Category Attachment

Code : **I**

Title : **Scientific Management and Solutions**

Solicitation Number : **47QSMD20R0001**

Refresh Number : **0016**

Created on May 19, 2023

Scientific Management and Solutions Category Instructions and Regulations

Instructions:
All offerors must follow evaluation criteria and instructions outlined in the MAS solicitation, including in SCP-FSS-001. The Scientific Management and Solutions category attachment outlines additional evaluation criteria, requirements and information specific to this category only. For a list of required Schedule templates and attachments, please visit www.gsa.gov/masscopeandtemplates.

For additional guidance and information for Schedule buyers and sellers, please visit our general guidance page at www.gsa.gov/schedules.

Note: GSA will not award any Drones/Unmanned Aircraft Systems (UAS), as defined in 49 USC Ch. 448, in response to this Large Category except those drones approved by the Department of Defense (DoD) Defense Innovation Unit (DIU) through its Blue sUAS Program.

Regulation Number	Regulation Title/Comments
52.222-48	EXEMPTION FROM APPLICATION OF THE SERVICE CONTRACT LABOR STANDARDS TO CONTRACTS FOR MAINTENANCE, CALIBRATION, OR REPAIR OF CERTAIN EQUIPMENT CERTIFICATION (MAY 2014)
52.207-5	OPTION TO PURCHASE EQUIPMENT (FEB 1995)
52.228-5	INSURANCE - WORK ON A GOVERNMENT INSTALLATION (JAN 1997)
52.229-1	STATE AND LOCAL TAXES (APR 1984)
52.247-68	REPORT OF SHIPMENT (REPSHIP) (FEB 2006)
52.225-1	BUY AMERICAN SUPPLIES (OCT 2022)
52.222-52	EXEMPTION FROM APPLICATION OF THE SERVICE CONTRACT LABOR STANDARDS TO CONTRACTS FOR CERTAIN SERVICES - CERTIFICATION (MAY 2014)
52.223-11	OZONE-DEPLETING SUBSTANCES AND HIGH GLOBAL WARMING POTENTIAL HYDROFLUOROCARBONS (JUN 2016)
552.238-73	IDENTIFICATION OF ELECTRONIC OFFICE EQUIPMENT PROVIDING ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES (MAR 2022)

Subcategory Instructions and Regulations

I01. Laboratory Animals Subcategory

SIN 333999 Animal Caging Equipment

333999 Includes animal cages and caging systems intended for the care, study and storage of animals that are used in the research biomedical laboratory environment.

NOTE: Food and water delivery systems may be included, but not the food or water itself. Items referred to as "metabolic cages" are also included, but devices for animal restraint, surgery or dissection are excluded.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : 6640

Maximum Order : $400,000

NAICS

Number	Description	Business Size
333998	ALL OTHER MISCELLANEOUS GENERAL PURPOSE MACHINERY MANUFACTURING	700 employess

Instructions:
NOTE: Food and water delivery systems may be included, but not the food or water itself. Items referred to as "metabolic cages" are also included, but devices for animal restraint, surgery or dissection are excluded.

I02. Laboratory Equipment Subcategory

SIN 333314 Microscopes

333314 Includes microscopes and borescopes.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : 6650
Maximum Order : $400,000

NAICS

Number	Description	Business Size
333310	COMMERCIAL AND SERVICE INDUSTRY MACHINERY MANUFACTURING	1000 employees

SIN 333415 Laboratory Refrigerators And Freezers

333415 Includes reach-in and walk-in refrigerator and freezer configurations suitable for blood banking, chromatography, mortuary, and other special-use cooling or freezing requirements. Excludes all household, commercial or display case refrigerators and freezers.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : 6640
Maximum Order : $400,000

NAICS

Number	Description	Business Size
333415	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing	1250 employees

SIN 334513 Water, Air, Soil and Seismic Measuring

334513 Includes water current meters, seawater sampling, and salinity measuring equipment.

Cooperative Purchasing: No

Set Aside: No
FSC/PSC Code : 6655
Maximum Order : $250,000

NAICS

Number	Description	Business Size
334513	Instruments and Related Products Manufacturing for Measuring, Displaying, and Controlling Industrial Process Variables	750 employees

