that--

(i) It [___] is, [___] is not a WOSB concern eligible under the WOSB Program, has provided all the required documents to the WOSB Repository, and no change in circumstances or adverse decisions have been issued that affects its eligibility; and

(ii) It [___] is, [___] is not a joint venture that complies with the requirements of 13 CFR part 127, and the representation in paragraph (c)(6)(i) of this provision is accurate for each WOSB concern eligible under the WOSB Program participating in the joint venture. [The quoter will enter the name or names of the WOSB concern eligible under the WOSB Program and other small businesses that are participating in the joint venture: ___ .] Each WOSB concern eligible under the WOSB Program participating in the joint venture will submit a separate signed copy of the WOSB representation.

(7) Economically disadvantaged women-owned small business (EDWOSB) concern. [Complete only if the quoter represented itself as a WOSB concern eligible under the WOSB Program in (c)(6) of this provision.] The quoter represents that--

(i) It [___] is, [___] is not an EDWOSB concern, has provided all the required documents to the WOSB Repository, and no change in circumstances or adverse decisions have been issued that affects its eligibility; and

(ii) It [___] is, [___] is not a joint venture that complies with the requirements of 13 CFR part 127, and the representation in paragraph (c)(7)(i) of this provision is accurate for each EDWOSB concern participating in the joint venture. [The quoter will enter the name or names of the EDWOSB concern and other small businesses that are participating in the joint venture: ___ -.] Each EDWOSB concern participating in the joint venture will submit a separate signed copy of the EDWOSB representation.

Note: Complete paragraphs (c)(8) and (c)(9) only if this solicitation is expected to exceed the simplified acquisition threshold.

(8) Women-owned business concern (other than small business concern). (Complete only if the quoter is a women-owned business concern and did not represent itself as a small business concern in paragraph (c)(1) of this provision.) The quoter represents that it (___) is, a women-owned business concern.

(9) Tie bid priority for labor surplus area concerns. If this is an invitation for bid, small business quoters may identify the labor surplus areas in which costs to be incurred on account of manufacturing or production (by quoter or first-tier subcontractors) amount to more than 50 percent of the contract price:

___

(10) HUBZone small business concern. (Complete only if the quoter represented itself as a small business concern in paragraph (c)(1) of this provision.) The quoter represents, as part of its quote, that--

(i) It [___] is, [___] is not a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration, and no material changes in ownership and control, principal office, or HUBZone employee percentage have occurred since it was certified in accordance with 13 CFR Part 126; and

(ii) It [___] is, [___] is not a HUBZone joint venture that complies with the requirements of 13 CFR Part 126, and the representation in paragraph (c)(10)(i) of this provision is accurate for each HUBZone small business concern participating in the HUBZone joint venture. [The quoter will enter the names of each of the HUBZone small business concerns participating in the HUBZone joint venture: ___ .] Each HUBZone small business concern participating in the HUBZone joint venture will submit a separate signed copy of the HUBZone representation.

(d) Certifications and representations required to implement provisions of Executive Order 11246--

(1) Previous Contracts and Compliance. The quoter represents that--

(i) It (___) has, (___) has not, participated in a previous contract or subcontract subject either to the Equal Opportunity clause of this solicitation, the and

(ii) It (___) has, (___) has not, filed all required compliance reports.

(2) Affirmative Action Compliance. The quoter represents that--

(i) It (___) has developed and has on file, (___) has not developed and does not have on file, at each establishment, affirmative action programs required by rules and regulations of the Secretary of Labor (41 CFR Subparts 60-1 and 60-2), or

(ii) It (___) has not previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

(e) Certification Regarding Payments to Influence Federal Transactions (31 U.S.C. 1352). (Applies only if the contract is expected to exceed $150,000.) By submission of its quote, the quoter certifies to the best of its knowledge and belief that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress on his or her behalf in connection with the award of any resultant contract. If any registrants under the Lobbying Disclosure Act of 1995 have made a lobbying contact on behalf of the quoter with respect to this contract, the quoter will complete and submit, with its quote, OMB Standard Form LLL, Disclosure of Lobbying Activities, to provide the name of the registrants. The quoter need not report regularly employed officers or employees of the quoter to whom payments of reasonable compensation were made.

