

SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24 & 30						1. REQUISITION NUMBER 15B40323PR000028		PAGE 1 OF 19
2. CONTRACT NO.		3. AWARD/EFFECTIVE DATE		4. ORDER NUMBER		5. SOLICITATION NUMBER 15B40323Q00000001		6. SOLICITATION ISSUE DATE 12/08/2022
7. FOR SOLICITATION INFORMATION CALL:		a. NAME Robert Cox rcox@bop.gov				b. TELEPHONE NUMBER (<i>No collect calls</i>) 913-551-1068		8. OFFER DUE DATE / LOCAL TIME 12/20/2022 13:00 CT
9. ISSUED BY CODE Federal Bureau of Prisons FCI Englewood 9595 W. QUINCY AVE. Littleton, CO 80123				CODE 15B403		10. THE ACQUISITION IS <input type="checkbox"/> UNRESTRICTED OR <input checked="" type="checkbox"/> SET ASIDE: 100.00 % FOR <input checked="" type="checkbox"/> SMALL BUSINESS <input type="checkbox"/> WOMEN-OWNED SMALL BUSINESS (WOSB) <input type="checkbox"/> HUBZONE SMALL BUSINESS ELIGIBLE UNDER THE WOMEN-OWNED SMALL BUSINESS PROGRAM NAICS: 311999 <input type="checkbox"/> SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS EDWOSB SIZE STANDARD: 500 <input type="checkbox"/> 8(A)		
11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE		12. DISCOUNT TERMS NET 30		13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700) <input type="checkbox"/>		13b. RATING		
						14. METHOD OF SOLICITATION <input checked="" type="checkbox"/> RFQ <input type="checkbox"/> IFB <input type="checkbox"/> RFP		
15. DELIVER TO CODE Federal Bureau of Prisons FCI Englewood 9595 W. QUINCY AVE. Littleton, CO 80123				CODE 15B403		16. ADMINISTERED BY CODE Federal Bureau of Prisons FCI Englewood 9595 W. QUINCY AVE. Littleton, CO 80123		
17a. CONTRACTOR/OFFEROR CODE		FACILITY CODE		18a. PAYMENT WILL BE MADE BY CODE Federal Bureau of Prisons FCI Englewood 9595 W. QUINCY AVE. Littleton, CO 80123				
TELEPHONE NO.		18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED <input type="checkbox"/> SEE ADDENDUM						
17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER <input type="checkbox"/>								
19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES			21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT	
	Delivery Date: 01/31/2023 FCI Englewood 2nd Quarter FY23 Subsistence Firm Fixed Price See Continuation Sheet(s) <small>(Use Reverse and/or Attach Additional Sheets as Necessary)</small>							
25. ACCOUNTING AND APPROPRIATION DATA						26. TOTAL AWARD AMOUNT (<i>For Govt. Use Only</i>)		
<input checked="" type="checkbox"/> 27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4. FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA <input checked="" type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED						<input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED		
<input type="checkbox"/> 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4. FAR 52.212-5 IS ATTACHED. ADDENDA <input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED								
<input checked="" type="checkbox"/> 28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN 1 COPIES TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED.					<input type="checkbox"/> 29. AWARD OF CONTRACT: REF. _____ OFFER DATED _____. YOUR OFFER ON SOLICITATION (BLOCK 5) INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS:			
30a. SIGNATURE OF OFFEROR/CONTRACTOR				31a. UNITED STATES OF AMERICA (<i>SIGNATURE OF CONTRACTING OFFICER</i>)				
30b. NAME AND TITLE OF SIGNER (<i>TYPE OR PRINT</i>)				30c. DATE SIGNED	31b. NAME OF THE CONTRACTING OFFICER (<i>TYPE OR PRINT</i>)			31c. DATE SIGNED
					Robert Cox			

19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT

32a. QUANTITY IN COLUMN 21 HAS BEEN

☐ RECEIVED ☐ INSPECTED ☐ ACCEPTED, AND CONFORMS TO THE CONTRACT, EXCEPT AS NOTED: _____

32b. SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE

32c. DATE

32d. PRINTED NAME AND TITLE OF AUTHORIZED GOVERNMENT REPRESENTATIVE

32e. MAILING ADDRESS OF AUTHORIZED GOVERNMENT REPRESENTATIVE

32f. TELEPHONE NUMBER OF AUTHORIZED GOVERNMENT REPRESENTATIVE

32g. E-MAIL OF AUTHORIZED GOVERNMENT REPRESENTATIVE

33. SHIP NUMBER

34. VOUCHER NUMBER

35. AMOUNT VERIFIED
CORRECT FOR

36. PAYMENT

☐ COMPLETE ☐ PARTIAL ☐ FINAL

37. CHECK NUMBER

38. S/R ACCOUNT NUMBER

39. S/R VOUCHER NUMBER

40. PAID BY

41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT

42a. RECEIVED BY (*Print*)

41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER

41c. DATE

42b. RECEIVED AT (*Location*)

42c. DATE REC'D (YY/MM/DD)

