

50.206 Solicitation provisions and contract clause.

(a) Insert the provision at [52.250-2](#), SAFETY Act Coverage Not Applicable, in *solicitations* if-

(1) The agency consulted with DHS on a questionable case of SAFETY Act applicability to an acquisition in accordance with [50.205-1\(a\)](#), and after the consultation, the agency has determined that SAFETY Act protection is not applicable for the acquisition; or

(2) DHS has denied approval of a pre-qualification designation notice.

(b)

(1) Insert the provision at [52.250-3](#), SAFETY Act Block Designation/Certification, in a solicitation when DHS has issued a block designation/certification for the solicited technologies.

(2) Use the provision at [52.250-3](#) with its Alternate I when contingent *offers* are authorized in accordance with [50.205-3](#).

(3) Use the provision at [52.250-3](#) with its Alternate II when *offers* presuming SAFETY Act designation or certification are authorized in accordance with [50.205-4](#). If this alternate is used, the contracting officer may increase the number of days within which *offerors* must submit their SAFETY Act designation or certification application.

(c)

(1) Insert the provision at [52.250-4](#), SAFETY Act Pre-qualification Designation Notice, in a solicitation for which DHS has issued a pre-qualification designation notice.

(2) Use the provision at [52.250-4](#) with its Alternate I when contingent *offers* are authorized in accordance with [50.205-3](#).

(3) Use the provision at [52.250-4](#) with its Alternate II when *offers* presuming SAFETY Act designation or certification are authorized in accordance with [50.205-4](#). If this alternate is used, the contracting officer may increase the number of days within which *offerors* must submit their SAFETY Act designation or certification application.

(d) Insert the clause at [52.250-5](#), SAFETY Act-Equitable Adjustment-

(1) In the solicitation, if the provision at [52.250-3](#) or [52.250-4](#) is used with its Alternate II; and

(2) In any resultant contract, if DHS has not issued SAFETY Act designation or certification to the successful offeror before contract award.