(f) Buy American Certificate. (Applies only if the clause at Federal Acquisition Regulation (FAR) 52.225-1, Buy American --Supplies, is included in this solicitation.)

(1) The quoter certifies that each end product, except those listed in paragraph (f)(2) of this provision, is a domestic end product and that for other than COTS items, the quoter has considered components of unknown origin to have been mined, produced, or manufactured outside the United States. The quoter will list as foreign end products those end products manufactured in the United States that do not qualify as domestic end products, i.e., an end product that is not a COTS item and does not meet the component

test in paragraph (2) of the definition of “domestic end product.” The terms “commercially available off-the-shelf (COTS) item,” “component,” “domestic end product,” “end product,” “foreign end product,” and “United States” are defined in the clause of this solicitation entitled “Buy American--Supplies.”
(2) Foreign End Products:

Line Item No.	Country of Origin
___	___
___	___
___	___

(List as necessary)

(3) The Government will evaluate quotes in accordance with the policies and procedures of FAR Part 25.

(g)(1) Buy American--Free Trade Agreements--Israeli Trade Act Certificate. (Applies only if the clause at FAR 52.225-3, Buy American--Free Trade Agreements--Israeli Trade Act, is included in this solicitation.)

(i) The quoter certifies that each end product, except those listed in paragraph (g)(1)(ii) or (g)(1)(iii) of this provision, is a domestic end product and that for other than COTS items, the quoter has considered components of unknown origin to have been mined, produced, or manufactured outside the United States. The terms ``Bahrainian, Moroccan, Omani, Panamanian, or Peruvian end product," ``commercially available off-the-shelf (COTS) item," ``component," ``domestic end product," ``end product," ``foreign end product," ``Free Trade Agreement country," ``Free Trade Agreement country end product," ``Israeli end product," and ``United States" are defined in the clause of this solicitation entitled ``Buy American--Free Trade Agreements--Israeli Trade Act."

(ii) The quoter certifies that the following supplies are Free Trade Agreement country end products (other than Bahrainian, Moroccan, Omani, Panamanian, or Peruvian end products) or Israeli end products as defined in the clause of this solicitation entitled ``Buy American--Free Trade Agreements--Israeli Trade Act":

Free Trade Agreement Country End Products (Other than Bahrainian, Moroccan, Omani, Panamanian, or Peruvian End Products) or Israeli End Products:

Line Item No.	Country of Origin
___	___
___	___
___	___

[List as necessary]

(iii) The quoter will list those supplies that are foreign end products (other than those listed in paragraph (g)(1)(ii) of this provision) as defined in the clause of this solicitation entitled "Buy American-Free Trade Agreements-Israeli Trade Act." The quoter will list as other foreign end products those end products manufactured in the United States that do not qualify as domestic end products, i.e., an end product that is

not a COTS item and does not meet the component test in paragraph (2) of the definition of “domestic end product.”

Other Foreign End Products:

Line Item No.	Country of Origin
___	___
___	___
___	___

[List as necessary]

(iv) The Government will evaluate quotes in accordance with the policies and procedures of FAR Part 25.
(2) *Buy American Act-Free Trade Agreements-Israeli Trade Act Certificate, Alternate I (Jan 2004)*. If Alternate I to the clause at FAR 52.225-3 is included in this solicitation, substitute the following paragraph (g)(1)(ii) for paragraph (g)(1)(ii) of the basic provision:

(g)(1)(ii) The quoter certifies that the following supplies are Canadian end products as defined in the clause of this solicitation entitled "Buy American -Free Trade Agreements-Israeli Trade Act":

Canadian End Products:

Line Item No.
___
___
___

[List as necessary]

(3) Buy American-Free Trade Agreements-Israeli Trade Act Certificate, Alternate II (Jan 2004). If Alternate II to the clause at FAR 52.225-3 is included in this solicitation, substitute the following paragraph (g)(1)(ii) for paragraph (g)(1)(ii) of the basic provision:

