

PART IV - REPRESENTATIONS AND INSTRUCTIONS
SECTION L - INSTRUCTIONS, CONDITIONS AND NOTICES TO OFFERORS

I. NOTICE: The following solicitation provisions pertinent to this section are hereby incorporated by reference:

A. FEDERAL ACQUISITION REGULATION SOLICITATION PROVISIONS

- 52.203-18 PROHIBITION ON CONTRACTING WITH ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS OR STATEMENTS - REPRESENTATION (JAN 2017)
- 52.204-07 SYSTEM FOR AWARD MANAGEMENT (OCT 2018)
- 52.211-14 NOTICE OF PRIORITY RATING FOR NATIONAL DEFENSE, EMERGENCY PREPAREDNESS, AND ENERGY PROGRAM USE (APR 2008)
Contracting Officer indicates DX or DO Rated Order: 'DO'
- 52.215-01 INSTRUCTIONS TO OFFERORS--COMPETITIVE ACQUISITION (NOV 2021)
- 52.215-01 INSTRUCTIONS TO OFFERORS--COMPETITIVE ACQUISITION (NOV 2021) - ALTERNATE I (OCT 1997)
- 52.215-16 FACILITIES CAPITAL COST OF MONEY (JUN 2003)
- 52.215-22 LIMITATIONS ON PASS-THROUGH CHARGES--IDENTIFICATION OF SUBCONTRACT EFFORT (OCT 2009)
Applies to Cost-Plus-Fixed-Fee CLIN(s), Cost-Plus-Incentive-Fee (Performance) CLIN(s), Cost-Plus-Award-Fee CLIN(s), Cost CLIN(s), Cost-Sharing CLIN(s) only.
- 52.216-01 TYPE OF CONTRACT (APR 1984)
Type of contract is 'TBD'
- 52.216-27 SINGLE OR MULTIPLE AWARDS (OCT 1995)
- 52.222-24 PREAWARD ON-SITE EQUAL OPPORTUNITY COMPLIANCE EVALUATION (FEB 1999)
- 52.222-56 CERTIFICATION REGARDING TRAFFICKING IN PERSONS COMPLIANCE PLAN (OCT 2020)
- 52.232-38 SUBMISSION OF ELECTRONIC FUNDS TRANSFER INFORMATION WITH OFFER (JUL 2013)
- 52.233-02 SERVICE OF PROTEST (SEP 2006)
Para (a) Official or location is 'See Block 5 of Cover Page'
- 52.237-01 SITE VISIT (APR 1984)

B. DEFENSE FEDERAL ACQUISITION REGULATION SUPPLEMENT SOLICITATION PROVISIONS

- 252.204-7019 NOTICE OF NIST SP 800-171 DOD ASSESSMENT REQUIREMENTS (MAR 2022)
- 252.215-7008 ONLY ONE OFFER (DEC 2022)
- 252.215-7009 PROPOSAL ADEQUACY CHECKLIST (JAN 2023)
- 252.215-7010 REQUIREMENTS FOR CERTIFIED COST OR PRICING DATA AND DATA OTHER THAN CERTIFIED COST OR PRICING DATA (JAN 2023)
- 252.215-7010 REQUIREMENTS FOR CERTIFIED COST OR PRICING DATA AND DATA OTHER THAN CERTIFIED COST OR PRICING DATA (DEVIATION 2023-O0004) (JAN 2023)
Para (c)(1), Cost or pricing data deemed necessary to establish price reasonableness '?????'
Para (e)(1)(i), Contracting Officer shall add paragraphs as necessary to identify each first-tier subcontract to which the authority of the Section 890 pilot has been flowed down, '?????'
- 252.215-7012 REQUIREMENTS FOR SUBMISSION OF PROPOSALS VIA ELECTRONIC MEDIA (JAN 2018)
Alt III, Para (c) Submit the cost portion of the proposal via the following electronic media: 'DoD SAFE'
- 252.215-7013 SUPPLIES AND SERVICES PROVIDED BY NONTRADITIONAL DEFENSE CONTRACTORS (JAN 2023)
- 252.215-7016 NOTIFICATION TO OFFERORS—POSTAWARD DEBRIEFINGS (DEC 2022)