42d. TOTAL CONTAINERS

Table of Contents

<u>Section</u>	<u>Description</u>	<u>Page Number</u>
1	Solicitation/Contract Form.....	1
2	Commodity or Services Schedule.....	4
3	Contract Clauses.....	11
	52.211-17 Delivery of Excess Quantities (Sept 1989).....	11
	52.212-4 Contract Terms and Conditions-Commercial Products and Commercial Services (Nov 2021).....	11
	52.225-13 Restrictions on Certain Foreign Purchases (Feb 2021).....	11
	52.244-6 Subcontracts for Commercial Products and Commercial Services (Oct 2022).....	11
	DOJ-02 Contractor Privacy Requirements (JAN 2022).....	11
	52.212-5 Contract Terms and Conditions Required To Implement Statutes or Executive Orders-Commercial Products and Commercial Services (Oct 2022).....	
4	List of Attachments.....	18
5	Solicitation Provisions.....	19

Section 2 - Commodity or Services Schedule

SCHEDULE OF SUPPLIES/SERVICES

CONTINUATION SHEET

ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE		AMOUNT
0001	<p>Beef Patty</p> <p>Meats, Beef, Ground, Patties, IMPS 1136, 80% Lean, Frozen, Round in Shape, with Paper Separation or Individually Quick Frozen. Ground Beef Patties shall consist of chopped fresh and/or frozen beef without seasoning. In addition product must be produced from current raw material, no bench trimmings, steak trim, or re-ground product to be used as raw material. Finished product shall not contain more than 20 percent fat, and shall not contain added water, phosphates, binders, or extenders. No partially defatted tissue or advanced meat recovery product. PRODUCT MUST BE 6 MONTHS OR YOUNGER UPON DELIVERY WITH THE DATE CLEARLY ON THE LABEL, (NO STAMPED OR WRITTEN DATES ALLOWED). When beef cheek meat (trimmed beef cheeks) is used in the preparation, the amount of such meat shall be limited to 25 percent; (NO ORGAN OR TONGUE MEAT) Delivered cases must be labeled Beef, All Beef, Pure Beef, or 100% Beef and with fat percentage. Manufacturer's letters will NOT be accepted in lieu of labeling. Upon delivery, product must have a rosy red appearance. Product that is grey, brown or tan in color will be rejected. Product to be packed in 10 to 60 lb cases. 1 mil or thicker bags. Patties will be packed in boxes completely lined with plastic bags. The open end of the bag will overlap at the top to completely cover the product. Size of patty to be determined locally and</p> <p>PSC: 8905</p>	5,000	LB	\$ _____	\$ _____	
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE		AMOUNT
0002	<p>Beef Ground</p> <p>Meats, Beef, Ground, 80% Lean, IMPS 136, delivered Frozen. Ground Beef shall consist of chopped fresh and/or frozen beef without seasoning. In addition product must be produced from current raw material, no bench trimmings, steak trim, or re-ground product to be used as raw material. Finished product shall not contain more than 20 percent fat, and shall not contain added water, phosphates, binders, or extenders. No partially defatted tissue or advanced meat recovery product. PRODUCT MUST BE 6 MONTHS OR YOUNGER UPON DELIVERY WITH THE DATE CLEARLY ON THE LABEL, (NO STAMPED OR WRITTEN DATES ALLOWED). When beef cheek meat (trimmed beef cheeks) is used in the preparation, the amount of such meat shall be limited to 25 percent; (NO ORGAN OR TONGUE MEAT) Delivered cases must be labeled Beef, All Beef, Pure Beef, or 100% Beef and with fat percentage. Manufacturer's letters will NOT be accepted in lieu of labeling. Upon delivery, product must have a rosy red appearance. Product that is grey, brown or tan in color will be rejected. Clear 1 mil or thicker sealed bags. No open bags, opaque or colored bags. Note weight of packaging and case size on bid. Must be a minimum of 4 months from the best buy date upon delivery, no exceptions.</p> <p>PSC: 8905</p>	15,000	LB	\$ _____	\$ _____	
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE		AMOUNT
0003	<p>Roast Beef</p> <p>Meats, Beef Roast, Beef Top or Bottom Round (Gooseneck), or Stip Loin, Boneless. IMPS 168, 169, 169A, 170, 170A, 171B, 180. Frozen, weight range approximately 12 to 28 lb. Quote MUST indicate actual IMPS & average roast weight of quoted item. Must be a minimum of 4 months from the best buy date upon delivery, no exceptions.</p> <p>PSC: 8905</p>	2,000	LB	\$ _____	\$ _____	
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE		AMOUNT
0004	Chicken Patties	8,000	LB	\$ _____	\$ _____	

