

# SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES

**NOTE: OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, AND 30.**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                   |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                           |                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| 1. REQUISITION NUMBER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                   |                    | PAGE 1 OF                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                           |                                                 |
| 2. CONTRACT NUMBER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3. AWARD/EFFECTIVE DATE           | 4. ORDER NUMBER    | 5. SOLICITATION NUMBER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 6. SOLICITATION ISSUE DATE                                                                                                                                                                |                                                 |
| 7. FOR SOLICITATION INFORMATION CALL:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                   |                    | a. NAME                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                           | b. TELEPHONE NUMBER ( <i>No collect calls</i> ) |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                   |                    | 8. OFFER DUE DATE/ LOCAL TIME                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                           |                                                 |
| 9. ISSUED BY CODE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                   |                    | 10. THIS ACQUISITION IS <input type="checkbox"/> UNRESTRICTED OR <input type="checkbox"/> SET ASIDE: % FOR:<br><input type="checkbox"/> SMALL BUSINESS <input type="checkbox"/> WOMEN-OWNED SMALL BUSINESS (WOSB) NORTH AMERICAN INDUSTRY CLASSIFICATION STANDARD (NAICS):<br><input type="checkbox"/> HUBZONE SMALL BUSINESS <input type="checkbox"/> ECONOMICALLY DISADVANTAGED <input type="checkbox"/> DISADVANTAGED<br><input type="checkbox"/> SERVICE-DISABLED <input type="checkbox"/> WOMEN-OWNED SMALL BUSINESS (EDWOSB) SIZE STANDARD:<br><input type="checkbox"/> VETERAN-OWNED SMALL BUSINESS (SDVOSB) <input type="checkbox"/> 8(A) |                                                                                                                                                                                           |                                                 |
| 11. DELIVERY FOR FREE ON BOARD (FOB) DESTINATION UNLESS BLOCK IS MARKED<br><input type="checkbox"/> SEE SCHEDULE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                   | 12. DISCOUNT TERMS |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 13a. THIS CONTRACT IS A <input type="checkbox"/> RATED ORDER UNDER THE DEFENSE PRIORITIES AND ALLOCATIONS SYSTEM - DPAS (15 CFR 700)                                                      |                                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                   |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 13b. RATING                                                                                                                                                                               |                                                 |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                   |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 14. METHOD OF SOLICITATION REQUEST <input type="checkbox"/> REQUEST FOR QUOTE (RFQ) <input type="checkbox"/> INVITATION FOR BID (IFB) <input type="checkbox"/> REQUEST FOR PROPOSAL (RFP) |                                                 |
| 15. DELIVER TO CODE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                   |                    | 16. ADMINISTERED BY CODE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                           |                                                 |
| 17a. CONTRACTOR/ OFFEROR CODE FACILITY CODE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                   |                    | 18a. PAYMENT WILL BE MADE BY CODE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                           |                                                 |
| TELEPHONE NUMBER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                   |                    | 18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED <input type="checkbox"/> SEE ADDENDUM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                           |                                                 |
| <input type="checkbox"/> 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                   |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                           |                                                 |
| 19. ITEM NUMBER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 20. SCHEDULE OF SUPPLIES/SERVICES |                    | 21. QUANTITY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 22. UNIT                                                                                                                                                                                  | 23. UNIT PRICE                                  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                   |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                           |                                                 |
| (Use Reverse and/or Attach Additional Sheets as Necessary)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                   |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                           |                                                 |
| 25. ACCOUNTING AND APPROPRIATION DATA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                   |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 26. TOTAL AWARD AMOUNT ( <i>For Government Use Only</i> )                                                                                                                                 |                                                 |
| <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <input type="checkbox"/> 27a. SOLICITATION INCORPORATES BY REFERENCE (FEDERAL ACQUISITION REGULATION) FAR 52.212-1, 52.212-4. FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA<br/> <input type="checkbox"/> 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4. FAR 52.212-5 IS ATTACHED. ADDENDA<br/> <input type="checkbox"/> 28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN COPIES TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED </div> <div style="width: 35%;"> <input type="checkbox"/> 29. AWARD OF CONTRACT: REFERENCE OFFER DATED . YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS: </div> </div> |                                   |                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                           |                                                 |
| 30a. SIGNATURE OF OFFEROR/CONTRACTOR                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                   |                    | 31a. UNITED STATES OF AMERICA ( <i>SIGNATURE OF CONTRACTING OFFICER</i> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                           |                                                 |
| 30b. NAME AND TITLE OF SIGNER ( <i>Type or print</i> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                   | 30c. DATE SIGNED   | 31b. NAME OF CONTRACTING OFFICER ( <i>Type or print</i> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                           | 31c. DATE SIGNED                                |

## Solicitation/Contract Form Continuation

Instrument Name: LLA Lewiston Levee Rebuild Parts

Product Service Code : 5340

### **1. BIDDER INQUIRY:**

Bidder/Offeror Solicitation Questions:

All inquiries regarding this solicitation are to be submitted via Bidder Inquiry. Telephone and email inquiries will not be accepted. Bidder Inquiry is a website that allows bidders to post questions regarding the solicitation and view all questions by other bidders and responses by USACE. Bidder Inquiry can be accessed through ProjNet at <https://www.projnet.org>.

To submit and review inquiry items, prospective vendors will need to use the Bidder Inquiry Key presented below and follow the instructions listed below the key for access. A prospective vendor who submits a comment/question will receive an acknowledgement of the comment/question via email. Another email to the same address will notify the prospective vendor once the reply is available for viewing.

**TIMING OF BIDDER INQUIRIES:** Bidders are encouraged to submit their bidder inquiries promptly. The Government will make every effort to answer all bidder inquiries; however, the closer to the solicitation due date an inquiry is received, the less likely it is that a timely response can be provided.

