

## SECTION A

This is a combined synopsis/solicitation for commercial supplies prepared in accordance with the format in Subpart 12.6, as supplemented with the additional information included in this notice. This announcement constitutes the only solicitation; quotes are being requested and a written solicitation will not be issued. This is a request for quotes under solicitation number **VA262-16-Q-1329**.

The Department of Veterans Affairs Greater Los Angeles Healthcare System (VAGLAHS) has a requirement for the replacement of surgical lights. The Contractor shall furnish all materials and installation, as described within this solicitation, at the VAGLAHS in Los Angeles, California 90073.

The solicitation will be in accordance with FAR Part 12, 13, and 19, Acquisition of Commercial Items, Simplified Acquisition Procedures, Small Business Programs, and Veteran Affairs Acquisition Regulations as supplemented with additional information in this notice. The North American Industrial Classification System (NAICS) code for this requirement is **339112** and size standard **1,000** employees. The selected Federal Supply Code for this requirement is **6515**. This RFQ is a Service-Disabled Veteran-Owned Small Business (SDVOSB) set-aside under the selected NAICS code. The Contractor shall adhere to all federal and state laws and regulations in effect during the term of this contract. The Government intends to award a firm-fixed-price contract, beginning on the date of award. Responses to the solicitation shall be due on **Thursday, August 25, 2016 at 12:00 PM PST**. Offerors are advised that it is your responsibility to review and monitor the website frequently to ensure you have the most up to date information, including amendments. Correspondence or questions may be directed to Ralph Fontela, Contract Specialist at [raphael.fontela@va.gov](mailto:raphael.fontela@va.gov) with "VA262-16-Q-1329" in the subject line within 48 hours of release of this notice. Telephone inquiries will not be honored. Inquiries after the allotted period may not be responded to due to the time constraints of the procurement. All offerors must be registered in [www.sam.gov](http://www.sam.gov) to do business with the Government. Ensure your registration is correct, current and has not expired.

### **BRAND NAME INFO:**

1. STRYKER ISUITE
2. STRYKER BERCHTOLD F-Generation Surgical Lights with Precision Beam Technology
3. STRYKER BERCHTOLD TELETOM Equipment Management Systems

### **SALIENT CHARACTERISTICS:**

1. Surgical lights shall have four color temperature settings, full 360 degree rotation and be able to focus 650 beams of overlapping light into one homogenous column, creating ideal light quality and shadow prevention.
2. Equipment management systems shall provide a flexible platform to support the equipment needs of many environments. Configurable arm sets, service heads and mounting options shall provide customization for unique room design and future needs.
3. Installation and Service shall be included along with any trip charges, weekend charges, and Advanced Biomed Training.
4. Shall include all necessary renovation services to accommodate surgical lights installation.
5. Gray market items are not acceptable.

## SECTION B – ITEM INFORMATION

ITEM NUMBER	DESCRIPTION SUPPLIES/SERVICES	OF	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001	Surgical Preparation communication interface, LOCAL STOCK NUMBER: CY 7000600	Lights for	4.00	EA		
	Funding/Req. Number: 1					
0002	F628/F628/OPT Light LOCAL STOCK NUMBER: FT 3004	Surgical	4.00	EA		
	Funding/Req. Number: 1					
0003	Camera preparation for ChromoVision HD S LOCAL STOCK NUMBER: CY 9600103		4.00	EA		
	Funding/Req. Number: 1					
0004	Video + Power Arm LOCAL STOCK NUMBER: CY 0600200		4.00	EA		
	Funding/Req. Number: 1					
0005	Dual Control system for double light E-S LOCAL STOCK NUMBER: CY 7000720		4.00	EA		
	Funding/Req. Number: 1					
0006	6 Series Electric Power TP- 612 LIGHTS-SURGICAL LOCAL STOCK NUMBER: TP-612 (as configured)		4.00	EA		
	Funding/Req. Number: 1					
0007	Electric Brakes, 4/6 Series Upcharge LOCAL STOCK NUMBER: RS 0006157		4.00	EA		
	Funding/Req. Number: 1					
0008	Kit, Accessory Extension, Top/Bottom		4.00	EA		

