Commercial Supplies/Services
Solicitation Provisions and Contract Clauses (FAR 12.205)

Provisions

☒52.212-1 Instructions to Offerors—Commercial Products and Commercial Services (Deviation)

☐52.212-2 Evaluation—Commercial Products and Commercial Services (Deviation)

(a) Evaluation factors. The Government will award a contract resulting from this solicitation to the responsible Offeror whose offer conforming to the solicitation will be most advantageous to the Government, price and other factors considered. The following factors will be used to evaluate offers:

(b) *Options (if applicable)*. The Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. The Government may determine that an offer is unacceptable if the option prices are significantly unbalanced. The evaluation of options does not obligate the Government to exercise the option(s).

(c) *Notice of award*. A written notice of award or acceptance of an offer furnished to the successful Offeror within the time for acceptance specified in the offer, shall result in a binding contract without further action by either party. Before the offer's specified expiration time, the Government may accept an offer (or part of an offer), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award.

(End of provision)

☒52.216-1 Type of Contract (Deviation)

The Government contemplates award of a Firm Fixed Price contract resulting from this solicitation.

(End of provision)

☐52.217-3 Evaluation Exclusive of Options (APR 1984)

☐552.217-4 Evaluation of Options Exercised at Time of Contract Award (Deviation)

☐52.217-5 Evaluation of Options (Deviation)

☒52.209-11 Representation by Corporations Regarding Delinquent Tax Liability or a Felony Conviction under any Federal Law (Deviation)

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

(1) Has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless an agency has considered suspension or debarment of the corporation and made a determination that suspension or debarment is not necessary to protect the interests of the Government; or

(2) Was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless an agency has considered suspension or debarment of the corporation and made a determination that this action is not necessary to protect the interests of the Government.

(b) The Offeror represents that–

(1) It is □ is not □ a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and

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

(End of provision)

☐52.203-11 Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (Sep 2024)

☒52.203-18 Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements or Statements-Representation (Jan 2024)

☒52.204-7 System For Award Management – Registration (Deviation)

☐52.204-7 w/ Alt I System for Award Management – Registration, with Alternate I (Deviation)

☐52.204-90 Offeror Identification (Deviation)

☐52.207-6 Solicitation of Offers from Small Business Concerns and Small Business Teaming Arrangements or Joint Ventures (Multiple-Award Contracts) (Aug 2024)

Conviction under any Federal Law (Deviation)

☐52.209-12 Certification Regarding Tax Matters (Oct 2025)

☐52.219-2 Equal Low Bids (Deviation)

☐52.222-18 Certification Regarding Knowledge of Child Labor for Listed End Products (Feb 2021)

☐52.222-48 Exemption from Application of the Service Contract Labor Standards for Maintenance, Calibration, or Repair of Certain Equipment–Certification (Deviation)

☐52.222-52 Exemption from Application of the Service Contract Labor Standards for Certain Services-Certification (Deviation)

☐52.222-56 Certification Regarding Trafficking in Persons Compliance Plan (Deviation)

☒52.222-90 Addressing DEI Discrimination by Federal Contractors

☐52.223-4 Recovered Material Certification (May 2008)

☐52.225-2 Buy American Certificate (Oct 2022)

☐52.225-4 Buy American-Free Trade Agreements-Israeli Trade Act Certificate (Deviation)

☐52.225-6 Trade Agreements – Certificates (Feb 2021)

☐52.225-20 Prohibition on Conducting Restricted Business Operations in Sudan-Certification (Aug 2009)

☒52.225-25 Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran-Representation and Certifications

☐52.226-3 Disaster or Emergency Area Representation (Nov 2007)

☐52.229-11 Tax on Certain Foreign Procurements—Notice and Representation (Deviation)

☐52.240-90 Security Prohibitions and Exclusions Representations and Certifications

52.252-1 Provisions Incorporated by Reference (Feb 1998)
This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of

a solicitation provision may be accessed electronically at this/these address(es):
https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-52

Clauses

Flow down to resulting Contract

☐52.232-18 Availability of Funds (Apr 1984)

☒52.232-39 Unenforceability of Unauthorized Obligations

☐52.217-6 Option for Increased Quantity. (Mar 1989)

The Government may increase the quantity of supplies called for in the Schedule at the unit price specified. The Contracting Officer may exercise the option by written notice to the Contractor within _____ *[insert in the clause the period of time in which the Contracting Officer has to exercise the option]*. Delivery of the added items shall continue at the same rate as the like items called for under the contract, unless the parties otherwise agree.

(End of clause)

☐52.217-7 Option for Increased Quantity-Separately Priced Line Item. (Mar 1989)

The Government may require the delivery of the numbered line item, identified in the Schedule as an option item, in the quantity and at the price stated in the Schedule. The Contracting Officer may exercise the option by written notice to the Contractor within _____ [insert in the clause the period of time in which the Contracting Officer has to exercise the option]. Delivery of added items shall continue at the same rate that like items are called for under the contract, unless the parties otherwise agree.

