



Request For Proposal
Subsea Cable Permitting
Nome to Homer Express Project

Quintillion
201 East 56th Avenue, Suite 300
Anchorage, AK 99518

Due Date: October 30th, 2023

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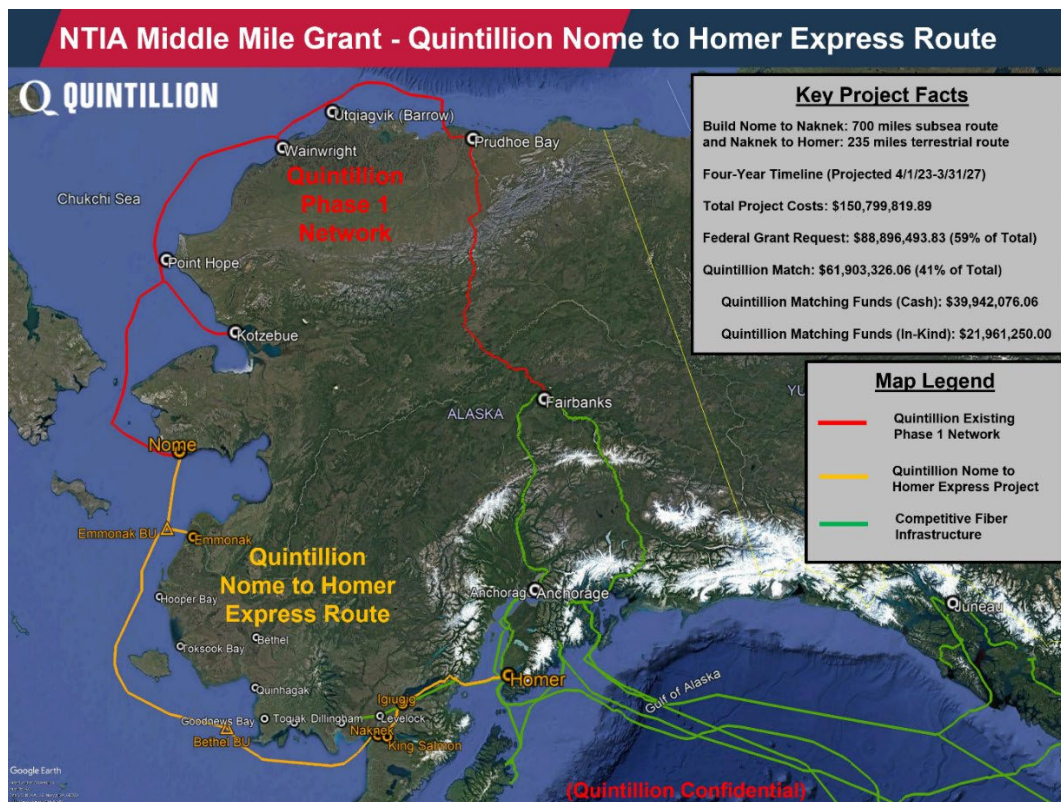
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1. PURPOSE:

This RFP outlines the scope of work required to obtain the necessary permits and regulatory authorizations for the installation of a subsea cable system for the Nome to Homer express Fiber Optic Cable Project. The successful bidder will be responsible for navigating the complex regulatory landscape, engaging with relevant stakeholders, and ensuring compliance with all applicable local, national, and international regulations.

2. BACKGROUND

Quintillion was awarded a National Telecommunications and Information Administration (NTIA) Middle Mile Grant for construction of middle mile subsea fiber optic cable network. This project- Nome to Homer Express, extends Quintillion's existing subsea and terrestrial network south from Nome to Homer and completes a ring, closing Quintillion's Alaska loop with a redundant fiber ring will improve network resiliency for all carriers and end users, greatly enhancing Alaska's diverse broadband access to the world at large.



3. SCOPE OF WORK

Conduct a comprehensive assessment of all relevant local, national, and international regulations pertaining to subsea cable installation. Identify the specific permits, licenses, and approvals required for the project. A detailed chart outlining potential permits, along with their corresponding regulatory agencies is provided in Exhibit A.

