

Combined Synopsis/Solicitation for Commercial Products and/or Commercial Services CNC Plasma and Oxy-fuel Cutting System & Software

This is a combined synopsis/solicitation for commercial products and/or commercial services prepared in accordance with the format in the Federal Acquisition Regulation (FAR) Subpart 12.6, as supplemented with additional information included in this notice. This announcement constitutes the only solicitation; quotes are being requested and a written solicitation will not be issued.

The combined synopsis/solicitation number is [1282A725Q0026](#) and is issue as a Request for Quotation (RFQ) to establish a Firm-Fixed-Price contract.

The combined synopsis/solicitation document and incorporated provisions and clauses are those in effect through Federal Acquisition Circular (FAC) 2025-03and are included in Attachment 3 of this announcement..

This procurement is a Total Small Business Set-Aside. In accordance with FAR Clause 52.219-6, Notice of Total Small Business Set-Aside. Offers are solicited only from small business concerns. Offers received from concerns that are not small business concerns shall be considered non-responsive and will be rejected.

The associated North American Industrial Classification System (NAICS) code for this procurement is 333515, Cutting Tool and Machine Tool Accessory Manufacturing. The small business size standard for this NAICS code is 500 employees. The NAICS Code was identified through a review of the U.S. Census Bureau's website.

Contract Line Item Number (CLIN) Structure: A list of line item number(s) and items, quantities, and units of measure is listed in Attachment 2 to this announcement. Refer to Schedule of Items (Attachment 2).

Description of Requirement: The government has a need for the delivery and assembly of a CNC Plasma Table and Oxy-Fuel Cutting System, installation of software required to operate the system and training on the use of the system in accordance with the Statement of Work, Attachment 1 of this announcement.

Delivery Location: The items shall be delivered at Weber Basin Job Corps Center welding facility. 7400 South Cornia Dr, Exit 405 & Hwy 89, Ogden UT,84405.

Delivery Period (DP): The delivery shall be 60 days after award.

Deadline: Quotes are due on Apr 10, 2025 at 12:00 pm EDT.

52.212-1 Instructions to Offerors—Commercial Products and Commercial Services (SEP 2023)

ADDENDUM to FAR 52.212-1(b), Submission of Offers:

- (12) Offerors must have an active entity registration in the System for Award Management (<https://www.sam.gov/SAM/>) in order to submit an offer.
- (13) Offerors shall ensure that all representations and certifications are up-to-date in SAM.gov at time of offer submission. A completed copy of the representations and certifications at FAR 52.212-3 shall be submitted with the offer.
- (14) Offers submitted in response to this solicitation shall include technical capability and pricing.
 - (i) **FACTOR I – TECHNICAL CAPABILITY.** Provide an offer demonstrating your firm's capability to provide the items required in the Product Specifications (Attachment 1). Address the following criteria:
 - (A) **Sub-Factor 1 – Salient Characteristics.** Submit detailed description and characteristics of all the items to be provided, such items must comply with the specifications in Attachment 1.
 - (ii) **FACTOR II – PRICE.** Offerors shall complete and submit Attachment 2 – Schedule of Items.

- (15) Questions concerning this solicitation shall be submitted electronically via the URL <https://forms.office.com/g/6WGrLibg8g> no later than **Thursday, April 3rd, 2025 at 12:00 PM (EDT Time)**.
- (16) Answers to offerors questions will be posted in SAM.gov no later than Monday, April 7th, 2025 at 5:00 PM (EDT Time).
- (17) All amendments to the solicitation will be posted in SAM.gov. Acknowledge receipt and understanding of all amendments to this solicitation by sending an email to Ashleigh.Jenkins@usda.gov. In the email, include the solicitation and amendment number.
- (18) Offers shall be submitted electronically via email to Ashleigh.Jenkins@usda.gov no later than **Thursday, April 10th, 2025 at 12:00 PM (EDT Time)**. Offerors shall ensure offers are delivered into this inbox by the due date and time. Emails should contain 3 separate attachments: Technical Capability (in Microsoft Word or PDF format), Price (in Microsoft Excel format) and Amendment acknowledgment if applicable. Be aware that large attachments may increase the time required to deliver an email. It is the offerors responsibility to confirm receipt of the offer.
- (19) The Government reserves the right to require the submission of Other Than Certified Cost or Pricing Data as is deemed necessary to arrive at a fair and reasonable price.