**The Bidder Inquiry Key is: 95GMGV-ZIT218**

### **Specific Instructions for ProjNet Bid Inquiry Access:**

1. From the ProjNet home page linked above, click on Quick Add on the upper right side of the screen.
2. Identify the Agency. This should be marked as USACE.
3. Key. Enter the Bidder Inquiry Key listed above.
4. Email. Enter the email address you would like to use for communication.
5. Click Continue. A page will then open saying that a user account was not found and will ask you to create one using the provided form.
6. Enter your First Name, Last Name, Company, City, State, Phone, Email, Secret Question, Secret Answer, and Time Zone. Make sure to remember your Secret Question and Answer as they will be use from this point on to access the ProjNet system.
7. Click Add User. Once this is completed you are now registered within ProjNet and are currently logged into the system.

### **Instructions for Entering Questions:**

1. After you are logged in, click on the "post new inquiry." It is on the left side of the window under the word "Submit."
- a.) This is the window where you will enter your questions.
- b.) Comment Classification: Click on the down arrow to the right of the words "Please select from below," select "Public."
- c.) Discipline: This is where you select who this question should be directed to. Example: if the question is about an electrical drawing or specification, select "Electrical" from the pull-down list.
- d.) Sheet. Enter the sheet number of the drawing you are asking about.
- e.) Detail. Enter the detail name of the detail shown on the drawing that you are asking about.
- f.) Specification. Enter the Specification number and paragraph number.
- g.) File. Use this if you are going to attach a pdf file.
- h.) Question. Enter your question here.

### **Specific Instructions for Future ProjNet Bid Inquiry Access:**

1. For future access to ProjNet, you will not be provided any type of password. You will utilize your Secret Question and Secret Answer to log in.
2. From the ProjNet home page linked above, click on Quick Add on the upper right side of the screen.
3. Identify the Agency. This should be marked as USACE.
4. Key. Enter the Bidder Inquiry Key listed above.
5. Email. Enter the email address you used to register previously in ProjNet.
6. Click Continue. A page will then open asking you to enter the answer to your Secret Question.
7. Enter your Secret Answer and click Login. Once this is completed, you are now logged into the system.

For questions about the ProjNet Bidder Inquiry, please contact the Call Center help desk at ProjNet: Public User, (833) 389-1097 or 217-367-3273, which operates from 8AM to 5PM (Central US time zone). Bidder inquiry help questions can also be emailed to the helpdesk at [staff@projnet.info](mailto:staff@projnet.info).

Registration at [www.sam.gov](http://www.sam.gov) is required. If not registered, please do so. Step-by-step help information on how to register is detailed on the website, along with frequently asked questions (FAQs). Lack of registration in the SAM database may make an offeror ineligible for award.

Effective 29 April 2018, the notarized letter process is now mandatory on all CURRENT registrants at SAM who have a requirement to update data on their SAM record. The notarized letter is mandatory and is required for the GSA Federal Service Desk (FSD, <https://www.fsd.gov>) to activate the entity's registration. Both Federal Assistance entities and all non-Federal entities must mail the original, signed copy of the notarized letter to the Federal Service Desk. Failure to do so within 30 days of activation may result in the registration no longer being active. Mail the completed, signed, notarized letter to:

FEDERAL SERVICE DESK

ATTN: SAM.GOV REGISTRATION PROCESSING

460 INDUSTRIAL BLVD

LONDON, KY 40741-7285

UNITED STATES OF AMERICA

Per Title 4 of the US Code 104-107, the US Government is exempt from paying local and state taxes. Exempt Tax Identification Number 91-0828090.

## **2. GENERAL CONTRACT INFORMATION**

Delivery Date \_\_\_\_\_

Offeror's Name (Printed) \_\_\_\_\_

Offeror's Contact Telephone Number \_\_\_\_\_

Offeror's Email Address \_\_\_\_\_

Federal Tax Identification No. \_\_\_\_\_

CAGE Code \_\_\_\_\_ Unique Entity ID \_\_\_\_\_

Is your company registered on-line in SAM ([www.sam.gov](http://www.sam.gov))? YES NO

Total Amount of Contract: \_\_\_\_\_

**To ensure receipt of your quote, please send to the attention of Gregory Moyer at:**

**Email: [Gregory.Moyer@usace.army.mil](mailto:Gregory.Moyer@usace.army.mil)**

## **3. ADDENDUM TO FAR 52.212-1 INSTRUCTIONS TO OFFERORS - COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES**

Submission of Price Quote - Contractor shall submit the following in 1 copy:

1. Signed and dated Standard Form 1449 (Solicitation / Contract / Order for Commercial Items).
2. Signed and dated Standard Form 30, if applicable, for any Amendments to the Solicitation.
3. Completed schedule (pricing information) for all line items listed in the solicitation / amendments.
4. Completed "General Contract Information" section above.
5. Offerors must submit a manufacturer's certification for each component to the Government for technical review and approval prior to contract award.

Offerors are cautioned to clearly print prices for all line items. Be especially careful placing decimal points, as a mistake in your offer may render it unresponsive. Your quote must be valid for 30 calendar days after the due date specified for receipt of quotations. Please include shipping costs in the quoted price of each item.

#### BASIS FOR AWARD

The Government will award one contract resulting from this solicitation in accordance with the Revolutionary Federal Acquisition Regulation Overhaul (RFO) Subpart 12.2 to the responsible offeror meeting or exceeding all solicitation requirements and representing the best value based on price.

