Embassy of the United States of America

General Service Office
Thadeua Rd Km 9, Ban Somvang Thai,
Hatsayphong District,
Vientiane Capital, Lao P.D.R

Dear Prospective Offeror / Quoter:

Date: **September 17, 2020**

The American Embassy Vientiane, Lao P.D.R. is seeking a contractor to provide **Replacement part for X-Ray Machine for US Embassy Vientiane.** You are invited to submit a quotation.

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

1. **Standard Form SF-18**
2. **Basic information, specification.**

U.S. Federal Acquisition Regulation (FAR) requires that contractors be registered in the System Award Management **(SAM)** prior to being awarded a purchase order. Contractors, who are not registered with **SAM**, may not be awarded the purchase order. This requirement applies to all acquisitions for overseas vendors that are greater than **$30,000.** Go to the link **https://www.sam/gov**

Direct any questions regarding this solicitation to: **VientianeProcurement@state.gov**

The Embassy plans to award a purchase order. You are encouraged to make your quotation competitive. You are also cautioned against any collusion with other potential offerors with regard to price quotations to be submitted. The RFQ does not commit the American Embassy to make any award. The Embassy may cancel this RFQ or any part of it.
Please read the RFQ carefully and, if you are interested, submit your quotation.
Return the completed **SF-18** to the address shown in block **5a** of the **SF-18** before **4:00PM**, **Local time: on September 24, 2020.**

Oral quotation will not be accepted, and proposal will not be accepted after this time.

Sincerely,

EMBASSY OF THE UNITED STATES OF AMERICA VIENTIANE

Jesse F. Victor
Contracting officer
American Embassy Vientiane

REQUEST FOR QUOTATION
(THIS IS NOT AN ORDER)

THIS RFQ [X] IS [ ] IS NOT A SMALL BUSINESS SET-ASIDE

PAGE OF PAGES

1. REQUEST NO.	2. DATE ISSUED	3. REQUISITION/PURCHASE REQUEST NO.	4. CERT. FOR NAT. DEF. UNDER BDSA REG. 2 AND/OR DMS REG. 1	RATING
19LA9020Q0032	09/17/2020	PR9451753		

5a. ISSUED BY U.S. Embassy Vientiane, Lao P.D.R
Attn: Contracting Officer James C Bennett
Ban Somvong Tai, Hatsayfong District, Vientiane Capital Lao P.D.R

6. DELIVER BY *(Date)*

5b. FOR INFORMATION CALL *(NO COLLECT CALLS)*

NAME Phetphachan Nonginthilath
Procurement Agent
E-mail: Nonginthilathp@state.gov

TELEPHONE NUMBER: AREA CODE / NUMBER +85621 487 038

7. DELIVERY [ ] FOB DESTINATION [ ] OTHER *(See Schedule)*

9. DESTINATION

a. NAME OF CONSIGNEE

8. TO:

a. NAME

b. COMPANY

b. STREET ADDRESS

c. STREET ADDRESS

c. CITY

d. CITY

e. STATE

f. ZIP CODE

d. STATE

e. ZIP CODE

10. PLEASE FURNISH QUOTATIONS TO THE ISSUING OFICE IN BLOCK 5a ON OR BEFORE CLOSE OF BUSINESS *(Date)*

September 24, 2020 at 4:00PM, Local time

IMPORTANT: This is a request for information, and quotations furnished are not officers. 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 service. Supplies are of domestic origin unless otherwise indicated by quoter. Any representations and/or certifications attached to this Request for Quotation must be completed by the quoter.

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

ITEM NO. (a)	SUPPLIES/ SERVICES (b)	QUANTITY (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)
X	**Replacement part for X-Ray Machine for US Embassy Vientiane with following details:**				
	1. X-Ray Generator Unit for Smiths Detector Conventional HS145180, Part#34434483, Hi-Ray 10, Tube: 0.32bpm 35-160, Anode voltage 160KV or equivalent to	1	Each	USD.....	USD.....
	2. XRC Unit for RSO X-Ray scanner machine Smiths HI-SCAN 145180, Part#34439063, input 120-240/50-60Hz, power 280VA 180KV or equivalent to	1	Each	USD.....	USD.....
	3. Service charge for replacement parts of RSO X-Ray scanner machine Smiths HI-SCAN 145180 or equivalent to	1	Each	USD.....	USD.....
	(Please indicate free periodic warranty & freebies, if any)				
	The attached FAR/DOSAR Clasues will form part of the resultant order.				
	Note: All actions which are over $30K, prospective vendor must be registered within the Central Contractor Registration (CCR) which is now under System of Award Management (SAM)				