Prepare all necessary documentation for permit applications, including forms, technical specifications, environmental impact assessments, and any other required materials. Ensure that all documentation is complete, accurate, and tailored to the requirements of each regulatory authority.

Engage with key stakeholders, such as government agencies, environmental organizations, local communities, and potential cable users. Develop a stakeholder engagement plan that outlines communication strategies, consultation methods, and steps for addressing concerns.

Submit permit applications to the appropriate regulatory authorities within their stipulated deadlines. Actively engage with these authorities to address inquiries, provide additional information, and ensure a smooth review process.

Develop a detailed project timeline that outlines key milestones, including permit application deadlines, stakeholder engagement events, and regulatory approval dates.

The selected bidder will be responsible for providing the following deliverables upon successful completion of the project:

- Comprehensive regulatory analysis and compliance report.
- Stakeholder engagement documentation and records.
- Completed permit applications and approvals.

4. REQUIREMENTS

This Request for Proposal represents the requirements for an open and competitive process.

If the organization submitting a proposal must outsource or contract any work to meet the requirements contained herein, this must be clearly stated in the proposal. Additionally, all costs included in proposals must be all-inclusive to include any outsourced or contracted work. Any proposals which call for outsourcing or contracting work must include the name and description of the organizations being contracted.

All costs must be itemized to include an explanation of all fees and costs. Time and material proposals must include a not-to-exceed amount to accomplish the specified scope of work.

5. CONTRACT TERMS AND CONDITIONS

If not executed already, Bidder shall sign a Non-Disclosure Agreement upon selection of its proposal and before contract negotiations.

All submitted proposals and related communications will be treated as confidential.

Selected Bidder agrees to recognize and comply with all applicable standards, orders or regulations issued pursuant to Appendix II of 2 CFR Part 200 (Exhibit B).

Additional Contract terms and conditions will be negotiated upon selection of the selected bidder for this RFP. All contractual terms and conditions will be subject to review and will include scope, budget, schedule, and other necessary items pertaining to the project.

6. INSURANCE REQUIREMENTS

Selected Bidder, at its sole cost and expense, shall provide proof of insurance, upon execution of the Agreement by submitting a Certificate of Insurance to Quintillion. As a minimum, Selected Bidder shall provide and maintain insurance consistent with industry practice, required by law and the following minimum types and limits of insurance in compliance with all applicable laws with insurance carriers satisfactory to Quintillion.

- Workers Compensation Insurance, with statutory limits for each jurisdiction in which any part of the Work is furnished and including when applicable, Longshoremen's and Harborworkers' and/or Jones Act Insurance coverage;
- Employer's Liability Insurance with single limits of not less than \$1,000,000 each accident/each disease – each employee/each disease;
- Commercial Automobile Liability Insurance covering all vehicles used in the operations of Contractor with single limits of not less than \$1,000,000 each occurrence and in the aggregate, such policy to be endorsed with MCS-90 when hazardous material transportation is involved;
- Commercial General Liability Insurance (including, but not limited to, blanket contractual liability) with combined bodily/personal injury, death and property damage single limits of not less than \$2,000,000 each occurrence and in the aggregate; and

To the fullest extent permitted by applicable law and to the extent of the obligations expressly assumed by Bidder hereunder, all insurance policies maintained by Selected Bidder in accordance with the requirements set forth above shall include Quintillion and its affiliates as additional insured (except Workers' Compensation) and include a waiver of subrogation in favor of Quintillion. Bidder's insurance shall be regarded as primary and non-contributory with respect to the work outlined in this RFP and the Agreement

7. PROPOSAL EVALUATION CRITERIA

To ensure consideration for this Request for Proposal, your proposal should be complete and include all of the following criteria:

- Overall proposal suitability: proposed solution(s) must meet the scope and needs included herein and be presented in a clear and organized manner.
- Organizational Experience: Bidders will be evaluated on their experience as it pertains to the scope of this project.
- Previous work: Bidders will be evaluated on examples of their work pertaining to marine maintenance and references.
- Value and cost: Bidders will be evaluated on the cost of their solution(s) based on the work to be performed in accordance with the scope of this project.
- Technical expertise and experience: Bidders must provide descriptions and documentation of staff technical expertise and experience.
- Workforce continuity: Please describe the steps taken to ensure the project has ready access to a sufficient supply of appropriately skilled and unskilled labor to ensure work is completed skillfully and that your organization is capable of carrying out the proposed project in a competent manner, include your plan to attract or retain an appropriate skilled and credentialed workforce.