	Meats, Chicken, Filet, 4-5 oz, Whole Muscle, No mechanically separated chicken (comminuted), previously cooked chicken meat, or MSG may be used in product, 100% white meat, Breaded. (CID A-A-20276A, Type VI, Style A, Meat Type (b), Form 1, Shape (b). Individually Quick Frozen. Vegetable oil shall be used as the frying medium. Combined batter and breading shall not exceed 30% by weight and will be evenly coated. All ingredients in the product must be listed in the ingredients statement in order of predominance, from highest to lowest amounts in accordance with the USDA Food Safety Inspection Service (FSIS) Food Standards and Labeling Policy. Manufacturer's letters will NOT be accepted in lieu of labeling. Size of patty to be determined locally and size noted on bid. PSC: 8905				
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0005	Chicken Boneless/Skinless Meats, Chicken, Boneless, Skinless, Raw, White Meat (Tender or Breast Meat), Frozen, A or B quality per the USDA, United States Classes, Standards, and Grades for Poultry Agricultural Marketing Service (AMS) 70.200 et seq. Boneless, skinless breasts must be free of cartilage and fat. Boneless breasts (excluding the attached tenderloin) must be free of tendons. Tendons normally associated with tenderloins are permitted. Tenderloins or boneless, skinless parts must be free of blood clots, bruises, cuts, tears, and holes in the muscle tissue. Slight discolorations and separation of the muscle tissue is permitted on boneless, skinless parts, provided it does not detract from the appearance of the product. Boneless, skinless parts may be diced. The dicing process must result in size-reduced portions of meat that are intact, not mutilated, and with surfaces relatively smooth in appearance. Individual size-reduced portions of meat must be relatively uniform in size and shape, and consistent with the size reduction process. Unbreaded. Packed in poly bag boxes. Polyethylene-film Bags – Shall have a wall thickness of not less than 2 mil; and shall protect the commodity from dehydration, freezer burn, or quality deterioration during the conditions of use. All packaging and packing materials must be clean and in new condition. Products produced or labeled with any phrase PSC: 8905	20,000	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0006	Hot Dogs Meats, Frankfurters (Hot Dogs), Fully Cooked, Frozen, Beef, 6 inch, 8:1 or 10:1 Ratio (must specify weight ratio on bid), Skinless, Without non-meat binders and extenders or With non-meat binders and extenders (such as nonfat dry milk, dried whole milk, and/or calcium-reduced dried skim milk. (IMPS 800, Major Ingredient D or D1 OR CID A-A-20341A, Type II, Byproducts or variety meats A - None, Curing agents 2 - Cured, Non-meat binders and extenders (a) or (b), Nutrient content claim (1) or (2), Links per pound of meat ratio (iii) or (iv), Package size (gg), Agricultural practice 1). The finished product shall not contain more than 30 percent fat or no more than 10 percent added water, or a combination of 40 percent fat and added water. Non-meat binders and extenders may be used up to 3.5 percent individually or collectively with other binders and extenders in the frankfurters per 9 CFR § 424.21 (c). All ingredients in the product must be listed in the ingredients statement on the label in order of predominance, from highest to lowest amounts in accordance with the USDA Food Safety Inspection Service (FSIS) Standards and Labeling Policy. Manufacturer's letters will NOT be accepted in lieu of labeling. PSC: 8905	1,500	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0007	Fish Fillet, Raw Meats, Fish Fillets, Raw, Individually Quick Frozen, Unglazed, Skin-on, Skin-on (white side only), or Skin-off (skinless), Practically boneless fillet. U.S. Grade A or B. Acceptable types include Tilapia, Cod, Haddock, Hake, Flounder, Sole, Turbot, Plaice, or Halibut. (Grade Standards are separate for Cod, Flounder, Sole, and Haddock and must comply with those standards). Fillets are slices of practically boneless fish flesh of irregular size and shape, which are removed from the carcass by cuts made parallel to the backbone and sections of such fillets cut so as to facilitate packing. 100% net weight, No water or glaze weight added. Fish portion must meet weight requirements when thawed and drained, Delivered cases must be labeled 100% net weight. Manufacturer's	5,000	LB	\$ _____	\$ _____

	letters will not be accepted in lieu of labeling. Note type and size on bid. 4 to 7 oz. PSC: 8905				
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0008	Chicken Leg Quarters Meats, Chicken, Quartered, Ready to Cook, Frozen, Broiler Quarters, U.S. Grade A., United States Classes, Standards and Grades for Poultry Agricultural Marketing Service (AMS) 70.200 et seq. Unbreaded. Delivered amounts are to be uniform in portion size and not random sizing. Quotes must identify portion size being offered. Portion size not to be smaller than 12 ounces and not to exceed 20 ounces. Packed in poly bag boxes. Polyethylene-film Bags – Shall have a wall thickness of not less than 2 mil; and shall protect the commodity from dehydration, freezer burn, or quality deterioration during the conditions of use. All packaging and packing materials must be clean and in new condition. Products produced or labeled with any phrase “under religious exemption” will be refused. PSC: 8905	8,000	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0009	Italian Sausage Meats, Italian Sausage, Pork , Pork and Turkey (pork is predominant) or Pork and Chicken (pork is predominant), Sweet, Links. Italian sausage is a fresh, uncooked, linked product. The meat components shall be chopped or ground to a moderately course texture. The sausage itself (or interior cut surface of links) is moderately coarse in texture with a uniform color ranging from medium to dark reddish-brown with evenly distributed fat particles. The links shall be in a natural hog or collagen casing 5 to 6 inches in length. Links shall be moderately uniform in length and diameter. IMPS 818, Italian Sausage, Formula D, P2, or P3, Flavoring B, Type E. Product will be delivered frozen. Product will not contain SOY. PSC: 8905	2,000	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0010	Pork Roast Meats, Pork Roast, Pork Shoulder, Boston Butt, Boneless, Raw, IMPS 406A, Frozen, No Paper Wrapping, Weight Range A or B, 4 to 10 lb. Quote MUST indicate average roast weight of quoted item. PSC: 8905	2,500	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0011	Turkey Roast Meats, Turkey, Boneless, Skinless, Whole Muscle Breast, Fully Cooked, Frozen. US Grade A, 3 – 6 lb range. Product shall be produced from non-basted, U.S. Grade A turkey breasts from freshly harvested young turkeys (AMS 70.202(b)). Individually packaged in moisture proof plastic film bags, packed with a minimum 6 breasts per case. May contain up to 18% solution of water. Products produced or labeled with any phrase related to “under religious exemption” will be refused. PSC: 8905	5,000	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0012	Cheese, Cheddar Cheese, Cheddar, U.S. Grade AA or A, CID-A-A-20208C, Type I - Cheddar cheese (21 Code of Federal Regulations (CFR) §133.113), Style A, B, D, K (loaf, shredded coarse), Shred size 1, 2, or 3, Agricultural practice (a). “Cheddar cheese” is cheese made by the cheddaring process or by another procedure which produces a finished cheese having the same physical and chemical properties as the cheese produced by the cheddar process and is made from cow's milk with or without the addition of coloring matter and with common salt, contains not more than 39 percent of moisture, and in the water-free substance, contains not less than 50 percent of milk fat and conforms to the provisions of §19.500, “Definitions and Standards of Identity for Cheese and Cheese Products.” Food and Drug Administration (21 CFR	3,000	LB	\$ _____	\$ _____