\*\*\* END OF NARRATIVE 1 \*\*\*

## Continuation of Supplies or Services and Prices/Costs

### Additional Information/Notes

| Item | Supplies/Service                                                                                                                                             | Quantity | Unit | Unit Price | Amount |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------|------------|--------|
| 0001 | Bearing Tube, Peerless<br><br>Vendor's (Seller's) Part Number:<br>2728271-738<br><br>Product Service Code: 5340<br><br>Pricing Arrangement: Firm Fixed Price | 1        | Each |            |        |
| 0002 | Suction Bell, Peerless<br><br>Vendor's (Seller's) Part Number:<br>96864084<br><br>Product Service Code: 5340<br><br>Pricing Arrangement: Firm Fixed Price    | 1        | Each |            |        |
| 0003 | Impeller, Peerless<br><br>Vendor's (Seller's) Part Number:<br>99378365<br><br>Product Service Code: 5340<br><br>Pricing Arrangement: Firm Fixed Price        | 1        | Each |            |        |

## Continuation of Description

### LEWISTON LEVEE PUMP REBUILD COMPONENTS

#### LOWER GRANITE LOCK AND DAM, POMEROY, WA

**1.0 Intent:** Procure original equipment manufacturer (OEM) rebuild components for the Lewiston Levee Pump located in Garfield County, Washington. New equipment only; no remanufactured or "gray market" items.

**2.0 Scope:** The Contractor is required to deliver OEM brand Peerless Pump rebuild components for the Lewiston Levee Pump to Lower Granite Lock and Dam by the dates listed. The Contractor must also provide documentation, and other items as stated in section 3.0, inclusive. Ancillary items which are necessary, or which are regularly furnished to provide a complete functional unit, shall be furnished by the Contractor at the quoted price and must conform in strength, quality of material, workmanship, and sound engineering standards.

**3.0 Lewiston Levee Rebuild Components:** The Contractor must provide the following obsolete (OBS) Peerless Pump components, including dynamically balancing the impeller and supplying manufacturer certifications for item(s) 1 thru 3 as specified:

| ITEM | QTY  | DESCRIPTION                  | PART #                   | DELIVERY |
|------|------|------------------------------|--------------------------|----------|
| 1    | 1 EA | OEM Replacement Bearing Tube | Peerless P/N 2728271-738 | 20 weeks |
| 2    | 1 EA | OEM Replacement Suction Bell | Peerless P/N 96864084    | 20 weeks |
| 3    | 1 EA | OEM Replacement Impeller     | Peerless P/N 99378365    | 20 weeks |

**3.1** The following engineering standards must be adhered to:

**3.1.1 Metallurgy:** All parts must match or exceed the corrosion and abrasion resistance of the original Peerless material codes (e.g., Code 023/040).

**3.1.2 Balancing:** The replacement impeller (Item 3) must be dynamically balanced in accordance with ISO 21940-11 Grade G6.3 standards prior to leaving the factory. The serial tracked certification of this balance must be included in the shipping documentation.

**4.0 Pre-Award Certifications:** The Contractor must submit a manufacturer's certification for each component to the Government for technical review and approval prior to contract award.

**5.0 Warranty:** All items must carry a comprehensive manufacturer's one-year warranty, inclusive, on all parts and workmanship from factory defects. In the event of a warranty claim, the Contractor shall be responsible for all costs associated with shipping the defective component from the Government facility to the repair site and the return of the replacement/repaired part to Lower Granite Lock & Dam.

**6.0 ACCEPTANCE:** The place of acceptance will be at the delivery location (7.0). The Contractor must supply the listed items in the quantities specified, to satisfy the requirements of the contract, to the delivery location. Any components damaged in transit must be replaced and expedited to the site at the Contractor's sole expense.

**7.0 DELIVERY LOCATION:** All items must be delivered FOB Destination within 20 weeks following contract award. The contractor is responsible for maintaining the product's condition to the delivery location. No shipments are allowed other than normal business hours of Monday through Thursday 0700 - 1500hrs, excluding Fridays and federal holidays.

U.S. Army Corps of Engineers

Lower Granite Lock and Dam

885 Almota Ferry Road

Pomeroy, WA, 99347

**\*\*Special Delivery Instructions\***

Holidays: If a holiday falls on a Friday or Saturday the preceding Thursday the Dam will be closed, if a holiday falls on a Sunday the following Monday the Dam will be closed.

Receiving Area: The delivery location is located on the south side of the Dam. Trucks and trailers over 40 feet in length are not permitted to cross the Dam from the north side and will be rerouted, which takes approximately 2.5 hours.

\*\*\* END OF NARRATIVE 1 \*\*\*

## **Requirements**

Procure original equipment manufacturer (OEM) rebuild components for the Lewiston Levee Pump.

## Continuation of Inspection and Acceptance

### Overall Contract Inspection/Acceptance Locations

|      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 0001 | <p>Inspection and Acceptance Location</p> <p>Both<br/>Destination</p> <p>Instructions: The place of acceptance will be at the delivery location . The Contractor must supply the listed items in the quantities specified, to satisfy the requirements of the contract, to the delivery location. Any components damaged in transit must be replaced and expedited to the site at the Contractor's sole expense.</p> <p>DoDAAC: 960558<br/>CountryCode: USA</p> <p>ARMY CORPS OF ENGINEERS CIVIL WORKS<br/>LOWER GRANITE DAM O&amp;M SECTION, 885 ALMOTE FERRY RD WALLA WALLA<br/>DIS<br/>POMEROY, WA 99347-9758<br/>UNITED STATES</p> |
| 0002 | <p>Inspection and Acceptance Location</p> <p>Both<br/>Destination</p> <p>Instructions: The place of acceptance will be at the delivery location . The Contractor must supply the listed items in the quantities specified, to satisfy the requirements of the contract, to the delivery location. Any components damaged in transit must be replaced and expedited to the site at the Contractor's sole expense.</p> <p>DoDAAC: 960558<br/>CountryCode: USA</p> <p>ARMY CORPS OF ENGINEERS CIVIL WORKS<br/>LOWER GRANITE DAM O&amp;M SECTION, 885 ALMOTE FERRY RD WALLA WALLA<br/>DIS<br/>POMEROY, WA 99347-9758<br/>UNITED STATES</p> |

0003 Inspection and Acceptance Location

Both

Destination

Instructions: The place of acceptance will be at the delivery location . The Contractor must supply the listed items in the quantities specified, to satisfy the requirements of the contract, to the delivery location. Any components damaged in transit must be replaced and expedited to the site at the Contractor's sole expense.

