Category Attachment

Code : **H**

Title : **Professional Services**

Solicitation Number : **47QSMD20R0001**

Refresh Number : **0008**

Created on October 8, 2021

Professional Services Category Instructions and Regulations

Instructions:
All offerors must follow evaluation criteria and instructions outlined in the MAS solicitation, including in SCP-FSS-001. The Professional Services 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/mascategoryrequirements.

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

The following requirements apply to all services covered under the Professional Services Category:

1. Personal services contracts as defined in FAR 37.102 and FAR 37.104 are prohibited.

2. Architect-Engineering (A/E) services as the term is defined in FAR 36.601-4 are prohibited.

3. Inherently Governmental services as defined in FAR 7.503 are prohibited.

4. Share-in-Savings contracting is prohibited.

5. The contractor shall be responsible for obtaining all necessary permits and licenses and for complying with all applicable Federal, State, and Municipal laws. The contractor shall ensure that its staff maintains any generally required professional certification, accreditation, and proficiency relative to their area of expertise. The contractor shall retain documentation of such records. The proposed/awarded prices must reflect all costs associated with this requirement.

6. Organizational conflicts of interest may arise at the task order level, particularly services involving systems engineering and technical direction, financial services, consulting services, acquisition support services, and any other services involving access to proprietary data or information. Ordering agency contracting officers may impose organizational conflict of interest disclosure requirements, provisions and/or clauses at the task order level as they determine appropriate.

7. Contract staffing services, such as temporary help services, are prohibited under this Category. Refer to the Human Capital Large Category, Temporary Help Services Subcategory, for these services.

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
52.222-46	EVALUATION OF COMPENSATION FOR PROFESSIONAL EMPLOYEES (FEB 1993)
52.223-2	AFFIRMATIVE PROCUREMENT OF BIOBASED PRODUCTS UNDER SERVICE AND CONSTRUCTION CONTRACTS (SEP 2013)
52.222-62	PAID SICK LEAVE UNDER EXECUTIVE ORDER 13706 (JAN 2017)
52.223-16	ACQUISITION OF EPEAT® - REGISTERED PERSONAL COMPUTER PRODUCTS (OCT 2015)
52.223-14	ACQUISITION OF EPEAT® - REGISTERED TELEVISIONS (JUN 2014)
552.238-73	IDENTIFICATION OF ELECTRONIC OFFICE EQUIPMENT PROVIDING ACCESSIBILITY FOR THE HANDICAPPED (MAY 2019)
52.222-52	EXEMPTION FROM APPLICATION OF THE SERVICE CONTRACT LABOR STANDARDS TO CONTRACTS FOR CERTAIN SERVICES - CERTIFICATION (MAY 2014)
552.238-90	CHARACTERISTICS OF ELECTRIC CURRENT (MAY 2019)
552.238-91	MARKING AND DOCUMENTATION REQUIREMENTS FOR SHIPPING (MAY 2019)

552.238-86	DELIVERY SCHEDULE (MAY 2019)

Subcategory Instructions and Regulations

H01. Business Administrative Services Subcategory

SIN 541611 Management and Financial Consulting, Acquisition and Grants Management Support, and Business Program and Project Management Services

541611 Provide operating advice and assistance on administrative and management issues. Examples include: strategic and organizational planning, business process improvement, acquisition and grants management support, facilitation, surveys, assessment and improvement of financial management systems, financial reporting and analysis, due diligence in validating an agency's portfolio of assets and related support services, strategic financial planning, financial policy formulation and development,special cost studies, actuarial services, economic and regulatory analysis, benchmarking and program metrics, and business program and project management.

Inherently Governmental services as identified in FAR 7.503 or by the ordering agency are prohibited. It is the responsibility of the Contracting Officer placing the order to make this determination. Ordering activities must require prospective contractors to identify potential conflicts of interest and address those, prior to task order award.

Personal services as defined in FAR 37.104 are prohibited.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R408
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541611	Administrative Management and General Management Consulting Services	$16.5 million

SIN 561450 Business Information Services (BIS)

561450 Services include electronic and non-electronic transmission of consumer and/or business: credit reports, address verification reports, skip location reports, public information, domestic business profile, international business profile, mortgage reports, supplemental credit reference reports, bond rating, managed fund rating, institutional ranking, data processing (credit/financial) credit scoring, security freeze (lock credit file), merged credit files, business credit risk assessment, and miscellaneous business information services. Firms may provide computer software intended for BIS use and customization of reports.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R704
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
561450	Credit Bureaus	$16.5 million

H02. Environmental Services Subcategory

Instructions:
The following services are not included or authorized under this Subcategory:

1. Construction and Architect-Engineer Services as set forth in FAR Part 36 (including construction, alteration or repair of buildings, structures, or other real property)

2. Asbestos abatement

3. Radon mitigation

4. Paint removal and/or design

5. Handling/disposal and/or transportation of nuclear or radioactive waste, other than low-level radioactive waste associated with medical waste.

Insurance Requirements: Offerors proposing either or both SIN 562112 Hazardous Waste Disposal Services and 561290 Remediation Services must adhere to the following insurance requirements, at their own expense, with the costs of insurance being reflected in the proposed/awarded contract prices:

1. Workers compensation and employers liability insurance as required by law, except that if this contract is to be performed in a state which does not require or permit private insurance, then compliance with the statutory administrative requirements in any such state will be satisfactory. The required workers compensation insurance shall extend to cover the employers liability for accidental bodily injury or death and for occupational disease with a minimum liability amount of $100,000;

2. General liability insurance with bodily injury liability insurance in the minimum of $500,000 per occurrence on the comprehensive form of policy;

3. Automotive liability insurance, required on the comprehensive form of policy and shall provide bodily injury liability and property damage liability covering the operation of all automobiles used in connection with the performance of the contract. At least a minimum of $200,000 per person and $500,000 per occurrence for bodily injury and $20,000 per occurrence for property damage shall be required.

4. Pollution liability insurance, with a minimum limit of $500,000 per occurrence. A higher minimum may be requested by the ordering agency at the task order level and reimbursed as an Other Direct Cost or Order Level Material (OLM), if the OLM SIN is awarded under the subject contract.

5. The certificate of insurance for other than workers compensation shall reflect the following: the policies shall exclude any claim by the insurer for subrogation against the Government by reason of any payment under the policies, and GSA shall be named as an additional insured.

Subcategory Level Regulations:

Regulation Number	Regulation Title/Comments
52.223-19	COMPLIANCE WITH ENVIRONMENTAL MANAGEMENT SYSTEMS (MAY 2011)

SIN 541620 Environmental Consulting Services

541620 Services include providing advice and assistance to businesses and other organizations on environmental issues, such as the control of environmental contamination from pollutants, toxic substances, and hazardous materials; Endangered species, wetland, watershed, and other natural resource management plans; Archeological and/or cultural resource management plans. This includes identifying problems (e.g., inspect buildings for hazardous materials), measure and evaluate risks, and recommend solutions. Multi-disciplined staff of scientists, engineers, and other technicians with expertise in areas, such as air and water quality, asbestos contamination, remediation, ecological restoration, and environmental law such as Planning and Documentation Services for the development, planning, facilitation, coordination, and documentation of and/or for environmental initiatives (or mandates such as Executive Order 13693 in areas of chemical, radiological, and/or hazardous materials; ISO 14001 Environmental Management System (EMS) and sustainable performance measure development; Environmental Assessment (EA) and Environmental Impact Statement (EIS) preparation under the National Environmental Policy Act (NEPA).

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : F999
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541620	Environmental Consulting Services	$16.5 million

SIN 562112 Hazardous Waste Disposal Services

562112 Services include, but are not limited to: management and oversight of hazardous material (HAZMAT) disposal operations, and management, oversight and recycling of universal waste (e.g., batteries, cell phones, cathode ray tubes (CRTs), and compact fluorescent light bulbs (CFLs)). This includes reuse assessments and inventory, destruction, inventory transfer and/or disposal after compliance with GSA Office of Personal Property Management requirements outlined in Federal Management Regulations 101-42, 102-36, and 102-37 (as applicable). Examples of types of material waste services include, but are not limited to: solid waste, industrial waste, mining waste, and oilfield waste (e.g., drill cuttings); liquid waste (e.g., wastewater containing less than 1% solids); medical waste; pharmaceutical waste; excess inventory; surplus inventory; non-hazardous materials that pose no immediate threat to human health and the environment, excluding household waste (e.g., routine refuse collection and disposal); hazardous materials and/or those that contain leachable toxic components; plastics such as acrylic, nylon, high-density polyethylene (HDPE) and low-density polyethylene (LDPE); confiscated materials; construction debris such as asphalt, drywall and/or metal.

NOTE: Services offered under this scope shall NOT include any transportation / disposal of radioactive waste (other than low-level radioactive waste associated with medical waste), asbestos and/or paint abatement, or radon mitigation.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : F999
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
562112	Hazardous Waste Collection	$41.5 million

Instructions:

1. Note: Prior to utilizing this SIN, please read the ordering guide posted on the following site: https://www.gsa.gov/buyingselling/purchasing-programs/gsa-schedule/gsa-schedule-offerings/mas-categories/professional-services-category

2. Offerors proposing this SIN shall submit the following information with their proposal in addition to the requirements of SCP-FSS-001:

a. A summary of the methods used for tracking material to final destination, and documentation process used through final disposition of all materials obtained and/or generated;

b. Acknowledgement of understanding and compliance with environmental laws, regulations, and guidelines pertaining to recycling and/or disposal;

c. A summary of the firm's data security process (e.g., process used for destruction of hard drives)

d. Process flow identifying ownership of all parts involved in electronic recycling (e.g., transfer of CERCLA liability)

e. In the event that subcontractors are used for recycling and/or disposal services, certify that the offeror understands subcontractors may be required to be identified in any resultant task order issued by the ordering agency.

f. Offerors proposing to provide electronic waste (e-waste) recycling services and/or e-waste

disposal are required to provide a copy of third party certification such as R2 or e-Stewards with submission of offer. Websites available for certification include but are not limited to: https://sustainable electronics.org which provides additional information relating to the R2 accredited certification programs for electronic recyclers; or http://e-stewards.org/certification-overview/how-to-become-an-e-stewards-recycler/which provides additional information relating to the e-Stewards accredited certification program. See Solicitation Attachment "Special Requirements for SIN 562112" for more information on both of these programs. Note: If firm is offering general recycling and/or disposal services but NOT intending to perform any e-waste recycling and/or disposal, please state so in offer submission; third party certification is not required for these services.

g. Offerors proposing medical waste, pharmaceutical waste, and or low-level radioactive waste disposal (associated with medical waste) shall provide a copy of the most recent external audit evaluating the contractor's compliance with waste collection, transport, and/or disposal processes. If more than one audit has been completed by different sources, provide a copy of each audit. If no external audits have been performed, provide a detailed explanation to address why external audits have not been conducted (e.g., if the state/local environmental protection and/or health departments do not require audits, state so). If internal audits have been completed, provide a copy of the most recent internal audit(s) and the contract information for the personnel responsible for issuing the audit. If no audits have been conducted, provide a detailed explanation addressing how the offeror ensures compliance with regulations at the federal, state, and local level.

h. Offerors proposing medical waste, pharmaceutical waste, or low-level radioactive waste disposal services shall provide a copy of all current federal, state, and/or local certifications showing the offeror is qualified to perform disposal services.

i. Offerors proposing medical waste, pharmaceutical waste, or low-level radioactive waste (associated with medical waste) disposal services shall provide a detailed description of the offeror's compliance training programs and training requirements for its personnel, including a description of how the company tracks compliance training to ensure all personnel providing disposal services are properly trained and, as required, certified.