	133.113). Manufacturer's letters will NOT be accepted in lieu of labeling (Bidder needs to indicate if cheese is Loaf/Block or Shredded Coarse). Packaging: 5 lb to 40 lb sealed Bags or containers. SHREDDED ONLY, no mixture-cheddar cheese only will be accepted PSC: 8910				
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0013	Cheese, Mozzarella Cheese, Mozzarella, Low-moisture Mozzarella, Part-skim Mozzarella, Low-moisture Part-skim Mozzarella. (CID-A-A-20248C) The mozzarella cheese must conform to the following list. Type I, II, III, or IV. Style A - Block (loaf), frozen, Style B - Shredded, individually quick frozen (IQF) or Style J - Sliced or Diced forms. Shred size 1,2, or 3. Agricultural practice a. Milk fat range between 30.0 to 45.0 to 60.0 % on a dry basis depending on type. Moisture content range between 45.0 to 60.0 % depending on type. All ingredients must be declared by their common or usual name in descending order of predominance by weight. Manufacturer's letters will NOT be accepted in lieu of labeling. Type and Style to be determined locally and size noted on bid. Packaging of Primary Container: 5 lb to 40 lb sealed Bags or containers. Mozzarella only, no mixtures, no mixtures will be accepted. Shredded only PSC: 8910	3,000	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0014	Margarine, Bulk Margarine, Bulk, All Vegetable. Margarine shall comply with all applicable Federal regulations including those contained in the Food and Drug Standard of Identity for Margarine (21 CFR Part 166) and must conform to USDA Specifications for Vegetable Oil Margarine. Margarine shall be made from one or more of the following vegetable oils; canola, safflower, sunflower, corn, soybean, or peanut oil. Margarine contains not less than 80% fat. Must be packaged in 1lb blocks, 30lbs per case. PSC: 8945	2,000	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0015	Margarine, Reddies Margarine, Reddies, All Vegetable. 90 patties per lb on paper chips, 12 lbs per case. Margarine shall comply with all applicable Federal regulations including those contained in the Food And Drug Standard of Identity for Margarine (21 CFR Part 166) and must conform to USDA Specifications for Vegetable Oil Margarine. Margarine shall be made from one or more of the following vegetable oils: canola, safflower, sunflower, corn, soybean, or peanut oil. Margarine contains not less than 80% fat. Must be in 1/2oz individual tubs, must be labeled kosher parve. PSC: 8945	100,000	EA	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0016	Taco Shells Taco Shells, Corn, U Shaped, Enriched. (CID A-A-20143B, Type III, Style A, Shape b, Enrichment type i). Each. State case count on bid. PSC: 8945	20,000	EA	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0017	Flour Tortillas Tortillas, Wheat, White with spices or herbs, or Other. 10" in diameter only, Round Shelf stable, refrigerated, or frozen, Table Ready. (CID A-A-20143B, Type 1, Style B, C, or E, Size 7, 8, or 9, Shape a, Enrichment type I, Product state a, c, or d, Cook state I). Each. State case count on bid. PSC: 8945	15,000	EA	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT

0018	Beans - Pinto , Dry Beans, Dry, Kidney or Red, Whole, U.S. Grade 1 - 3 PSC: 8945	8,000	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0019	Beans - Black, Dry Beans, Dry, Black Beans, Whole, U.S. Grade 1 - 3 PSC: 8945	8,000	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0020	Corn - Canned Vegetable, Corn, Whole Kernel (Whole Grain), Canned, Conventional or Supersweet, Golden (or yellow), Grade A - C. As defined in Food and Drug Standard of Identity 21 CFR 155.130. Originated from crops that have been 100 percent grown, processed, and packed in the United States or Canada. 6/ #10 cans or pouches per case or 6/75 oz vac-pack cans per case. State type of can or pouch on bid. PSC: 8945	300	CS	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0021	Carrots - Canned Vegetable, Carrots, Canned, Sliced, Diced, Julienne, French Style, or Cut. Minimum drain weight 64 oz. U.S. Grade A, U.S. Fancy, U.S. Grade C or U.S. Standard. As defined in Food and Drug Standard of Identity 21 CFR 155.200. Originated from crops that have been 100 percent grown, processed, and packed in the United States or Canada. 6/#10 cans or pouches per case. State can or pouch on bid. PSC: 8945	200	CS	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0022	Peas - Canned Vegetable, Peas, Sweet, Canned. U.S. Grade A - C. As defined in Food and Drug Standard of Identity 21 CFR 155.170. Originated from crops that have been 100 percent grown, processed, and packed in the United States or Canada. 6/#10 cans or pouches per case. State can or pouch on bid. PSC: 8945	200	CS	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0023	Mixed Vegetables - Canned Vegetable, Mixed (5-7 way blend mix including carrots, potatoes, green beans, peas, corn, lima beans, and celery), Canned, With Salt, With Salt and onion flavoring, No Salt Added, Low Sodium, or Other. (CID A-A-20120F, Type I, Type II, Style A, B, C, D, or E; Container size 4). Minimum drain weight of 64 oz. Originated from crops that have been 100 percent grown, processed, and packed in the United States or Canada. 6/#10 cans or pouches per case. State can or pouch on bid. PSC: 8945	150	CS	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0024	Beets - Canned Vegetable, Beets, Canned, Whole, Slices, Quarters, Diced, Julienne, French Style or Cut. Minimum drain weight 64 oz. U.S. Grade A, U.S. Grade C or U.S. Standard. As defined in Food and Drug Standard of Identity 21 CFR 155.200. Originated from crops that have been 100 percent grown, processed, and packed in the United States or Canada. 6/#10 cans or pouches per case. State can or pouch on bid. PSC: 8945	100	CS	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT

