Attachment III
Contract Clauses

FAR CLAUSES

The following FAR clauses are hereby incorporated in this Solicitation and the resulting contract with addenda attached as necessary:

FAR 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 address:

https://www.acquisition.gov

(End of Clause)

FAR 52.252-6 Authorized Deviations in Clauses. (Apr 1984)

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

(b) The use in this solicitation or contract of any Federal Acquisition Regulation clause with an authorized deviation is indicated by the addition of "(DEVIATION)" after the name of the regulation.

(End of clause)

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

Incorporated	Clause # and Title	Clause Effective Date
☐	52.203-6 Restrictions on Subcontractor Sales to the Government (with Alt I)	JUN 2020
☐	52.203-13 Contractor Code of Business Ethics and Conduct	NOV 2021
N/A	52.203-17 Contractor Whistleblower Rights (See DHS FAR Deviation 14-01 in full text below)	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	OCT 2018

☒	52.204-91 Contractor Identification	TBD
☐	52.209-6 Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment	JAN 2025
☐	52.209-9 Updates of Publicly Available Information Regarding Responsibility Matters	OCT 2018
☒	52.209-10 Prohibition on Contracting with Inverted Domestic Corporations	NOV 2015
☒	52.212-4 Contract Terms and Conditions - Commercial Products and Commercial Services (DEVIATION 25-21)	AUG 2025
☐	52.213-1 Fast Payment Procedures	MAY 2006
☐	52.219-4 Notice of Price Evaluation Preference for HUBZone Small Business Concerns	OCT 2022
☒	52.219-6 Notice of Total Small Business Set-Aside (possibly with Alt I)	NOV 2020
☒	52.219-8 Utilization of Small Business Concerns	JAN 2025
☐	52.219-9 Small Business Subcontracting Plan (possibly with Alts I, II, III, or IV)	JAN 2025
N/A	52.219-14 Limitations on Subcontracting (see DHS FAR Deviation 22-02 in full text below)	OCT 2022
☐	52.219-16 Liquidated Damages -- Subcontracting Plan	SEP 2021
☐	52.219-33 Nonmanufacturer Rule	SEP 2021
☒	52.222-3 Convict Labor	JUN 2003
☒	52.222-19 Child Labor--Cooperation with Authorities and Remedies	JAN 2025
☒	52.222-35 Equal Opportunity for Veterans (possibly with Alt I)	JUN 2020
☒	52.222-36 Equal Opportunity for Workers with Disabilities (possibly with Alt I)	JUN 2020
☒	52.222-37 Employment Reports on Veterans	JUN 2020
☒	52.222-40 Notification of Employee Rights Under the National Labor Relations Act	DEC 2010
☐	52.222-41 Service Contract Labor Standards	AUG 2018
☐	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)	AUG 2018
☐	52.222-44 Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment	MAY 2014
☒	52.222-50 Combating Trafficking in Persons (possibly with Alt I)	NOV 2021
☐	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
☐	52.222-53 Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements	MAY 2014
☒	52.222-54 Employment Eligibility Verification	JAN 2025

☐	52.222-62 Paid Sick Leave Under Executive Order 13706	JAN 2022
☐	52.223-11 Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons	MAY 2024
☐	52.223-12 Maintenance	MAY 2024
☐	52.223-20 Aerosols	MAY 2024
☐	52.223-21 Foams	MAY 2024
N/A	52.223-23 Sustainable Products and Services (see DHS FAR Deviation in full text below FEB 2025)	MAY 2024
N/A	52.224-3 Privacy Training (possibly with Alt I) (See DHS FAR Deviation 17-03 in full text below)	JAN 2017
☐	52.225-1 Buy American Supplies (possibly with Alt I)	OCT 2022
☐	52.225-3 Buy American-Free Trade Agreements-Israeli Trade Act (possibly with Alt I, II, III, or IV)	NOV 2023
☐	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	NOV 2007
☒	52.226-8 Encouraging Contractor Policies to Ban Text Messaging While Driving	MAY 2024
☐	52.229-12 Tax on Certain Foreign Procurements	FEB 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	MAY 2014
☒	52.232-40 Providing Accelerated Payments to Small Business subcontractors	MAR 2023
☐	52.233-3 Protest After Award	AUG 1996
☐	52.233-4 Applicable Law for Breach of Contract Claim	OCT 2004
☒	52.240-91 Security Prohibitions and Exclusions (possibly with Alt I)	TBD
☐	52.240-92 Security Requirements (possibly with Alt II)	TBD
☐	52.240-93 Basic Safeguarding of Covered Contractor Information Systems	TBD
☐	52.244-6 Subcontracts for Commercial Products and Commercial Services	JAN 2025

☐	52.247-64 Preference for Privately Owned U.S. Flag Commercial Vessels (possibly with Alt I, or II)	NOV 2021

The following FAR clauses are hereby incorporated in this Solicitation and the resulting Contract in full text:

FAR 52.203-17 Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights (Sept 2013) (DHS-USCG DEVIATION 14-01)

(a) This contract and employees working on this contract will be subject to the whistleblower rights and remedies in the enhancement of whistleblower protections for Contractor employees established at 10U.S.C. 2409 by section 827 of the NDAA for FY 2013 (Pub. L. 112-239) and FAR 3.908.