ADDENDUM to FAR 52.212-1(f), Late Submissions, Modifications, Revisions, and Withdrawals of Offers:

- (2)(i) Any offer, modification, revision, or withdrawal of an offer received at the Government office designated in the solicitation after the exact time specified for receipt of offers is "late" and will not be considered unless it is received before award is made and the Contracting Officer determines that accepting the late offer would not unduly delay the acquisition.

(End of Provision)

52.212-2 Evaluation—Commercial Products and Commercial Services (NOV 2021)

- (a) The Government will award a Firm-Fixed Price contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the Government, price and other factors considered. The following factors shall be used to evaluate offers:
 - (i) FACTOR I – Technical Capability
 - (A) Sub-Factor 1 – Salient Characteristics
 - (ii) FACTOR III – Price
- (b) A written notice of award or acceptance of an offer, mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer, shall result in a binding contract without further action by either party. Before the offer's specified expiration time, the Government may accept an offer (or part of an offer), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award.

ADDENDUM to FAR 52.212-2:

(c) BASIS FOR CONTRACT AWARD

- (i) The source selection will be conducted in accordance with Federal Acquisition Regulation (FAR) Part 12, Acquisition of Commercial Products and Commercial Services. Award will be made to the offeror who is deemed responsible in accordance with the FAR, whose offer conforms to the solicitation requirements, and whose offer, judged by an overall assessment of the evaluation criteria and other considerations specified in this solicitation, is the most advantageous to the Government.

- (ii) The government reserves the right to conduct a price realism analysis at any point during the evaluation process. The Government will evaluate prices for reasonableness using adequate competition and price analysis techniques.
- (iii) The Government intends to award a Firm-Fixed Price contract as a result of this solicitation.
- (d) EVALUATION CRITERIA. Evaluation criteria consist of factors and sub-factors. The offers will be evaluated under 2 evaluation factors and 1 sub-factors.

- (i) FACTOR I – TECHNICAL CAPABILITY. The Government will evaluate the degree to which your offer demonstrates capability to provide all the items required in the Product Specifications (Attachment 1); including the following criteria:
 - (A) Sub-Factor 1 – Salient Characteristics. To be determined acceptable the offeror shall provide detailed description and characteristics of all the items to be provided, such items must comply with the specifications in Attachment 1.

Each technical capability sub-factor will receive one of the adjectival ratings defined below. To receive an acceptable rating for this factor, all sub-factors must be rated acceptable.

Table A-1. Technically Acceptable/Unacceptable Ratings	
Rating	Description
Acceptable	Offer clearly meets the minimum requirements of the solicitation.
Unacceptable	Offer does not clearly meet the minimum requirements of the solicitation.

- (ii) FACTOR II – PRICE. Price is not formally scored but is the primary evaluation factor for determining award. The government expects competitive offers to be submitted for this procurement and will use these competitive offers to determine price reasonableness. If competitive offers are not received, the Government reserves the right to utilize other methods identified in the FAR to determine price reasonableness.
 - (A) Completeness. Each offeror is required to provide a complete pricing for each contract line identified.
 - (B) Definitions.
 - 1. Reasonableness. A price is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person in the conduct of competitive business.
 - 2. Completeness/Accuracy. The offeror is in compliance with the Schedule of Items and Price Sheet contained/attached within the solicitation (see [Attachment 2](#)).

