Attachment E

Applicable FAR, HHSAR, and HHS Revolutionary FAR Overhaul (RFO) Clauses and Provisions

Medical Laboratory Staffing Services

Phoenix Area Indian Health Service

RFQ-26-PHX-051

The following Federal Acquisition Regulation (FAR), Health and Human Services Acquisition Regulation (HHSAR), and applicable HHS Revolutionary FAR Overhaul (RFO) class deviation provisions and clauses are incorporated into this solicitation and any resulting Blanket Purchase Agreement (BPA). Clauses incorporated by reference have the same force and effect as if set forth in full text.

A. FAR Clauses

Clause	Title	Date / Version
52.252-2	Clauses Incorporated by Reference	FEB 1998
52.252-6	Authorized Deviations in Clauses	NOV 2020
52.204-13	System for Award Management Maintenance	OCT 2018
52.232-33	Payment by Electronic Funds Transfer - System for Award Management	OCT 2018
52.212-4	Contract Terms and Conditions—Commercial Products and Commercial Services	APR 2026
52.216-18	Ordering	APR 1984
52.216-19	Ordering Limitations	OCT 1995
52.216-22	Indefinite Quantity	OCT 1995
52.222-90	Addressing DEI Discrimination by Federal Contractors	APR 2026 / DEVIATION
52.237-7	Indemnification and Medical Liability Insurance	Current RFO deviation as applicable

Clause	Title	Date / Version
52.203-3	Gratuities	APR 1984
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
52.204-10	Reporting Executive Compensation and First-Tier Subcontract Awards	JUN 2020
52.204-23	Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab Covered Entities	DEC 2023
52.204-25	Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment	NOV 2021 / current
52.209-10	Prohibition on Contracting with Inverted Domestic Corporations	NOV 2015
52.222-3	Convict Labor	JUN 2003
52.222-19	Child Labor - Cooperation with Authorities and Remedies	JAN 2022 / current
52.222-35	Equal Opportunity for Veterans	JUN 2020 / current RFO treatment
52.222-36	Equal Opportunity for Workers with Disabilities	JUN 2020 / current RFO treatment
52.222-37	Employment Reports on Veterans	JUN 2020 / current RFO treatment
52.222-50	Combating Trafficking in Persons	NOV 2021 / current
52.222-54	Employment Eligibility Verification	JAN 2025 / current
52.224-1	Privacy Act Notification	APR 1984
52.224-2	Privacy Act	APR 1984
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
52.239-1	Privacy or Security Safeguards	AUG 1996

B. HHSAR Clauses

Clause	Title	Date / Version
352.226-1	Indian Preference	DEC 2015
352.226-2	Indian Preference Program	DEC 2015
352.226-6	Indian Economic Enterprise Subcontracting Limitations	Current HHSAR text
352.232-71	Electronic Submission of Payment Requests	DEC 2015
352.223-70	Safety and Health	DEC 2015

C. RFO FAR Applicability

This solicitation and any resulting BPA incorporate applicable HHS-approved FAR Class Deviations in effect on the date of solicitation issuance. Where a clause has been revised by an approved HHS Class Deviation, the deviation shall govern to the extent applicable.

D. Full Text and Incorporation by Reference

The clauses identified in this attachment are incorporated by reference or in full text, as applicable, and form a part of this solicitation and any resulting Blanket Purchase Agreement (BPA). Clauses incorporated by reference have the same force and effect as if set forth in full text.

The following clauses are incorporated in full text because they contain agency-specific requirements or information that cannot be incorporated solely by reference:

FAR 52.222-42 — Statement of Equivalent Rates for Federal Hires (MAY 2014)

In compliance with the Service Contract Labor Standards statute and the regulations of the Secretary of Labor (29 CFR Part 4), this clause identifies the classes of service employees expected to be employed under the contract and states the wages and fringe benefits payable to each if they were employed by the contracting agency subject to 5 U.S.C. 5341 or 5332. This statement is for information only; it is not a wage determination.

Employee Class Medical Laboratory Technician (MLT)

(End of provision/clause)

HHSAR 352.226-4 — Notice of Indian Small Business Economic Enterprise Set-Aside (JAN 2022)

HHSAR 352.226-4 (provision) — HHSAR 326.604-2(e)

Under the Buy Indian Act, 25 U.S.C. 47, offers are solicited only from Indian Economic Enterprises (HHSAR 326.606) that are also small business concerns. Any acquisition resulting from this solicitation will be from such a concern. As required by HHSAR 352.226-7(b), offerors shall include a completed Indian Economic

Enterprise Representation form (available at www.IHS.gov/DAP) with the offer. Offers received from enterprises that are not both Indian Economic Enterprises and small business concerns will not be considered and will be rejected.

(End of provision/clause)

HHSAR 352.226-6 — Indian Economic Enterprise Subcontracting Limitations (JAN 2022)

HHSAR 352.226-6 (clause) — HHSAR 326.604-2(e)(3) / 326.605-1(b)

(a) Definitions apply as in HHSAR 326.601.

(b) The contractor must comply with FAR 52.219-14, Limitations on Subcontracting, in allocating subcontracted work, and shall not subcontract work exceeding the 52.219-14 limitations to any concern other than a responsible Indian Economic Enterprise.

(c) Work an IEE subcontractor does not perform with its own employees is treated as subcontracted work under 52.219-14.

(d) The contractor must cooperate in any compliance study or survey by the CO or IHS.

(e) The contractor must incorporate the substance of this clause, including this paragraph (e), in all covered subcontracts.

(End of provision/clause)

HHSAR 352.226-7 — Indian Economic Enterprise Representation (JAN 2022)

HHSAR 352.226-7 (provision) — HHSAR 326.604-2(e)(4) / 326.606-1

(a) The offeror must represent as part of its offer that it meets the IEE definition in HHSAR 326.601 and intends to meet it throughout performance, and must notify the CO immediately via email of any ownership change affecting this representation.

(b) The representation must be made on the designated IHS Indian Economic Enterprise Representation form (or successor).

(c) False or misleading information is punishable under 18 U.S.C. 1001; false claims are subject to 31 U.S.C. 3729-3731 and 18 U.S.C. 287.

(End of provision/clause)

HHSAR 352.232-71 Electronic submission of payment requests

Electronic Submission of Payment Requests

(a) Definitions. As used in this clause—

Payment request means a bill, voucher, invoice, or request for contract financing payment with associated supporting documentation. The payment request must comply with the requirements identified in FAR 32.905(b), “Content of Invoices” and the applicable Payment clause included in this contract.

(b) Except as provided in paragraph (c) of this clause, the Contractor shall submit payment requests electronically using the Department of Treasury Invoice Processing Platform (IPP) or successor system. Information regarding IPP, including IPP Customer Support contact information, is available at www.ipp.gov or any successor site.

(c) The Contractor may submit payment requests using other than IPP only when the Contracting Officer authorizes alternate procedures in writing in accordance with HHS procedures.

(d) If alternate payment procedures are authorized, the Contractor shall include a copy of the Contracting Officer's written authorization with each payment request.

(End of provision/clause)