3. For disposal, recycling or salvage services performed under this Subcategory, GSA does not become the owner, operator, generator, arranger, or transporter of hazardous substances or wastes under the contract or any order under the contract. GSA shall not incur any liability under any environmental laws for contamination to the extent resulting from negligent acts or omissions of a contractor. The contractor shall be liable for and shall hold harmless the GSA against all actions or claims for loss or damage to property or the injury or death of persons to the extent resulting from the fault, negligence, or wrongful act of omission of the contractor, its agents, or employees.

Exception: The aforementioned does not apply when GSA is the ordering agency and is procuring remediation, reclamation, recycling and/or disposal services for property it owns and/or for which it has legal jurisdiction.

4. Special instructions for Paying IFF on Payments/Offsets to the Government for Recoverable Materials:

a. The contractor will be responsible for payment of the Industrial Funding Fee (IFF) on the total value of the payment/offset for charges to a Government agency for recoverable items (i.e., a contractor recycling operation recovers precious metals and either pays the Government or offsets task order charges to the government by the value of the recovered material).

b. Example 1: Offset for charges. A task order for recycling computers is issued for $5,000 with a provision for the contractor to offset charges by the value of the recovered precious metals from recycling those computers. If $100 of precious metals were recovered, the Government would pay the contractor $4,900 for the task. In this example, the contractor will pay the IFF on $5,000, even though the sale appears to be only $4,900.

c. Example 2: Payment to the Government. A task order is issued for the contractor to retrieve scrap metals worth $5,000 in the recycling market. The contractor would pay the Government $5,000 for the scrap metal retrieved. In this example, the contractor would pay the IFF on $5,000, even though there would appear to be no sale since the contractor paid the Government.

SIN Level Regulations:

Regulation Number	Regulation Title/Comments
52.228-5	INSURANCE - WORK ON A GOVERNMENT INSTALLATION (JAN 1997)

SIN 562910REM Environmental Remediation Services

562910REM Remediation services include site preparation, field investigation, conservation and closures, emergency response cleanup (ERC), underground storage tank/above-ground storage tank (UST/AST) removal, air monitoring, soil vapor extraction, stabilization/solidification, bio-venting, carbon absorption, containment, monitoring and/or reduction of hazardous waste sites, unexploded ordnance removal, and remediation-related laboratory testing (e.g., biological, chemical, physical, pollution and soil testing). Reclamation services include: creating new land from sea or riverbeds, wetland restoration, and restoring areas to a more natural state (e.g., after pollution, desertification, or salinization have made it unusable). Remediation services encompassing three (3) or more industries/NAICS codes, where the preponderance of work is at least 50% under NAICS 562910, should be solicited and performed under SIN 562910RMI.

Note: Services offered under this SIN shall not include any remediation/transportation/disposal of radioactive waste, asbestos and/or paint abatement, radon mitigation, or construction and architect-engineering services as set forth in FAR Part 36 (including construction, alteration or repair of buildings, structures, or other real property). This SIN does not include Davis-Bacon work as defined in FAR Subpart 22.4. Ordering agencies must ensure the work being required is not covered by the Davis-Bacon Act.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : F999
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
562910	Remediation Services	$22 million

Instructions:
Offerors proposing this SIN and proposing to perform remediation related to transportation, storage, treatment, and/or disposal of hazardous waste shall submit the following information with their proposal in addition to the requirements of SCP-FSS-001:

1. A summary of the documentation process through final disposition of all materials obtained and/or generated;

2. A summary of methods used for tracking material to final destination;

3 Agreement to comply with environmental laws and regulations pertaining to disposal of hazardous waste;

4. A summary of warehousing process, if any exists; and

5. Certification that the offeror understands that subcontractors may be required to be identified in any resultant task order.

SIN Level Regulations:

Regulation Number	Regulation Title/Comments
52.228-5	INSURANCE - WORK ON A GOVERNMENT INSTALLATION (JAN 1997)

SIN 562910RMI Environmental Remediation Services - Multiple Industries

562910RMI Environmental remediation services involving a range of services to return a contaminated environment into an acceptable condition, including but not limited to: preliminary assessment, site inspection, testing, remedial investigation, feasibility studies, remedial design, containment, remedial action, removal of contaminated materials, storage of contaminated materials, and security and site closeouts. The procurement must be composed of activities in three or more separate industries associated with separate NAICS codes. These activities may include but are not limited to, engineering services, management consulting services, hazardous and other waste collection, remediation services, testing laboratories, and research and development in the physical, engineering, and life sciences. At least 50% of the work must be for remediation services and not work under other industries.

Note: Services offered under this SIN shall not include any remediation/transportation/disposal of radioactive waste, asbestos and/or paint abatement, radon mitigation, or construction and architect-engineering services as set forth in FAR Part 36 (including construction, alteration or repair of buildings, structures, or other real property). This SIN does not include Davis-Bacon work as defined in FAR Subpart 22.4. Ordering agencies must ensure the work being required is not covered by the Davis-Bacon Act.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : F108
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
562910	Remediation Services	$22 million

H03. Financial Services Subcategory

Instructions:
LICENSING REQUIREMENTS: Certain licensing requirements and professional expertise may be required for specified tasks at the task order level. These requirements may include but are not limited to Certified Public Accountants (CPA), Certified Information Systems Auditors (CISA), Certified Financial Planners (CFP), Certified Government Financial Managers (CGFM), Certified Management Accountants (CMA), Certified Management Consultants (CMC), etc. The ordering agency shall specify any special licensing requirements and/or professional standards. The proposed and awarded Schedule contract prices shall reflect all costs associated with licensing requirements for the contractor and its staff, subcontractors, etc.

SIN 522310 Financial Advising, Loan Servicing and Asset Management Services

522310 Services include assisting agencies on cross-cutting issues, asset marketability, equity monitoring, originations, and addressing any other considerations regarding the acquisition, management and/or resolution of an asset; assisting agencies in servicing, monitoring and maintaining loan assets such as establishing loan database, remittance processing, processing loan cancellations and consolidations, billing services, and servicing troubled loans which may include borrower negotiations, restructuring, foreclosure and supervision of the sale of the collateral and workout agreements.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R704
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
522310	Mortgage and Nonmortgage Loan Brokers	$8 million

SIN 524292INS Third Party Administration of Insurance and Pension Funds

524292INS Provides financial services related to third party administration of insurance and pension funds, such as claims adjudication and processing and other administrative services to insurance carriers, employee benefit plans, and self-insurance funds. Additionally, medical coding, medical billing, medical claims and appeals, insurance claim processing, managing and distributing claims reimbursements may be performed. Ancillary support services may include providing customer service education and outreach, project and program management, compliance and dispute resolution support, provider outreach, and data reporting support, benefit design, prescription drug formulary, enrollment assistance, consolidated billing, identification of billing mistakes, stop loss coverage, and state and federal billing

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : Q601
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
524292	Third Party Administration of Insurance and Pension Funds	$35 million

SIN 531210 Financial Asset Resolution Services

531210 Assist agencies in all asset resolution related areas including valuation / pricing, portfolio stratification, restructuring and disposition strategies which best meet agency goals. Make specific recommendations as to the best execution. Conduct a sale or other disposition vehicle. Provide marketing expertise, budget and credit reform analyses.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R704
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
531210	Offices of Real Estate Agents and Brokers	$8 million

SIN 541211 Auditing Services

541211 Perform financial-related audits, performance audits, recovery audits, transportation audits, and contract audits in accordance with Generally
Accepted Government Auditing Standards (GAGAS) and non-GAGAS. Perform an independent assessment of an audited entity's financial statements in conformity with generally accepted accounting principles, financial information, adherence to financial compliance requirements and internal controls, or organization or program performance to identify areas for improvement.

Recovery audits: identify recoverable funds resulting from overpayments, duplicate payments and underpayments under the authority of public law and regulation, e.g., Section 354 of the National Defense
Authorization Act for FY 96 (Public Law 104-106; 110 Stat. 268; 10 U.S.C. 2461).

Transportation audits: perform administrative reviews and rate examinations on prepayment and post payment transportation bills to ensure accuracy, completeness, and compliance with established rates, tariffs, quotations, agreements, tenders or other applicable rate authority.

Note: Inherently Governmental services as identified in the Federal Acquisition Regulation (FAR) 7.503 or by the ordering agency are prohibited under this SIN. It is the responsibility of the Contracting Officer placing the order to make this determination.
Ordering activities must require prospective contractors to identify potential conflicts of interest and address those, prior to task order award.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R704
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541211	Offices of Certified Public Accountants	$22 million

Instructions:
Offerors proposing this SIN shall complete and submit the following attachments with their proposal, in addition to the requirements of SCP-FSS-001:

1. A list of states, territories, and/or foreign countries in which it has a CPA license; and

2. A copy of its most recently completed peer review report, as well as any internal documents issued to address corrective action for noted deficiencies.

3. Offerors proposing to only perform transportation audits shall submit the above documents if available; if not available, offerors shall submit an attachment stating that the offeror is proposing transportation audits only and does not possess a CPA license and peer review report.

SIN 541214 Payroll Services

541214 Services include those that an agency identifies as recurring commercial activities such as billing, payroll processing that includes collecting information on hours worked, pay rates, deductions, and other payroll-related data using that information to generate paychecks, payroll reports, and tax filings. These establishments may use data processing and tabulating techniques as part of providing their services.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R704
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541214	Payroll Services	$22 million

SIN 541219 Budget and Financial Management Services

541219 Services include accounting, budgeting, and complementary financial services such as: transaction analysis, transaction processing, data analysis and summarization, technical assistance in devising new or revised accounting policies and procedures, classifying accounting transactions, special studies to improve accounting operations, assessment and improvement of budget formulation and execution processes, special reviews to resolve budget formulation or budget execution issues, and technical assistance to improve budget preparation or execution processes.

Cooperative Purchasing: No
Set Aside: No

FSC/PSC Code : R703
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541219	Other Accounting Services	$22 million

SIN 561440 Debt Collection Services

561440 Services include providing collection services and servicing of defaulted loans which may include borrower negotiations, restructuring, and workout agreements.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R705
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
561440	Collection Agencies	$16.5 million

H04. Identity Protection Services Subcategory

SIN 541990IPS Data Breach Response and Identity Protection

541990IPS Data Breach Response and Identity Protection Services (IPS) include an integrated, total solution to provide identity monitoring and notification of Personally Identifiable Information (PII) and Protected Health Information (PHI); identity theft insurance; identity restoration services; and protection (safeguarding) the confidentiality of PII and PHI. Additional requirements specifically for Identity Protection Services are found in the notes section referenced below.