SIN 334515 Diagnostic, Measuring and Testing Equipment

334515 Includes diagnostic, measuring, and testing equipment used in laboratory settings, such as microscopes, borescopes, etc.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : 4910
Maximum Order : $250,000

NAICS

Number	Description	Business Size
334515	Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals	750 employees

SIN 334516 Analytical Instruments

334516 Includes analytical equipment for laboratory use, such as testing equipment, etc.

NOTE: Subject to Cooperative Purchasing

Cooperative Purchasing: Yes
Set Aside: No
FSC/PSC Code : 6630
Maximum Order : $250,000

NAICS

Number	Description	Business Size
334516	Analytical Laboratory Instrument Manufacturing	1000 employees

SIN 334519ENV Environmental Measuring Instruments

334519ENV Includes a variety of measuring instruments, such as manual and automatic samplers, water quality meters, water analyzers, radioactivity detectors, air sampling equipment, gas alarms, etc.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : 6660
Maximum Order : $250,000

NAICS

Number	Description	Business Size
334519	Other Measuring and Controlling Device Manufacturing	600 employess

SIN 339113LAB Laboratory Equipment and Products

339113LAB Includes both general and special purpose laboratory ware to contain, measure, and transfer laboratory samples and solutions. Products include reusable and disposable plasticware, non-plastic ware, and non-glassware.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : 6640
Maximum Order : $400,000

NAICS

Number	Description	Business Size
339113	Surgical Appliance and Supplies Manufacturing	800 employess

SIN 532490L Laboratory Maintenance, Repair, Leasing and Warranties

532490L Includes products for lab maintenance, repair, leasing, and warranties, such as equipment maintenance, repair and service; calibration and calibration traceability certificate; extended warranties; etc.

NOTE: Prior to purchase, and if no other options are requested, the manufacturer's standard calibration is provided with a certificate of calibration and a calibration sticker.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : J059
Maximum Order : $250,000

NAICS

Number	Description	Business Size
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing	$40 million

Instructions:
Note: In order to provide Product Support Options and services, the offeror must be an Original Equipment Manufacturer (OEM) or be OEM approved and certified. Offerors shall provide a copy of their current OEM certification with their offer. Additionally, Contractors shall maintain a current OEM certificate for the life of the contract. Copies of the current OEM Certification shall be provided to Government Agencies upon request. Offers will be accepted for New Equipment with Product Support Options and/or for Product Support Options only. The offeror shall also comply with any regulatory requirements, guidelines, and/or standards which govern the particular equipment and are of commercial practice. As applicable, an offeror must submit and include in their pricelist a list of names, addresses, phone numbers, and facsimile numbers of authorized servicing dealers or authorized service centers responsible to provide equipment service. This information must be provided to enable orders to be placed locally. Only those authorized service dealers/centers listed may render service, unless the list is subsequently modified by mutual agreement between the contractor and the contracting officer.

I03. Medical Equipment Subcategory

SIN 339112 Breathing Air Equipment and Related Items

339112 Includes breathing air equipment, inhalator devices, respiratory protection products, etc.

NOTE: Subject to Cooperative Purchasing

Cooperative Purchasing: Yes
Set Aside: No
FSC/PSC Code : 8405
Maximum Order : $250,000

NAICS

Number	Description	Business Size
339112	Surgical and Medical Instrument Manufacturing	1000 employees

SIN 339113R Medical/Rescue and Patient Transportation Products

339113R Includes medical and rescue products related to transporting patients, including kits and immobilization devices.

NOTE: Subject to Cooperative Purchasing

Cooperative Purchasing: Yes
Set Aside: No
FSC/PSC Code : 6515
Maximum Order : $250,000

NAICS

Number	Description	Business Size
339113	Surgical Appliance and Supplies Manufacturing	800 employess

I04. Scientific Services Subcategory

SIN 532490ESA Equipment Service Agreements

532490ESA Offers the customer an option to receive all labor, parts, and materials necessary to maintain equipment in good operating condition. Includes emergency services, engineering hardware and software modifications, operator training, instrument certification, etc.

