



*American Embassy, New Delhi,
India Shanti Path, Chanakyapuri,
New Delhi-110021
Phone No. 91-11-24198728
Fax No. 91-11-24198278*

Solicitation No. 19-1N65-18-Q-0010

Dated: Nov 20, 2017

☐ **Name & address of Offeror**

Issued by: M/GSO/Contracting

You are invited to quote your lowest prices for the listed services at the space provided and send it through email to newdelhibids@state.gov no later than 1400 hours on **December 06, 2017**. The Offeror must write their name, address and contact phone number on each page. The Contracting Officer shall provide additional information and/or clarifications concerning this solicitation.

Services - Description

American Embassy would like to enter into annual contract for servicing of photocopiers machines under FSMA (Full Service Maintenance Agreement) and Annual Contract from January thru December. FSMA pricing must include supplies like toner, developer, spares and staples.

1. Copiers machines are at different locations as American Embassy (Chanakyapuri, Shantipath and American Center (Connaught Place).
2. Payment will be released on monthly basis.
3. The quantities may be added or deleted on one day notice as per the requirement.
4. The Embassy reserves the right to reject any or offers and to delete any portion/or items of the solicitation. Your offer should be valid for least 90 days from submission date. Once the Purchase order awarded, the prices shall hold good for one year.
5. Company profile along with the references where similar services are being provided.
6. In addition, include a detailed description and explanation, including staffing levels, of your daily service plan. Name, telephone and email address of the contact person of the engineer level should also be provided at the time of quote.
7. Vendor shall provide quote "per machine and per copy " basis.
8. Embassy will not accept any clause stating minimum assured copies.

Commodity

Rs. _____

GST

Rs. _____

Total

Rs. _____

Name of the Offeror _____

Telephone # _____ **Fax#** _____

Email ID: _____

Sincerely,

**Towhid G Kazi
Contracting Officer**

Please do not forward your quotations via courier or mark email to any other e-mail address.

Quotations received after the due date and time shall be dealt with in accordance with the procedures in FAR provision 52.212-1(f).

This solicitation requires registration with the System for Award Management (SAM) prior to the award, pursuant to applicable regulations and guidelines. Registration information can be found at WWW.Sam.gov.

FSMA/ANNUAL CONTRACT

S.No		MODEL	SL_NO	AGENCY	C/F	Annual Contract	Annual charges	Total
1	nashu atec	CP 450+	F233010 0024	ICASS	Annual Contract	1 ls		
2	nashu atec	DD4450	D225Z90 0039	ICASS	Annual Contract	1 ls		
S.No		MODEL	SL_NO	AGENCY	C/F	Copies	Per Copy	Total
1	nashu atec	4000B	M548270 0381	CBP	FSMA	12000		
2	nashu atec	MP 6000	M928300 0111	CIS	FSMA	144,000		
3	nashu atec	MP 3350B	M628420 0109	CUSTOM	FSMA	16000		
4	Ricoh	MP 3054	G155P803602	DAO	FSMA	60000		
5	nashu atec	MP 4000B	M548330 0644	DEA	FSMA	12000		
6	nashu atec	MPC 2500	L367420 1772	FAA	FSMA	8000		
7	nashu atec	MP2501L	E353MB5 0016	FBIS	FSMA	36000		
8	nashu atec	MP C4503	E175375 0061	FCS	FSMA	15000		
9	nashu atec	5505	J534050 0413	FCS	FSMA	16000		