8. RFP TIMELINE

All proposals in response to this RFP are due no later than 5pm Alaska Standard Time (AST) **October 30th, 2023**.

Evaluation of proposals will be conducted from **October 30th, 2023**, until **November 10, 2023**. If additional information or discussions are needed with any bidders during this window, the bidder(s) will be notified.

The selection decision for the winning bidder will be made no later than **November 10, 2023**.

Upon notification, the contract negotiation with the selected bidder will begin immediately.

Quintillion reserves the right to select or reject any and all proposals for any reason, waive irregularities and waive minor deviations from the specifications.

9. SUBMISSION PROCEDURES

Proposals must be received by e-mail to the below addresses:

Mpeterson@quintillionglobal.com
ddean@quintillionglobal.com
amaduakor@quintillionglobal.com

Subject Line: RFP Subsea Cable Permitting

Proposals must include the name and address of bidder. All proposals must be signed by an official agent or representative of the company submitting the proposal. All proposals must be complete and irrevocable for 30 days following the submission date.

Modifications to bids already submitted will be allowed if submitted in writing prior to the deadline for submittal in the Request for Proposals.

Proposals are to be prepared in such a way to provide a straightforward, concise delineation of Bidder's capabilities to satisfy the requirements of this RFP.

Any bid received after the time and date specified shall not be considered.

Bidder shall be deemed to have notice of and to have fully examined all of the documentation relative to this Request for Quotation and to have fully considered the risks, contingencies and other circumstances which could affect its Quotation.

Quintillion will not entertain any claim on the part of Bidder or of the eventual contractor, based on a misunderstanding or misconception on their part of the requirements set forth herein.

While all reasonable endeavors have been made to accurately inform the Bidder of the requirements, Bidder must form their own conclusions about the methods and resources needed to meet these requirements.

Bidder shall not be reimbursed by Quintillion for any costs, direct or indirect, incurred as a result of the preparation of their Quotation, including but not limited to, any activities required to support the Quotation during the evaluation process or arising from any termination, amendment or variation of the procedure described herein, nor will Quintillion incur any liabilities for Bidders' efforts in responding in any way to this Request for Quotation.

Nothing herein contained or in any other communication between Quintillion and the Bidder shall be deemed to constitute a contract, agreement or representation that any contract shall be awarded pursuant to this Request for Quotation.

10.QUESTIONS

All questions regarding this RFP must be submitted by October 20, 2023. Questions must be submitted, in written form to:

Mpeterson@quintillionglobal.com

ddean@quintillionglobal.com

EXHIBIT A

Summary of Permitting Framework

	PERMIT / AUTHORIZATIONS	TRIGGERS	APPLICABLE PROJECT COMPONENTS	REQUIRED FOR PERMIT	REGULATORY REVIEW TIME
USACE	CWA Section 404 IP	Dredge and/or fill in jurisdictional waters of the US including wetlands to the 3 Mile territorial sea boundary	Dredging, trenching or depositing fill into waters of the US; including HDD, BMH excavation; seafloor trenching and spoils management.	Detailed Project Description; Mitigation Statement; wetland site assessment may be required.	90-180 days once application is deemed complete (includes public comment period, agency consultation, EA drafting); if EIS is required it can be 18 months; IP is valid for 5 years from date of issuance
USACE	RHA Section 10 IP	Installation of any structures and/or work in, or affecting navigable waters of the US	Activities and structures in navigable waters of the US	Detailed Project Description; Mitigation Statement; navigation assessment may be required	90-180 days once application is deemed complete (includes public comment period, agency consultation, EA drafting); if EIS is required it can be 18 months; IP is valid for 5 years from date of issuance
USACE	CWA Section 404; RHA Section 10 NWP,57 Utility Activities	Onshore activities that result in discharge to waters of the US ½ acre (0.2 ha), or less. PCN required if activity will result in the loss of greater than 1/10- acre (0.04 ha) of wetlands	Minor trenching, HDD and BMH.	If an individual Section 10 or Section 404 permit is required, NWP's are not applicable.	PCN is required to comply with general condition 18 if endangered species or their habitat is within the project area.
USACE	MPRSA Section 103, Individual Permit	Transportation and disposal of dredge material in waters of the US (aka Ocean Dumping)	Dredge spoils not returned to original trench.	Ocean dumping site characterization.	Risk of Finding of Significant Impact (FOSI) that would trigger an EIS and 12–24-month review.
USACE	5 Scientific Measurement Devices	Devices placed in Navigable Waters of the US	Current Meters, tide gauges, etc.	No PCN required	15-30 days