DoDAAC: 960558

CountryCode: USA

ARMY CORPS OF ENGINEERS CIVIL WORKS

LOWER GRANITE DAM O&M SECTION, 885 ALMOTE FERRY RD WALLA WALLA

DIS

POMEROY, WA 99347-9758

UNITED STATES

## Continuation of Deliveries or Performance

|      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 0001 | <p><b>Delivery Schedule</b><br/>From date of lead time event to delivery<br/>20 Weeks</p> <p>Date of Award<br/><b>Quantity</b> 1 Each</p> <p><b>Address and POC</b><br/>Ship To<br/>DoDAAC: 960558<br/>CountryCode: USA<br/>ARMY CORPS OF ENGINEERS CIVIL WORKS<br/>LOWER GRANITE DAM O&amp;M SECTION, 885 ALMOTE FERRY RD WALLA WALLA<br/>DIS POMEROY, WA 99347-9758 UNITED STATES</p> <p>DELIVER_TO_EMP_ID_NO</p> <p><b>Special Handling/Notes</b><br/>FoB Details</p> <p>Party to Pay Transportation Cost: Contractor</p> <p>Point Type: Destination</p> |
| 0002 | <p><b>Delivery Schedule</b><br/>From date of lead time event to delivery<br/>20 Weeks</p> <p>Date of Award<br/><b>Quantity</b> 1 Each</p> <p><b>Address and POC</b><br/>Ship To<br/>DoDAAC: 960558<br/>CountryCode: USA</p>                                                                                                                                                                                                                                                                                                                                 |

|      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|      | <p>ARMY CORPS OF ENGINEERS CIVIL WORKS<br/>LOWER GRANITE DAM O&amp;M SECTION, 885 ALMOTE FERRY RD WALLA WALLA<br/>DIS POMEROY, WA 99347-9758 UNITED STATES</p> <p>DELIVER_TO_EMP_ID_NO</p> <p><b>Special Handling/Notes</b><br/>FoB Details</p> <p>Party to Pay Transportation Cost: Contractor</p> <p>Point Type: Destination</p>                                                                                                                                                                                                                          |
| 0003 | <p><b>Delivery Schedule</b><br/>From date of lead time event to delivery<br/>20 Weeks</p> <p>Date of Award<br/><b>Quantity</b> 1 Each</p> <p><b>Address and POC</b><br/>Ship To<br/>DoDAAC: 960558<br/>CountryCode: USA<br/>ARMY CORPS OF ENGINEERS CIVIL WORKS<br/>LOWER GRANITE DAM O&amp;M SECTION, 885 ALMOTE FERRY RD WALLA WALLA<br/>DIS POMEROY, WA 99347-9758 UNITED STATES</p> <p>DELIVER_TO_EMP_ID_NO</p> <p><b>Special Handling/Notes</b><br/>FoB Details</p> <p>Party to Pay Transportation Cost: Contractor</p> <p>Point Type: Destination</p> |

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## Contract Clauses

### FAR Clauses Incorporated by Reference

| Number    | Title                                                                                                                                                                  | Effective Date | Alternate Deviation | Variation Effective Date |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------|--------------------------|
| 52.203-19 | Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements.                                                                                    | 2017-01        |                     |                          |
| 52.204-13 | System for Award Management-Maintenance. (Deviation 2026-O0038)                                                                                                        | 2026-02        |                     |                          |
| 52.209-6  | Protecting the Government's Interest When Subcontracting With Contractors Debarred, Suspended, Proposed for Debarment, or Voluntarily Excluded. (Deviation 2026-O0038) | 2026-02        |                     |                          |
| 52.212-4  | Terms and Conditions-Commercial Products and Commercial Services. (Deviation 2026-O0038)                                                                               | 2026-02        |                     |                          |
| 52.219-6  | Notice of Total Small Business Set-Aside. (Deviation 2026-O0038)                                                                                                       | 2026-02        |                     |                          |
| 52.222-19 | Child Labor-Cooperation with Authorities and Remedies. (Deviation 2026-O0038)                                                                                          | 2026-03        |                     |                          |
| 52.222-36 | Equal Opportunity for Workers with Disabilities. (Deviation 2026-O0038)                                                                                                | 2026-02        |                     |                          |

|           |                                                                                          |         |
|-----------|------------------------------------------------------------------------------------------|---------|
| 52.222-50 | Combating Trafficking in Persons. (Deviation 2026-O0038)                                 | 2026-02 |
| 52.222-90 | Addressing DEI Discrimination by Federal Contractors. (Deviation 2026-O0040, Revision 1) | 2026-04 |
| 52.226-8  | Encouraging Contractor Policies to Ban Text Messaging While Driving.                     | 2024-05 |
| 52.232-40 | Providing Accelerated Payments to Small Business Subcontractors.                         | 2023-03 |
| 52.233-3  | Protest after Award. (Deviation 2026-O0038)                                              | 2026-02 |
| 52.233-4  | Applicable Law for Breach of Contract Claim. (Deviation 2026-O0038)                      | 2026-02 |

