

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE		PAGE OF PAGES 1 21	
2. AMENDMENT/MODIFICATION NO. PO0021		3. EFFECTIVE DATE SEE BLOCK 16C	4. REQUISITION/PURCHASE REQUISITION NUMBER		5. PROJECT NO. (If Applicable)	
6. ISSUED BY: CODE		QT2F2BA	7. ADMINISTERED BY (If other than Item 6) CODE			
U.S. GENERAL SERVICES ADMINISTRATION IT SERVICES CONTRACT OPERATIONS DIVISION 333 WEST BROADWAY, STE. 950 SAN DIEGO, CA 92101-3805		8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) Empower AI, Inc. 11730 Plaza America Dr Ste 400 Reston, VA 20190-4764		(X)	9A. AMENDMENT OF SOLICITATION NUMBER	
					9B. DATED (SEE ITEM 11)	
				☒	10A. MODIFICATION OF CONTRACT/ORDER NO. 47QTCK18D0055	
CODE UEI: HC6QJAM2F4E3		FACILITY CODE CAGE: 0MX49			10B. DATED (SEE ITEM 13) 7/1/2018	

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers ☐ is extended ☐ is not extended.

Offer's must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning # copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS
IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

☐	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
☐	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).
☐	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
☒	D. OTHER - Bilateral, FAR 43.103(a)

E. IMPORTANT: Contractor ☐ is not ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)
Pursuant to the following FAR Class Deviations (CD):
CD-2025-04 and Supplement 1 for Revoked Executive Order 11246, Equal Employment Opportunity; and
CD-2025-05 for Revoked Executive Order 14057 for Federal Sustainability and Ending Procurement and Forced Use of Paper Straws
Payment:
Period of Performance: 07/01/2018 to 06/30/2028

SEE CONTINUATION PAGE 2

Except as provided herein, all terms and conditions of the document referenced in item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) Kimberly Sue Dobyns, Director of Contracts		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Melissa Suggs Contracting Officer	
15B. CONTRACTOR/OFFEROR Kimberly Sue Dobyns (Signature of person authorized to sign)		16B. DATE SIGNED Click here to enter text. March 27, 2025	
15C. DATE SIGNED Click here to enter text. March 27, 2025		16C. DATE SIGNED 3/31/2025	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE**Notice for CD-2025-04**

System updates may lag policy updates. The System for Award Management (SAM) may continue to require entities to complete representations based on provisions that are not included in agency solicitations. Examples include

- FAR 52.222-25, Affirmative Action Compliance
- FAR 52.212-3(d), Offeror Representations and Certifications—Commercial Products and Commercial Services.
- FAR 52.223-22, Public Disclosure of Greenhouse Gas Emissions and Reduction Goals—Representation

GSA will neither consider the representations when making award decisions nor enforce requirements. Entities are not required to, nor are they able to, update their entity registration to remove these representations in SAM.

Notice for CD-2025-05

As of February 15, 2025, FAR clauses and provisions covered under E.O. 11246, Equal Employment Opportunity, will no longer be enforced. Therefore, contractors and their subcontractors will not be held accountable for applying the FAR clauses or provisions outlined in FAR subpart 22.8 - Equal Employment Opportunity or the associated provisions and clauses prescribed at FAR 22.810. In addition, contractors will no longer be required to comply with the System for Award Management (SAM) representation requirements based on these provisions and clauses. Examples include:

- FAR 52.222-25, Affirmative Action Compliance, and
- FAR 52.212-3(d), Offeror Representations and Certifications— Commercial Products and Commercial Services.
- As of February 15, 2025, all uses of the term “gender identity” are not to be recognized or used prospectively by Federal contractors.

This notification does not affect:

- Any FAR subparts that are based on statute or are not covered by E.O. 11246 such as:
 - FAR subparts 22.13, Equal Opportunity for Veterans and its related clauses and provisions; and
 - FAR subpart 22.14, Employment of Workers and Disabilities;
- Existing U.S. laws on civil rights, nondiscrimination, or any laws that generally apply to a company regardless of whether it is a government contractor.

This modification DELETES the following clauses and provisions if currently incorporated into the contract:

- FAR 52.222-9, Apprentices and Trainees
- FAR 52.222-21, Prohibition of Segregated Facilities
- FAR 52.222-22, Previous Contracts and Compliance Reports
- FAR 52.222-23, Notice of Requirement for Affirmative Action To Ensure Equal Employment Opportunity for Construction
- FAR 52.222-24, Preaward On-Site Equal Opportunity Compliance Evaluation

- FAR 52.222-25, Affirmative Action Compliance
- FAR 52.222-26, Equal Opportunity
- FAR 52.222-27, Affirmative Action Compliance Requirements for Construction
- FAR 52.222-29, Notification of visa denial
- FAR 52.223-19, Compliance with Environmental Management Systems
- FAR 52.223-22, Public Disclosure of Greenhouse Gas Emissions and Reduction Goals Representation

This modification REPLACES any version of the following clauses and provisions currently incorporated into the contract with the deviation versions below (text provided).