NOTE 1: Additional Proposal Instructions related to Identity Protection Services (IPS) are found in IPS Requirements Document 1B.

NOTE 2: Any firm offering Identity Protection Services will be required to provide a System Security Plan (SSP) in accordance with the template found in IPS Requirement Document 1C. The firm will also be required to submit a Firm Fixed Price as outlined in IPS Pricing Document 2, unless otherwise defined at the Task Order level (e.g. per product redeemed per the agreed-upon coverage period (month, year, etc.)) covering ALL services cited in Section I of IPS Requirements Document 1A. If defined otherwise at the Task Order level, it must still be able to be mapped to the awarded Schedule contract pricing. Firms are encouraged to provide separate line item pricing for key services within this total solution SIN that the firm believes could be ordered independently (e.g., credit monitoring, restoration, etc). This will allow the Ordering Agency to obtain only those services needed depending on level of breach. See IPS Pricing Document 2 for pricing tables.

NOTE 3: Services provided shall be performed in accordance with applicable Federal laws and policies, including the Identity Theft and Assumption Deterrence Act of 1998, as amended by Public Law 105-318, 112 Statute 3007 (Oct. 30, 1998), and implemented by 18 U.S.C. 1028. Firms are required to adhere to all applicable Office of Management and Budget (OMB) policies including OMB Circular A-130, Managing Federal Information as a Strategic Resource, and any updates to OMB Memorandum M-17-12, Preparing for and Responding to a Breach of Personally Identifiable Information.

NOTE 4: The Agency Ordering Guide for Identity Protection Services can be found at https://www.gsa.gov/buying-selling/products-services/professional-services/buy-services/identity-protection-services-ips

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R704

Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541990	All Other Professional, Scientific and Technical Services	$16.5 million

Instructions:
Offerors proposing this SIN shall complete and submit the following attachments with their proposal, in addition to the requirements of SCP-FSS-001:

1. Offerors shall submit a Firm Fixed Price pricing methodology covering ALL services cited in the Identity Protection Services (IPS) Additional Proposal Instructions. Offerors are encouraged to provide separate line item pricing for key services within this total solution SIN if the firm believes the services could be ordered independently. (e.g., credit monitoring, restoration, etc.) Services provided shall be performed in accordance with applicable Federal laws and policies, including the Identity Theft and Assumption Deterrence Act of 1998, as amended by Public Law 105-318, 112 Statute 3007 (Oct. 30, 1998), and implemented by 18 U.S.C. 1028. Contractors are required to adhere to all applicable Office of Management and Budget (OMB) policies including OMB Circular A-130, Managing Federal Information as a Strategic Resource, and any updates to OMB Memorandum M-17-12, Preparing for and Responding to a Breach of Personally Identifiable Information.

2. The following solicitation attachments contain additional instructions relevant to SIN 541990IPS Data Breach Response and Identify Protection Services

a. IPS Requirement Document 1A contains Industry Definitions, Task Order Level Reporting Requirements, etc.

b. IPS Requirement Document 1B contains Additional Proposal Instructions related to SIN 541990IPS

c. IPS Requirement Document 1C contains the template to use to fill out the mandatory system security plan for SIN 541990IPS

d. IPS Pricing Document 2 contains the mandatory pricing structure template for SIN 541990IPS

SIN 541990RISK Risk Assessment and Mitigation Services

541990RISK Services include: breach mitigation and analysis/forensic services, the deployment of financial risk assessment and mitigation strategies and techniques; improvement of capabilities through the reduction, identification, and mitigation of risks; detailed risk statements, risk explanations and mitigation recommendations; design and development of new business applications, processes, and procedures in response to risk assessments; and ensuring compliance with governance and regulatory requirements. Under this SIN, firms can also assist the Ordering Agency with preventive measures in protecting Personally Identifiable Information (PII) and Protected Health Information (PHI) through the evaluation of threats and vulnerabilities to PII and PHI type of information; training of Government personnel on how to prevent data breaches and identity theft; vulnerability assessments; privacy impact and policy assessments; review and creation of privacy and safeguarding policies; prioritization of threats; maintenance and demonstration of compliance; and evaluation and analysis of internal controls critical to the detection and elimination of weaknesses to the protection of PII and PHI type of information.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R704
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541990	All Other Professional, Scientific and Technical Services	$16.5 million

H05. Language Services Subcategory

SIN 541930 Translation and Interpretation Services

541930 Services include translating written material, interpreting speech from one language to another, and services to facilitate communication with and by persons who are visually or hearing impaired.. Services provided must include communication from a source language to a target language.

Examples include interpretation of oral communication to and from English and native Foreign Language including Simultaneous, Consecutive, Escort, Community, Telephonic and Voiceovers; Collecting, translating / interpreting and delivering mission related data; performing data analysis of translated materials; cultural consulting and role-playing; Title III monitoring, transcriptions and intercepts; preparing related reports and assessments; forensic processing; screening / gisting; related project / program management and control for linguist screening and, recruitment; logistical coordination; site supervision and quality control of all related services. Sign Language Services include ASL/English, Manually Coded English, Pidgin Signed English (PSE), Contact Sign; International Sign. Other services include closed captioning, voice-overs, textbook or audio script translation, website (HTML) and online document translation with typesetting services, telephone Services (TDD and TTY), deaf interpreting, tactile, transcription of braille documents and captioning services, cued English transliteration, and Section 508 compliant language services.

NOTE: Linguists with security clearances are included in the above mentioned services.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R608
Maximum Order : $350,000

NAICS

Number	Description	Business Size
541930	Translation and Interpretation Services	$8 million

Instructions:
Products for the visual and hearing impaired may be offered that complement the services proposed to provide a total solution for full accessibility of all forms of communication either under the ANCILLARY Special Item Number (SIN) or under another SIN where the scope is more clearly applicable.

If the offeror is proposing translation services, the offeror shall price the services by the word using the Price Proposal Template tab for Language Services Pricing - Translation Services.

If the offeror is proposing and is awarded translation services, the company shall provide written conversions of source texts in one language into target text written in another language with the meaning and intent of the original source text. Services shall include translation of documentation by technically qualified and experienced native-speaking language specialists. Proofing, editing, and client consultation for product assessment, glossary development and final production layout and output in a required media format are required. The contractor shall provide comprehensive support services to agencies by providing project management, consultation and deliverables. The contractor shall provide translations that are accurate, clear, and culturally and politically sensitive to the social environment of the target reader/audience.

If the offeror is proposing and is awarded interpretation services, the company shall provide services performed by professional and experienced interpreters that possess demonstrated proficiency levels that range from the ability to speak the language with sufficient structural accuracy and vocabulary to participate effectively in formal and informal conversations on practical, social, and professional topics at a minimum. The maximum proficiency level will demonstrate a highly articulate, well-educated native speaker which reflects the cultural standards of the country where the language is natively spoken. The ordering agency will specify in the task order the language requirement, location, dates, and times and any required certifications or accreditation necessary. Testing may be required by the ordering agency to determine qualified proficiency levels for some tasks. The contractor shall provide consultation and planning assistance to requesting agencies for conference interpretation services to determine interpretation team and equipment requirements when necessary. The contractor will be required to confirm availability and acceptance of specified tasks for scheduling purposes.

SIN 611630 Linguistic Training and Education

611630 Services include customized or standardized off-the-shelf Foreign Language training courses at on and off site locations in classroom, private, semi-private, tutorial and in-country immersion forums. Instructional training for various language proficiency levels and testing is included. Educational material in publication, software, audio and video formats may be provided.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R608
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
611630	Language Schools	$12 million

H06. Legal Services Subcategory

SIN 541110 Professional Legal Services

541110 Assist agencies with the full spectrum of professional legal support required for the resolution, management and/or disposition of assets held by the Federal Government.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R704
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541110	Offices of Lawyers	$12 million

Instructions:
Instructions:

1. Offerors proposing this SIN shall only provide services in the states/territories/countries under which is is licensed or approved to furnish such services. Ordering agencies may require the contractor to provide evidence of eligibility to perform services.

2) Each offeror shall provide an attachment describing the locations in which it is currently eligible to provide legal services.

H07. Logistical Services Subcategory

Instructions:
SERVICES NOT INCLUDED: relocation of household goods is not authorized under this subcategory.

SIN 541614 Deployment, Distribution and Transportation Logistics Services:

541614 Services include the following: Deployment Logistics such as contingency planning, identifying/utilizing regional or

global resources, integrating public/private sector resources, inventory/property planning, movement, storage, end-to-end industrial relocation/expansion services, and deploying communications and logistics systems to permit rapid deployment and management of supplies and equipment; Distribution and Transportation Logistics Services such as Planning and designing, implementing, or operating systems or facilities for the movement of supplies, equipment or people by road, air, water, rail, or pipeline.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R706
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541614	Process, Physical Distribution and Logistics Consulting Services	$16.5 million

SIN 541614SVC Supply and Value Chain Management

541614SVC Includes supply and value chain management, which involves all phases of the planning, acquisition, and management of logistics systems.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : V122
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541614	Process, Physical Distribution and Logistics Consulting Services	$16.5 million

H08. Marketing and Public Relations Subcategory

Instructions:
1. SERVICES NOT INCLUDED:

a. Unattributed Prepackaged News Stories: The Government Accountability Office (GAO) wants agencies to know that unattributed prepackaged news stories violate the publicity and propaganda prohibition, which states, "No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by Congress." In a previously released study, GAO explains that prepackaged news stories are complete, audio-video presentations that are intended to be indistinguishable from news segments broadcast to the public by independent television news organizations. While agencies generally have the right to disseminate information about their policies and activities, GAO says, agencies cannot use appropriated funds to produce or distribute prepackaged news stories intended to be viewed by TV audiences that conceal or do not clearly identify for the audience that the agency was the source of the materials. "It is not enough that the contents of an agency's communication may be unobjectionable," the study states. "Neither is it enough for an agency to identify itself to the broadcasting organization as the source of the prepackaged news story." The study is called, "Unattributed Prepackaged News Stories Violate Publicity and Propaganda Prohibition," GAO-05-643T, May 2005.

b. Stand Alone Call Center Operations**:** Stand-alone call center operations are not included under this Subcategory.

c. Sports, Promotional, Outdoor, Recreation, Trophies and Signs: Offerors interested in providing marketing trinkets such as plaques, trophies, awards, shirts, promotional products, etc. in conjunction with any SINs in this Subcategory are directed to propose those items under the applicable Large Category and Subcategory in the solicitation (i.e. Awards).

2. NO-COST CONTRACTING SERVICES

The contractor may choose to provide services within this Subcategory at no cost to the Government. As consideration, the contractor shall be entitled to all of the registration, exhibition, sponsorship, and/or other fees collected as payment for performance under the task order, provided there is no cost to the Government. Under this arrangement, the contractor shall be liable for all costs related to the performance of the task order as defined in the task order and the Government's liability for payment of services would be $0. The contractor shall remit the Industrial Funding Fee (IFF) based on the total value of fees collected under the order. The contractor shall provide an accounting of expenses and revenues, if requested by the ordering agency. Under this arrangement, the contractor's profit, if any, shall be derived from the revenue stream created through fees collected, if any. Additionally, should there be commissions received by the contractor for conference or trade show events, planning, etc., the contractor shall be entitled to retain those commissions. GSA will not accept offers that exclusively propose no-cost contracting services.