52.212-3 Offeror Representations and Certifications—Commercial Products and Commercial Services (MAY 2024)

52.212-4 Contract Terms and Conditions—Commercial Products and Commercial Services (NOV 2023)

52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders—Commercial Products and Commercial Services (JAN 2025)

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

- (1) [52.203-19](#), Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (JAN 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).
 - (2) [52.204-23](#), Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab Covered Entities (DEC 2023) (Section 1634 of Pub. L. 115-91).
 - (3) [52.204-25](#), Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (Nov 2021) (Section 889(a)(1)(A) of Pub. L. 115-232).
 - (4) [52.209-10](#), Prohibition on Contracting with Inverted Domestic Corporations (Nov 2015).
 - (5) [52.232-40](#), Providing Accelerated Payments to Small Business Subcontractors (MAR 2023) (31 U.S.C. 3909 and 10 U.S.C. 3801).
 - (6) [52.233-3](#), Protest After Award (AUG 1996) (31 U.S.C. 3553).
 - (7) [52.233-4](#), Applicable Law for Breach of Contract Claim (OCT 2004) (Public Laws 108-77 and 108-78 (19 U.S.C. 3805 note)).
- (b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial products and commercial services:
- ☒ (1) [52.203-6](#), Restrictions on Subcontractor Sales to the Government (JUN 2020), with *Alternate I* (NOV 2021) (41 U.S.C. 4704 and 10 U.S.C. 4655).
 - ☐ (2) [52.203-13](#), Contractor Code of Business Ethics and Conduct (NOV 2021) (41 U.S.C. 3509).
 - ☐ (3) [52.203-15](#), Whistleblower Protections under the American Recovery and Reinvestment Act of 2009 (JUN 2010) (Section 1553 of Pub. L. 111-5). (Applies to contracts funded by the American Recovery and Reinvestment Act of 2009.)
 - ☒ (4) [52.203-17](#), Contractor Employee Whistleblower Rights (NOV 2023) (41 U.S.C. 4712); this clause does not apply to contracts of DoD, NASA, Coast Guard, or applicable elements of the intelligence community – see FAR 3.900(a).
 - ☒ (5) [52.204-10](#), Reporting Executive Compensation and First-Tier Subcontract Awards (JUN 2020) (Pub. L. 109-282) (31 U.S.C. 6101 note).
 - ☐ (7) [52.204-14](#), Service Contract Reporting Requirements (OCT 2016) (Pub. L. 111-117, section 743 of Div. C).
 - ☐ (8) [52.204-15](#), Service Contract Reporting Requirements for Indefinite-Delivery Contracts (OCT 2016) (Pub. L. 111-117, section 743 of Div. C).
 - ☒ (9) [52.204.27](#), Prohibition on a ByteDance Covered Application (JUN 2023) (Section 102 of Division R of Pub. L. 117-328).
 - ☐ (10) [52.204-28](#), Federal Acquisition Supply Chain Security Act Orders–Federal Supply Schedules, Governmentwide Acquisition Contracts, and Multi-Agency Contracts (DEC 2023) (Pub. L. 115-390, title II).
 - ☐ (11) (i) [52.204-30](#), Federal Acquisition Supply Chain Security Act Orders–Prohibition (DEC 2023) (Pub. L. 115-390, title II).
 - ☐ (ii) Alternate I (DEC 2023) of [52.204-30](#).