NOTE: All remanufactured parts used in providing Product Support Options must be identified per 552.238-78 and meet the prescribed definition of "factory rebuilt to original specifications."

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : J059
Maximum Order : $300,000

NAICS

Number	Description	Business Size
532490	Other Commercial and Industrial Machinery and Equipment Rental and Leasing	$40 million

Instructions:
Note: In order to provide Product Support Options and services, the offeror must be an Original Equipment Manufacturer (OEM) or be OEM approved and certified. Offerors shall provide a copy of their current OEM certification with their offer. Additionally, Contractors shall maintain a current OEM certificate for the life of the contract. Copies of the current OEM Certification shall be provided to Government Agencies upon request. Offers will be accepted for New Equipment with Product Support Options and/or for Product Support Options only. The offeror shall also comply with any regulatory requirements, guidelines, and/or standards which govern the particular equipment and are of commercial practice. As applicable, an offeror must submit and include in their pricelist a list of names, addresses, phone numbers, and facsimile numbers of authorized servicing dealers or authorized service centers responsible to provide equipment service. This information must be provided to enable orders to be placed locally. Only those authorized service dealers/centers listed may render service, unless the list is subsequently modified by mutual agreement between the contractor and the contracting officer.

SIN 541990TAD Technical/Application Development Support (TADS)

541990TAD Includes technical or application development support, such as systems integration and application development.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R499
Maximum Order : $300,000

NAICS

Number	Description	Business Size
541990	All Other Professional, Scientific and Technical Services	$19.5 million

SIN 611430TTS Technical Training And Support (TTS)

611430TTS Offers the customer an option to receive training in the use of the purchased equipment, in addition to technical support. Includes onsite and offsite, basic operator, hardware, software, installation, and applications development training.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R499
Maximum Order : $250,000

NAICS

Number	Description	Business Size
611430	Professional and Management Development Training	$15 million

Instructions:
Note: In order to provide Technical Training and Support the offeror must be OEM or OEM approved and certified and must be in strict compliance with any regulatory requirements and have complete skill and knowledge of the particular equipment and/or instruments in accordance with the commercial practice in their commercial pricelist.

I05. Search and Navigation Subcategory

SIN 334511 Search, Detection, Navigation, Guidance, Aeronautical and Nautical Systems and Instruments

334511 Includes telecommunications equipment and accessories, such as radar (except airborne), underwater, light, and laser equipment.

NOTE: Subject to Cooperative Purchasing

Cooperative Purchasing: Yes
Set Aside: No
FSC/PSC Code : 6610
Maximum Order : $250,000

NAICS

Number	Description	Business Size
334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing	1350 employess

I06. Testing and Analysis Subcategory

SIN 541380 Testing Laboratory Services

541380 Includes testing laboratory services, such as physical, chemical, analytical, or other testing services; quality assurance; fire safety inspections; training; safety audits; etc.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R499
Maximum Order : $250,000

NAICS

Number	Description	Business Size
541380	Testing Laboratories	$19 million

Instructions:
Note: In order to provide calibration services, an offeror must be an OEM or OEM approved and certified to perform any and all work on the designated equipment and must adhere to any regulatory requirements which are required and shall be in accordance with the OEM’s commercial practice.

Full Text Regulations:

Begin Regulation

52.222-48 EXEMPTION FROM APPLICATION OF THE SERVICE CONTRACT LABOR STANDARDS TO CONTRACTS FOR MAINTENANCE, CALIBRATION, OR REPAIR OF CERTAIN EQUIPMENT CERTIFICATION (MAY 2014)

(a) The offeror shall check the following certification:

CERTIFICATION

The offeror _____ does _____ does not certify that--

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

(2) The services will be furnished at prices which are, or are based on, established catalog or market prices for the maintenance, calibration, or repair of equipment.

(i) An "established catalog price" is a price included in a catalog, price list, schedule, or other form that is regularly maintained by the manufacturer or the offeror, is either published or otherwise available for inspection by customers, and states prices at which sales currently, or were last, made to a significant number of buyers constituting the general public.