LOCAL STOCK NUMBER: 5001480			
Funding/Req. Number: 1			
<b>0009</b>	6 Series Electric Power TP- 632 CSN# 6530-439529 - LIGHT SURGICAL LOCAL STOCK NUMBER: TP-632 (as configured)	4.00	EA
Funding/Req. Number: 1			
<b>0010</b>	Electric Brakes, 4/6 Series Upcharge LOCAL STOCK NUMBER: RS 0006157	4.00	EA
Funding/Req. Number: 1			
<b>0011</b>	Kit, Accessory Extension, Top/Bottom LOCAL STOCK NUMBER: 5001480	4.00	EA
Funding/Req. Number: 1			
<b>0012</b>	Panel Ass'y., N2 Control Mounting LOCAL STOCK NUMBER: 5000066	4.00	EA
Funding/Req. Number: 1			
<b>0013</b>	Installation, Chromophare LOCAL STOCK NUMBER: RS 0006008	4.00	EA
Funding/Req. Number: 1			
<b>0014</b>	Installation, Teletom LOCAL STOCK NUMBER: RS 0006010	4.00	EA
Funding/Req. Number: 1			
<b>0015</b>	Installation, Teletom LOCAL STOCK NUMBER: RS 0006010	4.00	EA
Funding/Req. Number: 1			
<b>0016</b>	LABOR - Full Day Trip Charge LOCAL STOCK NUMBER: 8888881029	4.00	EA

Funding/Req. Number: 1			
<b>0017</b>	LABOR - Weekend Charge	4.00	EA
	LOCAL STOCK NUMBER: 8888881030		
Funding/Req. Number: 1			
<b>0018</b>	ADV BIOMED TRAINING --	2.00	EA
	Berchtold B+L		
	LOCAL STOCK NUMBER: 888888413		
Funding/Req. Number: 1			
<b>0019</b>	ADV BIOMED TRAINING --	2.00	EA
	Stryker B+L		
	LOCAL STOCK NUMBER: 888888414		
Funding/Req. Number: 1			
			<b>GRAND TOTAL</b>

**NOTE:** Solicitation number VA262-16-Q-1329 is issued as a “Brand Name or Equal” Request For Quotation (RFQ) IAW FAR Part 11.104. Potential offers must be aware that the items being acquired are procured as Brand Name or Equal. For those items that are “or equal,” a description of the salient characteristics is outlined above. FAR Clause 52.211-6 Brand Name or Equal applies to this acquisition. Any items quoted as equal not conforming to the requirements of FAR clause 52.211-6 will be considered non-responsive and not considered for award.

## SECTION C - CONTRACT CLAUSES

The solicitation document and incorporated provisions and clauses are in effect through Federal Acquisition Circular 2005-85-1 effective January 04, 2016.

### **C.1 52.252-2 CLAUSES INCORPORATED BY REFERENCE (FEB 1998)**

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es):

<http://www.acquisition.gov/far/index.html>

<http://www.va.gov/oal/library/vaar>

### **FEDERAL ACQUISITION REGULATION**

<b><u>FAR Number</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
52.212-4	CONTRACT TERMS AND CONDITIONS – COMMERICAL ITEMS	SEP 2013
852.203-70	COMMERCIAL ADVERTISING (>\$3K)	JAN 2008
852.203-71	DISPLAY OF DEPARTMENT OF VETERAN AFFAIRS HOTLINE POSTER	DEC 1992
852.232-72	ELECTRONIC SUBMISSION OF PAYMENT REQUESTS	NOV 2012
852.246-70	GUARANTEE	JAN 2008
852.246-71	INSPECTION	JAN 2008

## C.2 52.212-5 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS—COMMERCIAL ITEMS (DEC 2014)

- (a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses, which are incorporated in this contract by reference, to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

(1) 52.209-10, Prohibition on Contracting with Inverted Domestic Corporations (Dec 2014)

(2) 52.222-50, Combating Trafficking in Persons (FEB 2009) (22 U.S.C. 7104(g)).

Alternate I (AUG 2007) of 52.222-50 (22 U.S.C. 7104 (g)).

(3) 52.233-3, Protest After Award (Aug 1996) (31 U.S.C. 3553).

(4) 52.233-4, Applicable Law for Breach of Contract Claim (Oct 2004) (Public Laws 108-77 and 108-78 (19 U.S.C. 3805 note)).