(End of clause)

☐52.217-8 Option to Extend Services (Nov 1999)

The Government may require continued performance of any services within the limits and at the rates specified in the contract. These rates may be adjusted only as a result of revisions to prevailing labor rates provided by the Secretary of Labor. The option provision may be exercised more than once, but the total extension of performance hereunder shall not exceed 6 months. The Contracting Officer may exercise the option by written notice to the Contractor within _____ [insert the period of time within which the Contracting Officer may exercise the option].

(End of clause)

52.217-9 Option to Extend the Term of the Contract (Mar 2000)

(a) The Government may extend the term of this contract by written notice to the Contractor within _____ [insert the period of time within which the Contracting Officer may exercise the option]; provided that the Government gives the Contractor a preliminary written notice of its intent to extend at least _____ days[60days unless a different number of days is inserted] before the contract expires. The preliminary notice does not commit the Government to an extension.

(b) If the Government exercises this option, the extended contract shall be considered to include this option clause.

(c) The total duration of this contract, including the exercise of any options under this clause, shall not exceed _____ (months) (years).

(End of clause)

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): https://www.acquisition.gov/far-overhaul/far-part-deviation-guide/far-overhaul-part-52

☒52.212-4 Terms and Conditions—Commercial Products and Commercial Services (Deviation)

☐52.203-6 with Alt I Restrictions on Subcontractor Sales to the Government (Jun 2020)

☐52.203-13 Contractor Code of Business Ethics and Conduct (Nov 2021)

☐52.203-17 Contractor Employee Whistleblower Rights (Nov 2023)

☒52.203-19 Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (Jan 2017)

☐52.204-9 Personal Identity Verification of Contractor Personnel (Jan 2011)

☒52.204-13 System for Award Management – Maintenance (Deviation)

☐52.204-91 Contractor Identification (Deviation)

☐52.209-6 – Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (Deviation)

☐52.209-9 – Updates of Publicly Available Information Regarding Responsibility Matters (Deviation)

☒52.209-10 – Prohibition on Contracting with Inverted Domestic Corporations (Deviation)

☒52.219-4 – Notice of Price Evaluation Preference for HUBZone Small Business Concerns (Deviation)

☒52.219-6 – Notice of Total Small Business Set-Aside (Deviation)

☐52.219-6 with Alt I – Notice of Total Small Business Set-Aside, with Alternate I (Deviation)

☐52.219-8 – Utilization of Small Business Concerns (Deviation)

☐52.219-9 – Small Business Subcontracting Plan (Deviation)

☐52.219-9 with Alt I – Small Business Subcontracting Plan, with Alternate I

☐52.219-9 with Alt II – Small Business Subcontracting Plan, with Alternate II

☐52.219-9 with Alt III – Small Business Subcontracting Plan, with Alternate III

☐52.219-9 with Alt IV – Small Business Subcontracting Plan, with Alternate IV

☐52.219-14 – Limitations on Subcontracting (Deviation)

☐52.219-16 – Liquidated Damages—Subcontracting Plan (Deviation)

☐52.219-33 – Nonmanufacturer Rule (Deviation)

☒52.222-3 – Convict Labor (Deviation)

☒52.222-19 – Child Labor—Cooperation with Authorities and Remedies (Deviation)

☐52.222-35 – Equal Opportunity for Veterans (Deviation)

☐52.222-35 with Alt I – Equal Opportunity for Veterans, with Alternate I

☒52.222-36 – Equal Opportunity for Workers with Disabilities (Deviation)

☐52.222-36 with Alt I – Equal Opportunity for Workers with Disabilities, with Alternate I

☐52.222-37 – Employment Reports on Veterans

☐52.222-40 – Notification of Employee Rights Under the National Labor Relations Act

☒52.222-41 – Service Contract Labor Standards (Deviation)

☐52.222-42 – Statement of Equivalent Rates for Federal Hires (May 2014)

☐52.222-43 – Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment (Multiple Year and Option Contracts) (Deviation)

☐52.222-44 – Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment

☒52.222-50 – Combating Trafficking in Persons (Deviation)

☐52.222-50 with Alt I – Combating Trafficking in Persons, with its Alternate I

☐52.222-51 – Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements

☐52.222-53 – Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements

☐52.222-54 – Employment Eligibility Verification (Deviation)

☐52.222-62 – Paid Sick Leave Under Executive Order 13706 (Deviation)

☐52.223-9 – Estimate of Percentage of Recovered Material Content for EPA-Designated Items (May 2008)

☐52.223-9 with Alt I – Estimate of Percentage of Recovered Material Content for EPA-Designated Items, with Alternate I

☐52.223-11 – Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (Deviation)

☐52.223-12 – Maintenance (Deviation)