(ii) An "established market price" is a current price, established in the usual course of trade between buyers and sellers free to bargain, which can be substantiated from sources independent of the manufacturer or offeror; and

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

(b) Certification by the offeror as to its compliance with respect to the contract also constitutes its certification as to compliance by its subcontractor if it subcontracts out the exempt services. If the offeror certifies to the conditions in paragraph (a) of this provision, and the Contracting Officer determines in accordance with FAR 22.1003-4(c)(3) that the Service Contract Labor Standards statute —

(1) Will not apply to this offeror, then the Service Contract Labor Standards clause in this solicitation will not be included in any resultant contract to this offeror; or

(2) Will apply to this offeror, then the clause at 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements, in this solicitation will not be included in any resultant contract awarded to this offeror, and the offeror may be provided an opportunity to submit a new offer on that basis.

(c) If the offeror does not certify to the conditions in paragraph (a) of this provision--

(1) The clause in this solicitation at 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements, will not be included in any resultant contract awarded to this offeror; and

(2) The offeror shall notify the Contracting Officer as soon as possible, if the Contracting Officer did not attach a Service Contract Labor Standards wage determination to the solicitation.

(d) The Contracting Officer may not make an award to the offeror, if the offeror fails to execute the certification in paragraph (a) of this provision or to contact the Contracting Officer as required in paragraph (c) of this provision.

Begin Regulation

52.207-5 OPTION TO PURCHASE EQUIPMENT (FEB 1995)

(a) The Government may purchase the equipment provided on a lease or rental basis under this contract. The Contracting Officer may exercise this option only by providing a unilateral modification to the Contractor. The effective date of the purchase will be specified in the unilateral modification and may be any time during the period of the contract, including any extensions thereto.

(b) Except for final payment and transfer of title to the Government, the lease or rental portion of the contract becomes complete and lease or rental charges shall be discontinued on the day immediately preceding the effective date of purchase specified in the unilateral modification required in paragraph (a) of this clause.

(c) The purchase conversion cost of the equipment shall be computed as of the effective date specified in the unilateral modification required in paragraph (a) of this clause, on the basis of the purchase price set forth in the contract, minus the total purchase option credits accumulated during the period of lease or rental, calculated by the formula contained elsewhere in this contract.

(d) The accumulated purchase option credits available to determine the purchase conversion cost will also include any credits accrued during a period of lease or rental of the equipment under any previous Government contract if the equipment has been on continuous lease or rental. The movement of equipment from one site to another site shall be “continuous rental.”

Begin Regulation

52.228-5 INSURANCE—WORK ON A GOVERNMENT INSTALLATION (JAN 1997)

(a) The Contractor shall, at its own expense, provide and maintain during the entire performance of this contract, at least the kinds and minimum amounts of insurance required in the Schedule or elsewhere in the contract.

(b) Before commencing work under this contract, the Contractor shall notify the Contracting Officer in writing that the required insurance has been obtained. The policies evidencing required insurance shall contain an endorsement to the effect that any cancellation or any material change adversely affecting the Government's interest shall not be effective—

(1) For such period as the laws of the State in which this contract is to be performed prescribe; or

(2) Until 30 days after the insurer or the Contractor gives written notice to the Contracting

Officer, whichever period is longer.

(c) The Contractor shall insert the substance of this clause, including this paragraph (c), in subcontracts under this contract that require work on a Government installation and shall require subcontractors to provide and maintain the insurance required in the Schedule or elsewhere in the contract. The Contractor shall maintain a copy of all subcontractors' proofs of required insurance, and shall make copies available to the Contracting Officer upon request.

Begin Regulation

52.229-1 STATE AND LOCAL TAXES (APR 1984)

Notwithstanding the terms of the Federal, State, and Local Taxes clause, the contract price excludes all State and local taxes levied on or measured by the contract or sales price of the services or completed supplies furnished under this contract. The Contractor shall state separately on its invoices taxes excluded from the contract price, and the Government agrees either to pay the amount of the taxes to the Contractor or provide evidence necessary to sustain an exemption.