- FAR 52.204-8 Annual Representations and Certifications (JAN 2025) (DEVIATION FEB 2025)
- FAR 52.212-3 Offeror Representations and Certifications Commercial Products and Commercial Services (MAY 2024) (DEVIATION FEB 2025)
- FAR 52.212-5 Contract Terms and Conditions Required To Implement Statutes or Executive Orders Commercial Products and Commercial Services (JAN 2025) (DEVIATION FEB 2025)
- FAR 52.213-4 Terms and Conditions Simplified Acquisitions (Other Than Commercial Products and Commercial Services) (JAN 2025) (DEVIATION FEB 2025)
- FAR 52.223-1 Biobased Product Certification (MAY 2024) (DEVIATION FEB 2025)
- FAR 52.223-2 Reporting of Biobased Products Under Service and Construction Contracts (MAY 2024) (DEVIATION FEB 2025)
- FAR 52.223-10 Waste Reduction Program (MAY 2024) (DEVIATION FEB 2025)
- FAR 52.223-23, Sustainable Products and Services (MAY 2024 (DEVIATION FEB 2025))
- FAR 52.244-6 Subcontracts for Commercial Products and Commercial Services (JAN 2025) (DEVIATION FEB 2025)

This contract modification is hereby incorporated into the contract.

This modification supersedes any previous version of the contract to the continuation page.

F.7.3 Table of Deliveries or Performance

Replace

ID	RFP SECTION/ TITLE	DELIVERABLE	FREQUENCY	DELIVER TO
13	G.25 Environmental Objectives and Requirements	1st Deliverable 2nd Deliverable 3rd Deliverable 4th Deliverable Reporting progress towards meeting the GHG reduction target(s)	1st Deliverable – Within 12 Months from the Notice to Proceed. 2nd Deliverable - Within 12 months after initially filed Disclosures. 3rd Deliverable - Within 24 months after initially filed	Online and notification to Alliant2@gsa.gov

			Disclosures. 4th Deliverable - Within 36 months after initially filed Disclosures. Within the 4th Deliverable, report annually on the Master Contract anniversary date, the progress towards meeting the GHG reduction target(s).	
--	--	--	---	--

With

ID	RFP SECTION/ TITLE	DELIVERABLE	FREQUENCY	DELIVER TO
13	G.25 Reserved	No deliverables		

Replace

G.6 TASK ORDER ORDERING CONTRACTING OFFICER (OCO)

As described in Section G.2, only an authorized user, who is a delegated OCO, may place and administer a Task Order under the Master Contract. A list of all delegated Ordering Contracting Officers will be provided to the GSA GWAC Contractors.

The OCO for each Task Order is the sole and exclusive government official with actual authority to take actions, which may bind the Government for that Task Order.

As a GSA GWAC delegated OCO, they are responsible for complying with all FAR-based rules when competing, awarding and administering Task Orders. The following list of duties (not all inclusive) represent key areas of OCO responsibility.

- Ensuring subcontracting efforts on Task Orders pursuant to the incorporated Master Contract Individual Subcontracting Plan;
- Addressing environmental objectives within Task Orders, if applicable;
- Monitoring, evaluating and reporting Task Order Contractor Performance;
- Responding to Freedom of Information Act (FOIA) requests for Task Orders;
- Approving Press Releases on Task Order Awards whenever requested by their Contractors;
- Task Order Closeout in accordance with FAR 4.804-5.

With

G.6 TASK ORDER ORDERING CONTRACTING OFFICER (OCO)

As described in Section G.2, only an authorized user, who is a delegated OCO, may place and administer a Task Order under the Master Contract. A list of all delegated Ordering Contracting Officers will be provided to the GSA GWAC Contractors.

The OCO for each Task Order is the sole and exclusive government official with actual authority to take actions, which may bind the Government for that Task Order.

As a GSA GWAC delegated OCO, they are responsible for complying with all FAR-based rules when competing, awarding and administering Task Orders. The following list of duties (not a complete list) represent key areas of OCO responsibility.

- Ensuring subcontracting efforts on Task Orders pursuant to the incorporated Master Contract Individual Subcontracting Plan;
- Monitoring, evaluating and reporting Task Order Contractor Performance;
- Responding to Freedom of Information Act (FOIA) requests for Task Orders;
- Approving Press Releases on Task Order Awards whenever requested by their Contractors;
- Task Order Closeout in accordance with FAR 4.804-5.