0025	Green Beans - Canned Vegetable, Beans, Green, Canned, Cut, Sliced Lengthwise, or French Style, Round Tye, Good to reasonably good character (A or B), Minimum drain weight 59 oz. U.S. Grade A-C. As defined in Food and Drug Standard of Identity 21 CFR 155.120. Originated from crops that have been 100 percent grown, processed, and packed in the United States or Canada. 6/#10 cans or pouches per case. State can or pouch on bid. PSC: 8945	350	CS	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0026	Oatmeal - Bulk Cereal, Rolled Oats, Quick cooking, Unflavored, Any Style, Any container size (CID A-A-20090F, Type II, Flavor A, Style 1 - 3, Container size n) PSC: 8945	13,000	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0027	Flour Flour, All Purpose wheat flour, or Bakers Wheat Flour, Unbleached or Bleached. (CID A-A-20126H, Type I (Class 1-3), II (Class 1-2) or III (Class 1-5) VI, Style A or Style B, Protein level a-d, Packaging type 1) Size g-j, Agricultural practice i). PSC: 8945	7,000	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0028	Pasta - Spaghetti Pasta, Spaghetti, Long Form, Whole Wheat Blend, Whole Wheat, or Regular. (CID A-A-20062F, Type VI, Style A, B, or C). Enrichment type (A). 10 lb to 40 lb sealed bags. PSC: 8945	1,000	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0029	Pasta - Elbow Pasta, Macaroni, Elbow Form, Whole Wheat Blend, Whole Wheat, or Regular. (CID A-A-20062F, Type I, Style A, B, or C). Enrichment type (A). 10 lb to 40 lb sealed bags. PSC: 8945	2,500	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0030	Pasta - Lasagna Pasta, Lasagna Noodles, Curl or Flat Form, Whole Wheat Blend, Whole Wheat, or Regular. (CID A-A-20062F, Type VIII, Class 1 of or 2, Style A, B, or C). Enrichment type (A). 1 lb to 40 lb sealed bags. PSC: 8945	500	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0031	Pasta - Rotini Pasta, Macaroni, Rotini Form, Whole Wheat Blend, Whole Wheat, or Regular. (CID A-A-20062F, Type V, Style A, B, C, or D). Enrichment type (A). 10 lb to 40 lb sealed bags. PSC: 8945	2,000	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0032	Rice Rice, U.S. Grade 1 or 2, Long Grain MILLED Rice, Parboiled Light PSC: 8945	20,000	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT

0033	French Fries Vegetable, Potatoes, French Fries, Frozen, Institutional type, Straight Cut, Crinkle Cut, Slices, or Strips. Strips will be 3/8 x 3/8, 1/2 x 1/4, or 3/8 x 3/4 inch and be Extra Long, Long, or Medium (at least 50% or more are 2 inches or longer. OVENABLE ONLY (Instructions on how to prepare in the oven are acceptable) U.S. Grade A, U.S. Fancy, U.S. Grade B or U.S. Extra Standard. As defined in Title 7 62.2391-2405. Originated from crops that have been 100 percent grown, processed, and packed in the United States or Canada. Examples of acceptable types also includes wedges, waffle cut, and steak cut. PSC: 8945	10,000	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0034	Syrup - Bulk Syrup, Table, Regular or Light, Any flavor (CID A-A-20124E, Type V, Style 1 or 2, Flavor A, B, C, D, or E.) Syrup shall be manufactured in accordance with the U.S. Standard of Identity for Table Syrup, 21 CFR 168.180. 4/1 Gallon Plastic Containers per case. State flavor on bid. NO WINSTON BRAND PRODUCTS. PSC: 8945	100	CS	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0035	French Toast French Toast, Frozen, Regular or Low Fat, Any Flavor, Any Shape. (CID A-A-20234B, Type II, Style A or B, Class 3, Flavor A, B, C, or D, Shape 1 - 8). Each. State case count on bid. PSC: 8945	5,000	LB	\$ _____	\$ _____
ITEM NO.	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0036	Garlic Powder Spices, Garlic, Powder. From dehydrated garlic bulb ground to a fine powder after the milling process. 100% air dried garlic. Appearance and Flavor Cream Brown Fine Powder with the characteristic odor and flavor of garlic. No off notes. Texture - A dry medium fine granular powder, slightly fibrous. Moisture less than 12%. Packaging must indicate actual delivered weight of product. Pure - no additives, extenders, foreign matter, or flow agents. 5 lb to 50 lb sealed plastic containers or boxes. Note package size on bid. Note price by the pound. PSC: 8945	500	LB	\$ _____	\$ _____

Section 3 - Contract Clauses

A.1 ADDENDUM TO FAR 52.212-4, Contract Terms and Conditions-Commercial Products and Commercial Services (Nov 2021)

The terms and conditions for the following clauses are hereby incorporated into this solicitation and resulting contract as an addendum to FAR clause 52.212-4.