12. DISCOUNT FOR PROMPT PAYMENT	a. 10 CALENDAR DAYS (%)	b. 20 CALENDAR DAYS (%)	c. 30 CALENDAR DAYS (%)	d. CALENDAR DAYS NUMBER	PERCENTAGE

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

13. NAME AND ADDRESS OF QUOTER

a. NAME OF QUOTER

b. STREET ADDRESS

c. COUNTY

d. CITY

e. STATE

f. ZIP CODE

14. SIGNATURE OF PERSON AUTHORIZED TO SIGN QUOTATION

15. DATE OF QUOTATION

16. SIGNER

a. NAME *(Type or print)*

b. TELEPHONE

AREA CODE

NUMBER

c. TITLE *(Type or print)*

Schedule of Supplies

No	Item Description	Quantity	Unit Price	Amount
01	X-Ray Generator Unit for Smiths Detector Conventional HS145180, Part#34434483, Hi-Ray 10, Tube: 0.32bpm 35-160, Anode voltage 160KV or equivalent to.	1 ea	USD……..	USD……..
02	XRC Unit for RSO X-Ray scanner machine Smiths HI-SCAN 145180, Part#34439063, input 120-240/50-60Hz, power 280VA 180KV or equivalent to.	1 ea	USD……..	USD……..
03	Service charge for replacement parts of RSO X-Ray scanner machine Smiths HI-SCAN 145180 or equivalent to.	1 ea	USD……..	USD……..
			Total cost:	**USD……..**

ALL SPECIFICATION FIGURES ARE ≥ RANGE IN MIN/MAX SIZES

1. SPECIFICATION

a. X-Ray Generator Unit for Smiths Detector Conventional HS145180, Part#34434483, Hi-Ray 10, Tube: 0.32bpm 35-160, Anode voltage 160KV or equivalent to.

b. XRC Unit for RSO X-Ray scanner machine Smiths HI-SCAN 145180, Part#34439063, input 120-240/50-60Hz, power 280VA 180KV or equivalent to.

c. Service charge for replacement parts of RSO X-Ray scanner machine Smiths HI-SCAN 145180 or equivalent to.

2. Note:

- Required to submit with Bid: Manufacturer, Country of Origin, a CE or ISO certification for Instruments and other devices.

- Brand names, catalogue numbers or are only to provide example; not meant to be restrictive or exclusive unless otherwise indicated as "MUST BE"

3. To be provided with the bid:

1. The copy certificate of company registration
2. Transportation of Final destinations include
3. Warranty of Goods: At least 1-year warranty at delivery to consignee
4. Delivery: Within 30-60 days after the purchase order awarded
5. Delivery Place: U.S. Embassy Vientiane, Ban Somvong Tai, Hatsayfong District, Vientiane Capital, Lao P.D.R

Terms and Conditions

1. **SHIPPING INSTRUCTIONS:**

   a. **SHIP / DELIVERY TO**: The Contractor shall contact below point of contact (POC) at least 3 working days prior to delivery to coordinate the delivery schedule

   Mr. Anorath Ratanavong or Mr. Viengdala Saiyaosa
   U.S. Embassy Vientiane
   Rue Bartholonie (Thatdam), Vientiane Capital, Lao P.D.R

   E-mail: AnorathR@state.gov Tel: 856 (20) 55550441 or
   Viengdalasx@state.gov Tel: 856 (20) 55515996.

   b. **INCOTERM**: DDP Delivered Duty Paid, Laos

   c. **TERM OF DELIVERY**: within 30-60 calendar days or sooner after receipt of order or Modification. Partial delivery is not authorized.

2. **INSPECTION AND ACCEPTANCE**: Receiving Officer or his authorized representative at the respective delivery point in Lao shall conduct inspection for condition, quality, quantity count, and final acceptance of the supplies delivered under this Purchase Order.

3. **PAYMENT INSTRUCTION:**

   a. A proper invoice should be submitted for payment upon completion of the service to:

   Financial MGT Office - INVOICE
   US Embassy, Vientiane
   Thadeau Road Km 9, Ban Somvang Tai
   Vientiane, Laos

   or email to:

   VientianeInvoices@state.gov

   b. Payment enquiries should also be emailed to this email address.
   c. Payment shall be made within 30 days of receipt and acceptance of a proper invoice.