☐52.223-20 – Aerosols (May 2024)

☐52.223-21 – Foams (May 2024)

☒52.223-23 – Sustainable Products and Services (Deviation)

☐52.224-3 – Privacy Training (Jan 2017)

☐52.224-3 with Alt I – Privacy Training, with Alternate I (Jan 2017)

☒52.225-1 – Buy American—Supplies (Deviation)

☐52.225-1 with Alt I – Buy American—Supplies, with Alternate I (Deviation)

☐52.225-3 – Buy American—Free Trade Agreements—Israeli Trade Act (Deviation)

☐52.225-3 with Alt II – Buy American—Free Trade Agreements—Israeli Trade Act, with Alternate II (Deviation)

☐52.225-3 with Alt III – Buy American—Free Trade Agreements—Israeli Trade Act, with Alternate III (Deviation)

☐52.225-3 with Alt IV – Buy American—Free Trade Agreements—Israeli Trade Act, with Alternate IV (Deviation)

☐52.225-5 – Trade Agreements (Nov 2023)

☐52.225-19 – Contractor Personnel in a Designated Operational Area or Supporting a Diplomatic or Consular Mission Outside the United States (May 2020)

☐52.225-26 – Contractors Performing Private Security Functions Outside the United States (Oct 2016)

☐52.226-4 – Notice of Disaster or Emergency Area Set-Aside (Nov 2007)

☐52.226-5 – Restrictions on Subcontracting Outside Disaster or Emergency Area (Deviation)

☒52.226-8 – Encouraging Contractor Policies to Ban Text Messaging While Driving (May 2014)

☐52.229-12 – Tax on Certain Foreign Procurements (Deviation)

☐52.232-29 – Terms for Financing of Commercial Products and Commercial Services (Nov 2021)

☐52.232-30 – Installment Payments of Commercial Products and Commercial Services (Nov 2021)

☒52.232-33 – Payment by Electronic Funds Transfer—System for Award Management (Oct 2018)

☐52.232-34 – Payment by Electronic Funds Transfer—Other than System for Award Management (Jul 2013)

☐52.232-36 – Payment by Third Party

☒52.232-40 – Providing Accelerated Payments to Small Business Subcontractors (Mar 2023)

☐52.232-90 – Fast Payment Procedure (Deviation)

☒52.233-1 – Disputes (Deviation)

☒52.233-3 – Protest After Award (Deviation)

☒52.233-4 – Applicable Law for Breach of Contract Claim (Deviation)

☒52.240-91 – Security Prohibitions and Exclusions (Deviation)

☐52.240-91 with Alt I – Security Prohibitions and Exclusions, with Alternate I (Deviation)

☐52.240-92 – Security Requirements (Deviation)

☐52.240-92 with Alt II – Security Requirements, with Alternate II (Deviation)

☐52.240-93 – Basic Safeguarding of Covered Contractor Information Systems (Deviation)

☒52.244-6 – Subcontracts for Commercial Products and Commercial Services (Deviation)

☐52.247-64 – Preference for Privately Owned U.S.-Flag Commercial Vessels

☐52.247-64 with Alt I – Preference for Privately Owned U.S.-Flag Commercial Vessels, with Alternate I (Apr 2003)

☐52.247-64 with Alt II – Preference for Privately Owned U.S.-Flag Commercial Vessels, with Alternate II (Nov 2021)

IPP Information:

For most of the U.S. Coast Guard awards established on or after October 1, 2021, the terms on the awards require vendors to submit proper invoices through Invoice Processing Platform (IPP), a secure web-based payment information system provided by U.S. Department of Treasury's Financial Management Service. The service is available free of charge to all federal agencies and their suppliers.

Website – ipp.gov

IPP Enrollment:

If you are already enrolled in IPP through another award or agency: If your company is already registered to use IPP, you will not be required to re-register, and you do not need to contact IPP.

If you are NOT already enrolled in IPP: The point of contact you provided in your **SAM.gov** registration will receive two emails from **ipp.noreply@mail.eroc.twai.gov**. Please note that emails from this address may filter into your spam/junk folder.

1. The first email will have the IPP Logon ID and a link to the IPP application.
2. A second email, which will be sent within 24 hours of the first email, contains a temporary password.

IPP Training and Support:

Vendor training materials, including first-time login tutorial, are available on the **ipp.gov** website. Once you have logged into IPP, you will have access to user guides that provide step-by-step instructions for all IPP capabilities, ranging from creating and submitting an invoice to setting up email notifications.

Treasury IPP Customer Support is available to assist vendors with use of IPP on the **IPP home page**.

Invoicing Status Inquiries

To request the payment status of an invoice vendors can contact https://uscg.uscg.afpims.mil/fincen/FSCCustomer-Service/ .

Additional information regarding the USCG's Payment Procedures can be found here: https://www.uscg.mil/fincen/purchase_order/