	PERMIT / AUTHORIZATIONS	TRIGGERS	APPLICABLE PROJECT COMPONENTS	REQUIRED FOR PERMIT	REGULATORY REVIEW TIME
USACE	ESA Section 7 Consultation	Activities during surveying, cable and/or BMH installation that may result in a 'take' or 'killing' of any listed Endangered Species. A 'take' is defined as any action that may harass, harm, pursue, or attempt to engage in such activities.	Surveying and trunk line and branch line installation activity. (Section 7 may be required for BMH installation activity pending the size and location of BMH). Not required for the HDD activity.	Biological Report	Consultation has a 30-day Public Notice component that can be extended to no more than 90 days. Allow 1–2 months for consultation. If a Biological Assessment is required, allow 6–12 months for completion.
USFWS	MMPA Consultation and IHA	Under water geophysical surveys and subsea cable installation that may result in a 'take' of a USFWS trust species	Marine route selection surveys and project activities	Biological Report, Abundance estimates, MMO Program, IHA application	Formal Consultation has a 30-day Public Notice component that can be extended to no more than 90 days. Allow 1–2 months for consultation. If a Biological Assessment is required, allow 6–12 months for completion.
USFWS	MBTA Consultation	Activities during surveying and or BMH installation that may result in a 'take' or 'killing' of any migratory bird.	Marine Route Survey, nearshore and onshore installation activities	Biological Report	Allow 30-60 days for consultation.
USFWS	Bald and Golden Eagle Protection Act Permit	Incidental take of a Bald or Golden Eagle while conducting activities near an active or inactive nest during shoreline surveys, nearshore and shore-based construction that may result in a "take".	HDD and BMH installation, construction and maintenance activities.	Eagle nest Survey may be required.	Allow at least 60 days for your application to be processed. Some applications may take longer than 90 days to process. (50 CFR 13.11).
USFWS	ESA Section 7 Consultations	Conducting any activities during surveying, cable and/or BMH installation that may result in a 'take' or 'killing' of any listed Endangered Species.	Cable installation activity (Section 7 may be required for BMH installation activity pending the size and location of BMH).	Biological Report	This consultation has a 30-day Public Notice component that can be extended to no more than 90 days. Allow 1–2 months for consultation. If a Biological Assessment is required, allow 6–12 months for completion