#### DFARS Clauses Incorporated by Reference

| Number       | Title                                                          | Effective Date | Alternate Deviation | Variation Effective Date |
|--------------|----------------------------------------------------------------|----------------|---------------------|--------------------------|
| 252.203-7000 | Requirements Relating to Compensation of Former DoD Officials. | 2011-09        |                     |                          |
| 252.203-7002 | Requirement to Inform Employees of Whistleblower Rights.       | 2022-12        |                     |                          |

|              |                                                                                             |         |
|--------------|---------------------------------------------------------------------------------------------|---------|
| 252.204-7018 | Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services. | 2023-01 |
| 252.223-7008 | Prohibition of Hexavalent Chromium.                                                         | 2023-01 |
| 252.225-7001 | Buy American and Balance of Payments Program.                                               | 2024-02 |
| 252.225-7056 | Prohibition Regarding Business Operations with the Maduro Regime.                           | 2023-01 |
| 252.225-7060 | Prohibition on Certain Procurements from the Xinjiang Uyghur Autonomous Region.             | 2023-06 |
| 252.232-7003 | Electronic Submission of Payment Requests and Receiving Reports.                            | 2018-12 |
| 252.232-7010 | Levies on Contract Payments.                                                                | 2006-12 |
| 252.247-7023 | Transportation of Supplies by Sea.                                                          | 2024-10 |

#### DFARS Clauses Incorporated by Full Text

| Number       | Title                                     | Effective Date | Alternate Deviation | Variation Effective Date |
|--------------|-------------------------------------------|----------------|---------------------|--------------------------|
| 252.211-7003 | Item Unique Identification and Valuation. | 2023-01        |                     |                          |

## ITEM UNIQUE IDENTIFICATION AND VALUATION (JAN 2023)

(a) Definitions. As used in this clause-

"Automatic identification device" means a device, such as a reader or interrogator, used to retrieve data encoded on machine-readable media.

"Concatenated unique item identifier" means-

(1) For items that are serialized within the enterprise identifier, the linking together of the unique identifier data elements in order of the issuing agency code, enterprise identifier, and unique serial number within the enterprise identifier; or

(2) For items that are serialized within the original part, lot, or batch number, the linking together of the unique identifier data elements in order of the issuing agency code; enterprise identifier; original part, lot, or batch number; and serial number within the original part, lot, or batch number.

"Data matrix" means a two-dimensional matrix symbology, which is made up of square or, in some cases, round modules arranged within a perimeter finder pattern and uses the Error Checking and Correction 200 (ECC200) specification found within International Standards Organization (ISO)/International Electrotechnical Commission (IEC) 16022.

"Data qualifier" means a specified character (or string of characters) that immediately precedes a data field that defines the general category or intended use of the data that follows.

"DoD recognized unique identification equivalent" means a unique identification method that is in commercial use and has been recognized by DoD. All DoD recognized unique identification equivalents are listed at <https://www.acq.osd.mil/asda/dpc/ce/ds/unique-id.html>.

"DoD item unique identification" means a system of marking items delivered to DoD with unique item identifiers that have machine-readable data elements to distinguish an item from all other like and unlike items. For items that are serialized within the enterprise identifier, the unique item identifier shall include the data elements of the enterprise identifier and a unique serial number. For items that are serialized within the part, lot, or batch number within the enterprise identifier, the unique item identifier shall include the data elements of the enterprise identifier; the original part, lot, or batch number; and the serial number.

" Enterprise " means the entity (e.g., a manufacturer or vendor) responsible for assigning unique item identifiers to items.

" Enterprise identifier" means a code that is uniquely assigned to an enterprise by an issuing agency.

"Government's unit acquisition cost" means-

(1) For fixed-price type line, subline, or exhibit line items, the unit price identified in the contract at the time of delivery;

(2) For cost-type or undefinitized line, subline, or exhibit line items, the Contractor's estimated fully burdened unit cost to the Government at the time of delivery; and

(3) For items produced under a time-and-materials contract, the Contractor's estimated fully burdened unit cost to the Government at the time of delivery.

"Issuing agency" means an organization responsible for assigning a globally unique identifier to an enterprise, as indicated in the Register of Issuing Agency Codes for ISO/IEC 15459, located at [http://www.aimglobal.org/?Reg\\_Authority15459](http://www.aimglobal.org/?Reg_Authority15459).

"Issuing agency code" means a code that designates the registration (or controlling) authority for the enterprise identifier.

"Item" means a single hardware article or a single unit formed by a grouping of subassemblies, components, or constituent parts.

" Lot or batch number" means an identifying number assigned by the enterprise to a designated group of items, usually referred to as either a lot or a batch, all of which were manufactured under identical conditions.

"Machine-readable" means an automatic identification technology media, such as bar codes, contact memory buttons, radio frequency identification, or optical memory cards.

"Original part number" means a combination of numbers or letters assigned by the enterprise at item creation to a class of items with the same form, fit, function, and interface.

"Parent item" means the item assembly, intermediate component, or subassembly that has an embedded item with a unique item identifier or DoD recognized unique identification equivalent.

"Serial number within the enterprise identifier" means a combination of numbers, letters, or symbols assigned by the enterprise to an item that provides for the differentiation of that item from any other like and unlike item and is never used again within the enterprise.

"Serial number within the part, lot, or batch number" means a combination of numbers or letters assigned by the enterprise to an item that provides for the differentiation of that item from any other like item within a part, lot, or batch number assignment.

"Serialization within the enterprise identifier" means each item produced is assigned a serial number that is unique among all the tangible items produced by the enterprise and is never used again. The enterprise is responsible for ensuring unique serialization within the enterprise identifier.

"Serialization within the part, lot, or batch number" means each item of a particular part, lot, or batch number is assigned a unique serial number within that part, lot, or batch number assignment. The enterprise is responsible for ensuring unique serialization within the part, lot, or batch number within the enterprise identifier.

"Type designation" means a combination of letters and numerals assigned by the Government to a major end item, assembly or subassembly, as appropriate, to provide a convenient means of differentiating between items having the same basic name and to indicate modifications and changes thereto.