- (b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

☒ (1) 52.203-6, Restrictions on Subcontractor Sales to the Government (Sept 2006), with Alternate I (Oct 1995) (41 U.S.C. 4704 and 10 U.S.C. 2402).

☐ (2) 52.203-13, Contractor Code of Business Ethics and Conduct (APR 2010)(41 U.S.C. 3509).

☐ (3) 52.203-15, Whistleblower Protections under the American Recovery and Reinvestment Act of 2009 (JUN 2010) (Section 1553 of Pub. L. 111-5). (Applies to contracts funded by the American Recovery and Reinvestment Act of 2009.)

☒ (4) 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards (Jul 2013) (Pub. L. 109-282) (31 U.S.C. 6101 note).

☐ (5) [Reserved]

☐ (6) 52.204-14, Service Contract Reporting Requirements (JAN 2014) (Pub. L. 111-117, section 743 of Div. C).

☐ (7) 52.204-15, Service Contract Reporting Requirements for Indefinite-Delivery Contracts (JAN 2014) (Pub. L. 111-117, section 743 of Div. C).

☒ (8) 52.209-6, Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (Aug 2013) (31 U.S.C. 6101 note).

☒ (9) 52.209-9, Updates of Publicly Available Information Regarding Responsibility Matters (Jul 2013) (41 U.S.C. 2313).

- ☐ (10) [Reserved]
- ☐ (11)(i) 52.219-3, Notice of HUBZone Set-Aside or Sole-Source Award (NOV 2011) (15 U.S.C. 657a).
- ☐ (ii) Alternate I (NOV 2011) of 52.219-3.
- ☒ (12)(i) 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns (OCT 2014) (if the Contractor elects to waive the preference, it shall so indicate in its offer) (15 U.S.C. 657a).
- ☐ (ii) Alternate I (JAN 2011) of 52.219-4.
- ☐ (13) [Reserved]
- ☐ (14)(i) 52.219-6, Notice of Total Small Business Set-Aside (NOV 2011) (15 U.S.C. 644).
- ☐ (ii) Alternate I (NOV 2011).
- ☐ (iii) Alternate II (NOV 2011).
- ☐ (15)(i) 52.219-7, Notice of Partial Small Business Set-Aside (June 2003) (15 U.S.C. 644).
- ☐ (ii) Alternate I (Oct 1995) of 52.219-7.
- ☐ (iii) Alternate II (Mar 2004) of 52.219-7.
- ☒ (16) 52.219-8, Utilization of Small Business Concerns (OCT 2014) (15 U.S.C. 637(d)(2) and (3)).
- ☐ (17)(i) 52.219-9, Small Business Subcontracting Plan (OCT 2014) (15 U.S.C. 637(d)(4)).
- ☐ (ii) Alternate I (Oct 2001) of 52.219-9.
- ☐ (iii) Alternate II (Oct 2001) of 52.219-9.
- ☐ (iv) Alternate III (OCT 2014) of 52.219-9.
- ☐ (18) 52.219-13, Notice of Set-Aside of Orders (NOV 2011) (15 U.S.C. 644(r)).
- ☐ (19) 52.219-14, Limitations on Subcontracting (NOV 2011) (15 U.S.C. 637(a)(14)).
- ☐ (20) 52.219-16, Liquidated Damages—Subcontracting Plan (Jan 1999) (15 U.S.C. 637(d)(4)(F)(i)).
- ☐ (21) 52.219-27, Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (NOV 2011) (15 U.S.C. 657f).
- ☒ (22) 52.219-28, Post Award Small Business Program Rerepresentation (Jul 2013) (15 U.S.C. 632(a)(2)).

☐ (23) 52.219-29, Notice of Set-Aside for Economically Disadvantaged Women-Owned Small Business (EDWOSB) Concerns (Jul 2013) (15 U.S.C. 637(m)).

☐ (24) 52.219-30, Notice of Set-Aside for Women-Owned Small Business (WOSB) Concerns Eligible Under the WOSB Program (Jul 2013) (15 U.S.C. 637(m)).

☒ (25) 52.222-3, Convict Labor (June 2003) (E.O. 11755).