G.25 ENVIRONMENTAL OBJECTIVES AND REQUIREMENTS

In support of Executive Order 13834, Efficient Federal Operations, and other applicable statutes, regulations and Executive Orders, and in recognition that environmental damage and related supply chain risks, including from energy market volatility, greenhouse gas pollution, and electronic equipment manufacturing and disposal, have quantifiable costs and negative impacts on the economy and federal agency operations, it is the Government's intent to understand and reduce as far as practicable the energy and environmental impacts of IT services provided under this contract. Contractor shall provide evidence of ongoing measurement and reduction of the energy and environmental impacts of services provided, including but not limited to, use of energy and nonrenewable resources and emissions of carbon pollution, via annual Sustainable Practices and Impact Disclosures.

The Sustainable Practices and Impact Disclosures shall be submitted online using any of the systems listed below. These online reporting portals provide efficient means for contractors to share standardized Disclosures with the delegated GWAC Ordering Contracting Officers.

- a) Carbon Disclosure Project (CDP) www.cdp.net
- b) Posting the disclosure, or a link to the disclosure, on the Contractor's GWAC web site.

Not all individual content specified in the CDP reporting system is required by GSA. Detailed content required by GSA is specified under Milestone Deliverables below. Greenhouse gas inventories required under the Milestone Deliverables shall be prepared in accordance with the World Resources Institute/World Business Council for Sustainable Development Greenhouse Gas Protocol Corporate Accounting and Reporting Standard, ISO 14064 standard, or similar GHG reporting standard.

Within 12 months of the Master Contract Notice to Proceed, the contractor shall submit online its corporate-wide Sustainable Practices and Impact Disclosures, and provide notification to the GWAC Program at Alliant2@gsa.gov as to when the disclosure was submitted and the online reporting option used. Thereafter the Contractor shall update the Disclosure annually until the expiration of the Master Contract.

The value of the above disclosures is the methodical identification, quantification and management of use of energy and nonrenewable resources, emissions of pollutants, and opportunities to save money by improving contractor's energy efficiency and other aspects of corporate operations. GSA will review the Disclosures, and work with the Contractors to assist them in their identification of environmental and sustainability measures that best address GSA's environmental and climate change initiative goals.

The Contractor shall meet the following milestones with regard to contents of the annual Sustainable Practices and Impact Disclosures:

1. Within 12 months after the Notice to Proceed - initially filed Disclosures and all future Disclosures must be publicly available online via Contractor or third-party Web site
2. Within 12 months after initially filed Disclosures - Disclosures must include a complete Greenhouse Gas (GHG) inventory
3. Within 24 months after initially filed Disclosures - Disclosures must include a GHG reduction target(s) (either for reduction of absolute annual quantity of greenhouse gas emissions, and/or for reduction of "carbon intensity" i.e., reduction of carbon footprint per activity measure such as sales, number of employees, square feet of facilities, etc.)
4. Within 36 months after initially filed Disclosures - Disclosures must report on progress towards meeting the GHG reduction target(s), and as specified in Section F.7.

GHG inventories and targets referenced above must include Scope 1 and 2 GHG emissions. Inclusion of Scope 3 emissions categories is encouraged but not required. The Government will accept a disclosure from the Contractor's parent company in satisfaction of Milestone 1. For Milestones 2 and beyond, GSA will continue to accept a disclosure from the Contractor's parent company as long as the parent company's GHG emissions inventory boundaries (financial and geographic) include activities the Contractor performs under the GSA GWAC Task Orders. The Contractor shall be evaluated in the Contractor Performance Assessment Reporting System (CPARS) or another contract performance assessment report on its compliance to timely submission of the Sustainable Practices and Impact Disclosures and milestone deliverables.

With

G.25 RESERVED

I.2 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 online. See *Attachment J-8 Website References*. **Master Contract clauses apply as applicable.**

Table 1 - FAR 52.252-2 Clauses Incorporated by Reference

Delete the following clause or provision

Clause No.	Title	Date	FFP	Cost	TM	Master Contract
52.222-21	PROHIBITION OF SEGREGATED FACILITIES	APR 2015	X	X	X	X

Delete the following clause or provision

Clause No.	Title	Date	FFP	Cost	TM	Master Contract
52.222-26	EQUAL OPPORTUNITY	SEPT 2016	X	X	X	X

Delete the following clause or provision

Clause No.	Title	Date	FFP	Cost	TM	Master Contract
52.222-29	NOTIFICATION OF VISA DENIAL	APR 2015	X	X	X	X

Delete the following clause or provision

Clause No.	Title	Date	FFP	Cost	TM	Master Contract
52.223-2	AFFIRMATIVE PROCUREMENT OF BIOBASED PRODUCTS UNDER SERVICE AND CONSTRUCTION CONTRACTS	SEP 2013	X	X	X	X