SIN 323111SBSA Photographic Services and Solutions

323111SBSA Includes a full range of Photographic Film, Imaging, Digital Services and Multimedia Duplication, Conversion Services and Web-Site Photo Storage Services. Film Processing Services include all sizes, colors and types (e.g., negatives, microfilm, 16/35mm & intermediates color reversal, reprints, duplicates of slides and prints enhancements, enlargements, filmstrips & slides (e.g., master filmstrip photography, master original (2x2) slide photography and duplicate, color positive filmstrip and color positive (2x2) slide duplicate). Imaging/Digital Services include (e.g., desktop, scanning, photo finishing, output retouching, photo restoration and recovery, aerial, archiving, C-41 negatives and inter-negatives digital photography & darkroom passport photos, electronic file transfer, imaging client-generated slides, mounting or prints, presentation slides and portable displays. Portable Displays are imaging exhibits used for (e.g., trade shows, displays, presentations, meeting and conferences) which comes with various configurations e.g., headers graphics, lights shelving, back lighting, and photo mural and panel inserts. Includes a wide range of media duplication (e.g., film-to-film, tape-to-tape, CD-to-CD, disk-to-disk) and conversion services (e.g., film-to-tape, tape-to-film, film-to-CD, CD-to-internet, tape-to-CD, microfilm-to-tape, photo-to-slides, files-to-presentation slides). These services consist of any media of choice. Other direct related services may include (e.g., editing, scanning, restoration, sound services (music score, sound effects, sound track quality and other sound-related services), internet, video tape captioning and subtitle services, edge numbering, scratch removal, print cleaning, packaging, film treatment, loading of cassettes, animations and time encoding. Under Web-Site Photo Storage Services, customer pictures are scanned and posted to a web site maintained by the vendor on a short/long term basis. The customer can then view the scanned images of their photographs, copy the pictures to their hard disk or send by electronic mail. Additional services may be offered such (e.g., reprints, enlargements, photographic paper and special print, scanning, certain file format, proportioned, edit, crop, sequence layout, size, package, re-order).

Cooperative Purchasing: No
Set Aside: Yes
FSC/PSC Code : 6720
Maximum Order : $250,000

NAICS

Number	Description	Business Size
323111	Commercial Printing (except Screen and Books)	500 employees

SIN Level Regulations:

Regulation Number	Regulation Title/Comments
52.225-1	BUY AMERICAN SUPPLIES (JAN 2021)

SIN 512110 Video/Film Production

512110 Services include writing, directing, shooting, arranging for talent/animation, narration, music and sound effects, duplication, distribution, video scoring; and editing.

Videotape and film production services will be provided to inform the public and Government agencies about the latest products, services, and/or issues in various outputs such as: industry standard formats, accessibility and video streaming development. Filming in studios, on location, live shows or events may also be required.

NOTE: Any commissions received for media placement will either (a) be returned to the ordering agency or (b) applied as a credit to the cost of the project, whichever the ordering agency prefers.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : T006
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
512110	Motion Picture and Video Production	$35 million

SIN 541430 Graphic Design Services

541430 Services include planning, designing, and managing the production of visual communication in order to convey specific messages or concepts, clarify complex information, or project visual identities.

These services can include the design of printed materials, packaging, advertising, signage systems, and corporate identification (logos) and can include commercial artists engaged exclusively in generating drawings and illustrations requiring technical accuracy or interpretative skills

Examples include commercial art, graphic design, special effects services that educate the consumer market about product(s) and/or service(s); updating, rewriting, and/or editing-pre existing materials: developing conceptual design and layouts, creating sketches, drawings, publication designs, and typographic layouts; and furnishing custom or stock artwork (including electronic artwork).

NOTE: Any commissions received for media placement, conference planning, etc. will either (a) be returned to the ordering agency or (b) applied as a credit to the cost of the project, whichever the ordering agency prefers.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R499
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541430	Graphic Design Services	$8 million

SIN 541511 Web Based Marketing

541511 Services include, but are not limited to writing, modifying, testing, and supporting software to meet the needs of a particular customer. This can include website design and maintenance services, search engine development, email marketing, interactive marketing, web based advertising (including marketing and social media outlets), webcasting, video conferencing via the web, section 508 compliance, including captioning services, online media management; and related activities to web based services.

Media will be provided in a format that is compatible with the ordering agency's software requirements. Continual website updates and maintenance may also be required.

NOTE: Any commissions received for media placement, conference planning, etc. will either (a) be returned to the ordering agency or (b) applied as a credit to the cost of the project, whichever the ordering agency prefers.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : DD01
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541511	Custom Computer Programming Services	$30 million

SIN 541613 Marketing Consulting Services

541613 Services include providing operating advice and assistance on marketing issues, such as developing marketing objectives and policies, sales forecasting, marketing planning and strategy, and development of multi-media campaigns. Services relating to providing assistance with challenges, contests, and competitions, such as providing marketing and advertising support, assistance with conducting the challenge/contest/competition, facilitating events; and supporting the judging of events are included. The challenge/contest/competition may be to identify a solution to a particular problem or to accomplish a particular goal. Prizes or other incentives may be offered by customers to find innovative or cost-effective solutions to improving open government. Solutions may be ideas, designs, proofs of concept or finished products. SIN 541810ODC must be used in conjunction with the payment for prizes or other incentives.

NOTE: Any commissions received for media placement, conference planning, etc. will either (a) be returned to the ordering agency or (b) applied as a credit to the cost of the project, whichever the ordering agency prefers.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R701
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541613	Marketing Consulting Services	$16.5 million

SIN 541810 Advertising Services

541810 Services provided under this SIN will promote public awareness of an agency's mission and initiatives, enable public understanding of complex technical and social issues, disseminate information to industry and consumer advocacy groups and engage in recruitment campaigns.
Services include, but are not limited to the following components: advertising objective determination, message decision/creation, media selection, outdoor marketing and media services, broadcastmedia (radio, TV, internet and public service announcements), direct mail services, media planning, media placement services, advertising evaluation, related activities to advertising services.
NOTE: Any commissions received for advertising agencies will either (a) be returned to the ordering agency or (b) applied as a credit to the cost of the project, whichever the ordering agency prefers.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R701
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541810	Advertising Agencies	$16.5 million

SIN 541810ODC Other Direct Costs for Marketing and Public Relations Services

541810ODC All Other Direct Costs (ODCs) proposed must be directly related and only purchased in conjunction with

Marketing and Public Relations Subcategory services offered under these SINS: 512110, 541430, 541511, 541613, 541810, 541820, 541850, 541910, 541922, and 561920. ODCs shall be an integral part of the total marketing consulting services solution and shall not be the primary purpose of the work ordered. Items awarded under SIN 541810 ODC are not Order-Level Materials (OLMs). ODCs are defined, priced, and awarded at the FSS contract level, whereas OLMs are unknown before an order is placed. Possible ODCs may include: funding for payment of media spots on television/radio/social media, conference meeting space, prize payments, etc.

Travel and per diem are not considered ODCs.

NOTE: Any commissions received for Marketing and Public Relations Subcategory will either
(a) be returned to the ordering agency or
(b) applied as a credit to the cost of the project,
whichever the ordering agency prefers.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R701
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541810	Advertising Agencies	$16.5 million

Instructions:
The following additional instructions apply to this SIN:

1 ODCs will only be provided in support of the services awarded under the Subcategory Marketing and Public Relations Services and shall never be proposed or awarded on a stand-alone basis;

2 ODCs are established at Not-to-Exceed amounts and are not subject to the Economic Price Adjustment clauses 552.216-70 or I-FSS-969;

3 If proposing ODCs with a markup, the offeror must demonstrate a clear and documented relationship between what was charged to their firm (i.e., invoice reflecting actual costs) plus the markup clearly showing on the supporting price document (i.e., invoice, contract, or quote sheet).

4 ODCs are to be provided at-cost to the customer agency, plus IFF and any awarded markup rate. No other fees or charges are authorized.

5 Any ODCs that are covered by other SINs on this Schedule must be proposed under the applicable SIN(s) rather than as an ODC.

6 Review the "Instructions" tab on the Price Proposal Template (PPT) for additional guidance relating to pricing ODCs under this SIN.

7 All Other Direct Costs (ODCs) awarded under this SIN are excluded from the applicable EPA clause(s) established at the contract level. In the event that a price adjustment on awarded ODCs is needed because the price offered by the third party supplier has increased above the ceiling price, ODC prices will be escalated in accordance with clause 552.212-4 (c) Changes and the published modification instructions.

SIN 541820 Public Relations Services

541820 Services provided include providing customized media and public relation services such as the development of media messages and strategies; providing recommendations of media sources for placement of campaigns; preparing media materials such as, background materials, press releases, speeches and presentations and press kits: executing media programs, conducting press conferences, scheduling broadcast and/or print interviews, media alerts and press clipping services related activities to public relations services.

NOTE: Any commissions received for media placement, conference planning, etc. will either (a) be returned to the ordering agency or (b) applied as a credit to the cost of the project, whichever the ordering agency prefers.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R708
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541820	Public Relations Agencies	$16.5 million

SIN 541850 Exhibit Design and Advertising Services

541850 Services include conceptualizing, designing and producing exhibits and their accompanying materials, providing and/or making recommendations for carpet and padding installation for exhibit property; preview, set-up and dismantling of exhibit property, cleaning, prepping and storing exhibit property for future use, shipping exhibit property to and from designated site(s); and media illumination services

NOTE: Any commissions received for media placement, conference planning, etc. will either (a) be returned to the ordering agency or (b) applied as a credit to the cost of the project, whichever the ordering agency prefers.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : Y1PB
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541850	Outdoor Advertising	$16.5 million

SIN 541910 Marketing Research and Analysis

541910 Services include customizing strategic marketing plans, branding initiatives, creating public awareness of products, services, and issues; targeting market identification and analysis, establishing measurable marketing objectives; determining market trends and conditions, identifying and implementing appropriate strategies, conducting focus groups, telemarketing, individual interviews, preparing/distributing surveys, and compiling/analyzing results, establishing call centers (in relation to services provided under this schedule).

NOTE: Any commissions received for media placement, conference planning, etc. will either (a) be returned to the ordering agency or (b) applied as a credit to the cost of the project, whichever the ordering agency prefers.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R422
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541910	Marketing Research and Public Opinion Polling	$16.5 million

SIN 541922 Commercial Photography Services

541922 Services include photography which may be used for commercial advertisements and/or illustrations that will appear in books, magazines, and/or other forms of media such as: black and white, color photography, digital photography, aerial photography, architectural photography, still photographs, field and studio photography; and related photography services such as photo editing and high-resolution scans.

