

Question 8(a): The bidder/offeree ☐ is ☐ is not a joint venture.

Question 8(b): If the bidder/offeree is a joint venture, the U.S. person participant is:
(name) _____
(address) _____

Question 8(c): If the bidder/offeree is a joint venture, the names and countries of citizenship for all co-venturers are as follows:
(name) _____
(citizenship) _____
(name) _____
(citizenship) _____
(name) _____
(citizenship) _____

Question 8(d): If the bidder/offeree is a joint venture, the U.S. person will own at least 51 percent of the assets of the joint venture.

I so certify: _____
(signature)

(name typed printed)

(position)

(title)

9. *Libya.* Section 406(c) states "No person doing business with Libya may be eligible for any contract awarded pursuant to this Act."

Definitions for purposes of section 406 eligibility—

Contract awarded establishes a time frame for the bar on doing business with Libya. The time during which a relationship with Libya is prohibited begins on the date the section 406 information is submitted. For bidders/offerees not selected for contract award, the prohibition ceases on the date of award. For the bidder/offeree that is awarded the contract, the bar continues through the life of the contract, ending on the date of final acceptance of the work.

Doing business means all transactions of any kind agreed to or performed after the earlier of the date on which a bid/proposal is submitted to the Department of State under this solicitation or on which the contract, subcontract, program, or other arrangement with the Department of State is awarded or becomes effective. Any transaction commenced prior to the date of submittal or award and not yet completed must be reported. Transactions that call for continued or future performance shall be disqualifying. Transactions that have been completely performed but for which payment has not yet been made must be reported, but shall not be disqualifying unless any event other than payment of a previously-agreed upon sum occurs. Examples of disqualifying actions include any pending litigation arising out of business transactions with Libya, renegotiation of the terms of a loan, and refinancing an amount owed or owing.

Person means any individual or legal entity, whether U.S. or foreign. Subcontractors and others who do not have a direct contractual relationship with the United States are not covered by this section.

With Libya means transactions between any person and the Government of Libya, government entities of Libya, or any other organization wholly owned or effectively controlled by the Government of Libya. It is

the responsibility of the entity submitting section 406 information to disclose existing relationships with the entities that it has reasonable grounds to believe are or may be Libyan. In case of doubt or dispute, the Department of State shall determine, at its sole discretion, whether any organization is a governmental entity of Libya, wholly owned by the Government of Libya, or effectively controlled by the Government of Libya.

Certification

Based on the foregoing, I hereby certify on behalf of this organization that it ☐ is ☐ is not doing business with Libya as those terms are used in section 406(c) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986.

(e) *Signature:* By signing this document, the offeror indicates that to the best of his or her knowledge, all of the representations and certifications provided in response to the questions contained in this Statement of Qualifications are accurate, current, and complete and that the offeror is aware of the penalty prescribed in 18 U.S.C. 1001 for making false statements.

(End of provision)

87. Section 652.237–71 is revised to read as follows:

652.237–71 Identification/Building Pass.

As prescribed in 637.110(b), insert the following clause.

Identification/Building Pass (MO/YR)

(a) *Contractors working in domestic facilities who already possess a security clearance.*

(1) The contractor shall obtain a Department of State building pass for all employees performing under this contract who require frequent and continuing access to Department of State facilities. The Bureau of Diplomatic Security, Office of Domestic Facilities Protection, shall issue passes. They shall be used for the purpose of facility access only, and shall not be used for any other purpose.

(2) The contractor shall submit a Visitor Authorization Request (VAR) Letter to the Bureau of Diplomatic Security, Information Security Programs Division, Industrial Security Branch (DS/ISP/INB) on its cleared employees containing the following information:

- (i) Contractor employee's full name, social security number, and date of birth;
- (ii) Contractor's company name;
- (iii) Security clearance level;
- (iv) Date the clearance was granted;
- (v) Name of the contractor's Facility Security Officer;
- (vi) Contracting Officer's Representative (COR); and
- (vii) Contract number.

(3) DS/ISP/INB shall process and approve the VAR letter, if appropriate. The approved VAR letter shall be forwarded to the contractor for their records.

(4) The contractor employee shall hand-carry the following documentation to the Building Pass Office, Department of State, 520 23rd Street, NW., Courtyard of Columbia Plaza, Washington, DC:

(i) A Department of State sponsorship letter from the COR, addressing the following:

- (A) The purpose for which the pass is being requested;
 - (B) The employee's valid security clearance level (reflected on the VAR);
 - (C) Contract number and period of performance;
 - (D) Type of access (24/7, normal business hours, escort authority or no escort authority granted); and
 - (E) Expiration date of building pass (1 year or 3 years);
- (ii) Letter on company letterhead to accompany the application, containing the following information:

- (A) The purpose for which the pass is being requested;
 - (B) Verification of employment;
 - (C) The employee's valid security clearance level; and
 - (D) Contract number and period of performance;
- (iii) The DS-1838, *Request for Building Pass Identification Card*.

(b) *Contractors working in domestic facilities where security clearances are not required.*

(1) The contractor shall obtain a Department of State building pass for all employees performing under this contract who require frequent and continuing access to Department of State facilities. The Bureau of Diplomatic Security, Office of Domestic Facilities Protection, shall issue passes. They shall be used for the purpose of facility access only, and shall not be used for any other purpose.

(2) The contractor shall submit the following paperwork, in original, to the Bureau of Diplomatic Security, Information Security Programs Division, Industrial Security Branch (DS/ISP/INB):

- (i) SF-85P, *Questionnaire for Public Trust Positions*;
- (ii) SF-85P/S, *Supplemental Questionnaire for Selected Positions*; and
- (iii) DOS Credit Release, which may be obtained from DS/ISP/INB via mail or facsimile.

(3) DS/ISP/INB shall conduct a preliminary background check. If the background check is favorable, DS/ISP/INB will forward a letter to the company Facility Security Officer (FSO) notifying them that the individual may proceed to the Building Pass Office to continue the badging process. DS/ISP/INB will forward a copy of this letter to the Building Pass Office.

(4) When a contractor employee is approved to receive a building pass, he/she shall hand-carry the following documentation to the Contractor Building Pass Office, Department of State, 520 23rd Street, NW., courtyard of Columbia Plaza, Washington, DC. :

(i) A Department of State sponsorship letter from the COR, addressing the following:

- (A) The purpose for which the pass is being requested;
- (B) Whether or not the employee has a valid security clearance;
- (C) Contract number and period of performance;
- (D) Type of access (24/7, normal business hours, escort authority or no escort authority granted); and