10	nashu atec	DSM 635	J794340 0585	ICASS	FSMA	33000		
11	nashu atec	MP3350 B	M628420 0094	ICASS	FSMA	12000		
12	nashu atec	MP 5002 SP	W534M65 0020	ICASS	FSMA	88000		
13	nashu atec	DSM 651	K445330 0833	ICASS	FSMA	10000 0		
14	nashu atec	DSM 730	K866440 0009	ICASS	FSMA	36000		
15	nashu atec	MP 5002 SP	W534M650035	ICASS	FSMA	88000		
16	nashu atec	DSM 635	J794340 0545	ICASS	FSMA	88000		
17	nashu atec	MP 2500LN	M440160 3066	ICASS	FSMA	12000		
18	nashu atec	MP 2000	L702636 2562	ICASS	FSMA	36000		
19	nashu atec	MP 4000B	M548330 0646	ICASS	FSMA	12000		
20	nashu atec	DSM 725	K855460 0272	ICASS	FSMA	38500		
21	nashu atec	MP 1600	L687686 0800	ICASS	FSMA	36000		
22	nashu atec	7505	J434060 0078	ICASS	FSMA	14400 0		
23	nashu atec	MP 6054	G195R69 0022	ICASS	FSMA	12000 0		
24	nashu atec	MP 5500	L776340 0592	ICASS	FSMA	12000 0		
25	nashu atec	D 4545	J593710 0154	ICASS	FSMA	16000		
26	nashu atec	MPC 4502	W512JA0 0090	ICASS	FSMA	70000		
27	Sharp	M207	9303 2510	ICASS	FSMA	12000		
28	Sharp	AR5520 D	0304 6571	ICASS	FSMA	12000		
29	Sharp	AR5520	0304 6341	ICASS	FSMA	12000		
30	Sharp	AR 5631	9502 2537	ICASS	FSMA	36000		
31	nashu atec	MP 2500LN	M440180 4824	ICASS	FSMA	12000		

32	Ricoh	MP 3054	G155P801708	ODC	FSMA	60000		
33	nashu atec	MP 2500	440150 1425	PAS	FSMA	20000		
34	nashu atec	MP 2500	440150 1399	PAS	FSMA	20000		
35	nashu atec	MP 2500	440150 1462	PAS	FSMA	20000		
36	nashu atec	MP 4001	790300 0747	PAS	FSMA	12000 0		
37	nashu atec	MP 2500	440150 1342	PAS	FSMA	20000		
38	nashu atec	MPC 2050	220420 2018	PAS	FSMA	15000		
39	nashu atec	MP 2500LN	M440170 4661	PROGRA M	FSMA	12000		
40	nashu atec	3732TD	AL6190 0017	PROGRA M	FSMA	12000		
41	nashu atec	DSM 616	K815681 1308	PROGRA M	FSMA	33000		
42	nashu atec	MP 5002 SP	W533MA 5003	PROGRA M	FSMA	48000		
43	nashu atec	DSM 651	K445330 0839	PROGRA M	FSMA	12000		
44	nashu atec	MP 1600	L687686 0803	PROGRA M	FSMA	36000		
45	nashu atec	MP 6000	M928300 0116	PROGRA M	FSMA	12000		
46	nashu atec	MP 2000	L708676 1736	PROGRA M	FSMA	12000		
47	Sharp	AR5631	9500 7075	PROGRA M	FSMA	36000		
48	nashu atec	MP 5002 SP	W534M65 0022	PROGRA M	FSMA	12000		
49	Sharp	MXM453	1500997600	PTO	FSMA	36000		
50	nashu atec	MP 3010	M107420 2542	RSO	FSMA	30000		
51	nashu atec	3732	AC4181 0060	RSO	FSMA	18000		
52	nashu atec	DSM 725	K856470 0699	RSO	FSMA	30000		
53	Sharp	AR5520	9305 0725	RSO	FSMA	12000		

54	Sharp	AR5320N	8307 0375	RSO	FSMA	36000		
55	Sharp	MX-M464N		FMC	FSMA	20000		
56	Sharp	MX-M464N		Motorpool	FSMA	20000		
57	Sharp	MX-M464N		ICASS	FSMA	20000		
58	Ricoh	MP 4054	G175R520016	ICASS	FSMA	60000		
59	HP	A3SIZE		ICASS	FSMA	20000		
60	HP	A3SIZE		PROGRAM	FSMA	20000		
61	Xerox	Xerox, 5735		HHS	FSMA	10000		
62	Xerox	5021		LANGUAGE	FSMA	12000		
63	Xerox	Xerox 7765 color		ICASS	FSMA	45000		
64	Xerox	Xerox 7765, BLACK & WHITE		ICASS	FSMA	50000		
65	Xerox	Xerox, 5740		ICASS	FSMA	38000		
66	Xerox	Xerox, 5740		ICASS	FSMA	24000		
67	Xerox	Xerox, 5740		ICASS	FSMA	30000		
68	Xerox	5745CPS C		ICASS	FSMA	30000		
69	Xerox	5875CPS C		ICASS	FSMA	26000		
70	Xerox	Xerox, 5735		ICASS	FSMA	7000		
71	Xerox	WC 7120, A3 color		PAS	FSMA	3500		
72	Xerox	WC 7120, A3 Black and white		PAS	FSMA	3000		
73	Xerox	WC 7120, A4 color		PAS	FSMA	10000		
74	Xerox	WC 7120, A4 Black		PAS	FSMA	5000		