Begin Regulation

52.247-68 REPORT OF SHIPMENT (REPSHIP) (FEB 2006)

(a) Definition. Domestic destination, as used in this clause, means—

(1) A destination within the contiguous United States; or

(2) If shipment originates in Alaska or Hawaii, a destination in Alaska or Hawaii, respectively.

(b) Unless otherwise directed by the Contracting Officer, the Contractor shall—

(1) Send a prepaid notice of shipment to the consignee transportation officer—

(i) For all shipments of—

(A) Classified material, protected sensitive, and protected controlled material;

(B) Explosives and poisons, class 1, division 1.1, 1.2 and 1.3; class 2, division 2.3 and class 6, division 6.1;

(C) Radioactive materials requiring the use of a III bar label; or

(ii) When a truckload/carload shipment of supplies weighing 20,000 pounds or more, or a shipment of less weight that occupies the full visible capacity of a railway car or motor vehicle, is given to any carrier (common, contract, or private) for transportation to a domestic destination (other than a port for export);

(2) Transmits the notice by rapid means to be received by the consignee transportation officer at least 24 hours before the arrival of the shipment; and

(3) Send, to the receiving transportation officer, the bill of lading or letter or other document containing the following information and prominently identified as a “Report of Shipment” or “REPSHIP FOR T.O.”

RESHIP FOR T.O. 81 JUN 01
TRANSPORTATION OFFICER, DEFENSE DEPOT, MEMPHIS, TN.

SHIPPED YOUR DEPOT 1981 JUN 1
540 CTNS MENS COTTON TROUSERS, 30,240 LB, 1782 CUBE, VIA XX-YY*
IN CAR NO. XX 123456**-BL***-C98000031****CONTRACT DLA_____
ETA*****-JUNE 5 JONES & CO., JERSEY CITY N.J.

Begin Regulation

52.225-1 BUY AMERICAN SUPPLIES (OCT 2022)

(a) *Definitions*. As used in this clause-

Commercially available off-the-shelf (COTS) item-

(1) Means any item of supply (including construction material) that is-

(i) A commercial product (as defined in paragraph (1) of the definition of “commercial product” at Federal Acquisition Regulation (FAR) 2.101);

(ii) Sold in substantial quantities in the commercial marketplace; and

(iii) Offered to the Government, under a contract or subcontract at any tier, without modification, in the same form in which it is sold in the commercial marketplace; and

(2) Does not include bulk cargo, as defined in 46 U.S.C. 40102(4), such as agricultural products and petroleum products.

Component means an article, material, or supply incorporated directly into an end product.

Cost of components means-

(1) For components purchased by the Contractor, the acquisition cost, including transportation costs to the place of incorporation into the end product (whether or not such costs are paid to a domestic firm), and any applicable duty (whether or not a duty-free entry certificate is issued); or

(2) For components manufactured by the Contractor, all costs associated with the manufacture of the component, including transportation costs as described in paragraph (1) of this definition, plus allocable overhead costs, but excluding profit. Cost of components does not include any costs associated with the manufacture of the end product.

Critical component means a component that is mined, produced, or manufactured in the United States and deemed critical to the U.S. supply chain. The list of critical components is at FAR 25.105.

Domestic end product means-

(1) For an end product that does not consist wholly or predominantly of iron or steel or a combination of both—

(i) An unmanufactured end product mined or produced in the United States;

(ii) An end product manufactured in the United States, if—

(A) The cost of its components mined, produced, or manufactured in the United States exceeds 60 percent of the cost of all its components, except that the percentage will be 65 percent for items delivered in calendar years 2024 through 2028 and 75 percent for items delivered starting in calendar year 2029.