CLAUSES FOR PURCHASE ORDERS AND BLANKET PURCHASE AGREEMENTS AWARDED BY OVERSEAS CONTRACTING ACTIVITIES
(Current thru FAC 2019-03, dated 05/06/2019)

COMMERCIAL ITEMS

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

This purchase order or BPA incorporates the following clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this address: https://www.acquisition.gov/far

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

FEDERAL ACQUISITION REGULATION (48 CFR Chapter 1) CLAUSES

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

52.212-5 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS-COMMERCIAL ITEMS (MAY 2019)

(a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses, which are incorporated in this contract by reference, to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

(1) 52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).

(2) 52.204-23, Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (*Jul 2018*) (Section 1634 of Pub. L. 115-91).

(3) 52.209-10, Prohibition on Contracting with Inverted Domestic Corporations (*Nov 2015*).

(4) 52.233-3, Protest After Award (*Aug* 1996) (31 U.S.C. 3553).

(5) 52.233-4, Applicable Law for Breach of Contract Claim (*Oct 2004)* (Public Laws 108-77 and 108-78 (19 U.S.C. 3805 note)).

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

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

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

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

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

_ (5) [Reserved].

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

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

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

_ (9) 52.209-9, Updates of Publicly Available Information Regarding Responsibility Matters (*Oct* 2018) (41 U.S.C. 2313).
_ (10) [Reserved].
_ (11) (i) 52.219-3, Notice of HUBZone Set-Aside or Sole-Source Award (*Nov* 2011) (15 U.S.C.657a).
_ (ii) Alternate I (*Nov* 2011) of 52.219-3.
_ (12) 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns (*Oct* 2014) (if the offeror elects to waive the preference, it shall so indicate in its offer) (15 U.S.C. 657a).
_ (ii) Alternate I (*Jan* 2011) of 52.219-4.
_ (13) [Reserved]
_ (14) (i) 52.219-6, Notice of Total Small Business Set-Aside (*Nov* 2011) (15 U.S.C.644).
_ (ii) Alternate I (*Nov* 2011).
_ (iii) Alternate II (*Nov* 2011).
(15) (i) 52.219-7, Notice of Partial Small Business Set-Aside (*June* 2003) (15 U.S.C. 644).
_ (ii) Alternate I (*Oct* 1995) of 52.219-7.
_ (iii) Alternate II (*Mar* 2004) of 52.219-7.
_ (16) 52.219-8, Utilization of Small Business Concerns (*Oct* 2018) (15 U.S.C. 637(d)(2) and (3)).
_ (17) (i) 52.219-9, Small Business Subcontracting Plan (*Aug* 2018) (15 U.S.C. 637(d)(4))
_ (ii) Alternate I (*Jan* 2017) of 52.219-9.
_ (iii) Alternate II (*Nov* 2016) of 52.219-9.
_ (iv) Alternate III (*Nov* 2016) of 52.219-9.
_ (v) Alternate IV (Aug 2018) of 52.219-9
_ (18) 52.219-13, Notice of Set-Aside of Orders (*Nov* 2011) (15 U.S.C. 644(r)).
_ (19) 52.219-14, Limitations on Subcontracting (*Jan* 2017) (15 U.S.C.637(a)(14)).
_ (20) 52.219-16, Liquidated Damages-Subcontracting Plan (*Jan* 1999) (15 U.S.C. 637(d)(4)(F)(i)).
_ (21) 52.219-27, Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (*Nov* 2011) (15 U.S.C. 657f).
_ (22) 52.219-28, Post Award Small Business Program Rerepresentation (*Jul* 2013) (15 U.S.C. 632(a)(2)).
_ (23) 52.219-29, Notice of Set-Aside for, or Sole Source Award to, Economically Disadvantaged Women-Owned Small Business Concerns (*Dec* 2015) (15 U.S.C. 637(m)).