- ☒ (12) [52.209-6](#), Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, Proposed for Debarment, or Voluntarily Excluded. (JAN 2025) (31 U.S.C. 6101 note).
- ☐ (13) [52.209-9](#), Updates of Publicly Available Information Regarding Responsibility Matters (OCT 2018) (41 U.S.C. 2313).
- ☐ (15) [52.219-3](#), Notice of HUBZone Set-Aside or Sole-Source Award (OCT 2022) (15 U.S.C. 657a).
- ☐ (16) [52.219-4](#), Notice of Price Evaluation Preference for HUBZone Small Business Concerns (OCT 2022) (if the offeror elects to waive the preference, it shall so indicate in its offer) (15 U.S.C. 657a).
- ☒ (18) (i) [52.219-6](#), Notice of Total Small Business Set-Aside (Nov 2020) ([15 U.S.C. 644](#)).
- ☐ (ii) Alternate I (MAR 2020) of [52.219-6](#).
- ☐ (19) (i) [52.219-7](#), Notice of Partial Small Business Set-Aside (Nov 2020) (15 U.S.C. 644).
- ☐ (ii) Alternate I (MAR 2020) of [52.219-7](#).
- ☐ (20) [52.219-8](#), Utilization of Small Business Concerns (JAN 2025) (15 U.S.C. 637(d)(2) and (3)).
- ☐ (21) (i) [52.219-9](#), Small Business Subcontracting Plan (JAN 2025) (15 U.S.C. 637(d)(4)).
- ☐ (ii) Alternate I (Nov 2016) of [52.219-9](#).
- ☐ (iii) Alternate II (Nov 2016) of [52.219-9](#).
- ☐ (iv) Alternate III (JUN 2020) of [52.219-9](#).
- ☐ (v) Alternate IV (JAN 2025) of [52.219-9](#).
- ☐ (22) (i) [52.219-13](#), Notice of Set-Aside of Orders (MAR 2020) (15 U.S.C. 644(r)).
- ☐ (ii) Alternate I (MAR 2020) of [52.219-13](#).
- ☐ (23) [52.219-14](#), Limitations on Subcontracting (OCT 2022) (15 U.S.C. 637s).
- ☐ (24) [52.219-16](#), Liquidated Damages—Subcontracting Plan (SEP 2021) (15 U.S.C. 637(d)(4)(F)(i)).
- ☐ (25) [52.219-27](#), Notice of Set-Aside for, or Sole Source Award to, Service-Disabled Veteran-Owned Small Business (SDVOSB) Concerns Eligible Under the SDVOSB Program (FEB 2024) (15 U.S.C. 657f).
- ☒ (26) (i) [52.219-28](#), Postaward Small Business Program Rerepresentation (JAN 2025) (15 U.S.C. 632(a)(2)).
- ☐ (ii) Alternate I (MAR 2020) of [52.219-28](#).
- ☐ (27) [52.219-29](#), Notice of Set-Aside for, or Sole-Source Award to, Economically Disadvantaged Women-Owned Small Business Concerns (OCT 2022) (15 U.S.C. 637(m)).
- ☐ (28) [52.219-30](#), Notice of Set-Aside for, or Sole-Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program (OCT 2022) (15 U.S.C. 637(m)).
- ☐ (29) [52.219-32](#), Orders Issued Directly Under Small Business Reserves (MAR 2020) (15 U.S.C. 644(r)).