"Unique item identifier" means a set of data elements marked on items that is globally unique and unambiguous. The term includes a concatenated unique item identifier or a DoD recognized unique identification equivalent.

"Unique item identifier type" means a designator to indicate which method of uniquely identifying a part has been used. The current list of accepted unique item identifier types is maintained at <https://www.acq.osd.mil/asda/dpc/ce/ds/unique-id.html>.

(b) The Contractor shall deliver all items under a contract line, subline, or exhibit line item.

(c) Unique item identifier.

(1) The Contractor shall provide a unique item identifier for the following:

(i) Delivered items for which the Government's unit acquisition cost is \$5,000 or more, except

for the following line items:

Contract Line, Subline, or

Exhibit Line Item Number Item Description

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(ii) Items for which the Government's unit acquisition cost is less than \$5,000 that are identified in the Schedule or the following table:

Contract Line, Subline, or

Exhibit Line Item Number Item Description

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(If items are identified in the Schedule, insert "See Schedule in this table.")

(iii) Subassemblies, components, and parts embedded within delivered items, items with warranty requirements, DoD serially managed reparable and DoD serially managed nonreparables as specified in Attachment Number \_\_\_\_.

(iv) Any item of special tooling or special test equipment as defined in FAR 2.101 that have been designated for preservation and storage for a Major Defense Acquisition Program as specified in Attachment Number \_\_\_\_.

(v) Any item not included in (i), (ii), (iii), or (iv) for which the contractor creates and marks a unique item identifier for traceability.

(2) The unique item identifier assignment and its component data element combination shall

not be duplicated on any other item marked or registered in the DoD Item Unique Identification Registry by the contractor.

(3) The unique item identifier component data elements shall be marked on an item using two dimensional data matrix symbology that complies with ISO/IEC International Standard 16022, Information technology - International symbology specification - Data matrix; ECC200 data matrix specification.

(4) Data syntax and semantics of unique item identifiers. The Contractor shall ensure that-

(i) The data elements (except issuing agency code) of the unique item identifier are encoded within the data matrix symbol that is marked on the item using one of the following three types of data qualifiers, as determined by the Contractor:

(A) Application Identifiers (AIs) (Format Indicator 05 of ISO/IEC International Standard 15434), in accordance with ISO/IEC International Standard 15418, Information Technology - EAN/UCC Application Identifiers and Fact Data Identifiers and Maintenance and ANSI MH 10.8.2 Data Identifier and Application Identifier Standard.

(B) Data Identifiers (DIs) (Format Indicator 06 of ISO/IEC International Standard 15434), in accordance with ISO/IEC International Standard 15418, Information Technology - EAN/UCC Application Identifiers and Fact Data Identifiers and Maintenance and ANSI MH 10.8.2 Data Identifier and Application Identifier Standard.

(C) Text Element Identifiers (TEIs) (Format Indicator 12 of ISO/IEC International Standard 15434), in accordance with the Air Transport Association Common Support Data Dictionary; and

(ii) The encoded data elements of the unique item identifier conform to the transfer structure, syntax, and coding of messages and data formats specified for Format Indicators 05, 06, and 12 in ISO/IEC International Standard 15434, Information Technology - Transfer Syntax for High Capacity Automatic Data Capture Media.

(5) Unique item identifier.

(i) The Contractor shall-

(A) Determine whether to-

(1) Serialize within the enterprise identifier;

(2) Serialize within the part, lot, or batch number; or

(3) Use a DoD recognized unique identification equivalent (e.g. Vehicle Identification Number); and

(B) Place the data elements of the unique item identifier (enterprise identifier; serial number; DoD recognized unique identification equivalent; and for serialization within the part, lot, or batch number only: original part, lot, or batch number) on items requiring marking by paragraph (c)(1) of this clause, based on the criteria provided in MIL-STD-130, Identification Marking of U. S. Military Property, latest version;

(C) Label shipments, storage containers and packages that contain uniquely identified items in accordance with the requirements of MIL-STD-129, Military Marking for Shipment and Storage, latest version; and

(D) Verify that the marks on items and labels on shipments, storage containers, and packages are machine readable and conform to the applicable standards. The contractor shall use an automatic identification technology device for this verification that has been programmed to the requirements of Appendix A, MIL-STD-130, latest version.

(ii) The issuing agency code-

(A) Shall not be placed on the item; and

(B) Shall be derived from the data qualifier for the enterprise identifier.

(d) For each item that requires item unique identification under paragraph (c)(1)(i), (ii), or (iv) of this clause or when item unique identification is provided under paragraph (c)(1)(v), in addition to the information provided as part of the Material Inspection and Receiving Report specified elsewhere in this contract, the Contractor shall report at the time of delivery, as part of the Material Inspection and Receiving Report, the following information:

(1) Unique item identifier.

(2) Unique item identifier type.

(3) Issuing agency code (if concatenated unique item identifier is used).

- (4) Enterprise identifier (if concatenated unique item identifier is used).
- (5) Original part number (if there is serialization within the original part number).
- (6) Lot or batch number (if there is serialization within the lot or batch number).
- (7) Current part number (optional and only if not the same as the original part number).
- (8) Current part number effective date (optional and only if current part number is used).
- (9) Serial number (if concatenated unique item identifier is used).
- (10) Government's unit acquisition cost.
- (11) Unit of measure.
- (12) Type designation of the item as specified in the contract schedule, if any.
- (13) Whether the item is an item of Special Tooling or Special Test Equipment.
- (14) Whether the item is covered by a warranty.