		and white						
75	Xerox	Color 550 Size A(3)/A4 Color		PAS	FSMA	13000 0		
76	Xerox	BL ACK 550 Size A (3)/A B & W		PAS	FSMA	600		
77	Xerox	Xerox, 5740		USCIS/F DNS	FSMA	8000		
78	Xerox	WC5230	331642930	Press Office	FSMA	50000		

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

95) 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
52.204-9	Personal Identity Verification of Contractor Personnel (if contractor requires physical access to a federally-controlled facility or access to a Federal information system)	JAN 2011
52.212-4	Contract Terms and Conditions – Commercial Items (Alternate I (MAY 2014) of 52.212-4 applies if the order is time-and-materials or labor-hour)	JAN 2017
52.225-19	Contractor Personnel in a Diplomatic or Consular Mission Outside the United States (applies to services at danger pay posts only)	MAR 2008
52.227-19	Commercial Computer Software License (if order is for software)	DEC 2007
52.228-3	Workers' Compensation Insurance (Defense Base Act) (if order is for services and contractor employees are covered by Defense Base Act insurance)	JUL 2014
52.228-4	Workers' Compensation and War-Hazard Insurance (if order is for services and contractor employees are <u>not</u> covered by Defense Base Act insurance)	APR 1984

52.212-5 Contract Terms and Conditions Required To Implement Statutes or Executive Orders—Commercial Items (JAN 2017)

(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) [52.209-10](#), Prohibition on Contracting with Inverted Domestic Corporations (Nov

2015). (2) [52.233-3](#), Protest After Award (AUG 1996) ([31 U.S.C. 3553](#)).
(3) [52.233-4](#), Applicable Law for Breach of Contract Claim (OCT 2004)(Public Laws 108-77 and 108-78 ([19 U.S.C. 3805 note](#))).
(b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

[Contracting Officer check as appropriate.]

- ___(1) [52.203-6](#), Restrictions on Subcontractor Sales to the Government (Sept 2006), with Alternate I (Oct 1995) ([41 U.S.C. 4704](#) and [10 U.S.C. 2402](#)).
- ___(2) [52.203-13](#), Contractor Code of Business Ethics and Conduct (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 2016) (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 (Jul 2013) ([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)(i) [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 (Nov 2016) ([15 U.S.C. 637\(d\)\(2\)](#) and (3)).
- ___(17)(i) [52.219-9](#), Small Business Subcontracting Plan (Nov 2016) ([15 U.S.C. 637\(d\)\(4\)](#)).
- ___(ii) Alternate I (Nov 2016) 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 (Nov 2016) of [52.219-9](#).
- ___(18) [52.219-13](#), Notice of Set-Aside of Orders (Nov 2011) ([15 U.S.C. 644\(r\)](#)).
- ___(19) [52.219-14](#), Limitations on Subcontracting (Nov 2011) ([15 U.S.C. 637\(a\)\(14\)](#)).
- ___(20) [52.219-16](#), Liquidated Damages—Subcon-tracting 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. 657 f](#)).
- ___(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\(m\)](#)).
- ___(25) [52.222-3](#), Convict Labor (June 2003) (E.O. 11755).
- ___(26) [52.222-19](#), Child Labor—Cooperation with Authorities and Remedies (Oct 2016) (E.O. 13126).
- ___(27) [52.222-21](#), Prohibition of Segregated Facilities (Apr 2015).
- ___(28) [52.222-26](#), Equal Opportunity (Sept 2016) (E.O. 11246).
- ___(29) [52.222-35](#), Equal Opportunity for Veterans (Oct 2015)([38 U.S.C. 4212](#)).
- ___(30) [52.222-36](#), Equal Opportunity for Workers with Disabilities (Jul 2014) ([29 U.S.C. 793](#)).
- ___(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).
- ___(33)(i) [52.222-50](#), Combating Trafficking in Persons (Mar 2015) ([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) [52.222-59](#), Compliance with Labor Laws (Executive Order 13673) (OCT 2016). (Applies at \$50 million for solicitations and resultant contracts issued from October 25, 2016 through April 24, 2017; applies at \$500,000 for solicitations and resultant contracts issued after April 24, 2017).