- ☒ (30) [52.219-33](#), Nonmanufacturer Rule (SEP 2021) (15 U.S.C. 637(a)(17)).
- ☒ (31) [52.222-3](#), Convict Labor (JUN 2003) (E.O. 11755).
- ☒ (32) [52.222-19](#), Child Labor-Cooperation with Authorities and Remedies (JAN 2025) (E.O. 13126).
- ☒ (33) [52.222-21](#), Prohibition of Segregated Facilities (APR 2015).
- ☒ (34) (i) [52.222-26](#), Equal Opportunity (SEP 2016) (E.O. 11246).
 - ☐ (ii) Alternate I (FEB 1999) of [52.222-26](#).
- ☐ (35) (i) [52.222-35](#), Equal Opportunity for Veterans (JUN 2020) (38 U.S.C. 4212).
 - ☐ (ii) Alternate I (JUL 2014) of [52.222-35](#).
- ☒ (36) (i) [52.222-36](#), Equal Opportunity for Workers with Disabilities (JUN 2020) ([29 U.S.C. 793](#)).
 - ☐ (ii) Alternate I (JUL 2014) of [52.222-36](#).
- ☐ (37) [52.222-37](#), Employment Reports on Veterans (JUN 2020) (38 U.S.C. 4212).
- ☐ (38) [52.222-40](#), Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496).
- ☒ (39) (i) [52.222-50](#), Combating Trafficking in Persons (Nov 2021) (22 U.S.C. chapter 78 and E.O. 13627).
 - ☐ (ii) Alternate I (MAR 2015) of [52.222-50](#) (22 U.S.C. chapter 78 and E.O. 13627).
- ☐ (40) [52.222-54](#), Employment Eligibility Verification (JAN 2025) (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial products or commercial services as prescribed in FAR [22.1803](#).)
- ☐ (41) (i) [52.223-9](#), Estimate of Percentage of Recovered Material Content for EPA–Designated Items (MAY 2008) (42 U.S.C. 6962(c)(3)(A)(ii)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
 - ☐ (ii) Alternate I (MAY 2008) of [52.223-9](#) (42 U.S.C. 6962(i)(2)(C)). (Not applicable to the acquisition of commercially available off-the-shelf items.)
- ☐ (42) [52.223-11](#), Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (MAY 2024) (42 U.S.C. 7671).
- ☐ (43) [52.223-12](#), Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (MAY 2024) (42 U.S.C. 7671).
- ☐ (44) [52.223-20](#), Aerosols (MAY 2024) (42 U.S.C. 7671).
- ☐ (45) [52.223-21](#), Foams (MAY 2024) (42 U.S.C. 7671).
- ☒ (46) [52.223-23](#), Sustainable Products and Services (MAY 2024) (E.O. 14057, 7 U.S.C. 8102, 42 U.S.C. 6962, 42 U.S.C. 8259b, and 42 U.S.C. 7671).

- ☐ (47) (i) [52.224-3](#) Privacy Training (JAN 2017) (5 U.S.C. 552 a).
 - ☐ (ii) Alternate I (JAN 2017) of [52.224-3](#).
- ☒ (48) (i) [52.225-1](#), Buy American-Supplies (OCT 2022) (41 U.S.C. chapter 83).
 - ☐ (ii) Alternate I (OCT 2022) of [52.225-1](#).
- ☒ (49) (i) [52.225-3](#), Buy American-Free Trade Agreements-Israeli Trade Act (NOV 2023) (19 U.S.C. 3301 note, 19 U.S.C. 2112 note, 19 U.S.C. 3805 note, 19 U.S.C. 4001 note, 19 U.S.C. chapter 29 (sections 4501-4732), Public Law 103-182, 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, 110-138, 112-41, 112-42, and 112-43).
 - ☐ (ii) Alternate I [Reserved].
 - ☐ (iii) Alternate II (DEC 2022) of [52.225-3](#).
 - ☐ (iv) Alternate III (FEB 2024) of [52.225-3](#).
 - ☐ (v) Alternate IV (OCT 2022) of [52.225-3](#).
- ☒ (50) [52.225-5](#), Trade Agreements (NOV 2023) (19 U.S.C. 2501, *et seq.*, 19 U.S.C. 3301 note).
- ☒ (51) [52.225-13](#), Restrictions on Certain Foreign Purchases (FEB 2021) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).
- ☐ (52) [52.225-26](#), Contractors Performing Private Security Functions Outside the United States (OCT 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. Subtitle A, Part V, Subpart G Note).
- ☐ (53) [52.226-4](#), Notice of Disaster or Emergency Area Set-Aside (NOV 2007) (42 U.S.C. 5150).
- ☐ (54) [52.226-5](#), Restrictions on Subcontracting Outside Disaster or Emergency Area (NOV 2007) (42 U.S.C. 5150).
- ☒ (55) [52.226-8](#), Encouraging Contractor Policies to Ban Text Messaging While Driving (MAY 2024) (E.O. 13513).
- ☐ (56) [52.229-12](#), Tax on Certain Foreign Procurements (FEB 2021).
- ☒ (57) [52.232-29](#), Terms for Financing of Purchases of Commercial Products and Commercial Services (Nov 2021) (41 U.S.C. 4505, 10 U.S.C. 3805).
- ☐ (58) [52.232-30](#), Installment Payments for Commercial Products and Commercial Services (NOV 2021) (41 U.S.C. 4505, 10 U.S.C. 3805).
- ☒ (59) [52.232-33](#), Payment by Electronic Funds Transfer-System for Award Management (OCT 2018) (31 U.S.C. 3332).
- ☐ (60) [52.232-34](#), Payment by Electronic Funds Transfer-Other than System for Award Management (JUL 2013) (31 U.S.C. 3332).
- ☐ (61) [52.232-36](#), Payment by Third Party (MAY 2014) (31 U.S.C. 3332).