(b) The Contractor shall inform its employees in writing, in the predominant language of the workforce, of employee whistleblower rights and protections under 10 U.S.C. 2409, as described in section 3. 908 of the FAR.

(c) The Contractor shall insert the substance of this clause, including this paragraph (c), in all subcontracts over the simplified acquisition threshold.

(End of clause)

FAR 52.222-90 Addressing DEI Discrimination by Federal Contractors (AUG 2025)

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

Program participation means membership or participation in, or access or admission to: training, mentoring, or leadership development programs; educational opportunities; clubs; associations; or similar opportunities that are sponsored or established by the contractor or subcontractor.

Racially discriminatory diversity, equity, and inclusion (DEI) activities means disparate treatment based on race or ethnicity in the recruitment, employment (e.g., hiring, promotions), contracting (*e.g.*, vendor agreements), program participation, or allocation or deployment of an entity's resources.

(b) In connection with the performance of work under this contract, the Contractor agrees as follows:

(1) The Contractor will not engage in any racially discriminatory DEI activities;

(2) The Contractor will furnish all information and reports, including providing access to books, records, and accounts, as required by the Contracting Officer, for purposes of ascertaining compliance with this clause;

(3) In the event of the Contractor's or a subcontractor's noncompliance with this clause, this contract may be canceled, terminated, or suspended in whole or in part, and the Contractor or subcontractor may be declared ineligible for further Government contracts;

(4) The Contractor will report any subcontractor's known or reasonably knowable conduct that may violate this clause to the Contracting Officer and take any appropriate remedial actions directed by the Contracting Officer; and

(5) The Contractor will inform the Contracting Officer if a subcontractor sues the Contractor and the suit puts at issue, in any way, the validity of this clause.

(6) The Contractor recognizes that compliance with the requirements of this clause are material to the Government's payment decisions for purposes of 31 U.S.C. 3729(b)(4).

(c) The Contractor must include the substance of this clause, including this paragraph (c), in subcontracts at any tier, including those for commercial products and commercial services, except those where the place of delivery or performance is outside the United States.

(End of clause)

(End of FAR Clauses)

HOMELAND SECURITY ACQUISITION REGULATION (HSAR) CLAUSES

The following HSAR clauses are hereby incorporated in full text in this Solicitation addenda attached as necessary:

HSAR 3052.212-70 CONTRACT TERMS & CONDITIONS FOR DHS ACQUISITION OF COMMERCIAL ITEMS (JUL 2023)

The Contractor agrees to comply with any clause that is incorporated herein by reference to implement agency policy applicable to acquisition of commercial items or components. The clause in effect based on the applicable regulation cited on the date the solicitation is issued applies unless otherwise stated herein. The following clauses are incorporated by reference as indicated by the Contracting Officer:

Incorporated	Clause # and Title	Clause Date
☐	3052.203-70 Instructions for Contractor Disclosure of Violations	SEP 2012
☐	3052.205-70 Advertisements, Publicizing Awards, and Release	SEP 2012
☐	3052.211-70 Index for Specifications	DEC 2003
☐	3052.217-90 Delivery and Shifting of Vessel. (USCG)	DEC 2003
☐	3052.217-91 Performance. (USCG)	DEC 2003
☐	3052.217-92 Inspection and Manner of Doing Work. (USCG)	DEC 2003
☐	3052.217-93 Subcontracts. (USCG)	DEC 2003
☐	3052.217-94 Lay Days. (USCG)	DEC 2003
☐	3052.217-96 Title. (USCG)	DEC 2003
☐	3052.217-97 Discharge of Liens. (USCG)	DEC 2003

Incorporated	Clause # and Title	Clause Date
☐	3052.217-98 Delays. (USCG)	DEC 2003
☐	3052.217-99 Department of Labor Safety and Health Regulations for Ship Repair. (USCG)	DEC 2003
☐	3052.219-71 DHS Mentor Protégé Program. Follow: FAR Class Deviation 24-01	JUN 2006
☐	3052.222-70 Strikes or Picketing Affecting Timely Completion of the Contract Work.	DEC 2003
☐	3052.222-71 Strikes or Picketing Affecting Access to a DHS Facility.	DEC 2003
☐	3052.222-90 Local Hire. (USCG)	JUN 2006
☐	3052.223-90 Accident and Fire Reporting	DEC 2003
☐	3052.228-70 Insurance	DEC 2003
☐	3052.228-90 Notification of Miller Act Payment Bond Protection. (USCG)	DEC 2003
☐	3052.228-91 Loss of or Damage to Leased Aircraft. (USCG)	DEC 2003
☐	3052.228-93 Risk and Indemnities (USCG)	DEC 2003
☐	3052.235-70 Dissemination of Information – Educational Institutions	JUN 2006
☐	3052.236-70 Special Precautions for Work at Operating Airports	DEC 2003
☐	3052.242-72 Contracting Officer's Representative	DEC 2003
☐	3052.249-90 Contract Termination	MAR 2023

(End of HSAR Clauses)