Clauses By Reference

52.252-2 CLAUSES INCORPORATED BY REFERENCE (FEB 1998)

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es): www.acquisition.gov

Clause	Title	Fill-ins (if applicable)
52.211-17	Delivery of Excess Quantities (Sept 1989)	
52.212-4	Contract Terms and Conditions-Commercial Products and Commercial Services (Nov 2021)	
52.225-13	Restrictions on Certain Foreign Purchases (Feb 2021)	
52.244-6	Subcontracts for Commercial Products and Commercial Services (Oct 2022)	
DOJ-02	Contractor Privacy Requirements (JAN 2022)	

Clauses By Full Text

52.252-2 Clauses Incorporated by Reference (Feb 1998)

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es):

www.acquisition.gov

[Insert one or more Internet addresses]

(End of clause)

[END OF ADDENDUM TO FAR 52.212-4]

52.212-5 Contract Terms and Conditions Required To Implement Statutes or Executive Orders-
Commercial Products and Commercial Services (Oct 2022)

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

(1) 52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).

(2) 52.204-23, Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (Nov 2021) (Section 1634 of Pub. L. 115-91).

(3) 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (Nov 2021) (Section 889(a)(1)(A) of Pub. L. 115-232).

(4) 52.209-10, Prohibition on Contracting with Inverted Domestic Corporations (Nov 2015).

(5) 52.233-3, Protest After Award (Aug 1996) (31 U.S.C. 3553).

(6) 52.233-4, Applicable Law for Breach of Contract Claim (Oct 2004)(Public Laws 108-77 and 108-78 (19 U.S.C. 3805 note)).

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

[Contracting Officer check as appropriate.]

___ (1) 52.203-6, Restrictions on Subcontractor Sales to the Government (Jun 2020), with Alternate I (Nov 2021) (41 U.S.C. 4704 and 10 U.S.C. 2402).

___ (2) 52.203-13, Contractor Code of Business Ethics and Conduct (Nov 2021) (41 U.S.C. 3509)).

___ (3) 52.203-15, Whistleblower Protections under the American Recovery and Reinvestment Act of 2009 (Jun 2010) (Section 1553 of Pub. L. 111-5). (Applies to contracts funded by the American Recovery and Reinvestment Act of 2009.)

X (4) 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards (Jun 2020) (Pub. L. 109-282) (31 U.S.C. 6101 note).

___ (5) [Reserved].

___ (6) 52.204-14, Service Contract Reporting Requirements (Oct 2016) (Pub. L. 111-117, section 743 of Div. C).

___ (7) 52.204-15, Service Contract Reporting Requirements for Indefinite-Delivery Contracts (Oct 2016) (Pub. L. 111-117, section 743 of Div. C).

X (8) 52.209-6, Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (Nov 2021) (31 U.S.C. 6101 note).

___ (9) 52.209-9, Updates of Publicly Available Information Regarding Responsibility Matters (Oct 2018) (41 U.S.C. 2313).

___ (10) [Reserved].

___ (11) 52.219-3, Notice of HUBZone Set-Aside or Sole-Source Award (Oct 2022) (15 U.S.C. 657a).

___ (12) 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns (Oct 2022) (if the offeror elects to waive the preference, it shall so indicate in its offer) (15 U.S.C. 657a).

___ (13) [Reserved]

X (14)(i) 52.219-6, Notice of Total Small Business Set-Aside (Nov 2020) (15 U.S.C. 644).

___ (ii) Alternate I (Mar 2020) of 52.219-6.

___ (15)(i) 52.219-7, Notice of Partial Small Business Set-Aside (Nov 2020) (15 U.S.C. 644).

___ (ii) Alternate I (Mar 2020) of 52.219-7.

X (16) 52.219-8, Utilization of Small Business Concerns (Oct 2022) (15 U.S.C. 637(d)(2) and (3)).

___ (17)(i) 52.219-9, Small Business Subcontracting Plan (Oct 2022) (15 U.S.C. 637(d)(4)).

___ (ii) Alternate I (Nov 2016) of 52.219-9.

___ (iii) Alternate II (Nov 2016) of 52.219-9.

___ (iv) Alternate III (Jun 2020) of 52.219-9.

___ (v) Alternate IV (Sep 2021) of 52.219-9.

X (18)(i) 52.219-13, Notice of Set-Aside of Orders (Mar 2020) (15 U.S.C. 644(r)).

___ (ii) Alternate I (Mar 2020) of 52.219-13.

X (19) 52.219-14, Limitations on Subcontracting (Oct 2022) (15 U.S.C. 657s).