- ☐ (62) [52.239-1](#), Privacy or Security Safeguards (AUG 1996) (5 U.S.C. 552a).
- ☒ (63) [52.240-1](#), Prohibition on Unmanned Aircraft Systems Manufactured or Assembled by American Security Drone Act-Covered Foreign Entities (NOV 2024) (Sections 1821-1826, Pub. L. 118-31, 41 U.S.C. 3901).
- ☐ (64) [52.242-5](#), Payments to Small Business Subcontractors (JAN 2017) (15 U.S.C. 637(d)(13)).
- ☐ (65) (i) [52.247-64](#), Preference for Privately Owned U.S.-Flag Commercial Vessels (Nov 2021) (46 U.S.C. 55305 and 10 U.S.C. 2631).
 - ☐ (ii) Alternate I (APR 2003) of [52.247-64](#).
 - ☐ (iii) Alternate II (Nov 2021) of [52.247-64](#).
- (c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial products and commercial services:
 - ☐ (1) [52.222-41](#), Service Contract Labor Standards (AUG 2018) (41 U.S.C. chapter 67).
 - ☐ (2) [52.222-42](#), Statement of Equivalent Rates for Federal Hires (MAY 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).
 - ☐ (3) [52.222-43](#), Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (Multiple Year and Option Contracts) (AUG 2018) (29 U.S.C. 206 and 41 U.S.C. chapter 67).
 - ☐ (4) [52.222-44](#), Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (MAY 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).
 - ☐ (5) [52.222-51](#), Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (MAY 2014) (41 U.S.C. chapter 67).
 - ☐ (6) [52.222-53](#), Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (MAY 2014) (41 U.S.C. chapter 67).
 - ☐ (7) [52.222-55](#), Minimum Wages for Contractor Workers Under Executive Order 14026 (JAN 2022).
 - ☐ (8) [52.222-62](#), Paid Sick Leave Under Executive Order 13706 (JAN 2022) (E.O. 13706).
 - ☐ (9) [52.226-6](#), Promoting Excess Food Donation to Nonprofit Organizations (JUN 2020) (42 U.S.C. 1792).
 - ☐ (10) [52.247-69](#), Reporting Requirement for U.S. Flag Air Carriers Regarding Training to Prevent Human Trafficking (JAN 2025) (49 U.S.C. 40118(g)).
- (d) Comptroller General Examination of Record. The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, as defined in FAR [2.101](#), on the date of award of this contract, and does not contain the clause at [52.215-2](#), Audit and Records-Negotiation.
 - (1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.

- (2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR subpart [4.7](#), Contractor Records Retention, of the other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.
- (3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.
- (e) (1) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c), and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1), in a subcontract for commercial products or commercial services. Unless otherwise indicated below, the extent of the flow down shall be as required by the clause-
- i. [52.203-13](#), Contractor Code of Business Ethics and Conduct (NOV 2021) (41 U.S.C. 3509).
 - ii. [52.203-17](#), Contractor Employee Whistleblower Rights (NOV 2023) (41 U.S.C. 4712).
 - iii. [52.203-19](#), Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (JAN 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).
 - iv. [52.204-23](#), Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab Covered Entities (DEC 2023) (Section 1634 of Pub. L. 115-91).
 - v. [52.204-25](#), Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (Nov 2021) (Section 889(a)(1)(A) of Pub. L. 115-232).
 - vi. [52.204-27](#), Prohibition on a ByteDance Covered Application (JUN 2023) (Section 102 of Division R of Pub. L. 117-328).
 - vii. (A) [52.204-30](#), Federal Acquisition Supply Chain Security Act Orders—Prohibition (DEC 2023) (Pub. L. 115-390, title II).