	PERMIT / AUTHORIZATIONS	TRIGGERS	APPLICABLE PROJECT COMPONENTS	REQUIRED FOR PERMIT	REGULATORY REVIEW TIME
NOAA NMFS	MMPA Consultation	Underwater seismic exploration, undersea explosives detonations, geophysical surveys or scientific research in areas where marine mammals are present.	For any project activity located within waters of the US that have the potential to 'take' NMFS trust species (whales and seals). A 'take' is defined as any action that may harass, harm, pursue, or attempt to engage is such activities.	Biological Report	Allow 2-3 months for consultation. An IHA permit processing time can range from 6-12 months. If issued, an IHA will remain valid for 1 year
NOAA NMFS	EFH Consultation (Sustainable Fisheries Act; Magnuson-Stevens Fishery Conservation and Management Act)	Installation of any project components or undertaken activities that are within waters and substrates necessary to fish for spawning, breeding, feeding or growing to maturity.	Cable installation in river beds.	Biological Report	NOAA will provide conservation recommendations to the lead action agency within 30 days of receiving the proposed action details of the project.
NOAA NMFS	Certificate of Inspection	US flagged classified inspected vessels operating in US Waters	Geotechnical /geophysical survey, cable installation	Inspection	Inspection must be scheduled 90 days in advance
US Coast Guard	Certificate of Inspection	US flagged classified inspected vessels operating in US Waters	Geotechnical /geophysical survey, cable installation	Inspection	Inspection must be scheduled 90 days in advance
State Of Alaska					
	Office of History and Archaeology, SHPO Clearance under the NHPA and Alaska Historic Preservation	All activities that occur on State administered lands, including tidelands, submerged	All project components located on State of Alaska lands, including tidelands and submerged lands to the 3 nm territorial sea boundary	Archeological Assessment and Report	SHPO has 30 calendar days to respond with concurrence, comments, or a request for additional information. Average processing time from submission of application is between 60 – 90 days

	PERMIT / AUTHORIZATIONS	TRIGGERS	APPLICABLE PROJECT COMPONENTS	REQUIRED FOR PERMIT	REGULATORY REVIEW TIME
ADNR	Alaska Cultural Resource Permit	Survey, testing, excavation, removal of cultural and historic resources on state lands, tidelands and submerged lands.	BMH, Communications Shack	Detailed Project Description, with map of areas of interest	Allow 30-60 days for processing and issuance.
ADNR	Generally Allowable Use on State Lands	Surveying, staking, Geotechnical drilling to 300 feet, etc.	BMH, potential cable trenching locations	This work would also be included in the request to the state for easement agreement where the cable will be installed on state land.	None
ADNR	DMLW Land Use Permit Site Easements / Property Leases	Activity on State Land	Branch lines within 3 nm territorial sea boundary.	Project description occurring on State Lands; Cable As- Built details	Minimum 30 days
ADNR	Title 16 Special Area Use Permit	The Habitat Division implements a statewide special areas permitting program to manage land and water use activities within a special area.	Special Use Areas if encountered	Application, maps, equipment list, schedule	60-180 days
ADF&G	Title 16 Fish Habitat Permit	Use, diversion, obstruction, pollution or change the natural flow or bed of a listed anadromous river, lake, or stream. Includes use of wheeled, tracked or excavating equipment	Freshwater anadromous fish habitat and providing free passage for anadromous and resident fish in freshwater bodies. Any activity or project that is conducted below the ordinary high-water mark of an anadromous stream requires a Fish Habitat Permit.	Application, maps, equipment list, schedule	15-30 days
ADF&G	Construction General Permit for storm water discharges into Waters of the US	Required for sites that will disturb 0.4 ha (1 acre) or more & discharge into Waters of the US	Storm Water Pollution Prevention Plan (SWPPP) for BMH and communication building construction and operations including trenching activities.	SWPPP	2 weeks for preparation of SWPPP and Notice of Intent (NOI)

	PERMIT / AUTHORIZATIONS	TRIGGERS	APPLICABLE PROJECT COMPONENTS	REQUIRED FOR PERMIT	REGULATORY REVIEW TIME
ADEC	Excavation Dewatering General Permit	Required if dewatering to waters of the US is necessary	Terrestrial trenching	Trenching details and anticipated pumping rates. If within 1500' of DEC contaminated site, special considerations must be met	30 days
ADEC	Right-of-Way / Easement	Activities that occur on State DOT & PF administered lands (airports, ports, etc.).	HDD and BMH development activities if BMH located on state administered lands.	Application and Traffic Plan	Minimum 30 days
ADOT&PF	Fire and Life Safety Plan Review	Occupancy, mechanical, electrical, fuel sources associated with buildings and structures	Communication buildings	Engineering Drawings	Within 10 working days of submittal of complete application
State Fire Marshal	Fire and Life Safety Plan Review	Occupancy, mechanical, electrical, fuel sources associated with buildings and structures	Communication buildings	Engineering Drawings	Within 10 working days of submittal of complete application
Bering Straits Native Corporation	Land Use Agreements	Activity on their land	Land Sites	ANCSA Consultation	Bering Straits Native Corporation - Commercial & Government Contractors
Calista Corporation	Land Use Agreement	Activity on their land	Land Sites	ANCSA Consultation	Home – Calista Corporation
Bristol Bay Native Corporation	Land Use Agreement	Activity on their land	Land Sites	ANCSA Consultation	Home - Bristol Bay Native Corporation (bbnc.net)
Cook Inlet Regional Incorporated	Land Use Agreement	Activity on their land	Land Sites	ANCSA Consultation	Home - CIRI