(B) The end product is a COTS item; or

(2) For an end product that consists wholly or predominantly of iron or steel or a combination of both, an end product manufactured in the United States, if the cost of foreign iron and steel constitutes less than 5 percent of the cost of all the components used in the end product. The cost of foreign iron and steel includes but is not limited to the cost of foreign iron or steel mill products (such as bar, billet, slab, wire, plate, or sheet), castings, or forgings utilized in the manufacture of the end product and a good faith estimate of the cost of all foreign iron or steel components excluding COTS fasteners. Iron or steel components of unknown origin are treated as foreign. If the end product contains multiple components, the cost of all the materials used in such end product is calculated in accordance with the definition of "cost of components".

End product means those articles, materials, and supplies to be acquired under the contract for public use.

Fastener means a hardware device that mechanically joins or affixes two or more objects together. Examples of fasteners are nuts, bolts, pins, rivets, nails, clips, and screws.

Foreign end product means an end product other than a domestic end product.

Foreign iron and steel means iron or steel products not produced in the United States. Produced in the United States means that all manufacturing processes of the iron or steel must take place in the United States, from the initial melting stage through the application of coatings, except metallurgical processes involving refinement of steel additives. The origin of the elements of the iron or steel is not relevant to the determination of whether it is domestic or foreign.

Predominantly of iron or steel or a combination of both means that the cost of the iron and steel content exceeds 50 percent of the total cost of all its components. The cost of iron and steel is the cost of the iron or steel mill products (such as bar, billet, slab, wire, plate, or sheet), castings, or forgings utilized in the manufacture of the product and a good faith estimate of the cost of iron or steel components excluding COTS fasteners.

Steel means an alloy that includes at least 50 percent iron, between 0.02 and 2 percent carbon, and may include other elements.

United States means the 50 States, the District of Columbia, and outlying areas.

(b) 41 U.S.C. chapter 83, Buy American, provides a preference for domestic end products for supplies acquired for use in the United States. In accordance with 41 U.S.C. 1907, the domestic content test of the Buy American statute is waived for an end product that is a COTS item (see 12.505(a)(1)), except that for an end product that consists wholly or predominantly of iron or steel or a combination of both, the domestic content test is applied only to the iron and steel content of the end product, excluding COTS fasteners.

(c) Offerors may obtain from the Contracting Officer a list of foreign articles that the Contracting Officer will treat as domestic for this contract.

(d) The Contractor shall deliver only domestic end products except to the extent that it specified delivery of foreign end products in the provision of the solicitation entitled "Buy American Certificate."

(End of clause)

Begin Regulation

52.222-52 EXEMPTION FROM APPLICATION OF THE SERVICE CONTRACT LABOR STANDARDS TO CONTRACTS FOR CERTAIN SERVICES--CERTIFICATION (MAY 2014)

(a) The offeror shall check the following certification:

CERTIFICATION

The offeror *$vendorInsert1* does *$vendorInsert2* does not certify that--

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

(2) The contract services are furnished at prices that are, or are based on, established catalog or market prices. An "established catalog price" is a price included in a catalog, price list, schedule, or other form that is regularly maintained by the manufacturer or the offeror, is either published or otherwise available for inspection by customers, and states prices at which sales currently, or were last, made to a significant number of buyers constituting the general public. An "established market price" is a current price, established in the usual course of ordinary and usual trade between buyers and sellers free to bargain, which can be substantiated from sources independent of the manufacturer or offeror;

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

(4) The offeror uses the same compensation (wage and fringe benefits) plan for all service employees performing work under the contract as the offeror uses for these employees and for equivalent employees servicing commercial customers.

(b) Certification by the offeror as to its compliance with respect to the contract also constitutes its certification as to compliance by its subcontractor if it subcontracts out the exempt services. If the offeror certifies to the conditions in paragraph (a) of this provision, and the Contracting Officer determines in accordance with FAR 22.1003-4(d)(3) that the Service Contract Labor Standards statute —

(1) Will not apply to this offeror, then the Service Contract Labor Standards clause in this solicitation will not be included in any resultant contract to this offeror; or

(2) Will apply to this offeror, then the clause at FAR 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements, in this solicitation will not be included in any resultant contract awarded to this offer, and the offeror may be provided an opportunity to submit a new offer on that basis.