☒ (26) 52.222-19, Child Labor—Cooperation with Authorities and Remedies (JAN 2014) (E.O. 13126).

☒ (27) 52.222-21, Prohibition of Segregated Facilities (Feb 1999).

☒ (28) 52.222-26, Equal Opportunity (Mar 2007) (E.O. 11246).

☒ (29) 52.222-35, Equal Opportunity for Veterans (JUL 2014) (38 U.S.C. 4212).

☒ (30) 52.222-36, Equal Opportunity for Workers with Disabilities (JUL 2014) (29 U.S.C. 793).

☒ (31) 52.222-37, Employment Reports on Veterans (JUL 2014) (38 U.S.C. 4212).

☒ (32) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496).

☐ (33) 52.222-54, Employment Eligibility Verification (AUG 2013). (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial items as prescribed in 22.1803.)

☐ (34)(i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Items (May 2008) (42 U.S.C.6962(c)(3)(A)(ii)). (Not applicable to the acquisition of commercially available off-the-shelf items.)

☐ (ii) Alternate I (MAY 2008) of 52.223-9 (42 U.S.C. 6962(i)(2)(C)). (Not applicable to the acquisition of commercially available off-the-shelf items.)

☐ (35)(i) 52.223-13, Acquisition of EPEAT®-Registered Imaging Equipment (JUN 2014) (E.O.s 13423 and 13514).

☐ (ii) Alternate I (JUN 2014) of 52.223-13.

☐ (36)(i) 52.223-14, Acquisition of EPEAT®-Registered Televisions (JUN 2014) (E.O.s 13423 and 13514).

☐ (ii) Alternate I (JUN 2014) of 52.223-14.

☐ (37) 52.223-15, Energy Efficiency in Energy-Consuming Products (DEC 2007)(42 U.S.C. 8259b).

☐ (38)(i) 52.223-16, Acquisition of EPEAT®-Registered Personal Computer Products (JUN 2014) (E.O.s 13423 and 13514).



- ☐ (ii) Alternate I (JUN 2014) of 52.223-16.
- ☒ (39) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (AUG 2011)
- ☒ (40) 52.225-1, Buy American—Supplies (MAY 2014) (41 U.S.C. chapter 83).
- ☐ (41)(i) 52.225-3, Buy American—Free Trade Agreements—Israeli Trade Act (MAY 2014) (41 U.S.C. chapter 83, 19 U.S.C. 3301 note, 19 U.S.C. 2112 note, 19 U.S.C. 3805 note, 19 U.S.C. 4001 note, Pub. L. 103-182, 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, 110-138, 112-41, 112-42, and 112-43).
- ☐ (ii) Alternate I (MAY 2014) of 52.225-3.
- ☐ (iii) Alternate II (MAY 2014) of 52.225-3.
- ☐ (iv) Alternate III (MAY 2014) of 52.225-3.
- ☒ (42) 52.225-5, Trade Agreements (NOV 2013) (19 U.S.C. 2501, *et seq.*, 19 U.S.C. 3301 note).
- ☒ (43) 52.225-13, Restrictions on Certain Foreign Purchases (JUN 2008) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).
- ☐ (44) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Jul 2013) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).
- ☐ (45) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (Nov 2007) (42 U.S.C. 5150).
- ☐ (46) 52.226-5, Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov 2007) (42 U.S.C. 5150).
- ☐ (47) 52.232-29, Terms for Financing of Purchases of Commercial Items (Feb 2002) (41 U.S.C. 4505, 10 U.S.C. 2307(f)).
- ☐ (48) 52.232-30, Installment Payments for Commercial Items (Oct 1995) (41 U.S.C. 4505, 10 U.S.C. 2307(f)).
- ☐ (49) 52.232-33, Payment by Electronic Funds Transfer—System for Award Management (Jul 2013) (31 U.S.C. 3332).
- ☒ (50) 52.232-34, Payment by Electronic Funds Transfer—Other than System for Award Management (Jul 2013) (31 U.S.C. 3332).
- ☒ (51) 52.232-36, Payment by Third Party (MAY 2014) (31 U.S.C. 3332).
- ☐ (52) 52.239-1, Privacy or Security Safeguards (Aug 1996) (5 U.S.C. 552a).