Delete the following clause or provision

Clause No.	Title	Date	FFP	Cost	TM	Master Contract
52.223-10	WASTE REDUCTION PROGRAM	MAY 2011	X	X		

Delete the following clause or provision

Clause No.	Title	Date	FFP	Cost	TM	Master Contract
52.223-19	COMPLIANCE WITH ENVIRONMENTAL MANAGEMENT SYSTEMS	MAY 2011	X	X	X	X

Replace the following clause or provision

Clause No.	Title	Date	FFP	Cost	TM	Master Contract
52.244-6	SUBCONTRACTS FOR COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES	SEP 2023	X	X	X	X

With

Clause No.	Title	Date	FFP	Cost	TM	Master Contract
52.244-6	SUBCONTRACTS FOR COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES	(JAN 2025) (DEVIATION FEB 2025)	X	X	X	X

I.2.1 Acquisition of Commercial Items

The following clauses apply only to Orders that are for the acquisition of supplies or services that meet the definition of commercial items at FAR 2.101. They will be incorporated in full text into individual orders, as applicable.

Table 10 - FAR Clauses that Apply to the Acquisition of Commercial Items**Replace the following clause or provision**

Clause No.	Title	Date	FFP	Cost	TM	Master Contract
52.212-5	CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS—COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES	SEP 2023	X		X	
52.212-5	ALTERNATE I	FEB 2000	X		X	
52.212-5	ALTERNATE II	SEP 2023	X		X	

With

Clause No.	Title	Date	FFP	Cost	TM	Master Contract
52.212-5	CONTRACT TERMS AND CONDITIONS REQUIRED	(JAN 2025) (DEVIATION FEB 2025)	X		X	

	TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS— COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES					
52.212-5	ALTERNATE I	FEB 2000	X		X	
52.212-5	ALTERNATE II	SEP 2023	X		X	

Insert the Following Clause

I.6 52.204-8 Annual Representations and Certifications (Jan 2025) (DEVIATION FEB 2025

- (a) (1) The North American Industry Classification System (NAICS) code for this acquisition is _____ [insert NAICS code].
- (2) The small business size standard is _____ [insert size standard].
- (3) The small business size standard for a concern that submits an offer, other than on a construction or service acquisition, but proposes to furnish an end item that it did not itself manufacture, process, or produce is 500 employees, or 150 employees for information technology value-added resellers under NAICS code 541519 if the acquisition—
- (i) Is set aside for small business and has a value above the simplified acquisition threshold;
 - (ii) Uses the HUBZone price evaluation preference regardless of dollar value, unless the offeror waives the price evaluation preference; or
 - (iii) Is an 8(a), HUBZone, service-disabled veteran-owned, economically disadvantaged women-owned, or women-owned small business set-aside or sole-source award regardless of dollar value.
- (b) (1) If the provision at 52.204-7, System for Award Management, is included in this solicitation, paragraph (d) of this provision applies.
- (2) If the provision at 52.204-7, System for Award Management, is not included in this solicitation, and the Offeror has an active registration in the System for Award Management (SAM), the Offeror may choose to use paragraph (d) of this provision instead of completing the corresponding individual representations and certifications in the solicitation. The Offeror shall indicate which option applies by checking one of the following boxes:
- (i) ☐ Paragraph (d) applies.
 - (ii) ☐ Paragraph (d) does not apply and the offeror has completed the individual representations and certifications in the solicitation.
- (c) (1) The following representations or certifications in SAM are applicable to this solicitation as indicated:
- (i) 52.203-2, Certificate of Independent Price Determination. This provision applies to solicitations when a firm-fixed-price contract or fixed-price contract with economic price adjustment is contemplated, unless—
 - (A) The acquisition is to be made under the simplified acquisition procedures in part 13;
 - (B) The solicitation is a request for technical proposals under two-step sealed bidding procedures; or