EXHIBIT B

Required Contract Federal Provisions

As a contractor receiving payment made with federal funds, Contractor agrees to ensure its compliance as applicable with the following:

- (A) Contracts for more than \$250,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by [41 U.S.C. 1908](#), also known as the simplified acquisition threshold, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
- (B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be affected and the basis for settlement.
- (C) Equal Employment Opportunity. Except as otherwise provided under [41 CFR Part 60](#), all contracts that meet the definition of “federally assisted construction contract” in [41 CFR Part 60–1.3](#) must include the equal opportunity clause provided under [41 CFR 60–1.4\(b\)](#), in accordance with Executive Order 11246, “Equal Employment Opportunity” ([30 FR 12319, 12935, 3 CFR Part, 1964–1965 Comp.](#), p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at [41 CFR part 60](#), “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”
- (D) Davis-Bacon Act, as amended ([40 U.S.C. 3141–3148](#)). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act ([40 U.S.C. 3141–3144](#), and [3146–3148](#)) as supplemented by Department of Labor regulations

([29 CFR Part 5](#), “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act ([40 U.S.C. 3145](#)), as supplemented by Department of Labor regulations ([29 CFR Part 3](#), “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act ([40 U.S.C. 3701–3708](#)). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with [40 U.S.C. 3702](#) and [3704](#), as supplemented by Department of Labor regulations ([29 CFR Part 5](#)). Under [40 U.S.C. 3702](#) of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of [40 U.S.C. 3704](#) are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not

apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

- (F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under [37 CFR § 401.2 \(a\)](#) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of [37 CFR Part 401](#), “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.
- (G) Clean Air Act ([42 U.S.C. 7401–7671q](#).) and the Federal Water Pollution Control Act ([33 U.S.C. 1251–1387](#)), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act ([42 U.S.C. 7401–7671q](#)) and the Federal Water Pollution Control Act as amended ([33 U.S.C. 1251–1387](#)). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- (H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see [2 CFR 180.220](#)) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at [2 CFR 180](#) that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
- (I) Byrd Anti-Lobbying Amendment ([31 U.S.C. 1352](#))—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any

agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by [31 U.S.C. 1352](#). Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) Procurement of recovered Materials. A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at [40 CFR part 247](#) that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

(K) Prohibition on certain telecommunications and video surveillance services or equipment.

(a) Recipients and subrecipients are prohibited from obligating or expending loan or grant funds to:

(1) Procure or obtain;

(2) Extend or renew a contract to procure or obtain; or

(3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115–232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).

(ii) Telecommunications or video surveillance services provided by such entities or using such equipment.

(iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

2 CFR §200.322, DOMESTIC PREFERENCES FOR PROCUREMENTS. As appropriate and to the extent consistent with law, Contractor should, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States.

2 CFR §200.326 CONSTRUCTION CONTRACT SECURITY BOND. For Construction or facility improvement contracts or subcontracts exceeding \$250,000 The following minimum bonding requirements are required if the federal government does not determine whether the Federal Government's interest is adequately protected.

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's requirements under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

COMPLIANCE WITH UNIFORM GUIDANCE PROCUREMENT STANDARDS. Contractor agrees to follow and comply with 2 CFR §§200.318 General Procurement Standards through 200.327 Contract Provisions, as applicable.