(g)(1)(ii) The quoter certifies that the following supplies are Canadian end products or Israeli end products as defined in the clause of this solicitation entitled "Buy American-Free Trade Agreements-Israeli Trade Act":

Canadian or Israeli End Products:

Line Item No.	Country of Origin

___	___
___	___
___	___

[List as necessary]

(4) Buy American--Free Trade Agreements--Israeli Trade Act Certificate, Alternate III. If Alternate III to the clause at FAR 52.225-3 is included in this solicitation, substitute the following paragraph (g)(1)(ii) for paragraph (g)(1)(ii) of the basic provision:

(g)(1)(ii) The quoter certifies that the following supplies are Free Trade Agreement country end products (other than Bahrainian, Korean, Moroccan, Omani, Panamanian, or Peruvian end products) or Israeli end products as defined in the clause of this solicitation entitled ``Buy American --Free Trade Agreements--Israeli Trade Act'':

Free Trade Agreement Country End Products (Other than Bahrainian, Korean, Moroccan, Omani, Panamanian, or Peruvian End Products) or Israeli End Products:

Line Item No.	Country of Origin
___	___
___	___
___	___

[List as necessary]

(5) Trade Agreements Certificate. (Applies only if the clause at FAR 52.225-5, Trade Agreements, is included in this solicitation.)

(i) The quoter certifies that each end product, except those listed in paragraph (g)(5)(ii) of this provision, is a U.S.-made or designated country end product, as defined in the clause of this solicitation entitled ``Trade Agreements''.

(ii) The quoter will list as other end products those end products that are not U.S.-made or designated country end products.

Other End Products:

Line Item No.	Country of Origin
___	___

___	___
___	___

[List as necessary]

(iii) The Government will evaluate quotes in accordance with the policies and procedures of FAR Part 25. For line items covered by the WTO GPA, the Government will evaluate quotes of U.S.-made or designated
country end products without regard to the restrictions of the Buy American statute. The Government will consider for award only quotes of U.S.-made or designated country end products unless the Contracting Officer determines that there are no quotes for such products or that the quotes for such products are insufficient to fulfill the requirements of the solicitation.

(h) *Certification Regarding Responsibility Matters (Executive Order 12689)*. (Applies only if the contract value is expected to exceed the simplified acquisition threshold.) The quoter certifies, to the best of its knowledge and belief, that the quoter and/or any of its principals--

(1) [___] Are, [___] are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;

(2) [___] Have, [___] have not, within a three-year period preceding this quote, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, state or local government contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of quotes; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; and

(3) [___] Are, [___] are not presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of these offenses enumerated in paragraph (h)(2) of this clause; and

(4) [___] Have, [___] have not, within a three-year period preceding this quote, been notified of any delinquent Federal taxes in an amount that exceeds $3,500 for which the liability remains unsatisfied.

(i) Taxes are considered delinquent if both of the following criteria apply:

(A) *The tax liability is finally determined.* The liability is finally determined if it has been assessed. A liability is not finally determined if there is a pending administrative or judicial challenge. In the case of a judicial challenge to the liability, the liability is not finally determined until all judicial appeal rights have been exhausted.

(B) *The taxpayer is delinquent in making payment.* A taxpayer is delinquent if the taxpayer has failed to pay the tax liability when full payment was due and required. A taxpayer is not delinquent in cases where enforced collection action is precluded.

(ii) Examples.

(A) The taxpayer has received a statutory notice of deficiency, under I.R.C. §6212, which entitles the taxpayer to seek Tax Court review of a proposed tax deficiency. This is not a delinquent tax because it is not a final tax liability. Should the taxpayer seek Tax Court review, this will not be a final tax liability until the taxpayer has exercised all judicial appear rights.