- (C) The solicitation is for utility services for which rates are set by law or regulation.
- (ii) 52.203-11, Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions. This provision applies to solicitations expected to exceed \$150,000.
- (iii) 52.203-18, Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements or Statements-Representation. This provision applies to all solicitations.
- (iv) 52.204-3, Taxpayer Identification. This provision applies to solicitations that do not include the provision at 52.204-7, System for Award Management.
- (v) 52.204-5, Women-Owned Business (Other Than Small Business). This provision applies to solicitations that-
 - (A) Are not set aside for small business concerns;
 - (B) Exceed the simplified acquisition threshold; and
 - (C) Are for contracts that will be performed in the United States or its outlying areas.
- (vi) 52.204-26, Covered Telecommunications Equipment or Services-Representation. This provision applies to all solicitations.
- (vii) 52.209-2, Prohibition on Contracting with Inverted Domestic Corporations-Representation.
- (viii) 52.209-5, Certification Regarding Responsibility Matters. This provision applies to solicitations where the contract value is expected to exceed the simplified acquisition threshold.
- (ix) 52.209-11, Representation by Corporations Regarding Delinquent Tax Liability or a Felony Conviction under any Federal Law. This provision applies to all solicitations.
- (x) 52.214-14, Place of Performance-Sealed Bidding. This provision applies to invitations for bids except those in which the place of performance is specified by the Government.
- (xi) 52.215-6, Place of Performance. This provision applies to solicitations unless the place of performance is specified by the Government.
- (xii) 52.219-1, Small Business Program Representations (Basic, Alternates I, and II). This provision applies to solicitations when the contract is for supplies to be delivered or services to be performed in the United States or its outlying areas, or when the contracting officer has applied part 19 in accordance with 19.000(b)(1)(ii).
 - (A) The basic provision applies when the solicitations are issued by other than DoD, NASA, and the Coast Guard.
 - (B) The provision with its Alternate I applies to solicitations issued by DoD, NASA, or the Coast Guard.
 - (C) The provision with its Alternate II applies to solicitations that will result in a multiple-award contract with more than one NAICS code assigned.
- (xiii) 52.219-2, Equal Low Bids. This provision applies to solicitations when contracting by sealed bidding and the contract is for supplies to be delivered or services to be performed in the United States or its outlying areas, or when the contracting officer has applied part 19 in accordance with 19.000(b)(1)(ii).
- (xiv) [Reserved]
- (xv) [Reserved]
- (xvi) 52.222-38, Compliance with Veterans' Employment Reporting Requirements. This provision applies to solicitations when it is anticipated the contract award will exceed the simplified acquisition threshold and the contract is not for acquisition of commercial products or commercial services.

(xvii) 52.223-1, Biobased Product Certification. This provision applies to solicitations that require the delivery or specify the use of biobased products in USDA-designated product categories; or include the clause at 52.223-2, Reporting of Biobased Products Under Service and Construction Contracts.

(xviii) 52.223-4, Recovered Material Certification. This provision applies to solicitations that are for, or specify the use of, EPA-designated items.

(xix) [Reserved]

(xx) 52.225-2, Buy American Certificate. This provision applies to solicitations containing the clause at 52.225-1.

(xxi) 52.225-4, Buy American-Free Trade Agreements-Israeli Trade Act Certificate. (Basic, Alternates II and III.) This provision applies to solicitations containing the clause at 52.225-3.

(A) If the acquisition value is less than \$50,000, the basic provision applies.

(B) If the acquisition value is \$50,000 or more but is less than \$100,000, the provision with its Alternate II applies.

(C) If the acquisition value is \$100,000 or more but is less than \$102,280, the provision with its Alternate III applies.

(xxii) 52.225-6, Trade Agreements Certificate. This provision applies to solicitations containing the clause at 52.225-5.

(xxiii) 52.225-20, Prohibition on Conducting Restricted Business Operations in Sudan-Certification. This provision applies to all solicitations.

(xxiv) 52.225-25, Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran-Representation and Certifications. This provision applies to all solicitations.

(xxv) 52.226-2, Historically Black College or University and Minority Institution Representation. This provision applies to solicitations for research, studies, supplies, or services of the type normally acquired from higher educational institutions.

(2) The following representations or certifications are applicable as indicated by the Contracting Officer:

[Contracting Officer check as appropriate.]

☐ (i) 52.204-17, Ownership or Control of Offeror.

☐ (ii) 52.204-20, Predecessor of Offeror.

☐ (iii) 52.222-18, Certification Regarding Knowledge of Child Labor for Listed End Products.

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

☐ (v) 52.222-52, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Certification.

☐ (vi) 52.227-6, Royalty Information.

☐ (A) Basic.

☐ (B) Alternate I.

☐ (vii) 52.227-15, Representation of Limited Rights Data and Restricted Computer Software.

(d) The offeror has completed the annual representations and certifications electronically in SAM website accessed through <https://www.sam.gov>. After reviewing the SAM information, the offeror verifies by submission of the offer that the representations and certifications currently posted electronically that apply to this solicitation as indicated in paragraph (c) of this provision have been entered or updated within the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the business size standard applicable to the NAICS code referenced for this solicitation), as of the date of this offer and are incorporated in

this offer by reference (see FAR 4.1201); except for the changes identified below [offeror to insert changes, identifying change by clause number, title, date]. These amended representation(s) and/or certification(s) are also incorporated in this offer and are current, accurate, and complete as of the date of this offer.