(e) For embedded subassemblies, components, and parts that require DoD item unique identification under paragraph (c)(1)(iii) of this clause or when item unique identification is provided under paragraph (c)(1)(v), the Contractor shall report as part of the Material Inspection and Receiving Report specified elsewhere in this contract, the following information:

- (1) Unique item identifier of the parent item under paragraph (c)(1) of this clause that contains the embedded subassembly, component, or part.
- (2) Unique item identifier of the embedded subassembly, component, or part.
- (3) Unique item identifier type.\*\*
- (4) Issuing agency code (if concatenated unique item identifier is used).\*\*

- (5) Enterprise identifier (if concatenated unique item identifier is used).\*\*
- (6) Original part number (if there is serialization within the original part number).\*\*
- (7) Lot or batch number (if there is serialization within the lot or batch number).\*\*
- (8) Current part number (optional and only if not the same as the original part number).\*\*
- (9) Current part number effective date (optional and only if current part number is used).\*\*
- (10) Serial number (if concatenated unique item identifier is used).\*\*
- (11) Description.

\*\* Once per item.

(f) The Contractor shall submit the information required by paragraphs (d) and (e) of this clause as follows:

(1) End items shall be reported using the receiving report capability in Wide Area WorkFlow (WAWF) in accordance with the clause at 252.232-7003. If WAWF is not required by this contract, and the contractor is not using WAWF, follow the procedures at <http://dodprocurementtoolbox.com/site/uidregistry/>.

(2) Embedded items shall be reported by one of the following methods-

(i) Use of the embedded items capability in WAWF;

(ii) Direct data submission to the IUID Registry following the procedures and formats at <http://dodprocurementtoolbox.com/site/uidregistry/>; or

(iii) Via WAWF as a deliverable attachment for exhibit line item number (fill in) \_\_\_\_, Unique Item Identifier Report for Embedded Items, Contract Data Requirements List, DD Form 1423.

(g) Subcontracts. If the Contractor acquires by subcontract, any item(s) for which item unique identification is required in accordance with paragraph (c)(1) of this clause, the Contractor shall include this clause, including this paragraph (g), in the applicable subcontract(s), including subcontracts for commercial products or commercial services.

(End of clause)

## Addendum to Contract Clauses

### FAR Clauses Incorporated by Reference

| Number    | Title                                                                                  | Effective Date | Alternate Deviation | Variation Effective Date |
|-----------|----------------------------------------------------------------------------------------|----------------|---------------------|--------------------------|
| 52.209-10 | Prohibition on Contracting With Inverted Domestic Corporations. (Deviation 2026-O0038) | 2026-02        |                     |                          |
| 52.222-3  | Convict Labor. (Deviation 2026-O0038)                                                  | 2026-02        |                     |                          |
| 52.223-23 | Sustainable Products. (Deviation 2026-O0038)                                           | 2026-02        |                     |                          |
| 52.232-39 | Unenforceability of Unauthorized Obligations.                                          | 2013-06        |                     |                          |
| 52.240-91 | Security Prohibitions and Exclusions. (Deviation 2026-O0038)                           | 2026-02        |                     |                          |
| 52.244-6  | Subcontracts for Commercial Products and Commercial Services. (Deviation 2026-O0038)   | 2026-04        |                     |                          |

### DFARS Clauses Incorporated by Reference

| Number       | Title                                 | Effective Date | Alternate Deviation | Variation Effective Date |
|--------------|---------------------------------------|----------------|---------------------|--------------------------|
| 252.201-7000 | Contracting Officer's Representative. | 1991-12        |                     |                          |

|              |                                                  |         |
|--------------|--------------------------------------------------|---------|
| 252.204-7003 | Control of Government<br>Personnel Work Product. | 1992-04 |
| 252.225-7048 | Export-Controlled Items.                         | 2013-06 |
| 252.243-7001 | Pricing of Contract Modifications.               | 1991-12 |

#### **FAR Clauses Incorporated by Full Text**

| <b>Number</b> | <b>Title</b>                          | <b>Effective<br/>Date</b> | <b>Alternate<br/>Deviation</b> | <b>Variation<br/>Effective<br/>Date</b> |
|---------------|---------------------------------------|---------------------------|--------------------------------|-----------------------------------------|
| 52.252-2      | Clauses Incorporated by<br>Reference. | 1998-02                   |                                |                                         |

#### **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):

<https://www.acquisition.gov/>

(End of clause)

|          |                                   |         |
|----------|-----------------------------------|---------|
| 52.252-6 | Authorized Deviations in Clauses. | 2020-11 |
|----------|-----------------------------------|---------|

#### **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 Supplement (48 CFR Chapter 2) clause with an authorized deviation is indicated by the addition of "(DEVIATION)" after the name of the regulation.

(End of clause)



| Identifier | Document Name                   | Document Description | Reference Identifier | Date        | Line Item | Page Numbers | Document Type | Provided Under Separate Cover |
|------------|---------------------------------|----------------------|----------------------|-------------|-----------|--------------|---------------|-------------------------------|
| 0001       | Drwg 2728159, 24MFH, 150hp pump | Drawings             |                      | 09 Sep 2026 |           |              | Attachment    | No                            |

## Solicitation Provisions

### FAR Provisions Incorporated by Reference

| Number   | Title                                                                                        | Effective Date | Alternate Deviation | Variation Effective Date |
|----------|----------------------------------------------------------------------------------------------|----------------|---------------------|--------------------------|
| 52.204-7 | System for Award Management-Registration. (Deviation 2026-O0038)                             | 2026-02        |                     |                          |
| 52.212-1 | Instructions to Offerors-Commercial Products and Commercial Services. (Deviation 2026-O0038) | 2026-02        |                     |                          |