Note to paragraph (b)(35): By a court order issued on October 24, 2016, 52.222-59 is enjoined indefinitely as of the date of the order. The enjoined paragraph will become effective immediately if the court terminates the injunction. At that time, GSA, DoD and NASA will

publish a document in the Federal Register advising the public of the termination of the injunction.

- ___(36) [52.222-60](#), Paycheck Transparency (Executive Order 13673) (OCT 2016).
- ___(37)(i) [52.223-9](#), Estimate of Percentage of Recovered Material Content for EPA–Designated Items (May 2008) ([42 U.S.C. 6962\(c\)\(3\)\(A\)\(ii\)](#)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
- ___(ii) Alternate I (May 2008) of [52.223-9](#) ([42 U.S.C. 6962\(i\)\(2\)\(C\)](#)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
- ___(38) [52.223-11](#), Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (JUN 2016) (E.O. 13693).
- ___(39) [52.223-12](#), Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (JUN 2016) (E.O. 13693).
- ___(40)(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](#).
- ___(41)(i) [52.223-14](#), Acquisition of EPEAT®-Registered Televisions (JUN 2014) (E.O.s 13423 and 13514).
- ___(ii) Alternate I (Jun 2014) of [52.223-14](#).
- ___(42) [52.223-15](#), Energy Efficiency in Energy-Consuming Products (DEC 2007) ([42 U.S.C. 8259b](#)).
- ___(43)(i) [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](#).
- ___(44) [52.223-18](#), Encouraging Contractor Policies to Ban Text Messaging While Driving (AUG 2011) (E.O. 13513).
- ___(45) [52.223-20](#), Aerosols (JUN 2016) (E.O. 13693).
- ___(46) [52.223-21](#), Foams (JUN 2016) (E.O. 13693).
- ___(47) [52.225-1](#), Buy American—Supplies (May 2014) ([41 U.S.C. chapter 83](#)).
- ___(48)(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](#).
- ___(49) [52.225-5](#), Trade Agreements (OCT 2016) ([19 U.S.C. 2501](#), et seq., [19 U.S.C. 3301](#) note).
- ___(50) [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).
- ___(51) [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).
- ___(52) [52.226-4](#), Notice of Disaster or Emergency Area Set-Aside (Nov 2007) ([42 U.S.C. 5150](#)).

- ___(53) [52.226-5](#), Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov 2007) ([42 U.S.C. 5150](#)).
- ___(54) [52.232-29](#), Terms for Financing of Purchases of Commercial Items (Feb 2002) ([41 U.S.C. 4505](#), [10 U.S.C. 2307\(f\)](#)).
- ___(55) [52.232-30](#), Installment Payments for Commercial Items (Oct 1995) ([41 U.S.C. 4505](#), [10 U.S.C. 2307\(f\)](#)).
- ___(56) [52.232-33](#), Payment by Electronic Funds Transfer—System for Award Management (Jul 2013) ([31 U.S.C. 3332](#)).
- ___(57) [52.232-34](#), Payment by Electronic Funds Transfer—Other than System for Award Management (Jul 2013) ([31 U.S.C. 3332](#)).
- ___(58) [52.232-36](#), Payment by Third Party (May 2014) ([31 U.S.C. 3332](#)).
- ___(59) [52.239-1](#), Privacy or Security Safeguards (Aug 1996) ([5 U.S.C. 552a](#)).
- ___(60)(i) [52.247-64](#), Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) ([46 U.S.C. Appx. 1241\(b\)](#) and [10 U.S.C. 2631](#)).
- ___(ii) Alternate I (Apr 2003) of [52.247-64](#).