FAR Clause # Title Date Change

Any changes provided by the offeror are applicable to this solicitation only, and do not result in an update to the representations and certifications posted on SAM.
(End of Provision)

Alternate I (MAR 2023)

(a)(1) The North American Industry Classification System (NAICS) codes and corresponding size standards for this acquisition are as follows; the categories or portions these NAICS codes are assigned to are specified elsewhere in the solicitation:

NAICS Code	Size standard
_____	_____
_____	_____
_____	_____

[Contracting Officer to insert NAICS codes and size standards].

(2) The small business size standard for a concern that submits an offer, other than on a construction or service acquisition, but proposes to furnish an end item that it did not itself manufacture, process, or produce, (i.e., nonmanufacturer), is 500 employees, or 150 employees for information technology value-added resellers under NAICS code 541519, if the acquisition—

- (i) Is set aside for small business and has a value above the simplified acquisition threshold;
- (ii) Uses the HUBZone price evaluation preference regardless of dollar value, unless the offeror waives the price evaluation preference; or

(iii) Is an 8(a), HUBZone, service-disabled veteran-owned, economically disadvantaged women-owned, or women-owned small business set-aside or sole-source award regardless of dollar value.

End of Clause

Deviated Regulations (full text for all deviated regulations is also [here](#)):

FAR 52.204-8 Annual Representations and Certifications. (Jan 2025)[(DEVIATION FEB 2025)]

(c)(1) The following representations or certifications in SAM are applicable to this solicitation as indicated:

(xiv) **[Reserved]**

(xv) **[Reserved]**

FAR 52.212-3 Offeror Representations and Certifications — Commercial Products and Commercial Services. (MAY 2024)[(DEVIATION FEB 2025)]

(d) **[Reserved]**

FAR 52.212-5 Contract Terms and Conditions Required To Implement Statutes or Executive Orders—Commercial Products and Commercial Services. (JAN 2025)[(DEVIATION FEB 2025)]

(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.]

__(46) 52.223-23, Sustainable Products and Services (MAY 2024 [(DEVIATION FEB 2025)])

(7 U.S.C. 8102, 42 U.S.C. 6962, 42 U.S.C. 8259b, and 42 U.S.C. 7671l)

(e)(1)

(ix) **[Reserved]**

(x) **[Reserved]**

Alternate II

(I) **[Reserved]**

(J) **[Reserved]**

FAR 52.213-4 Terms and Conditions-Simplified Acquisitions (Other Than Commercial Products and Commercial Services (JAN 2025) **[(DEVIATION FEB 2025)]**

(a)

(1)

(vii) **[Reserved]**

(viii) **[Reserved]**

(b) The Contractor shall comply with the following FAR clauses, incorporated by reference, unless the circumstances do not apply:

(1) The clauses listed below implement provisions of law or Executive order:

(xvii) 52.223-23, Sustainable Products and Services (MAY 2024 **[(DEVIATION FEB 2025)]** (7 U.S.C. 8102, 42 U.S.C. 6962, 42 U.S.C. 8259b, and 42 U.S.C. 7671l) (Applies to contracts when the agency identifies in the statement of work, or elsewhere in the contract, the sustainable products and services that apply to the acquisition).

FAR 52.222-9 Apprentices and Trainees (JUL 2005)(DEVIATION FEB 2025)

(c) [Removed]

(End of Revised Far Text)

Full Text Deviated Regulations:

FAR 52.223-1 Biobased Product Certification (MAY 2024)(DEVIATION FEB 2025)

As required by the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101(4)) and the Energy Policy Act of 2005 (7 U.S.C. 8102(a)(2)(F)), the offeror certifies, by signing this offer, that biobased products (within categories of products listed by the United States Department of Agriculture in at <https://www.biopreferred.gov/resources/categories.html>) to be used or delivered in the performance of the contract, other than biobased products that are not purchased by the offeror as a direct result of this contract, will comply with the applicable specifications or other contractual requirements.

End of provision

FAR 52.223-2 Reporting of Biobased Products Under Service and Construction Contracts (MAY 2024)(DEVIATION FEB 2025)

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

Biobased product means a product determined by the U.S. Department of Agriculture (USDA) to be a commercial product or industrial product (other than food or feed) that is composed, in whole or in significant part, of biological products, including renewable domestic agricultural materials and forestry materials, or that is an intermediate ingredient or feedstock. The term includes, with respect to forestry materials, forest products that meet biobased content requirements, notwithstanding the market share the product holds, the age of the product, or whether the market for the product is new or emerging. (7 U.S.C. 8101)(7 CFR 4270.2).

USDA-designated product category means a generic grouping of products that are or can be made with biobased materials—

(1) That are listed by USDA in a procurement guideline available at

<https://www.biopreferred.gov/resources/categories.html>; and

(2) For which USDA has provided purchasing recommendations available at <https://www.biopreferred.gov> or 7 CFR part 4270.