(c) If the offeror does not certify to the conditions in paragraph (a) of this provision--

(1) The clause of this solicitation at 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements, will not be included in any resultant contract to this offeror; and

(2) The offeror shall notify the Contracting Officer as soon as possible if the Contracting Officer did not attach a Service Contract Labor Standards wage determination to the solicitation.

(d) The Contracting Officer may not make an award to the offeror, if the offeror fails to execute the certification in paragraph (a) of this provision or to contact the Contracting Officer as required in paragraph (c) of this provision.

Begin Regulation

52.223-11 OZONE-DEPLETING SUBSTANCES AND HIGH GLOBAL WARMING POTENTIAL HYDROFLUOROCARBONS (JUN 2016)

(a) *Definition.* As used in this clause —

"*Global warming potential*" means how much a given mass of a chemical contributes to global warming over a given time period compared to the same mass of carbon dioxide. Carbon dioxide's global warming potential is defined as 1.0.

"*High global warming potential hydrofluorocarbons*" means any hydrofluorocarbons in a particular end use for which EPA's Significant New Alternatives Policy (SNAP) program has identified other acceptable alternatives that have lower global warming potential. The SNAP list of alternatives is found at 40 CFR Part 82 subpart G with supplemental tables of alternatives available at (http://www.epa.gov/snap/).

"*Hydrofluorocarbons*" means compounds that only contain hydrogen, fluorine, and carbon.

"*Ozone-depleting substance*," means any substance the Environmental Protection Agency designates in 40 CFR Part 82 as —

(1) Class I, including, but not limited to, chlorofluorocarbons, halons, carbon tetrachloride, and methyl chloroform; or

(2) Class II, including, but not limited to, hydrochlorofluorocarbons.

(b) The Contractor shall label products that contain or are manufactured with ozone-depleting substances in the manner and to the extent required by 42 U.S.C. 7671j (b), (c), (d), and (e) and 40 CFR part 82, subpart E, as follows:

Warning

Contains (or manufactured with, if applicable) *_____, a substance(s) which harm(s) public health and environment by destroying ozone in the upper atmosphere.

* The Contractor shall insert the name of the substance(s).

(c) Reporting. For equipment and appliances that normally each contain 50 or more pounds of hydrofluorocarbons or refrigerant blends containing hydrofluorocarbons, the Contractor shall —

(1) Track on an annual basis, between October 1 and September 30, the amount in pounds of hydrofluorocarbons or refrigerant blends containing hydrofluorocarbons contained in the equipment and appliances delivered to the Government under this contract by —

(i) Type of hydrofluorocarbon (*e.g.*, HFC-134a, HFC-125, R-410A, R-404A, etc.);

(ii) Contract number; and

(iii) Equipment/appliance;

(2) Report that information to the Contracting Officer for FY16 and to www.sam.gov, for FY17 and after —

(i) Annually by November 30 of each year during contract performance; and

(ii) At the end of contract performance.

(d) The Contractor shall refer to EPA's SNAP program (available at http://www.epa.gov/snap) to identify alternatives. The SNAP list of alternatives is found at 40 CFR part 82 subpart G with supplemental tables available at http://www.epa.gov/snap.

Begin Regulation

552.238-73 IDENTIFICATION OF ELECTRONIC OFFICE EQUIPMENT PROVIDING ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES (MAR 2022)

(a) Definitions.

"Electronic office equipment accessibility" means the application/configuration of electronic office equipment (includes hardware, software and firmware) in a manner that accommodates the functional limitations of individuals with disabilities so as to promote productivity and provide access to work related and/or public information resources.

"Individuals with Disabilities" mean qualified individuals with impairments as cited in 29 U.S.C. 705(20) who can benefit from electronic office equipment accessibility.

"Special peripheral" means a special needs aid that provides access to electronic equipment that is otherwise inaccessible to individuals with disabilities.

(b) The offeror is encouraged to identify in its offer, and include in any commercial catalogs and pricelists accepted by the Contracting Officer, office equipment, including any special peripheral, that will facilitate electronic office equipment accessibility for individuals with disabilities. Identification should include the type of disability accommodated and how the users with that disability would be helped.

End of clause