___ (20) 52.219-16, Liquidated Damages-Subcontracting Plan (Sep 2021) (15 U.S.C. 637(d)(4)(F)(i)).

___ (21) 52.219-27, Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (Oct 2022) (15 U.S.C. 657f).

X (22)(i) 52.219-28, Post-Award Small Business Program Rerepresentation (Oct 2022) (15 U.S.C. 632(a)(2)).

___ (ii) Alternate I (Mar 2020) of 52.219-28.

___ (23) 52.219-29, Notice of Set-Aside for, or Sole-Source Award to, Economically Disadvantaged Women-Owned Small Business Concerns (Oct 2022) (15 U.S.C. 637(m)).

___ (24) 52.219-30, Notice of Set-Aside for, or Sole-Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program (Oct 2022) (15 U.S.C. 637(m)).

___ (25) 52.219-32, Orders Issued Directly Under Small Business Reserves (Mar 2020) (15 U.S.C. 644(r)).

___ (26) 52.219-33, Nonmanufacturer Rule (Sep 2021) (15 U.S.C. 657s).

X (27) 52.222-3, Convict Labor (June 2003) (E.O. 11755).

X (28) 52.222-19, Child Labor--Cooperation with Authorities and Remedies (Jan 2022) (E.O. 13126).

X (29) 52.222-21, Prohibition of Segregated Facilities (Apr 2015).

X (30)(i) 52.222-26, Equal Opportunity (Sept 2016) (E.O. 11246).

___ (ii) Alternate I (Feb 1999) of 52.222-26.

X (31)(i) 52.222-35, Equal Opportunity for Veterans (Jun 2020) (38 U.S.C. 4212).

___ (ii) Alternate I (July 2014) of 52.222-35.

X (32)(i) 52.222-36, Equal Opportunity for Workers with Disabilities (Jun 2020) (29 U.S.C. 793).

___ (ii) Alternate I (July 2014) of 52.222-36.

___ (33) 52.222-37, Employment Reports on Veterans (Jun 2020) (38 U.S.C. 4212).

___ (34) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496).

X (35)(i) 52.222-50, Combating Trafficking in Persons (Nov 2021) (22 U.S.C. chapter 78 and E.O. 13627).

___ (ii) Alternate I (Mar 2015) of 52.222-50 (22 U.S.C. chapter 78 and E.O. 13627).

___ (36) 52.222-54, Employment Eligibility Verification (May 2022). (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial products or commercial services as prescribed in FAR 22.1803.)

___ (37)(i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Items (May 2008) (42 U.S.C. 6962(c)(3)(A)(ii)). (Not applicable to the acquisition of commercially available off-the-shelf items.)

___ (ii) Alternate I (May 2008) of 52.223-9 (42 U.S.C. 6962(i)(2)(C)). (Not applicable to the acquisition of commercially available off-the-shelf items.)

___ (38) 52.223-11, Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (Jun 2016) (E.O. 13693).

___ (39) 52.223-12, Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (Jun 2016) (E.O. 13693).

___ (40)(i) 52.223-13, Acquisition of EPEAT®-Registered Imaging Equipment (Jun 2014) (E.O.s 13423 and 13514).

___ (ii) Alternate I (Oct 2015) of 52.223-13.

___ (41)(i) 52.223-14, Acquisition of EPEAT®-Registered Televisions (Jun 2014) (E.O.s 13423 and 13514).

___ (ii) Alternate I (Jun 2014) of 52.223-14.

___ (42) 52.223-15, Energy Efficiency in Energy-Consuming Products (May 2020) (42 U.S.C. 8259b).

___ (43)(i) 52.223-16, Acquisition of EPEAT®-Registered Personal Computer Products (Oct 2015) (E.O.s 13423 and 13514).

___ (ii) Alternate I (Jun 2014) of 52.223-16.

X (44) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (Jun 2020) (E.O. 13513).

___ (45) 52.223-20, Aerosols (Jun 2016) (E.O. 13693).

___ (46) 52.223-21, Foams (Jun 2016) (E.O. 13693).

___ (47)(i) 52.224-3, Privacy Training (Jan 2017) (5 U.S.C. 552a).

___ (ii) Alternate I (Jan 2017) of 52.224-3.

___ (48)(i) 52.225-1, Buy American--Supplies (Oct 2022) (41 U.S.C. chapter 83).

___ (ii) Alternate I (Oct 2022) of 52.225-1.

___ (49)(i) 52.225-3, Buy American--Free Trade Agreements--Israeli Trade Act (Oct 2022) (41 U.S.C. chapter 83, 19 U.S.C. 3301 note, 19 U.S.C. 2112 note, 19 U.S.C. 3805 note, 19 U.S.C. 4001 note, Pub. L. 103-182, 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, 110-138, 112-41, 112-42, and 112-43).

___ (ii) Alternate I (Jan 2021) of 52.225-3.

___ (iii) Alternate II (Jan 2021) of 52.225-3.

___ (iv) Alternate III (Jan 2021) of 52.225-3.

___ (v) Alternate IV (Oct 2022) of 52.225-3.

___ (50) 52.225-5, Trade Agreements (Oct 2019) (19 U.S.C. 2501, et seq., 19 U.S.C. 3301 note).

X (51) 52.225-13, Restrictions on Certain Foreign Purchases (Feb 2021) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).