(b) The Contractor shall report to <https://www.sam.gov>, with a copy to the Contracting Officer, on the product types and dollar value of any biobased products in USDA-designated product categories purchased by the Contractor during the previous Government fiscal year, between October 1 and September 30; and

(c) Submit this report no later than—

(1) October 31 of each year during contract performance; and

(2) At the end of contract performance.

End of clause

FAR 52.223-10 Waste Reduction Program (MAY 2024) (DEVIATION FEB 2025)

(a) Definitions. As used in this clause—

Recycling means the series of activities, including collection, separation, and processing, by which products or other materials are recovered from the solid waste stream for use in the form of raw materials in the manufacture of products other than fuel for producing heat or power by combustion.

Waste prevention means any change in the design, manufacturing, purchase, or use of materials or products (including packaging) to reduce their amount or toxicity before they are discarded. Waste prevention also refers to the reuse of products or materials.

Waste reduction means preventing or decreasing the amount of waste being generated through waste prevention, recycling, or purchasing recycled and environmentally preferable products.

(b) The Contractor shall establish a program to promote cost-effective waste reduction in all operations and

facilities covered by this contract. The Contractor's programs shall comply with applicable Federal, State, and local requirements, specifically including Section 6002 of the Resource Conservation and Recovery Act (42 U.S.C. 6962, et seq.) and implementing regulations (40 CFR part 247).

End of clause

FAR 52.223-23 Sustainable Products and Services(MAY 2024)(DEVIATION FEB 2025)

(a) Definitions. As used in this clause—

Biobased product means a product determined by the U.S. Department of Agriculture (USDA) to be a commercial product or industrial product (other than food or feed) that is composed, in whole or in significant part, of biological products, including renewable domestic agricultural materials and forestry materials, or that is an intermediate ingredient or feedstock. The term includes, with respect to forestry materials, forest products that meet biobased content requirements, notwithstanding the market share the product holds, the age of the product, or whether the market for the product is new or emerging. (7 U.S.C. 8101) (7 CFR part 4270.2).

Recovered material means waste materials and by-products recovered or diverted from solid waste, but the term does not include those materials and by-products generated from, and commonly reused within, an original manufacturing process. (42 U.S.C. 6903).

Sustainable products and services means

- (1) Products containing recovered material designated by the U.S. Environmental Protection Agency (EPA) under the Comprehensive Procurement Guidelines (42 U.S.C. 6962) (40 CFR part 247) (<https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program#products>).
- (2) Energy- and water-efficient products that are ENERGY STAR® certified or Federal Energy Management Program (FEMP)-designated products (42 U.S.C. 8259b) (10 CFR part 436, subpart C) (<https://www.energy.gov/eere/femp/search-energy-efficient-products> and <https://www.energystar.gov/products?s=mega>).

- (3) Biobased products meeting the content requirement of the USDA under the BioPreferred® program (7 U.S.C. 8102) (7 CFR part 4270) (<https://www.biopreferred.gov>).
- (4) Acceptable chemicals, products, and manufacturing processes listed under EPA's Significant New Alternatives Policy (SNAP) program, which ensures a safe and smooth transition away from substances that contribute to the depletion of stratospheric ozone (42 U.S.C. 76711) (40 CFR part 82, subpart G) (<https://www.epa.gov/snap>).

(b) Requirements.

(1) The sustainable products and services, including the purchasing program and type of product or service, that are applicable to this contract, and any products or services that are not subject to this clause, will be set forth in the statement of work or elsewhere in the contract.

(2) The Contractor shall ensure that the sustainable products and services required by this contract are—

(i) Delivered to the Government;

(ii) Furnished for use by the Government;

(iii) Incorporated into the construction of a public building or public work; and

(iv) Furnished for use in performing services under this contract, where the cost of the products is a direct cost to this contract (versus costs which are normally applied to the Contractor's general and administrative expenses or indirect costs). This includes services performed by contractors performing management and operation of Government-owned facilities to the same extent that, at the time of award, an agency would be required to comply if an agency operated or supported the facility.

(c) Resource. The Green Procurement Compilation (GPC) available at <https://sftool.gov/greenprocurement> provides a comprehensive list of sustainable products and services and sustainable acquisition guidance. The Contractor should review the GPC when determining which statutory purchasing programs apply to a specific product or service.

End of clause

FAR 52.244-6 Subcontracts for Commercial Products and Commercial Services (JAN 2025)(DEVIATION FEB 2025)

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

Commercial product, commercial service and commercially available off-the-shelf item have the meanings contained in Federal Acquisition Regulation (FAR) [2.101](#).