NOTE: Any commissions received for commercial photography services will either (a) be returned to the ordering agency or (b) applied as a credit to the cost of the project, whichever the ordering agency prefers.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : T010
Maximum Order : $250,000

NAICS

Number	Description	Business Size
541922	Commercial Photography	$8 million

SIN 561920 Conference, Meeting, Event and Trade Show Planning Services

561920 Service include organizing, promoting, and/or managing events, such as business and trade shows, conventions, conferences, and meetings (whether or not they manage and provide the staff to operate the facilities in which these events take place), project management, coordination and implementation of third party participation, collection management of third party payment for participation, liaison support with venue, audiovisual and information technology support, topic and speaker identification, site location research, reservation of facilities, on-site meeting and registration support, editorial services, automation and telecommunications support, design and editing productions; and mailing and other communication with attendees including pre/post meeting mailings/travel support and computer database creation.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R499
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
561920	Convention and Trade Show Organizers	$12 million

H09. Technical and Engineering Services (Non IT) Subcategory

Instructions:
1. TRANSACTIONAL DATA REPORTING:

The Transactional Data Reporting (TDR) Pilot applies to this entire Subcategory, with the exception of SINs 541370GIS and 541990TAD. If the offeror is including one or more TDR-eligible SINs under this Subcategory in its proposal, the offeror is eligible to elect to participate in the TDR pilot. For more information on the TDR Pilot, please review the solicitation attachment entitled, "TDR Pilot."

2. SERVICES NOT INCLUDED IN THIS SUBCATEGORY:

a. Production and Manufacturing: Mass production or manufacturing of standardized products on production or assembly lines. However, the manufacture, fabrication, installation or production for the purpose of developing working models or prototypes that may be used for further testing, analysis and evaluation before full scale production begins is allowed under this Subcategory. The number of prototypes or working models to be produced is dependent upon the ordering activities requirement for testing and analysis. However, the preponderance of work should be performed by professional labor categories.

b. Computer Engineering and Information Technology. These services are available under the Information Technology Category.

c. Foundations and Landscaping Engineering.

d. Heating, ventilation and air-conditioning (HVAC) services related to building, structures or other real property set forth for construction and architect-engineering services governed by FAR Part 36. Offerors interested in providing these services are directed to contact GSAs Public Buildings Service (PBS), at www.gsa.gov/pbs for additional information. Engineering services related to the manufacture, production, furnishing, construction, alteration, repair, processing or assembling of vessels, aircraft, or other kinds of personal property is within the scope of this Subcategory.

e. Research and development as set forth in FAR Part 35. However, research, analysis, and developmental work related to providing a solution to an engineering requirement is allowed.

f. Construction and Architect-Engineer services as defined in FAR Part 36.

g. Surveying and mapping services as defined under the Brooks Act.

SIN 541330EMI Engineering Services Related to Military, Aerospace Equipment, Military Weapons, National Energy Policy Act of 1992, Marine Engineering or Naval Architecture

541330EMI Services include: applying physical laws and principles of engineering in the design, development, and utilization of machines, materials, instruments, processes, and systems specifically relating to military aerospace equipment and/or military weapons, and/or engineering services awarded under the National Energy Policy Act of 1992, and/or marine engineering or naval Architecture.

Services may involve any of the following activities: provision of advice, concept development, requirements analysis, preparation of feasibility studies, preparation of preliminary and final plans and designs, provision of technical services during the construction or installation phase, inspection and evaluation, and related services.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R425
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541330	Engineering Services	$16.5 million

Instructions:
Note: The scope of this SIN is limited to services associated with NAICS 541330 Exception 2 "Military and Aerospace Equipment and Military Weapons", NAICS 541330 Exception 3 " Contracts and Subcontracts for Engineering Services Awarded Under the National Energy Policy Act of 1992" and NAICS 541330 Exception 4 "Marine Engineering and Naval Architecture". These NAICS exceptions have a size standard of $41.5 Million.

SIN 541330ENG Engineering Services

541330ENG Services include: applying physical laws and principles of engineering in the design, development, and utilization of machines, materials, instruments, processes, and systems. Services may involve any of the following activities: provision of advice, concept development, requirements analysis, preparation of feasibility studies, preparation of preliminary and final plans and designs, provision of technical services during the construction or installation phase, inspection and evaluation of engineering projects, and related services.

NOTE: Services under this SIN cannot include architect-engineer services as defined in the Brooks Act and FAR Part 2, or construction services as defined in FAR Parts 2 and 36.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R425
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541330	Engineering Services	$16.5 million

Instructions:
1. Offerors proposing any construction management or engineering consulting services relating to real property are advised to review the Implementation Guide published on the Professional Services Category site prior to submitting an offer. The implementation guide provides further information on the scope of services authorized under this SIN.

2. Offerors proposing Space Launch Integration Services (SLIS) are advised to review the SLIS Implementation Guide published on the Professional Services Category site prior to submitting an offer. The implementation guide provides further information on the scope of services and required SINs to provide those services.

SIN 541370GIS Geographic Information Systems (GIS) Services

541370GIS Geographic Information Services (GIS) provided in support of environmental program include: cultural resource GIS (CRGIS); groundwater monitoring; growth forecast modeling; habitat conservation plans; habitat modeling; image analysis support for emergency response; mapping, cartography, and mashups (e.g., combining data from more than one source into a single integrated tool to include aerial mapping); migration pattern analysis; natural resource planning; remote sensing for environmental studies; terrestrial, marine, and/or atmospheric measuring/management; vegetation mapping; and watershed characterization for mitigation planning.

NOTE: The services offered under this scope shall NOT include surveying and mapping services as set forth in FAR Part 36, and defined under the Brooks Act of 1972 (Public Law 92-582, 40 U.S. 1102 et seq.).

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : F999
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541370	Surveying and Mapping (except Geophysical) Services	$16.5 million

Instructions:
This SIN is for GIS services only. While it is recognized that the offeror/contractor will utilize GIS software in performing services under this SIN, any GIS software products/packages/systems the offeror is proposing to complement this SIN must be proposed under the Information Technology (IT) Subcategory and applicable software SIN.

SIN 541420 Engineering System Design and Integration Services

541420 Services include creating and developing designs and specifications that optimize the use, value, and appearance of their products. These services can include determination of the materials, construction, mechanisms, shape, color, and surface finishes of the product, taking into consideration human characteristics and needs, safety, market appeal, and efficiency in production, distribution, use, and maintenance.

Associated tasks include, but are not limited to computer-aided design, e.g. CADD, risk reduction strategies and

recommendations to mitigate identified risk conditions, fire modeling, performance-based design reviews, high level detailed specification and scope preparation, configuration, management and document control, fabrication, assembly and simulation, modeling, training, consulting, analysis of single or multi spacecraft missions and mission design analysis.

NOTE: Services under this NAICs can not include architect-engineer services as defined in the Brooks Act and FAR Part 2 or construction services as defined in the Federal Acquisition Regulation Part 36 and Part 2.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R425
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541420	Industrial Design Services	$8 million

SIN 541690 Technical Consulting Services

541690 Technical Consulting Services - Services include providing advice and assistance on technical domains and issues (except those covered by the environmental, energy, and IT consulting SINs on this Schedule). Typical associated tasks include, but are not limited to: strategic planning, feasibility analysis, requirements determination, policy interpretation and support, process analysis and/or development, research studies, testing (other than laboratory testing), program analysis, and associated support tasks.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R425
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541690	Other Scientific and Technical Consulting Services	$16.5 million

SIN 541713 Engineering Research and Development in Nanotechnology

541713 Services include conducting research and experimental development in nanotechnology which may result in development of papers, reports, articles, new nanotechnology processes or prototypes of new or altered materials and/or products.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : AJ12
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541713	Research and Technology in Nanotechnology	1000 employees

Instructions:
NOTE: This SIN is limited to research, analysis, and developmental services related to an engineering solution. Research and development services, as set forth in FAR Part 35, are not included under this SIN.

SIN 541714 Engineering Research and Development in Biotechnology

541714 Services include conducting research and experimental development in biotechnology (excluding nano-biotechnology) which may result in development of papers, reports, articles, new biotechnology processes or prototypes of new or altered materials and/or products.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : AJ12
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541714	Research and Technology in Biotechnology (except Nanobiotechnology)	1000 employees

Instructions:
NOTE: This SIN is limited to research, analysis, and developmental services related to an engineering solution. Research and development services, as set forth in FAR Part 35, are not included under this SIN.

SIN 541715 Engineering Research and Development and Strategic Planning

541715 Services include conducting research and experimental development (except nanotechnology and biotechnology research and experimental development) in the physical, engineering and life sciences such as; such as agriculture, electronics, environmental, biology, botany, computers, chemistry, food, fisheries, forests, geology, health, mathematics, medicine, oceanography, pharmacy, physics, veterinary and other allied subjects.

Typical tasks include, but are not limited to, analysis of mission, program goals and objectives, program evaluations, analysis of program effectiveness, requirements analysis, organizational performance assessment, special studies and analysis, training, and consulting; requirements analysis, cost/cost performance trade-off analysis,feasibility analysis, developing and completing fire safety evaluation worksheets as they relate to engineering services; operation and maintenance, evaluation of inspection, testing, and maintenance program for fire protection and life safety systems, program/project management, technology transfer/insertion, training and consulting.

NOTE: Services under this NAICs can not include architect-engineer services as defined in the Brooks Act and FAR Part 2 or construction services as defined in the Federal Acquisition Regulation Part 36 and Part 2.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R425
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541715	Research and Development in the Physical, Engineering, and Life Sciences (except Nanotechnology and Biotechnology)	1000 employees

Instructions:
NOTE: This SIN is limited to research, analysis, and developmental services related to an engineering solution. Research and development services, as set forth in FAR Part 35, are not included under this SIN.

SIN 541715AIR Engineering Research and Development for Aircraft, Aircraft

Engines and Engine Parts

541715AIR Services include conducting research and experimental development (except nanotechnology and biotechnology research and experimental development) specifically in relation to aircraft, aircraft engines, and aircraft engine parts.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : AJ12
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541715	Research and Development in the Physical, Engineering, and Life Sciences (except Nanotechnology and Biotechnology)	1000 employees

Instructions:
NOTE: This SIN is limited to research, analysis, and developmental services related to an engineering solution. Research and development services, as set forth in FAR Part 35, are not included under this SIN.

The scope of this SIN is further limited to services associated with NAICS 541715 Exception 2 "Aircraft, Aircraft Engine and Engine Parts" This NAICS exception has a size standard of 1,500 Employees.

SIN 541715APM Engineering Research and Development for: Other Aircraft Parts and Auxiliary Equipment, Guided Missiles and Space Vehicles, Their Propulsion Units and Propulsion Parts

541715APM Services include conducting research and experimental development (except nanotechnology and biotechnology research and experimental development) specifically in relation to other aircraft parts and auxiliary airplane equipment other than those specified in SIN 541714AIR, guided missiles and space vehicles, their propulsion units and propulsion parts.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : AJ12
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541715	Research and Development in the Physical, Engineering, and Life Sciences (except Nanotechnology and Biotechnology)	1000 employees

Instructions:
NOTE: This SIN is limited to research, analysis, and developmental services related to an engineering solution. Research and development services, as set forth in FAR Part 35, are not included under this SIN.