### DFARS Provisions Incorporated by Reference

| Number       | Title                                                                                          | Effective Date | Alternate Deviation | Variation Effective Date |
|--------------|------------------------------------------------------------------------------------------------|----------------|---------------------|--------------------------|
| 252.203-7005 | Representation Relating to Compensation of Former DoD Officials.                               | 2022-09        |                     |                          |
| 252.204-7024 | Notice on the Use of the Supplier Performance Risk System.                                     | 2023-03        |                     |                          |
| 252.225-7055 | Representation Regarding Business Operations with the Maduro Regime.                           | 2022-05        |                     |                          |
| 252.225-7059 | Prohibition on Certain Procurements from the Xinjiang Uyghur Autonomous Region-Representation. | 2023-06        |                     |                          |

## DFARS Provisions Incorporated by Full Text

| Number       | Title                                                                    | Effective Date | Alternate Deviation | Variation Effective Date |
|--------------|--------------------------------------------------------------------------|----------------|---------------------|--------------------------|
| 252.204-7016 | Covered Defense Telecommunications Equipment or Services-Representation. | 2019-12        |                     |                          |

### COVERED DEFENSE TELECOMMUNICATIONS EQUIPMENT OR SERVICES-REPRESENTATION (DEC 2019)

(a) Definitions. As used in this provision, "covered defense telecommunications equipment or services" has the meaning provided in the clause 252.204-7018, Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services.

(b) Procedures. The Offeror shall 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 defense telecommunications equipment or services".

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

(End of provision)

|              |                                                                                                            |         |
|--------------|------------------------------------------------------------------------------------------------------------|---------|
| 252.204-7017 | Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services-Representation. | 2021-05 |
|--------------|------------------------------------------------------------------------------------------------------------|---------|

## PROHIBITION ON THE ACQUISITION OF COVERED DEFENSE TELECOMMUNICATIONS EQUIPMENT OR SERVICES-REPRESENTATION (MAY 2021)

The Offeror is not required to complete the representation in this provision if the Offeror has represented in the provision at 252.204-7016, Covered Defense Telecommunications Equipment or Services-Representation, that it "does not provide covered defense telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument."

(a) Definitions. "Covered defense telecommunications equipment or services," "covered mission," "critical technology," and "substantial or essential component," as used in this provision, have the meanings given in the 252.204-7018 clause, Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services, of this solicitation.

(b) Prohibition. Section 1656 of the National Defense Authorization Act for Fiscal Year 2018 (Pub. L. 115-91) prohibits agencies from procuring or obtaining, or extending or renewing a contract to procure or obtain, any equipment, system, or service to carry out covered missions that uses covered defense telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

(c) Procedures. The Offeror shall review the list of excluded parties in the System for Award Management (SAM) at <https://www.sam.gov> for entities that are excluded when providing any equipment, system, or service to carry out covered missions that uses covered defense telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system, unless a waiver is granted.

(d) Representation. If in its annual representations and certifications in SAM the Offeror has represented in paragraph (c) of the provision at 252.204-7016, Covered Defense Telecommunications Equipment or Services-Representation, that it "does" provide covered defense telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument, then the Offeror shall complete the following additional representation:

The Offeror represents that it [ ] will [ ] will not provide covered defense telecommunications equipment or services as a part of its offered products or services to DoD in the performance of any award resulting from this solicitation.

(e) Disclosures. If the Offeror has represented in paragraph (d) of this provision that it "will

provide covered defense telecommunications equipment or services," the Offeror shall provide the following information as part of the offer:

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

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

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

(4) For equipment, the entity that produced or provided the covered defense 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)

## Offeror Representations and Certifications - Commercial Products and Commercial Services

### FAR Provisions Incorporated by Reference

| Number    | Title                                                                                           | Effective Date | Alternate Deviation | Variation Effective Date |
|-----------|-------------------------------------------------------------------------------------------------|----------------|---------------------|--------------------------|
| 52.240-90 | Security Prohibitions and Exclusions Representations and Certifications. (Deviation 2026-00038) | 2026-02        |                     |                          |

## Addendum to Solicitation Provisions

### FAR Provisions Incorporated by Reference

| Number    | Title                                                                                                                           | Effective Date | Alternate Deviation | Variation Effective Date |
|-----------|---------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------|--------------------------|
| 52.203-18 | Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements or Statements-Representation. | 2017-01        |                     |                          |

### DFARS Provisions Incorporated by Reference

| Number       | Title                                                                 | Effective Date | Alternate Deviation | Variation Effective Date |
|--------------|-----------------------------------------------------------------------|----------------|---------------------|--------------------------|
| 252.215-7013 | Supplies and Services Provided by Nontraditional Defense Contractors. | 2023-01        |                     |                          |

### FAR Provisions Incorporated by Full Text

| Number    | Title                                                                                                                                     | Effective Date | Alternate Deviation | Variation Effective Date |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------|--------------------------|
| 52.209-11 | Representation by Corporations Regarding Delinquent Tax Liability or a Felony Conviction under any Federal Law.<br>(Deviation 2026-O0038) | 2026-02        |                     |                          |

Representation by Corporations Regarding Delinquent Tax Liability or a Felony Conviction  
under any Federal Law (Feb 2026) (Deviation 2026-O0038)

(a) The Government will not enter into a contract with any corporation that-

(1) 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 an 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

(2) 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.

(b) The Offeror represents that-

(1) 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

(2) It is ☐ is not ☐ a corporation that was convicted of a felony criminal violation under a Federal law within the preceding 24 months.

(End of provision)

|          |                            |         |
|----------|----------------------------|---------|
| 52.252-1 | Solicitation Provisions    | 1998-02 |
|          | Incorporated by Reference. |         |

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 offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es):

<https://www.acquisition.gov/>

(End of provision)

|          |                                      |         |
|----------|--------------------------------------|---------|
| 52.252-5 | Authorized Deviations in Provisions. | 2020-11 |
|----------|--------------------------------------|---------|

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 Supplement (48 CFR Chapter 2) provision with an authorized deviation is indicated by the addition of "(DEVIATION)" after the name of the regulation.

(End of provision)