(B) Alternate I (DEC 2023) of [52.204-30](#).
 - viii. [52.219-8](#), Utilization of Small Business Concerns (JAN 2025) (15 U.S.C. 637(d)(2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds the applicable threshold specified in FAR 19.702(a) on the date of subcontract award, the subcontractor must include [52.219-8](#) in lower tier subcontracts that offer subcontracting opportunities.
 - ix. [52.222-21](#), Prohibition of Segregated Facilities (APR 2015).
 - x. [52.222-26](#), Equal Opportunity (SEP 2016) (E.O.11246).
 - xi. [52.222-35](#), Equal Opportunity for Veterans (JUN 2020) (38 U.S.C. 4212).
 - xii. [52.222-36](#), Equal Opportunity for Workers with Disabilities (JUN 2020) (29 U.S.C. 793).
 - xiii. [52.222-37](#), Employment Reports on Veterans (JUN 2020) (38 U.S.C. 4212).

- xiv. [52.222-40](#), Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause [52.222-40](#).
- xv. [52.222-41](#), Service Contract Labor Standards (AUG 2018) (41 U.S.C. chapter 67).
- xvi. (A) [52.222-50](#), Combating Trafficking in Persons (NOV 2021) (22 U.S.C. chapter 78 and E.O. 13627).
(B) Alternate I (MAR 2015) of [52.222-50](#) (22 U.S.C. chapter 78 and E.O. 13627).
- xvii. [52.222-51](#), Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (MAY 2014) (41 U.S.C. chapter 67).
- xviii. [52.222-53](#), Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (MAY 2014) (41 U.S.C. chapter 67).
- xix. [52.222-54](#), Employment Eligibility Verification (JAN 2025) (E.O. 12989).
- xx. [52.222-55](#), Minimum Wages for Contractor Workers Under Executive Order 14026 (JAN 2022).
- xxi. [52.222-62](#), Paid Sick Leave Under Executive Order 13706 (JAN 2022) (E.O. 13706).
- xxii. (A) [52.224-3](#), Privacy Training (JAN 2017) (5 U.S.C. 552a).
(B) Alternate I (JAN 2017) of [52.224-3](#).
- xxiii. [52.225-26](#), Contractors Performing Private Security Functions Outside the United States (OCT 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. Subtitle A, Part V, Subpart G Note).
- xxiv. [52.226-6](#), Promoting Excess Food Donation to Nonprofit Organizations (JUN 2020) (42 U.S.C. 1792). Flow down required in accordance with paragraph (e) of FAR clause [52.226-6](#).
- xxv. [52.232-40](#), Providing Accelerated Payments to Small Business Subcontractors (MAR 2023) (31 U.S.C. 3909 and 10 U.S.C. 3801). Flow down required in accordance with paragraph (c) of [52.232-40](#).
- xxvi. [52.240-1](#), Prohibition on Unmanned Aircraft Systems Manufactured or Assembled by American Security Drone Act-Covered Foreign Entities (NOV 2024) (Sections 1821-1826, Pub. L. 118-31, 41 U.S.C. 3901).
- xxvii. [52.247-64](#), Preference for Privately Owned U.S.-Flag Commercial Vessels (Nov 2021) (46 U.S.C. 55305 and 10 U.S.C. 2631). Flow down required in accordance with paragraph (d) of FAR clause [52.247-64](#).