(B) The IRS has filed a notice of Federal tax lien with respect to an assessed tax liability, and the taxpayer has been issued a notice under I.R.C. §6320 entitling the taxpayer to request a hearing with the IRS Office of Appeals Contesting the lien filing, and to further appeal to the Tax Court if the IRS determines to sustain the lien filing. In the course of the hearing, the taxpayer is entitled to contest the underlying tax liability because the taxpayer has had no prior opportunity to contest the liability. This is not a delinquent tax because it is not a final tax liability. Should the taxpayer seek tax court review, this will not be a final tax liability until the taxpayer has exercised all judicial appeal rights.

(C) The taxpayer has entered into an installment agreement pursuant to I.R.C. §6159. The taxpayer is making timely payments and is in full compliance with the agreement terms. The taxpayer is not delinquent because the taxpayer is not currently required to make full payment.

(D) The taxpayer has filed for bankruptcy protection. The taxpayer is not delinquent because enforced collection action is stayed under 11 U.S.C. §362 (the Bankruptcy Code).

(i) Certification Regarding Knowledge of Child Labor for *Listed End Products (Executive Order 13126)*. [*The Contracting Officer must list in paragraph (i)(1) any end products being acquired under this solicitation that are included in the List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor, unless excluded at* 22.1503*(b)*.]

(1) *Listed end products*.

Listed End Product	Listed Countries of Origin
___	___
___	___
___	___

(2) *Certification*. [*If the Contracting Officer has identified end products and countries of origin in paragraph (i)(1) of this provision, then the quoter must certify to either (i)(2)(i) or (i)(2)(ii) by checking the appropriate block*.]

[___] (i) The quoter will not supply any end product listed in paragraph (i)(1) of this provision that was mined, produced, or manufactured in the corresponding country as listed for that product.

[___] (ii) The quoter may supply an end product listed in paragraph (i)(1) of this provision that was mined, produced, or manufactured in the corresponding country as listed for that product. The quoter certifies that it has made a good faith effort to determine whether forced or indentured child labor was

used to mine, produce, or manufacture any such end product furnished under this contract. On the basis of those efforts, the quoter certifies that it is not aware of any such use of child labor.
(j) *Place of manufacture.* (Does not apply unless the solicitation is predominantly for the acquisition of manufactured end products.) For statistical purposes only, the quoter will indicate whether the place of manufacture of the end products it expects to provide in response to this solicitation is predominantly—

(1) (___) In the United States (Check this box if the total anticipated price of quoteed end products manufactured in the United States exceeds the total anticipated price of quoteed end products manufactured outside the United States); or

(2) (___) Outside the United States.

(j) Place of manufacture. (Does not apply unless the solicitation is predominantly for the acquisition of manufactured end products.) For statistical purposes only, the quoter will indicate whether the place of manufacture of the end products it expects to provide in response to this solicitation is predominantly--

(1) (___) In the United States (Check this box if the total anticipated price of quoteed end products manufactured in the United States exceeds the total anticipated price of quoteed end products manufactured outside the United States); or

(2) (___) Outside the United States.

(k) Certificates regarding exemptions from the application of the Service Contract Labor Standards. (Certification by the quoter as to its compliance with respect to the contract also constitutes its certification as to compliance by its subcontractor if it subcontracts out the exempt services.)

[*The contracting officer is to check a box to indicate if paragraph (k)(1) or (k)(2) applies.*]

[___] (1) Maintenance, calibration, or repair of certain equipment as described in FAR 22.1003-4(c)(1). The quoter (___) does (___) does not certify that—

(i) The items of equipment to be serviced under this contract are used regularly for other than Governmental purposes and are sold or traded by the quoter (or subcontractor in the case of an exempt subcontract) in substantial quantities to the general public in the course of normal business operations;

(ii) The services will be furnished at prices which are, or are based on, established catalog or market prices (see FAR 22.1003-4(c)(2)(ii)) for the maintenance, calibration, or repair of such equipment; and

(iii) The compensation (wage and fringe benefits) plan for all service employees performing work under the contract will be the same as that used for these employees and equivalent employees servicing the same equipment of commercial customers.