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

[Contracting Officer check as appropriate.]

- ___(1) [52.222-17](#), Nondisplacement of Qualified Workers (May 2014)(E.O. 13495).
- ___(2) [52.222-41](#), Service Contract Labor Standards (May 2014) ([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) (May 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](#)).
- ___(11) [52.237-11](#), Accepting and Dispensing of \$1 Coin (Sept 2008) ([31 U.S.C. 5112\(p\)\(1\)](#)).
- (d) Comptroller General Examination of Record. The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, and does not contain the clause at [52.215-2](#), Audit and Records—Negotiation.

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

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

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

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

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

(ii) [52.219-8](#), Utilization of Small Business Concerns (Nov 2016) ([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.

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

(iv) [52.222-21](#), Prohibition of Segregated Facilities (Apr 2015) (v) [52.222-26](#), Equal Opportunity (Sept 2016) (E.O. 11246).

(vi) [52.222-35](#), Equal Opportunity for Veterans (Oct 2015) ([38 U.S.C. 4212](#)).

(vii) [52.222-36](#), Equal Opportunity for Workers with Disabilities (Jul 2014) ([29 U.S.C. 793](#)).

(viii) [52.222-37](#), Employment Reports on Veterans (Feb 2016) ([38 U.S.C. 4212](#))

(ix) [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](#).

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

(xi) [52.222-50](#), Combating Trafficking in Persons (Mar 2015) ([22 U.S.C. chapter 78](#) and E.O. 13627). Alternate I (Mar 2015) of [52.222-50](#) ([22 U.S.C. chapter 78](#) and E.O. 13627).

(xii) [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](#)).

(xiii) [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](#)).

(xiv) [52.222-54](#), Employment Eligibility Verification (OCT 2015) (E.O. 12989).

(xv) [52.222-55](#), Minimum Wages Under Executive Order 13658 (Dec 2015).

(xvi) [52.222-59](#), Compliance with Labor Laws (Executive Order 13673) (OCT 2016) (Applies at \$50 million for solicitations and resultant contracts issued from October 25, 2016 through April 24, 2017; applies at \$500,000 for solicitations and resultant contracts issued after April 24, 2017).

Note to paragraph (e)(1)(xvi): By a court order issued on October 24, 2016, 52.222-59 is enjoined indefinitely as of the date of the order. The enjoined paragraph will become effective immediately if the court terminates the injunction. At that time, GSA, DoD and NASA will publish a document in the Federal Register advising the public of the termination of the injunction.

(xvii) [52.222-60](#), Paycheck Transparency (Executive Order 13673) (OCT 2016)).

(xviii) [52.222-62](#), Paid Sick Leave Under Executive Order 13706 (JAN 2017) (E.O. 13706).

(xix) [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](#)).

(xx) [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](#).

(xxi) [52.247-64](#), Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) ([46 U.S.C. Appx. 1241\(b\)](#) and [10 U.S.C. 2631](#)). Flow down required in accordance with paragraph

(d) of FAR clause [52.247-64](#).

(2) While not required, the Contractor may include in its subcontracts for commercial items a minimal number of additional clauses necessary to satisfy its contractual obligations.

(End of clause)

DEPARTMENT OF STATE ACQUISITION REGULATION (48 CFR Chapter 6) CLAUSES

NUMBER	TITLE	DATE
652.225-71	Section 8(a) of the Export Administration Act of 1979, As Amended (if order exceeds simplified acquisition threshold)	AUG 1999
652.229-70	Excise Tax Exemption Statement for Contractors Within the United States (for supplies to be delivered to an overseas post)	JUL 1988
652.229-71	Personal Property Disposition at Posts Abroad	AUG 1999
652.237-72	Observance of Legal Holidays and Administrative Leave (for services where performance will be on-site in a Department of State facility)	APR 2004

652.239-71	Security Requirements for Unclassified Information Technology Resources (for orders that include information technology resources or services in which the contractor will have physical or electronic access to Department information that directly supports the mission of the Department)	SEP 2007
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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)