_ (24) 52.219-30, Notice of Set-Aside for, or Sole Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program (*Dec* 2015) (15 U.S.C. 637(m)).
X (25) 52.222-3, Convict Labor (*June* 2003) (E.O.11755).
_ (26) 52.222-19, Child Labor-Cooperation with Authorities and Remedies (*Jan* 2018) (E.O.13126).
_ (27) 52.222-21, Prohibition of Segregated Facilities (*Apr* 2015).
_ (28) 52.222-26, Equal Opportunity (*Sept* 2016) (E.O.11246).
Alternate I (*Feb* 1999) of 52.222-26.
_ (29) 52.222-35, Equal Opportunity for Veterans (*Oct* 2015) (38 U.S.C. 4212).
_ (ii) Alternate I (*July* 2014) of 52.222-35.
_ (30) 52.222-36, Equal Opportunity for Workers with Disabilities (*Jul* 2014) (29 U.S.C.793).
_ (ii) Alternate I (July 2014) of 52.222-36.
_ (31) 52.222-37, Employment Reports on Veterans (*Feb 2016*) (38 U.S.C. 4212).
_ (32) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (*Dec* 2010) (E.O. 13496).
X (33) (i) 52.222-50, Combating Trafficking in Persons (*Jan* 2019) (22 U.S.C. chapter 78 and E.O. 13627).
_ (ii) Alternate I (*Mar* 2015) of 52.222-50 (22 U.S.C. chapter 78 and E.O. 13627).
_ (34) 52.222-54, Employment Eligibility Verification (*Oct 2015*). (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial items as prescribed in 22.1803.)
_ (35) (i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA–Designated Items (*May* 2008) (42 U.S.C. 6962(c)(3)(A)(ii)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
_ (ii) Alternate I (*May* 2008) of 52.223-9 (42 U.S.C. 6962(i)(2)(C)). (Not applicable to the acqu
_ (36) 52.223-11, Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (*Jun* 2016) (E.O. 13693).
_ (37) 52.223-12, Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (*Jun*2016) (E.O. 13693).
_ (38) (i) 52.223-13, Acquisition of EPEAT®-Registered Imaging Equipment (*Jun 2014*) (E.O.s 13423 and 13514).
_ (ii) Alternate I (*Oct* 2015) of 52.223-13.
_ (39) 52.223-14, Acquisition of EPEAT®-Registered Televisions (*Jun 2014*) (E.O.s 13423 and 13514).
Alternate I (*Jun* 2014) of 52.223-14.
_ (40) 52.223-15, Energy Efficiency in Energy-Consuming Products (*Dec 2007*) (42 U.S.C. 8259b).

_ (41) 52.223-16, Acquisition of EPEAT®-Registered Personal Computer Products (*Oct 2015*) (E.O.s 13423 and 13514).
_ (ii) Alternate I (*Jun* 2014) of 52.223-16.
X (42) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (*Aug 2011*) (E.O. 13513).
_ (43) 52.223-20, Aerosols (*Jun* 2016) (E.O. 13693).
_ (44) 52.223-21, Foams (*Jun* 2016) (E.O. 13693).
_ (45) 52.224-3 Privacy Training (*Jan* 2017) (5 U.S.C. 552 a).
Alternate I (*Jan* 2017) of 52.224-3.
_ (46) 52.225-1, Buy American-Supplies (*May* 2014) (41 U.S.C. chapter 83).
_ (47) (i) 52.225-3, Buy American-Free Trade Agreements-Israeli Trade Act (*May* 2014)
(41 U.S.C. chapter 83, 19 U.S.C. 3301 note, 19 U.S.C. 2112 note, 19 U.S.C. 3805 note, 19 U.S.C. 4001 note, Pub. L. 103-182, 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, 110-138, 112-41, 112-42, and 112-43.
_ (ii) Alternate I (*May* 2014) of 52.225-3.
_ (iii) Alternate II (*May* 2014) of 52.225-3.
_ (iv) Alternate III (*May* 2014) of 52.225-3.
_ (48) 52.225-5, Trade Agreements (*Aug 2018*) (19 U.S.C. 2501, *et seq*., 19 U.S.C. 3301note).
X (49) 52.225-13, Restrictions on Certain Foreign Purchases (*June* 2008) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).
_ (50) 52.225-26, Contractors Performing Private Security Functions Outside the United States (*Oct* 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).
_ (51) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (*Nov* 2007) (42 U.S.C. 5150).
_ (52) 52.226-5, Restrictions on Subcontracting Outside Disaster or Emergency Area (*Nov* 2007) (42 U.S.C. 5150).
X (53) 52.232-29, Terms for Financing of Purchases of Commercial Items (*Feb* 2002) (41 U.S.C.4505, 10 U.S.C.2307(f)).
_ (54) 52.232-30, Installment Payments for Commercial Items (*Jan* 2017) (41 U.S.C.4505, 10 U.S.C.2307(f)).
X (55) 52.232-33, Payment by Electronic Funds Transfer-System for Award Management (*Oct* 2018) (31 U.S.C. 3332).
_ (56) 52.232-34, Payment by Electronic Funds Transfer-Other than System for Award Management (*Jul* 2013) (31 U.S.C.3332).
_ (57) 52.232-36, Payment by Third Party (*May* 2014) (31 U.S.C.3332).
_ (58) 52.239-1, Privacy or Security Safeguards (*Aug* 1996) (5 U.S.C. 552a).