[___] (2) Certain services as described in FAR 22.1003-4(d)(1). The quoter (___) does (___) does not certify that—

(i) The services under the contract are quoteed and sold regularly to non-Governmental customers, and are provided by the quoter (or subcontractor in the case of an exempt subcontract) to the general public in substantial quantities in the course of normal business operations;

(ii) The contract services will be furnished at prices that are, or are based on, established catalog or market prices (see FAR 22.1003-4(d)(2)(iii));

(iii) Each service employee who will perform the services under the contract will spend only a small portion of his or her time (a monthly average of less than 20 percent of the available hours on an annualized basis, or less than 20 percent of available hours during the contract period if the contract period is less than a month) servicing the Government contract; and

(iv) The compensation (wage and fringe benefits) plan for all service employees performing work under the contract is the same as that used for these employees and equivalent employees servicing commercial customers.

(3) If paragraph (k)(1) or (k)(2) of this clause applies—

(i) If the quoter does not certify to the conditions in paragraph (k)(1) or (k)(2) and the Contracting Officer did not attach a Service Contract Labor Standards wage determination to the solicitation, the quoter will notify the Contracting Officer as soon as possible; and

(ii) The Contracting Officer may not make an award to the quoter if the quoter fails to execute the certification in paragraph (k)(1) or (k)(2) of this clause or to contact the Contracting Officer as required in paragraph (k)(3)(i) of this clause.

(l) Taxpayer Identification Number (TIN) (26 U.S.C. 6109, 31 U.S.C. 7701). (Not applicable if the quoter is required to provide this information to SAM to be eligible for award.)

(1) All quoters must submit the information required in paragraphs (l)(3) through (l)(5) of this provision to comply with debt collection requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M, and implementing regulations issued by the Internal Revenue Service (IRS).

(2) The TIN may be used by the Government to collect and report on any delinquent amounts arising out of the quoter's relationship with the Government (31 U.S.C. 7701(c)(3)). If the resulting contract is subject to the payment reporting requirements described in FAR 4.904, the TIN provided hereunder may be matched with IRS records to verify the accuracy of the quoter's TIN.

(3) Taxpayer Identification Number (TIN).

(___) TIN: ----------.

(___) TIN has been applied for.

(___) TIN is not required because:

(___) Quoter is a nonresident alien, foreign corporation, or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the United States and does not have an office or place of business or a fiscal paying agent in the United States;

(___) Quoter is an agency or instrumentality of a foreign government;

(___) Quoter is an agency or instrumentality of the Federal Government.

(4) Type of organization.

(___) Sole proprietorship;

(___) Partnership;

(___) Corporate entity (not tax-exempt);

(___) Corporate entity (tax-exempt);

(___) Government entity (Federal, State, or local);

(___) Foreign government;

(___) International organization per 26 CFR 1.6049-4;

(___) Other ----------.

(5) Common parent.

(___) Quoter is not owned or controlled by a common parent;

(___) Name and TIN of common parent:

Name - ___ .
TIN - ___ .

(m) Restricted business operations in Sudan. By submission of its quote, the quoter certifies that the quoter does not conduct any restricted business operations in Sudan.

(n) Prohibition on Contracting with Inverted Domestic Corporations—

(1) Government agencies are not permitted to use appropriated (or otherwise made available) funds for contracts with either an inverted domestic corporation, or a subsidiary of an inverted domestic corporation, unless the exception at 9.108-2(b) applies or the requirement is waived in accordance with the procedures at 9.108-4.

(2) Representation. By submission of its quote, the quoter represents that--

(i) It is not an inverted domestic corporation; and

(ii) It is not a subsidiary of an inverted domestic corporation.

(o) Prohibition on contracting with entities engaging in certain activities or transactions relating to Iran.

(1) The quoter will e-mail questions concerning sensitive technology to the Department of State at CISADA106@state.gov.