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- 252.216-7002 ALTERNATE A, TIME-AND-MATERIALS/LABOR-HOUR PROPOSAL
REQUIREMENTS—OTHER THAN COMMERCIAL ACQUISITION WITH ADEQUATE
PRICE COMPETITION (JAN 2023)
252.227-7028 TECHNICAL DATA OR COMPUTER SOFTWARE PREVIOUSLY DELIVERED TO THE
GOVERNMENT (JUN 1995)

C. AIR FORCE FEDERAL ACQUISITION REGULATION SUPPLEMENT SOLICITATION PROVISIONS

- 5352.209-9001 POTENTIAL ORGANIZATIONAL CONFLICT OF INTEREST (OCT 2019)
Para (a). Nature of the proposed conflict. 'TBD'
Para (a)(1). Nature of proposed restraint and time period. 'TBD'

II. NOTICE: The following solicitation provisions pertinent to this section are hereby incorporated in full text:

FEDERAL ACQUISITION REGULATION SOLICITATION PROVISIONS IN FULL TEXT

52.252-01 SOLICITATION 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/browse/index/far>
<https://www.acquisition.gov/dfars>
<https://www.acquisition.gov/affars>

52.252-05 AUTHORIZED DEVIATIONS IN PROVISIONS (NOV 2020)

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

(b) The use in this solicitation of any Defense Federal Acquisition Regulation Supplement (48 CFR Chapter 2) provision with an authorized deviation is indicated by the addition of "(DEVIATION)" after the name of the regulation.

OTHER SOLICITATION PROVISIONS IN FULL TEXT

L011 APPLICABLE CLAUSES (APR 2013)

The appropriate clauses to be included in the contract will be determined based on Offeror's response to the Section K representations.

(a) Patent Rights. If the Offeror is a small business firm or nonprofit organization, then FAR 52.227-11, PATENT RIGHTS -- OWNERSHIP BY THE CONTRACTOR, and DFARS 252.227-7039, PATENTS - REPORTING OF SUBJECT INVENTIONS will be used in Section I. Otherwise, DFARS 252.227-7038, PATENT RIGHTS - OWNERSHIP BY THE CONTRACTOR (LARGE BUSINESS), will be included in Section I consistent with FAR Part 27.

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(b) Cost Accounting Standards. Section I of this solicitation may contain the three Cost Accounting Standards clauses at FAR 52.230-3, 52.230-4, 52.230-5, and/or 52.230-6. The resultant contract will contain only those clauses required based on the Offeror's response to the Section K certification titled Cost Accounting Standards Notices and Certification (National Defense).

(c) State of New Mexico. Section I of this solicitation may contain the clause at FAR 52.229-10, STATE OF NEW MEXICO GROSS RECEIPTS AND COMPENSATING TAX. The resultant contract will contain this clause only if performance is in whole or in part within the State of New Mexico and the contract directs or authorizes the contractor to acquire property as a direct cost under the contract.

(d) Educational institutions and nonprofit organizations. If a cost-reimbursement type contract is contemplated and the offeror is an educational institution, paragraph (a) of the clause at FAR 52.216-7, Allowable Cost and Payment shall be altered in the resultant contract to refer to FAR Subpart 31.3 for determining allowable costs. Similarly, if the offeror is a nonprofit organization (other than an educational institution, a State or local government, or a nonprofit organization exempted under OMB Circular No. A-122), paragraph (a) of the clause at FAR 52.216-7 shall be altered to refer to FAR Subpart 31.7. In addition, if the offeror is an educational institution, DFARS 252.209-7005, MILITARY RECRUITING ON CAMPUS, will be added to Section I of the resultant contract.

(e) Subcontracting Plan. DFARS 219.708 was amended to require the use of clause 252.219-7004, Small Business Subcontracting Plan (Test Program), instead of 252.219-7003, Small Business Subcontracting Plan (DoD Contracts), and FAR 52.219-9, Small Business Subcontracting Plan, in prime contracts with contractors that have comprehensive subcontracting plans approved under the test program described in DFARS 219.702. Also, include in the prime contract, solely for the purpose of flowing the clauses down to subcontractors, FAR clause 52.219-9, Small Business Subcontracting Plan, and 252.219-7003, or when contract will not be reported in FPDS, FAR clause 52.219-9, Small Business Subcontracting Plan with its Alternate III and 252.219-7003 Small Business Subcontracting Plan (DoD Contracts) with its Alternate I.