_ (59) 52.242-5, Payments to Small Business Subcontractors (*Jan* 2017) (15 U.S.C. 637(d)(13)).
_ (60) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (*Feb* 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631).
_ (ii) Alternate I (*Apr* 2003) of 52.247-64.
_ (iii) Alternate II (*Feb* 2006) of 52.247-64.

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

_ (1) 52.222-17, Nondisplacement of Qualified Workers (*May* 2014)(E.O. 13495).
_ (2) 52.222-41, Service Contract Labor Standards (*Aug* 2018) (41 U.S.C. chapter 67).
_ (3) 52.222-42, Statement of Equivalent Rates for Federal Hires (*May* 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).
_ (4) 52.222-43, Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (Multiple Year and Option Contracts) (*Aug* 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).
_ (5) 52.222-44, Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (*May* 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).
_ (6) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (*May* 2014) (41 U.S.C. chapter 67).
_ (7) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (*May* 2014) (41 U.S.C. chapter 67).
_ (8) 52.222-55, Minimum Wages Under Executive Order 13658 (*Dec* 2015).
_ (9) 52.222-62, Paid Sick Leave Under Executive Order 13706 (*Jan* 2017) (E.O. 13706).
_ (10) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (*May* 2014) (42 U.S.C. 1792).

(d) *Comptroller General Examination of Record*. The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, and does not contain the clause at 52.215-2, Audit and Records-Negotiation.

(1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.

(2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR subpart 4.7, Contractor Records Retention, of the other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.

(3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.

(e) (1) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c), and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1) in a subcontract for commercial items. Unless otherwise indicated below, the extent of the flow down shall be as required by the clause-

(i) 52.203-13, Contractor Code of Business Ethics and Conduct (*Oct* 2015) (41 U.S.C. 3509).

(ii) 52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).

(iii) 52.204-23, Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (*Jul* 2018) (Section 1634 of Pub. L. 115-91).

(iv) 52.219-8, Utilization of Small Business Concerns (*Oct* 2018) (15 U.S.C.637(d)(2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds $700,000 ($1.5 million for construction of any public facility), the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.

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

(vi) 52.222-21, Prohibition of Segregated Facilities (*Apr* 2015).
(vii) 52.222-26, Equal Opportunity (*Sept* 2015) (E.O.11246).
(viii) 52.222-35, Equal Opportunity for Veterans (*Oct* 2015) (38 U.S.C.4212).
(ix) 52.222-36, Equal Opportunity for Workers with Disabilities (*Jul* 2014) (29 U.S.C.793).
(x) 52.222-37, Employment Reports on Veterans (*Feb* 2016) (38 U.S.C.4212)
(xi) 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.
(xii) 52.222-41, Service Contract Labor Standards (*Aug* 2018) (41 U.S.C. chapter 67).

(xiii) (A) 52.222-50, Combating Trafficking in Persons (*Jan* 2019) (22 U.S.C. chapter 78 and E.O 13627).

(B) Alternate I (*Mar* 2015) of 52.222-50(22 U.S.C. chapter 78 and E.O 13627).
(xiv) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (*May* 2014) (41 U.S.C. chapter 67).
(xv) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (*May* 2014) (41 U.S.C. chapter 67).
(xvi) 52.222-54, Employment Eligibility Verification (*Oct 2015*) (E.O. 12989).
(xvii) 52.222-55, Minimum Wages Under Executive Order 13658 (*Dec* 2015).
(xviii) 52.222-62, Paid Sick Leave Under Executive Order 13706 (*Jan* 2017) (E.O. 13706).
(xix) (A) 52.224-3, Privacy Training (*Jan* 2017) (5 U.S.C. 552a).

(B) Alternate I (*Jan* 2017) of 52.224-3.
(xx) 52.225-26, Contractors Performing Private Security Functions Outside the United States (*Oct* 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).
(xxi) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (*May* 2014) (42 U.S.C. 1792). Flow down required in accordance with paragraph (e) of FAR clause 52.226-6.
(xxii) 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.
(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	JUL 1988
652.242-73	Authorization and Performance	AUG 1999
652.243-70	Notices	AUG 1999
652.247-71	Shipping Instruction	FEB 2015

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

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

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

clause in all subcontracts when the subcontractor's employees will require frequent and continuing access to DOS facilities, or information systems.

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

(End of clause)