(2) *Representation and Certifications*. Unless a waiver is granted or an exception applies as provided in paragraph (o)(3) of this provision, by submission of its quote, the quoter—

(i) Represents, to the best of its knowledge and belief, that the quoter does not export any sensitive technology to the government of Iran or any entities or individuals owned or controlled by, or acting on behalf or at the direction of, the government of Iran;

(ii) Certifies that the quoter, or any person owned or controlled by the quoter, does not engage in any activities for which sanctions may be imposed under section 5 of the Iran Sanctions Act; and

(iii) Certifies that the quoter, and any person owned or controlled by the quoter, does not knowingly engage in any transaction that exceeds $3,500 with Iran's Revolutionary Guard Corps or any of its officials, agents, or affiliates, the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (see OFAC's Specially Designated Nationals and Blocked Persons List at https://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx).

(3) The representation and certification requirements of paragraph (o)(2) of this provision do not apply if—

(i) This solicitation includes a trade agreements certification (*e.g.*, 52.212-3(g) or a comparable agency provision); and

(ii) The quoter has certified that all the quoteed products to be supplied are designated country end products.

(p) *Ownership or Control of Quoter*. (Applies in all solicitations when there is a requirement to be registered in SAM or a requirement to have a unique entity identifier in the solicitation.

(1) The Quoter represents that it [___] has or [___] does not have an immediate owner. If the Quoter has more than one immediate owner (such as a joint venture), then the Quoter will respond to paragraph (2) and if applicable, paragraph (3) of this provision for each participant in the joint venture.

(2) If the Quoter indicates "has" in paragraph (p)(1) of this provision, enter the following information:

Immediate owner CAGE code: ___

Immediate owner legal name: ___

(Do not use a "doing business as" name)

Is the immediate owner owned or controlled by another entity:

[___] Yes or [___] No.

(3) If the Quoter indicates "yes" in paragraph (p)(2) of this provision, indicating that the immediate owner is owned or controlled by another entity, then enter the following information:

Highest level owner CAGE code: ___

Highest level owner legal name: ___

(Do not use a “doing business as” name)

(q) *Representation by Corporations Regarding Delinquent Tax Liability or a Felony Conviction under any Federal Law.*

(1) As required by section 744 and 745 of Division E of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235), and similar provisions, if contained in subsequent appropriations acts, the Government will not enter into a contract with any corporation that—

(i) Has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless and agency has considered suspension or debarment of the corporation and made a determination that suspension or debarment is not necessary to protect the interests of the Government; or

(ii) Was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless an agency has considered suspension or debarment of the corporation and made a determination that this action is not necessary to protect the interests of the Government.

(2) The Quoter represents that--

(i) It is [___] is not [___] a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and

(ii) It is [___] is not [___] a corporation that was convicted of a felony criminal violation under a Federal law within the preceding 24 months.

(r) Predecessor of Quoter. (Applies in all solicitations that include the provision at 52.204-16, Commercial and Government Entity Code Reporting.)

(1) The Quoter represents that it [___] is or [___] is not a successor to a predecessor that held a Federal contract or grant within the last three years.

(2) If the Quoter has indicated ``is'' in paragraph (r)(1) of this provision, enter the following information for all predecessors that held a Federal contract or grant within the last three years (if more than one predecessor, list in reverse chronological order):

Predecessor CAGE code: ___ (or mark ``Unknown'').

Predecessor legal name: ___ .

(Do not use a ``doing business as'' name).

(t) Public Disclosure of Greenhouse Gas Emissions and Reduction Goals. Applies in all solicitations that require quoters to register in SAM (12.301(d)(1)).

(1) This representation will be completed if the Quoter received $7.5 million or more in contract awards in the prior Federal fiscal year. The representation is optional if the Quoter received less than $7.5 million in Federal contract awards in the prior Federal fiscal year.

(2) Representation. [Quoter to check applicable block(s) in paragraph (t)(2)(i) and (ii)]. (i) The Quoter (itself or through its immediate owner or highest-level owner) [___] does, [___] does not publicly disclose greenhouse gas emissions, i.e., makes available on a publicly accessible Web site the results of a greenhouse gas inventory, performed in accordance with an accounting standard with publicly available and consistently applied criteria, such as the Greenhouse Gas Protocol Corporate Standard.

