

252.225-7022

(ii) A national interest waiver has been granted.

[68 FR 15637, Mar. 31, 2003, as amended at 68 FR 50477, Aug. 21, 2003; 69 FR 1928, Jan. 13, 2004; 69 FR 35535, June 25, 2004; 69 FR 74992, Dec. 15, 2004; 70 FR 2364, Jan. 13, 2005; 70 FR 35547, June 21, 2005; 70 FR 73153, Dec. 9, 2005; 71 FR 9271, Feb. 23, 2006; 71 FR 34835, June 16, 2006; 71 FR 58542, Oct. 4, 2006; 71 FR 65752, Nov. 9, 2006; 72 FR 14243, Mar. 27, 2007; 73 FR 53155, Sept. 15, 2008; 73 FR 70913, Nov. 24, 2008; 74 FR 37651, July 29, 2009]

252.225-7022 Trade agreements certificate—inclusion of Iraqi end products.

As prescribed in 225.1101(7), use the following provision:

TRADE AGREEMENTS CERTIFICATE—INCLUSION OF IRAQI END PRODUCTS (SEP 2008)

(a) *Definitions. Designated country end product, Iraqi end product, nondesignated country end product, qualifying country end product, and U.S.-made end product* have the meanings given in the Trade Agreements clause of this solicitation.

(b) *Evaluation. The Government—*

(1) Will evaluate offers in accordance with the policies and procedures of Part 225 of the Defense Federal Acquisition Regulation Supplement; and

(2) Will consider only offers of end products that are U.S.-made, qualifying country, Iraqi, or designated country end products unless—

(i) There are no offers of such end products;

(ii) The offers of such end products are insufficient to fulfill the Government's requirements; or

(iii) A national interest waiver has been granted.

(c) *Certification and identification of country of origin.* (1) For all line items subject to the Trade Agreements clause of this solicitation, the offeror certifies that each end product to be delivered under a contract resulting from this solicitation, except those listed in paragraph (c)(2) of this provision, is a U.S.-made, qualifying country, Iraqi, or designated country end product.

(2) The following supplies are other nondesignated country end products:

(Country of Origin)

(Line Item Number)

(End of provision)

[73 FR 53155, Sept. 15, 2008]

252.225-7023 Preference for products or services from Iraq or Afghanistan.

As prescribed in 225.7703-5(a), use the following provision:

48 CFR Ch. 2 (10-1-10 Edition)

REQUIREMENT FOR PRODUCTS OR SERVICES FROM IRAQ OR AFGHANISTAN (APR 2010)

(a) *Definitions. Product from Iraq or Afghanistan* and *service from Iraq or Afghanistan*, as used in this provision, are defined in the clause of this solicitation entitled "Requirement for Products or Services from Iraq or Afghanistan" (DFARS 252.225-7024).

(b) *Representation.* The offeror represents that all products or services to be delivered under a contract resulting from this solicitation are products from Iraq or Afghanistan or services from Iraq or Afghanistan, except those listed in—

(1) Paragraph (c) of this provision; or

(2) *Service from Iraq or Afghanistan* means a service (including construction) that is performed in Iraq or Afghanistan predominantly by citizens or permanent resident aliens of Iraq or Afghanistan.

(c) *Other products or services.* The following offered products or services are not products from Iraq or Afghanistan or services from Iraq or Afghanistan:

(Country of Origin)

(Line Item Number)

(d) *Evaluation.* For the purpose of evaluating competitive offers, the Contracting Officer will increase by 50 percent the prices of offers of products or services that are not products or services from Iraq or Afghanistan.

(End of provision)

[73 FR 53155, Sept. 15, 2008, as amended at 75 FR 18039, Apr. 8, 2010]

252.225-7024 Requirement for products or services from Iraq or Afghanistan.

As prescribed in 225.7703-5(b), use the following clause:

REQUIREMENT FOR PRODUCTS OR SERVICES FROM IRAQ OR AFGHANISTAN (SEP 2008)

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

(1) *Product from Iraq or Afghanistan* means a product that is mined, produced, or manufactured in Iraq or Afghanistan.

(2) *Service from Iraq or Afghanistan* means a service that is performed in Iraq or Afghanistan predominantly by citizens or permanent resident aliens of Iraq or Afghanistan.

(b) The Contractor shall provide only products from Iraq or Afghanistan or services from Iraq or Afghanistan under this contract, unless, in its offer, it specified that it would provide products or services other than products from Iraq or Afghanistan or services from Iraq or Afghanistan.

(End of clause)

[73 FR 53155, Sept. 15, 2008]