

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.