(ii) The Quoter (itself or through its immediate owner or highest-level owner) [___] does, [___] does not publicly disclose a quantitative greenhouse gas emissions reduction goal, i.e., make available on a publicly accessible Web site a target to reduce absolute emissions or emissions intensity by a specific quantity or percentage.

(iii) A publicly accessible Web site includes the Quoter's own Web site or a recognized, third-party greenhouse gas emissions reporting program.

(3) If the Quoter checked ``does'' in paragraphs (t)(2)(i) or (t)(2)(ii) of this provision, respectively, the Quoter will provide the publicly accessible Web site(s) where greenhouse gas emissions and/or reduction goals are reported: ___ .

(u)(1) In accordance with section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions), Government agencies are not permitted to use appropriated (or
otherwise made available) funds for contracts with an entity that requires employees or subcontractors of such entity seeking to report waste, fraud, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or subcontractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

(2) The prohibition in paragraph (u)(1) of this provision does not contravene requirements applicable to Standard Form 312 (Classified Information Nondisclosure Agreement), Form 4414 (Sensitive Compartmented Information Nondisclosure Agreement), or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

(3) Representation. By submission of its quote, the Quoter represents that it will not require its employees or subcontractors to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or subcontractors from lawfully reporting waste, fraud, or abuse related to the performance of a Government contract to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information (e.g., agency Office of the Inspector General).

(v) Covered Telecommunications Equipment or Services--Representation. Section 889(a)(1)(A) of Public Law 115-232.

(1) The Quoter will review the list of excluded parties in the System for Award Management (SAM) (https://www.sam.gov) for entities excluded from receiving federal awards for ``covered telecommunications equipment or services".

(2) The Quoter represents that it [ ] does, [ ] does not provide covered telecommunications equipment or services as a part of its quoteed products or services to the Government in the performance of any contract, subcontract, or other contractual instrument.

(End of provision)

52.252-1 SOLICITATION PROVISIONS INCORPORATED BY REFERENCE (FEB 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The quoter is cautioned that the listed provisions may include blocks that must be completed by the quoter and submitted with its quotation or quote. In lieu of submitting the full text of those provisions, the quoter may identify the provision by paragraph identifier and provide the appropriate information with its quotation or quote. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es):

FAR Clauses: https://www.acquisition.gov/browse/index/far/
DFARS Clauses: http://www.acq.osd.mil/dpap/dars/dfarspgi/current/

52.252-2 CLAUSES INCORPORATED BY REFERENCE (FEB 1998)

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

FAR Clauses: https://www.acquisition.gov/browse/index/far/
DFARS Clauses: http://www.acq.osd.mil/dpap/dars/dfarspgi/current/

(End of clause)

52.252-5 AUTHORIZED DEVIATIONS IN PROVISIONS (NOV 2020)

(a) The use in this solicitation of any Federal Acquisition Regulation (48 CFR Chapter 1) provision with an authorized deviation is indicated by the addition of"(DEVIATION)" after the date of the provision.

(b) The use in this solicitation of any **Defense Federal Acquisition Regulation** (48 CFR Chapter **Chapter 2**) provision with an authorized deviation is indicated by the addition of "(DEVIATION)" after the name of the regulation.

(End of provision)

52.252-6 AUTHORIZED DEVIATIONS IN CLAUSES (NOV 2020)

(a) The use in this solicitation or contract of any Federal Acquisition Regulation (48 CFR Chapter 1) clause with an authorized deviation is indicated by the addition of "(DEVIATION)" after the date of the clause.

(b) The use in this solicitation or contract of any **Defense Federal Acquisition Regulation** (48 CFR Chapter **Chapter 2**) clause with an authorized deviation is indicated by the addition of "(DEVIATION)" after the name of the regulation.

(End of clause)

Notice to Vendor(s): The Government reserves the right to cancel this solicitation, either before or after the closing date of receipt of quotations. In the event the Government cancels this solicitation, the Government has no obligation to reimburse the vendor for any costs.

(End of text)