The scope of this SIN is further limited to services associated with NAICS 541715 Exception 4 "Guided Missiles and Space Vehicles, Their Propulsion Units and Propulsion Parts" and NAICS 541715 Exception 3 " Other Aircraft Parts and Auxiliary Equipment". These NAICS exceptions have a size standard of 1,250 Employees.

SIN 541720 Research, Analysis and Developmental Services in the Social Sciences and Humanities

541720 Services include conducting research and experimental development in social

sciences and humanities which may result in papers, reports, articles, development of new processes or prototypes of new or altered materials and/or products.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : AF12
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541720	Research and Development in the Social Sciences and Humanities	$22 million

Instructions:
NOTE: This SIN is limited to research, analysis, and developmental services related to Social Sciences and Humanities. Research and development services, as set forth in FAR Part 35, are not included under this SIN.

SIN 541990 All Other Professional, Scientific, and Technical Services (Non-IT)

541990 Services provided include professional, scientific, and technical services not covered under other SINs. Examples include, but are not limited to, the following: appraisal services (except real estate); crisis management; emergency preparedness; emergency management; commodity inspector services; mathematical (both theoretical and applied) and statistical (both theoretical and applied) professional services; performance and impact evaluation services (related to a scientific or technical project); public health planning services; and weather forecasting services.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R425
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
541990	All Other Professional, Scientific and Technical Services	$16.5 million

H10. Training Subcategory

SIN 333318TDTM Off-the-Shelf Training Devices and Training Materials

333318TDTM Off-the-Shelf Training Devices: Proposed training devices shall be commercially-available off-the-shelf training devices to include software programs, teaching machines and devices, simulators such as driving simulators, flight simulators, etc., prepared printed instructional material, medical models and simulators, prepared audio and visual instruction material and multimedia program kits. Customizable Training Devices: Proposed customized training devices and simulators shall be in addition to the or the result of planning, designing, and/or producing customized training products that include but are not limited to print, audio/visual, audio, digital formats and emerging technologies. Proposed training devices, print materials, audio-visual and multimedia formats, electronic media, etc., shall directly train students in a specific subject matter(s) or assist in the training of a specific subject matter(s). Customizable Training Devices/Materials: Proposed off-the-shelf devices and simulators may be customized to customer specifications via a scope of work and priced on a firm fixed price or labor hour basis.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : 6910

Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
333318	Other Commercial and Service Industry Machinery Manufacturing	1000 employees

Instructions:
All proposed print materials, audio-visual and multi-media formats, electronic media, etc., shall directly train students in a specific subject or assist in the training of specific subject matter.

NOTE: Offerors proposing services related to SIN 333318TDTM shall provide the following:

A Copy of the Reseller Agreement if applicable from each publisher/manufacturer.

Copy of Commercial End User Licensing Agreement, if any

Copy of Commercial Service Agreement, if any

Copy of End User Systems Requirements

Copy of Manufacturer's Authorization to Resell/Distribute, if applicable

Provide Statement that Live Ammunition is NOT used in any training product

SIN 611TRAINAW Defense Acquisition Workforce Improvement Act (DAWIA) and Federal Acquisition Certification in Contracting (FAC-C) Professional Development Training for Acquisition Workforce Personnel

611TRAINAW Defense Acquisition Workforce Improvement Act (DAWIA) and Federal Acquisition Certification in Contracting (FAC-C) Training for Acquisition Workforce Personnel In accordance with OMB Policy Letter 05-01, civilian agencies shall follow the course equivalency determinations accepted by the Defense Acquisition University (DAU) to ensure that core training is comparable across the workforce and qualifies for certification. This SIN is intended to include only training courses that have been granted equivalency from DAU.

When procuring FAC-C and DAWIA training for the audience identified below, the task order level Contracting Officer shall confirm that the courses being acquired are listed on the following website:https://icatalog.dau.edu/appg.aspx.

Training Audience: Acquisition workforce personnel interested in completing FAC-C or DAWIA training

NOTE: Offerors Shall Provide the Following:

A copy of the DAU Equivalency issued for each course offered;

Resumes of all proposed instructors;

A detailed training plan evidencing how instructors are kept up to date and conversant with federal acquisition regulations on a continuous basis; and

References: Last 3 customers.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R410
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
611430	Professional and Management Development Training	$12 million

Instructions:
In accordance with OMB Policy Letter 05-01, civilian agencies must follow the course equivalency

determinations accepted by the Defense Acquisition University (DAU) to ensure that core training is comparable across the workforce and qualifies for certification. This SIN is intended to include only DAWIA and FAC-C courses that have been deemed DAU equivalent or approved by the Federal Acquisition Institute (FAI). When procuring FAC-C and DAWIA training for the audience identified below, the task order level Contracting Officer shall confirm that the courses being acquired are listed on one of the following websites:

https://www.fai.gov/drupal/certification/verified-contracting-course-vendor-listing OR

http://icatalog.dau.mil/appg.aspx (click on commercial vendors). Training Audience Acquisition professionals interested in completing FAC-C or DAWIA Training.

NOTE: Offerors Shall Provide the Following:

A copy of the DAU Equivalency and/or FAI Verification issued for each course offered.

Resumes of all proposed instructors

A detailed training plan evidencing how instructors are kept up to date and conversant with federal acquisition regulations on a continuous basis.

References: Last 3 customers.

SIN 611430 Professional and Management Development Training

611430 Services include offering an array of short duration courses and seminars for management and professional development. Training for career development may be provided directly to individuals or through employers' training programs, and courses may be customized or modified to meet the special needs of customers. Instruction may be provided in diverse settings, such as the establishment's or agency's training facilities, and through diverse means, such as correspondence, television, the Internet, or other electronic and distance-learning methods. The training provided may include the use of simulators and simulation methods. Proposed professional services shall be in support of planning, creating, and/or executing testing and test administration, learning management, internship, or development of new courses or subject matter delivered via an instructor-led (i.e. traditional classroom setting or conference/seminar) and/or web-based (i.e. Internet/Intranet, software packages and computer applications) system.

Examples include Training Services that are instructor led Training or Web Based Training of Education Courses, Course Development and Test Administration, Learning Management, and Internships; Environmental Training Services in order to meet Federal mandates and Executive Orders; training of agency personnel to deal with media and media responses; Logistics Training Services related to system operations, automated tools for supply and value chain management, property and inventory management, distribution and transportation management, and maintenance of equipment and facilities; Audit & Financial training services related to course development and instruction required to support audit, review, financial assessment and financial management activities.

Any firm offering Defense Acquisition Workforce Improvement Act (DAWIA) and Federal Acquisition Certification in Contracting (FAC-C) Training for Acquisition Workforce Personnel will include an identify only DAWIA and FAC-C courses that have been deemed DAU equivalent or approved by the Federal Acquisition Institute (FAI).

NOTE: In accordance with OMB Policy Letter 05-01, civilian agencies must follow the course equivalency determinations accepted by the Defense Acquisition University (DAU) to ensure that core training is comparable across the workforce and qualifies for certification. When procuring FAC-C and DAWIA training for the audience identified below, the task order level Contracting Officer shall confirm that the courses being acquired are listed on one of the following websites: https://www.fai.gov/drupal/certification/verified-contracting-course-vendor-listing OR http://icatalog.dau.mil/appg.aspx (click on commercial vendors). Training Audience-Acquisition professionals interested in completing FAC-C or DAWIA.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : R704
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
611430	Professional and Management Development Training	$12 million

Instructions:
Proposed courses shall be commercially-available off-the-shelf training and/or educational courses that are

delivered via an Instructor-led (i.e. traditional classroom setting or conference/seminar) and/or web-based (i.e. Internet/Intranet, software packages and computer applications) system. Courses shall have a defined course title, length of time (i.e. hours, days, semesters, etc.), description of material to be taught (i.e. syllabi, table of contents, etc.), and whether materials are included in the price. (i.e. books, pamphlets, software, etc.).

Proposed professional services shall be in support of planning, creating, and/or executing testing and test administration, learning management, internship, or development of new courses or subject matter delivered via an instructor-led (i.e. traditional classroom setting or conference/seminar) and/or web-based (i.e. Internet/Intranet, software packages and computer applications) system. Proposed customization services are the result of planning, creating, and/or executing a proprietary format and may be priced as a flat rate or as Labor/hours using professional labor categories (i.e. Subject Matter Experts (SMEs), Program Managers, Project Managers, Research Assistant, Technical Specialist, etc.), subject matter(s), Systems requirements and methodology(ies) to be used should be stated. Acquisition training will be accomplished under SIN 611TRAINAW. Functional industry-specific training covered under other schedules will not be accomplished under this SIN.

SIN 611512 Flight Training

611512 Includes aviation and flight training.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : U006
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
611512	Flight Training	$30 million

Instructions:
This SIN is for companies primarily engaged in offering aviation and flight training. These establishments may offer vocational training, recreational training, or both.

SIN 611710 Educational Support Services

611710 Includes support personnel and services for educational needs, including training.

Cooperative Purchasing: No
Set Aside: No
FSC/PSC Code : U099
Maximum Order : $1,000,000

NAICS

Number	Description	Business Size
611710	Educational Support Services	$16.5 million

Instructions:
Education and training support services provide the customer with a comprehensive knowledge (e.g., operational capabilities, user-training, maintenance training, repair techniques) of products, procedures, processes, and applications. Services may include (e.g., destruction, document conversion, records management and photographic) Training may be offered in various forms: (e.g., onsite/offsite, interactive on-line training). Note: Training of personnel that is required to be provided at initial installation or during the course of the contract and training that is normally provided by the contractor to commercial and/or government customers (at no additional cost to the customer) is not included.

Full Text Regulations:

Begin Regulation

52.222-46 EVALUATION OF COMPENSATION FOR PROFESSIONAL EMPLOYEES (FEB 1993)

(a) Recompetition of service contracts may in some cases result in lowering the compensation (salaries and fringe benefits) paid or furnished professional employees. This lowering can be detrimental in obtaining the quality of professional services needed for adequate contract performance. It is therefore in the Government's best interest that professional employees, as defined in 29 CFR 541, be properly and fairly compensated. As part of their proposals, offerors will submit a total compensation plan setting forth salaries and fringe benefits proposed for the professional employees who will work under the contract. The Government will evaluate the plan to assure that it reflects a sound management approach and understanding of the contract requirements. This evaluation will include an assessment of the offeror's ability to provide uninterrupted high-quality work. The professional compensation proposed will be considered in terms of its impact upon recruiting and retention, its realism, and its consistency with a total plan for compensation. Supporting information will include data, such as recognized national and regional compensation surveys and studies of professional, public and private organizations, used in establishing the total compensation structure.

(b) The compensation levels proposed should reflect a clear understanding of work to be performed and should indicate the capability of the proposed compensation structure to obtain and keep suitably qualified personnel to meet mission objectives. The salary rates or ranges must take into account differences in skills, the complexity of various disciplines, and professional job difficulty. Additionally, proposals envisioning compensation levels lower than those of predecessor contractors for the same work will be evaluated on the basis of maintaining program continuity, uninterrupted high-quality work, and availability of required competent professional service employees. Offerors are cautioned that lowered compensation for essentially the same professional work may indicate lack of sound management judgment and lack of understanding of the requirement.