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

(End of Clause)

Additional Terms and Conditions:

FAR and AGAR Provisions

Provisions Incorporated by Reference:

52.204-7	System for Award Management (NOV 2024)
52.204-16	Commercial and Government Entity Code Reporting (AUG 2020)
52.204-24	Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (NOV 2021)
52.204-29	Federal Acquisition Supply Chain Security Act Orders—Representations and Disclosures (DEC 2023)

Provisions Incorporated by Full Text:

52.252-1 Solicitation Provisions Incorporated by Reference (FEB 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The 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 these addresses:

- (a) Federal Acquisition Regulation (FAR): <https://www.acquisition.gov/browse/index/far>
- (b) FAR Provisions are located in FAR Part 52 at <https://www.acquisition.gov/far/part-52>
- (c) Agriculture Acquisition Regulation (AGAR): <https://www.acquisition.gov/agar>
- (d) AGAR Provisions are located in AGAR Part 452 at <https://www.acquisition.gov/agar/part-452-solicitation-provisions-and-contract-clauses>
- (e) Deviations to provisions may be viewed at:
<https://www.dm.usda.gov/procurement/policy/FARClassDeviations.htm>

(End of Provision)

52.252-5 Authorized Deviations in Provisions (NOV 2020)

- (a) The use in this solicitation of any Federal Acquisition Regulation (48 CFR Chapter 1) provision with an authorized deviation is indicated by the addition of "(DEVIATION)" after the date of the provision.
- (b) The use in this solicitation of any Agriculture Acquisition Regulation (48 CFR Chapter 4) provision with an authorized deviation is indicated by the addition of "(DEVIATION)" after the name of the regulation.

(End of Provision)

FAR and AGAR Clauses

Clauses Incorporated by Reference:

52.204-13	System for Award Management Maintenance (OCT 2018)
52.204-18	Commercial and Government Entity Code Maintenance (AUG 2020)
52.204-19	Incorporation by Reference of Representations and Certifications (DEC 2014)
52.212-4	Contract Terms and Conditions--Commercial Products and Commercial Services (NOV 2023)
452.204-70	Modification for Contract Closeout (OCT 2024)

Clauses Incorporated by Full Text:

52.252-2 Clauses Incorporated by Reference (FEB 1998)

Solicitation Number: [1282A725Q0026](#)

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 these addresses:

- (a) Federal Acquisition Regulation (FAR): <https://www.acquisition.gov/browse/index/far>
- (b) FAR Clauses are located in FAR Part 52 at <https://www.acquisition.gov/far/part-52>
- (c) Agriculture Acquisition Regulation (AGAR): <https://www.acquisition.gov/agar>
- (d) AGAR Clauses are located in AGAR Part 452 at <https://www.acquisition.gov/agar/part-452-solicitation-provisions-and-contract-clauses>
- (e) Deviations to clauses may be viewed at:
<https://www.dm.usda.gov/procurement/policy/FARClassDeviations.htm>

(End of Clause)

52.252-6 Authorized Deviations in Clauses (NOV 2020)

- (a) The use in this solicitation or contract of any Federal Acquisition Regulation (48 CFR Chapter 1) clause with an authorized deviation is indicated by the addition of "(DEVIATION)" after the date of the clause.
- (b) The use in this solicitation or contract of any Agriculture Acquisition Regulation (48 CFR Chapter 4) clause with an authorized deviation is indicated by the addition of "(DEVIATION)" after the name of the regulation.

(End of Clause)

Submission of Offers:

Date	Time	Method of Submission
10 April 2025	12:00 PM (EDT)	Offers shall be submitted electronically via email.

Government Point of Contacts:

Title	POC
Primary Contracting Specialist	Ashleigh Jenkins (Ashleigh.Jenkins@usda.gov)

Attachments List: The following attachments are made a part of this solicitation and any resultant contract.

Attachment Number	Description	Page Count
1	Statement of Work	5
2	Schedule of Items	1
3	SF 1449_ 1282A725Q0026 Solicitation	14