L021 SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS (OCT 2005)

FAR 52.219-9 AND DFARS 252.219-7003 are included in this solicitation and will be incorporated into any resultant contract. A subcontracting plan is required from all offerors other than small business concerns for proposals exceeding \$500,000 which contain subcontracting opportunities. The plan shall be submitted with the initial proposal and will be concurrently negotiated. If a cost proposal is required by this solicitation, it must relate to, and substantiate, the submissions under FAR 52.219-9(d). Also substantiate the reasonableness of any additional costs to be expended in pursuit of the small disadvantaged business goal. The offeror's submission must provide sufficient information to support the contracting officer's review of the subcontracting plan to determine: (a) if it is acceptable (otherwise an offeror will be ineligible to receive the contract award); and (b) if at the time of contract completion any small disadvantaged business subcontracting incentive or award fee has been earned. Contractors who have been selected for participation in the DoD test program authorized by Section 834 of Public Law 101-189 and who have approved comprehensive subcontracting plans are not required to negotiate subcontracting plans on an individual contract basis. If the offeror has an approved comprehensive subcontracting plan under the DoD test program, the offeror shall provide a copy of its approved comprehensive subcontracting plan in lieu of the individual plan required herein. Any contract resulting from this solicitation which includes a comprehensive subcontracting plan will include the clause at 252.219-7004, Small Business and Small Disadvantaged Business Subcontracting Plan (Test Program), in lieu of the clauses at FAR 52.219-9, and DFARS 252.219-7003.

L029 DETERMINATION OF COMPETITIVE RANGE (FEB 1997)

(a) Pursuant to FAR 15.306, the Contracting Officer's determination of competitive range of proposals submitted as a result of this solicitation will consider such criteria as technical evaluation/ranking of the proposal, initial cost/ price proposed, and other items set forth in Section M of

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this solicitation. See the Section M paragraph entitled "Evaluation Criteria," for a definitive listing of these criteria and their relative importance.

(b) Offerors are hereby advised that only those proposals determined to have a reasonable chance for award of a contract will be included in the competitive range. While every effort will be made to maintain strong competition, the Contracting Officer will also look to eliminate time consuming and unnecessary discussions with those offerors whose proposals have no reasonable chance for award. This procedure is considered beneficial to both the Air Force and the offerors involved since, in addition to saving further expenditure of resources, acquisition lead time should be reduced.

(c) Accordingly, offerors should submit initial proposals on their most favorable terms, from both a technical and cost/price standpoint. Again, it should be noted that proposals will not be included in the competitive range solely on the basis of technical acceptability, nor will they be included due to cost/price considerations alone.

(d) Offerors whose proposals are not included in the competitive range will be notified as soon as practicable. Additional information relative to such proposals will be provided through debriefing of unsuccessful offerors.

L037 DD FORM 1423 (FEB 1997)

(a) All technical data and identified administrative reports contractually required shall be supplied in accordance with attached CDRL or DD Form 1423.

(b) The offeror may propose alternative offers which recommend substitutions or eliminations of the stated requirements. Substantiate each recommendation and describe the projected savings that would result by accepting the alternative offer.

L045 ACCESS TO AIR FORCE COMPUTER SYSTEMS (FEB 2011)

If performance under this contract will require access to Air Force computer systems (stand alone or networked), compliance with Air Force Instruction (AFI) 33-119 and Air Force Instruction (AFI) 33-200 is mandatory. It should be noted that such access requires, at a minimum, a National Agency Check or Entrance National Agency Check in accordance with DoD 5200.2-R, Personal Security Program. Offerors should make themselves familiar with local procedures for processing such requirements, and be prepared to be in compliance on the first day of contract performance. Failure to comply with this requirement may be considered a failure to perform.