(c) The Government is concerned with the quality and stability of the work force to be employed on this contract. Professional compensation that is unrealistically low or not in reasonable relationship to the various job categories, since it may impair the Contractor's ability to attract and retain competent professional service employees, may be viewed as evidence of failure to comprehend the complexity of the contract requirements.

(d) Failure to comply with these provisions may constitute sufficient cause to justify rejection of a proposal.

Begin Regulation

52.223-2 AFFIRMATIVE PROCUREMENT OF BIOBASED PRODUCTS UNDER SERVICE AND CONSTRUCTION CONTRACTS (SEP 2013)

(a) In the performance of this contract, the contractor shall make maximum use of biobased products that are United States Department of Agriculture (USDA)-designated items unless –

(1) The product cannot be acquired –

(i) Competitively within a time frame providing for compliance with the contract performance schedule;

(ii) Meeting contract performance requirements; or

(iii) At a reasonable price.

(2) The product is to be used in an application covered by a USDA categorical exemption (see 7 CFR 3201.3(e)). For example, all USDA-designated items are exempt from the preferred procurement requirement for the following:

(i) Spacecraft system and launch support equipment.

(ii) Military equipment, *i.e.*, a product or system designed or procured for combat or combat-related missions.

(b) Information about this requirement and these products is available at http://www.biopreferred.gov.

(c) In the performance of this contract, the Contractor shall –

(1) Report to the environmental point of contact identified in paragraph (d) of this clause, with a copy to the Contracting Officer, on the product types and dollar value of any USDA-designated biobased products purchased by the Contractor during the previous Government fiscal year, between October 1 and September 30;

(2) Submit this report no later than –

(i) October 31 of each year during contract performance; and

(ii) At the end of contract performance.

Begin Regulation

52.222-62 PAID SICK LEAVE UNDER EXECUTIVE ORDER 13706 (JAN 2017)

(a) *Definitions*. As used in this clause (in accordance with 29 CFR 13.2) —

“Child”, “domestic partner”, and “domestic violence” have the meaning given in 29 CFR 13.2.

“Employee” —

(1) (i) Means any person engaged in performing work on or in connection with a contract covered by Executive Order (E.O.) 13706, and

(A) Whose wages under such contract are governed by the Service Contract Labor Standards statute (41 U.S.C. chapter 67), the Wage Rate Requirements (Construction) statute (40 U.S.C. chapter 31, subchapter IV), or the Fair Labor Standards Act (29 U.S.C. chapter 8),

(B) Including employees who qualify for an exemption from the Fair Labor Standards Act's minimum wage and overtime provisions,

(C) Regardless of the contractual relationship alleged to exist between the individual and the employer; and

(ii) Includes any person performing work on or in connection with the contract and individually registered in a bona fide apprenticeship or training program registered with the Department of Labor's Employment and Training Administration, Office of Apprenticeship, or with a State Apprenticeship Agency recognized by the Office of Apprenticeship.

(2) (i) An employee performs "on" a contract if the employee directly performs the specific services called for by the contract; and

(ii) An employee performs "in connection with" a contract if the employee's work activities are necessary to the performance of a contract but are not the specific services called for by the contract.

"Individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship" has the meaning given in 29 CFR 13.2.

"Multiemployer" plan means a plan to which more than one employer is required to contribute and which is maintained pursuant to one or more collective bargaining agreements between one or more employee organizations and more than one employer.

"Paid sick leave" means compensated absence from employment that is required by E.O. 13706 and 29 CFR part 13.

"Parent", "sexual assault", "spouse", and "stalking" have the meaning given in 29 CFR 13.2.

"United States" means the 50 States and the District of Columbia.

(b) *Executive Order 13706.*

(1) This contract is subject to E.O. 13706 and the regulations issued by the Secretary of Labor in 29 CFR part 13 pursuant to the E.O.

(2) If this contract is not performed wholly within the United States, this clause only applies with respect to that part of the contract that is performed within the United States.

(c) *Paid sick leave*. The Contractor shall —

(1) Permit each employee engaged in performing work on or in connection with this contract to earn not less than 1 hour of paid sick leave for every 30 hours worked;

(2) Allow accrual and use of paid sick leave as required by E.O. 13706 and 29 CFR part 13;

(3) Comply with the accrual, use, and other requirements set forth in 29 CFR 13.5 and 13.6, which are incorporated by reference in this contract;

(4) Provide paid sick leave to all employees when due free and clear and without subsequent deduction (except as otherwise provided by 29 CFR 13.24), rebate, or kickback on any account;

(5) Provide pay and benefits for paid sick leave used no later than one pay period following the end of the regular pay period in which the paid sick leave was taken; and

(6) Be responsible for the compliance by any subcontractor with the requirements of E.O. 13706, 29 CFR part 13, and this clause.

(d) Contractors may fulfill their obligations under E.O. 13706 and 29 CFR part 13 jointly with other contractors through a multiemployer plan, or may fulfill their obligations through an individual fund, plan, or program (see 29 CFR 13.8).

(e) *Withholding.* The Contracting Officer will, upon his or her own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the Contractor under this or any other Federal contract with the same Contractor, so much of the accrued payments or advances as may be considered necessary to pay employees the full amount owed to compensate for any violation of the requirements of E.O. 13706, 29 CFR part 13, or this clause, including–

(1) Any pay and/or benefits denied or lost by reason of the violation;

(2) Other actual monetary losses sustained as a direct result of the violation; and

(3) Liquidated damages.

(f) Payment suspension/contract termination/contractor debarment.

(1) In the event of a failure to comply with E.O. 13706, 29 CFR part 13, or this clause, the contracting agency may, on its own action or after authorization or by direction of the Department of Labor and written notification to the Contractor take action to cause suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

(2) Any failure to comply with the requirements of this clause may be grounds for termination for default or cause.

(3) A breach of the contract clause may be grounds for debarment as a contractor and subcontractor as provided in 29 CFR 13.52.

(g) The paid sick leave required by E.O. 13706, 29 CFR part 13, and this clause is in addition to the Contractor's obligations under the Service Contract Labor Standards statute and Wage Rate Requirements (Construction) statute, and the Contractor may not receive credit toward its prevailing wage or fringe benefit obligations under those Acts for any paid sick leave provided in satisfaction of the requirements of E.O. 13706 and 29 CFR part 13.

(h) Nothing in E.O. 13706 or 29 CFR part 13 shall excuse noncompliance with or supersede any applicable Federal or State law, any applicable law or municipal ordinance, or a collective bargaining agreement requiring greater paid sick leave or leave rights than those established under E.O. 13706 and 29 CFR part 13.

(i) *Recordkeeping*

(1) The Contractor shall make and maintain, for no less than three (3) years from the completion of the work on the contract, records containing the following information for each employee, which the Contractor shall make available upon request for inspection, copying, and transcription by authorized representatives of the Administrator of the Wage and Hour Division of the Department of Labor:

(i) Name, address, and social security number of each employee.

(ii) The employee’s occupation(s) or classification(s).

(iii) The rate or rates of wages paid (including all pay and benefits provided).

(iv) The number of daily and weekly hours worked.

(v) Any deductions made.

(vi) The total wages paid (including all pay and benefits provided) each pay period.

(vii) A copy of notifications to employees of the amount of paid sick leave the employee has accrued, as required under 29 CFR 13.5(a)(2).

(viii) A copy of employees' requests to use paid sick leave, if in writing, or, if not in writing, any other records reflecting such employee requests.

(ix) Dates and amounts of paid sick leave taken by employees (unless the Contractor's paid time off policy satisfies the requirements of E.O. 13706 and 29 CFR part 13 as described in 29 CFR 13.5(f)(5), leave shall be designated in records as paid sick leave pursuant to E.O. 13706).

(x) A copy of any written responses to employees' requests to use paid sick leave, including explanations for any denials of such requests, as required under 29 CFR 13.5(d)(3).

(xi) Any records reflecting the certification and documentation the Contractor may require an employee to provide under 29 CFR 13.5(e), including copies of any certification or documentation provided by an employee.

(xii) Any other records showing any tracking of or calculations related to an employee's accrual or use of paid sick leave.

(xiii) The relevant contract.

(xiv) The regular pay and benefits provided to an employee for each use of paid sick leave.

(xv) Any financial payment made for unused paid sick leave upon a separation from employment intended, pursuant to 29 CFR 13.5(b)(5), to relieve the Contractor from the obligation to reinstate such paid sick leave as otherwise required by 29 CFR 13.5(b)(4).

(2) (i) If the Contractor wishes to distinguish between an employee's covered and noncovered work, the Contractor shall keep records or other proof reflecting such distinctions. Only if the Contractor adequately segregates the employee's time will time spent on noncovered work be excluded from hours worked counted toward the accrual of paid sick leave. Similarly, only if the Contractor adequately segregates the employee's time may the Contractor properly refuse an employee's request to use paid sick leave on the ground that the employee was scheduled to perform noncovered work during the time he or she asked to use paid sick leave.

(ii) If the Contractor estimates covered hours worked by an employee who performs work in connection with contracts covered by the E.O. pursuant to 29 CFR 13.5(a)(i) or (iii), the Contractor shall keep records or other proof of the verifiable information on which such estimates are reasonably based. Only if the Contractor relies on an estimate that is reasonable and based on verifiable information will an employee's time spent in connection with noncovered work be excluded from hours worked counted toward the accrual of paid sick leave. If the Contractor estimates the amount of time an employee spends performing in connection with contracts covered by the E.O., the Contractor shall permit the employee to use his or her paid sick leave during any work time for the Contractor.

(3) In the event the Contractor is not obligated by the Service Contract Labor Standards statute, the Wage Rate Requirements (Construction) statute, or the Fair Labor Standards Act to keep records of an employee's hours worked, such as because the employee is exempt from the Fair Labor Standards Act's minimum wage and overtime requirements, and the Contractor chooses to use the assumption permitted by 29 CFR 13.5(a)(1)(iii), the Contractor is excused from the requirement in paragraph (i)(1)(iv) of this clause and 29 CFR 13.25(a)(4) to keep records of the employee's number of daily and weekly hours worked.

(4) (i) Records relating to medical histories or domestic violence, sexual assault, or stalking, created for purposes of E.O. 13706, whether of an employee or an employee's child, parent, spouse, domestic partner, or other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship, shall be maintained as confidential records in separate files/records from the usual personnel files.

(ii) If the confidentiality requirements of the Genetic Information Nondiscrimination Act of 2008 (GINA), section 503 of the Rehabilitation Act of 1973, and/or the Americans with Disabilities Act (ADA) apply to records or documents created to comply with the recordkeeping requirements in this contract clause, the records and documents shall also be maintained in compliance with the confidentiality requirements of the GINA, section 503 of the Rehabilitation Act of 1973, and/or ADA as described in 29 CFR 1635.9, 41 CFR 60-741.23(d), and 29 CFR 1630.14(c)(1), respectively.

(iii) The Contractor shall not disclose any documentation used to verify the need to use 3 or more consecutive days of paid sick leave for the purposes listed in 29 CFR 13.5(c)(1)(iv) (as described in 29 CFR 13.5(e)(1)(ii)) and shall maintain confidentiality about any domestic abuse, sexual assault, or stalking, unless the employee consents or when disclosure is required by law.