Subcontract includes a transfer of commercial products or commercial services between divisions, subsidiaries, or affiliates of the Contractor or subcontractor at any tier.

(b) To the maximum extent practicable, the Contractor shall incorporate, and require its subcontractors at all tiers to incorporate, commercial products, commercial services, or non-developmental items as components of items to be supplied under this contract.

(c) (1) The Contractor shall insert the following clauses in subcontracts for commercial products or commercial services:

(i) [52.203-13](#), Contractor Code of Business Ethics and Conduct (Nov 2021) (41 U.S.C. 3509), if the subcontract exceeds the threshold specified in FAR [3.1004](#)(a) on the date of subcontract award, and has a performance period of more than 120 days. In altering this clause to identify the appropriate parties, all disclosures of violation of the civil False

Claims Act or of Federal criminal law shall be directed to the agency Office of the Inspector General, with a copy to the Contracting Officer.

(ii) [52.203-15](#), Whistleblower Protections Under the American Recovery and Reinvestment Act of 2009 (JUN 2010) (Section 1553 of Pub. L. 111-5), if the subcontract is funded under the Recovery Act.

(iii) [52.203-17](#), Contractor Employee Whistleblower Rights (Nov 2023) ([41 U.S.C. 4712](#)); this clause does not apply to contracts of DoD, NASA, the Coast Guard, or applicable elements of the intelligence community—see FAR [3.900](#)(a).

(iv) [52.203-19](#), Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (JAN 2017).

(v) [52.204-21](#), Basic Safeguarding of Covered Contractor Information Systems (Nov2021) ,

other than subcontracts for commercially available off-the-shelf items, if flow down is required in accordance with paragraph (c) of FAR clause [52.204-21](#).

(vi) [52.204-23](#), Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab Covered Entities (DEC 2023) (Section 1634 of Pub. L. 115-91).

(vii) [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).

(viii) [52.204-27](#), Prohibition on a ByteDance Covered Application (JUN 2023) (Section 102 of Division R of Pub. L. 117-328).

(ix)(A) [52.204-30](#), Federal Acquisition Supply Chain Security Act Orders—Prohibition. (DEC 2023) ([Pub. L. 115–390](#), title II).

(B) Alternate I (DEC 2023) of [52.204-30](#).

(x) [52.219-8](#), Utilization of Small Business Concerns (JAN 2025) ([15 U.S.C.637](#)(d)(2) and (3)), if the subcontract offers 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.

(xi) [Reserved].

(xii) [Reserved].

(xiii) [52.222-35](#), Equal Opportunity for Veterans (JUN 2020) (38 U.S.C.4212(a));

(xiv) [52.222-36](#), Equal Opportunity for Workers with Disabilities (JUN 2020)(29 U.S.C.793).

(xv) [52.222-37](#), Employment Reports on Veterans (JUN 2020) (38 U.S.C.4212).

(xvi) [52.222-40](#), Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496), if flow down is required in accordance with paragraph (f) of FAR clause [52.222-40](#).

(xvii)(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). (xviii) [52.222-55](#), Minimum Wages for Contractor Workers under Executive Order 14026 (JAN 2022), if flow down is required in accordance with paragraph (k) of FAR clause [52.222-55](#).

(xix) [52.222-62](#), Paid Sick Leave Under Executive Order 13706 (JAN 2022) (E.O. 13706), if flow down is required in accordance with paragraph (m) of FAR clause [52.222-62](#).

(xx)(A) [52.224-3](#), Privacy Training (JAN 2017) ([5 U.S.C. 552a](#)) if flow down is required in accordance with [52.224-3\(f\)](#).

(B) Alternate I (JAN 2017) of [52.224-3](#), if flow down is required in accordance with [52.224-3\(f\)](#) and the agency specifies that only its agency-provided training is acceptable).

(xxi) [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. Subtitle A, Part V, Subpart G Note).

(xxii) [52.232-40](#), Providing Accelerated Payments to Small Business Subcontractors (MAR 2023) , if flow down is required in accordance with paragraph (c) of FAR clause [52.232-40](#).

(xxiii) 52.240-1, Prohibition on Unmanned Aircraft Systems Manufactured or Assembled by American Security Drone Act-Covered Foreign Entities (Nov 2024) (Sections 1821- 1826, Pub. L. 118-31, 41 U.S.C. 3901 note prec.).

(xxiv) [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), if flow down is required in accordance with paragraph (d) of FAR clause [52.247-64](#).

(2) While not required, the Contractor may flow down to subcontracts for commercial products or commercial services a minimal number of additional clauses necessary to satisfy its contractual obligations.

(d) The Contractor shall include the terms of this clause, including this paragraph (d), in subcontracts awarded under this contract.

End of clause