___ (52) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Oct 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).

___ (53) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (Nov 2007) (42 U.S.C. 5150).

___ (54) 52.226-5, Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov 2007) (42 U.S.C. 5150).

___ (55) 52.229-12, Tax on Certain Foreign Procurements (Feb 2021).

___ (56) 52.232-29, Terms for Financing of Purchases of Commercial Products and Commercial Services (Nov 2021) (41 U.S.C. 4505, 10 U.S.C. 2307(f)).

___ (57) 52.232-30, Installment Payments for Commercial Products and Commercial Services (Nov 2021) (41 U.S.C. 4505, 10 U.S.C. 2307(f)).

X (58) 52.232-33, Payment by Electronic Funds Transfer--System for Award Management (Oct 2018) (31 U.S.C. 3332).

___ (59) 52.232-34, Payment by Electronic Funds Transfer--Other than System for Award Management (Jul 2013) (31 U.S.C. 3332).

___ (60) 52.232-36, Payment by Third Party (May 2014) (31 U.S.C. 3332).

___ (61) 52.239-1, Privacy or Security Safeguards (Aug 1996) (5 U.S.C. 552a).

___ (62) 52.242-5, Payments to Small Business Subcontractors (Jan 2017)(15 U.S.C. 637(d)(13)).

___ (63)(i) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Nov 2021) (46 U.S.C. 55305 and 10 U.S.C. 2631).

___ (ii) Alternate I (Apr 2003) of 52.247-64.

___ (iii) Alternate II (Nov 2021) of 52.247-64.

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

[Contracting Officer check as appropriate.]

___ (1) 52.222-41, Service Contract Labor Standards (Aug 2018) (41 U.S.C. chapter 67).

___ (2) 52.222-42, Statement of Equivalent Rates for Federal Hires (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

___ (3) 52.222-43, Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (Multiple Year and Option Contracts) (Aug 2018) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

___ (4) 52.222-44, Fair Labor Standards Act and Service Contract Labor Standards--Price Adjustment (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

__ (5) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment--Requirements (May 2014) (41 U.S.C. chapter 67).

__ (6) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services--Requirements (May 2014) (41 U.S.C. chapter 67).

__ (7) 52.222-55, Minimum Wages for Contractor Workers Under Executive Order 14026 (Jan 2022).

__ (8) 52.222-62, Paid Sick Leave Under Executive Order 13706 (Jan 2022) (E.O. 13706).

__ (9) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (Jun 2020) (42 U.S.C. 1792).

(d) *Comptroller General Examination of Record*. The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, as defined in FAR 2.101, on the date of award of this contract and does not contain the clause at 52.215-2, Audit and Records--Negotiation.

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

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

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

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

(i) 52.203-13, Contractor Code of Business Ethics and Conduct (Nov 2021) (41 U.S.C. 3509).

(ii) 52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).

(iii) 52.204-23, Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (Nov 2021) (Section 1634 of Pub. L. 115-91).

(iv) 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (Nov 2021) (Section 889(a)(1)(A) of Pub. L. 115-232).

(v) 52.219-8, Utilization of Small Business Concerns (Oct 2022) (15 U.S.C. 637(d)(2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds the applicable threshold specified in FAR 19.702(a) on the date of subcontract award, the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.

(vi) 52.222-21, Prohibition of Segregated Facilities (Apr 2015)

(vii) 52.222-26, Equal Opportunity (Sept 2016) (E.O. 11246).

(viii) 52.222-35, Equal Opportunity for Veterans (Jun 2020) (38 U.S.C. 4212).

(ix) 52.222-36, Equal Opportunity for Workers with Disabilities (Jun 2020) (29 U.S.C. 793).

(x) 52.222-37, Employment Reports on Veterans (Jun 2020) (38 U.S.C. 4212)

- (xi) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause 52.222-40.
- (xii) 52.222-41, Service Contract Labor Standards (Aug 2018) (41 U.S.C. chapter 67).
- (xiii) (A) 52.222-50, Combating Trafficking in Persons (Nov 2021) (22 U.S.C. chapter 78 and E.O 13627).
- (B) Alternate I (Mar 2015) of 52.222-50 (22 U.S.C. chapter 78 and E.O 13627).
- (xiv) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (May 2014) (41 U.S.C. chapter 67).
- (xv) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (May 2014) (41 U.S.C. chapter 67).
- (xvi) 52.222-54, Employment Eligibility Verification (May 2022) (E.O. 12989).
- (xvii) 52.222-55, Minimum Wages for Contractor Workers Under Executive Order 14026 (Jan 2022).
- (xviii) 52.222-62, Paid Sick Leave Under Executive Order 13706 (Jan 2022) (E.O. 13706).
- (xix)(A) 52.224-3, Privacy Training (Jan 2017) (5 U.S.C. 552a).
- (B) Alternate I (Jan 2017) of 52.224-3.
- (xx) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Oct 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).
- (xxi) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (Jun 2020) (42 U.S.C. 1792). Flow down required in accordance with paragraph (e) of FAR clause 52.226-6.
- (xxii) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Nov 2021) (46 U.S.C. 55305 and 10 U.S.C. 2631). Flow down required in accordance with paragraph (d) of FAR clause 52.247-64.
- (2) While not required, the Contractor may include in its subcontracts for commercial products and commercial services a minimal number of additional clauses necessary to satisfy its contractual obligations.
- (End of clause)

Section 4 - List of Attachments

This Section Is Intentionally Left Blank

Section 5 - Solicitation Provisions

This Section Is Intentionally Left Blank