(5) The Contractor shall permit authorized representatives of the Wage and Hour Division to conduct interviews with employees at the worksite during normal working hours.

(6) Nothing in this contract clause limits or otherwise modifies the Contractor's recordkeeping obligations, if any, under the Service Contract Labor Standards statute, the Wage Rate Requirements (Construction) statute, the Fair Labor Standards Act, the Family and Medical Leave Act, E.O. 13658, their respective implementing regulations, or any other applicable law.

(j) *Interference/discrimination.*

(1) The Contractor shall not in any manner interfere with an employee's accrual or use of paid sick leave as required by E.O. 13706 or 29 CFR part 13. Interference includes, but is not limited to —

(i) Miscalculating the amount of paid sick leave an employee has accrued;

(ii) Denying or unreasonably delaying a response to a proper request to use paid sick leave;

(iii) Discouraging an employee from using paid sick leave;

(iv) Reducing an employee's accrued paid sick leave by more than the amount of such leave used;

(v) Transferring an employee to work on contracts not covered by the E.O. to prevent the accrual or use of paid sick leave;

(vi) Disclosing confidential information contained in certification or other documentation provided to verify the need to use paid sick leave; or

(vii) Making the use of paid sick leave contingent on the employee's finding a replacement worker or the fulfillment of the Contractor's operational needs.

(2) The Contractor shall not discharge or in any other manner discriminate against any employee for —

(i) Using, or attempting to use, paid sick leave as provided for under E.O. 13706 and 29 CFR part 13;

(ii) Filing any complaint, initiating any proceeding, or otherwise asserting any right or claim under E.O. 13706 and 29 CFR part 13;

(iii) Cooperating in any investigation or testifying in any proceeding under E.O. 13706 and 29 CFR part 13; or

(iv) Informing any other person about his or her rights under E.O. 13706 and 29 CFR part 13.

(k) *Notice.* The Contractor shall notify all employees performing work on or in connection with a contract covered by the E.O. of the paid sick leave requirements of E.O. 13706, 29 CFR part 13, and this clause by posting a notice provided by the Department of Labor in a prominent and accessible place at the worksite so it may be readily seen by employees. Contractors that customarily post notices to employees electronically may post the notice electronically, provided such electronic posting is displayed prominently on any website that is maintained by the Contractor, whether external or internal, and customarily used for notices to employees about terms and conditions of employment.

(l) *Disputes concerning labor standards.* Disputes related to the application of E.O. 13706 to this contract shall not be subject to the general disputes clause of the contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR part 13. Disputes within the meaning of this contract clause include disputes between the Contractor (or any of its subcontractors) and the contracting agency, the Department of Labor, or the employees or their representatives.

(m) *Subcontracts.* The Contractor shall insert the substance of this clause, including this paragraph (m), in all subcontracts, regardless of dollar value, that are subject to the Service Contract Labor Standards statute or the Wage Rate Requirements (Construction) statute, and are to be performed in whole or in part in the United States.

Begin Regulation

52.223-16 ACQUISITION OF EPEAT®–REGISTERED PERSONAL COMPUTER PRODUCTS (OCT 2015)

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

Computer means a device that performs logical operations and processes data. Computers are composed of, at a minimum:

(1) A central processing unit (CPU) to perform operations;

(2) User input devices such as a keyboard, mouse, digitizer, or game controller; and

(3) A computer display screen to output information. Computers include both stationary and portable units, including desktop computers, integrated desktop computers, notebook computers, thin clients, and workstations. Although computers must be capable of using input devices and computer displays, as noted in (2) and (3) above, computer systems do not need to include these devices on shipment to meet this definition. This definition does not include server computers, gaming consoles, mobile telephones, portable hand-held calculators, portable digital assistants (PDAs), MP3 players, or any other mobile computing device with displays less than 4 inches, measured diagonally.

Computer display means a display screen and its associated electronics encased in a single housing or within the computer housing (*e.g.*, notebook or integrated desktop computer) that is capable of displaying output information from a computer via one or more inputs such as a VGA, DVI, USB, DisplayPort, and/or IEEE 1394–2008TM, Standard for High Performance Serial Bus. Examples of computer display technologies are the cathode-ray tube (CRT) and liquid crystal display (LCD).

Desktop computer means a computer where the main unit is intended to be located in a permanent location, often on a desk or on the floor. Desktops are not designed for portability and utilize an external computer display, keyboard, and mouse. Desktops are designed for a broad range of home and office applications.

Integrated desktop computer means a desktop system in which the computer and computer display function as a single unit that receives its AC power through a single cable. Integrated desktop computers come in one of two possible forms:

(1) A system where the computer display and computer are physically combined into a single unit; or

(2) A system packaged as a single system where the computer display is separate but is connected to the main chassis by a DC power cord and both the computer and computer display are powered from a single power supply. As a subset of desktop computers, integrated desktop computers are typically designed to provide similar functionality as desktop systems.

Notebook computer means a computer designed specifically for portability and to be operated for extended periods of time either with or without a direct connection to an AC power source. Notebooks must utilize an integrated computer display and be capable of operation off of an integrated battery or other portable power source. In addition, most notebooks use an external power supply and have an integrated keyboard and pointing device. Notebook computers are typically designed to provide similar functionality to desktops, including operation of software similar in functionality to that used in desktops. Docking stations are considered accessories for notebook computers, not notebook computers. Tablet PCs, which may use touch-sensitive screens along with, or instead of, other input devices, are considered notebook computers.

Personal computer product means a computer, computer display, desktop computer, integrated desktop computer, or notebook computer.

(b) Under this contract, the Contractor shall deliver, furnish for Government use, or furnish for Contractor use at a Federally controlled facility, only personal computer products that, at the time of submission of proposals and at the time of award, were EPEAT® bronze-registered or higher.

(c) For information about EPEAT®, see www.epa.gov/epeat.

Begin Regulation

52.223-14 ACQUISITION OF EPEAT®–REGISTERED TELEVISIONS (JUN 2014)

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

Television or TV means a commercially available electronic product designed primarily for the reception and display of audiovisual signals received from terrestrial, cable, satellite, Internet Protocol TV (IPTV), or other digital or analog sources. A TV consists of a tuner/receiver and a display encased in a single enclosure. The product usually relies upon a cathode-ray tube (CRT), liquid crystal display (LCD), plasma display, or other display technology. Televisions with computer capability (*e.g.*, computer input port) may be considered to be a TV as long as they are marketed and sold to consumers primarily as televisions.

(b) Under this contract, the Contractor shall deliver, furnish for Government use, or furnish for Contractor use at a Federally controlled facility, only televisions that, at the time of submission of proposals and at the time of award, were EPEAT® bronze-registered or higher.

(c) For information about EPEAT®, see www.epa.gov/epeat.

Begin Regulation

552.238-73 IDENTIFICATION OF ELECTRONIC OFFICE EQUIPMENT PROVIDING ACCESSIBILITY FOR THE HANDICAPPED (MAY 2019)

(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 (i.e., handicapped individuals) so as to promote productivity and provide access to work related and/or public information resources.

"Handicapped individuals" mean qualified individuals with impairments as cited in 29 CFR 1613.702(f) 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 a handicapped individual.

(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 handicapped individuals. Identification should include the type of disability accommodated and how the users with that disability would be helped.

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

552.238-90 CHARACTERISTICS OF ELECTRIC CURRENT (MAY 2019)

Contractors supplying equipment which uses electrical current are required to supply equipment suitable for the electrical system at the location at which the equipment is to be used as specified on the order.

Begin Regulation

552.238-91 MARKING AND DOCUMENTATION REQUIREMENTS FOR SHIPPING (MAY 2019)

(a) *Responsibility*. It shall be the responsibility of the ordering activity to determine the full marking and documentation requirements necessary under the various methods of shipment authorized by the contract.

(b) *Documentation*. In the event the ordering activity fails to provide the essential information and documentation, the Contractor shall, within three days after receipt of order, contact the ordering activity and advise them accordingly. The Contractor shall not proceed with any shipment requiring transshipment via U.S. Government facilities without the prerequisites stated in paragraph (c) of this section.

(c) *Direct shipments*. The Contractor shall mark all items ordered against this contract with indelible ink, paint or fluid, as follows:

(1) Traffic Management or Transportation Officer at FINAL destination.

(2) Ordering Supply Account Number.

(3) Account number.

(4) Delivery Order or Purchase Order Number.

(5) National Stock Number, if applicable; or Contractor's item number.

(6) Box _____ of _____ Boxes.

(7) Nomenclature (brief description of items).

Begin Regulation

552.238-86 DELIVERY SCHEDULE (MAY 2019)

(a) *Time of delivery*. The Contractor shall deliver to destination within the number of calendar days after receipt of order (ARO) in the case of F.O.B. Destination prices; or to place of shipment in transit in the case of F.O.B. Origin prices, as set forth below. Offerors shall insert in the "Time of Delivery (days ARO)" column in the schedule of Items a definite number of calendar days within which delivery will be made. In no case shall the offered delivery time exceed the Contractor's normal business practice. The Government requires the Contractor's normal delivery time, as long as it is less than the "stated" delivery time(s) shown below. If the Offeror does not insert a delivery time in the schedule of items, the Offeror will be deemed to offer delivery in accordance with the Government's stated delivery time, as stated below [*The contracting officer shall insert the solicited items or Special Item Numbers (SIN) as well as a reasonable delivery time that corresponds with each item or SIN, if known*]:

Items or group of items (special item no. or nomenclature)

_____

Government's stated delivery time (days ARO)

_____

Contractor's delivery time

_____

(b) *Expedited delivery times*. For those items that can be delivered quicker than the delivery times in paragraph (a) of this clause, the Offeror is requested to insert below, a time (hours/days ARO) that delivery can be made when expedited delivery is requested.

Items or group of items (special item no. or nomenclature)

_____

Expedited delivery time (hours/days ARO)

_____

(c) Overnight and 2-Day delivery times. Ordering activities may require overnight or 2-day delivery. The Offeror is requested to annotate its price list or by separate attachment identify the items that can be delivered overnight or within 2 days. Contractors offering such delivery services will be required to state in the cover sheet to its FSS price list details concerning this service.

Begin Regulation

52.223-19 COMPLIANCE WITH ENVIRONMENTAL MANAGEMENT SYSTEMS (MAY 2011)

The Contractor’s work under this contract shall conform with all operational controls identified in the applicable agency or facility Environmental Management Systems and provide monitoring and measurement information necessary for the Government to address environmental performance relative to the goals of the Environmental Management Systems.

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

52.225-1 BUY AMERICAN SUPPLIES (JAN 2021)

(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 item (as defined in paragraph (1) of the definition 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.

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 55 percent of the cost of all its components. Components of foreign origin of the same class or kind as those that the agency determines are not mined, produced, or manufactured in sufficient and reasonably available commercial quantities of a satisfactory quality are treated as domestic. Components of unknown origin are treated as foreign. Scrap generated, collected, and prepared for processing in the United States is considered domestic; or

(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.”