[] (53)(i) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631).

[] (ii) Alternate I (Apr 2003) of 52.247-64.

(c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

[] (1) 52.222-41, Service Contract Labor Standards (MAY 2014) (41 U.S.C. chapter 67).

[] (2) 52.222-42, Statement of Equivalent Rates for Federal Hires (MAY 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

[] (3) 52.222-43, Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment (Multiple Year and Option Contracts) (MAY 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

[] (4) 52.222-44, Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment (MAY 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

[] (5) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements (MAY 2014) (41 U.S.C. chapter 67).

[] (6) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements (MAY 2014) (41 U.S.C. chapter 67).

[] (7) 52.222-17, Nondisplacement of Qualified Workers (MAY 2014) (E.O. 13495).

[] (8) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (MAY 2014) (42 U.S.C. 1792).

[] (9) 52.237-11, Accepting and Dispensing of \$1 Coin (SEP 2008) (31 U.S.C. 5112(p)(1)).

[] (10) 52.222-55, Minimum Wages Under Executive Order 13658 (DEC 2014) (Executive Order 13658).

(d) Comptroller General Examination of Record. The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, and does not contain the clause at 52.215-2, Audit and Records—Negotiation.

(1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.

(2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR Subpart 4.7, Contractor Records Retention, of the

other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.

(3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.

(e)(1) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c), and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1) in a subcontract for commercial items. Unless otherwise indicated below, the extent of the flow down shall be as required by the clause—

(i) 52.203-13, Contractor Code of Business Ethics and Conduct (APR 2010) (41 U.S.C. 3509).

(ii) 52.219-8, Utilization of Small Business Concerns (OCT 2014) (15 U.S.C. 637(d)(2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds \$650,000 (\$1.5 million for construction of any public facility), the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.

(iii) 52.222-17, Nondisplacement of Qualified Workers (MAY 2014) (E.O. 13495). Flow down required in accordance with paragraph (l) of FAR clause 52.222-17.

(iv) 52.222-26, Equal Opportunity (Mar 2007) (E.O. 11246).

(v) 52.222-35, Equal Opportunity for Veterans (JUL 2014) (38 U.S.C. 4212).

(vi) 52.222-36, Equal Opportunity for Workers with Disabilities (JUL 2014) (29 U.S.C. 793).

(vii) 52.222-37, Employment Reports on Veterans (JUL 2014) (38 U.S.C. 4212).

(viii) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause 52.222-40.

(ix) 52.222-41, Service Contract Labor Standards (MAY 2014) (41 U.S.C. chapter 67).

(x) 52.222-50, Combating Trafficking in Persons (FEB 2009) (22 U.S.C. 7104(g)).  
Alternate I (AUG 2007) of 52.222-50 (22 U.S.C. 7104(g)).

(xi) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements (MAY 2014) (41 U.S.C. chapter 67).

(xii) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services—Requirements (MAY 2014) (41 U.S.C. chapter 67).

(xiii) 52.222-54, Employment Eligibility Verification (AUG 2013).

(xiv) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Jul 2013) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).

(xv) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (MAY 2014) (42 U.S.C. 1792). Flow down required in accordance with paragraph (e) of FAR clause 52.226-6.

(xvi) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631). Flow down required in accordance with paragraph (d) of FAR clause 52.247-64.

(xvii) 52.222-55, Minimum Wages Under Executive Order 13658 (DEC 2014) (Executive Order 13658).

(2) While not required, the contractor may include in its subcontracts for commercial items a minimal number of additional clauses necessary to satisfy its contractual obligations.

(End of Clause)

## **SECTION D - CONTRACT DOCUMENTS, EXHIBITS, OR ATTACHMENTS**

All attachments identified in this Section are hereby incorporated as a part of this document as an extension of the document itself.

NO ATTACHMENTS

## SECTION E - SOLICITATION PROVISIONS

### E.1 52.252-1 SOLICITATION PROVISIONS INCORPORATED BY REFERENCE (FEB 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The Offeror is cautioned that the listed provisions may include blocks that must be completed by the Offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the Offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es):

<http://www.acquisition.gov/far/index.html>

<http://www.va.gov/oal/library/vaar>

#### **FEDERAL ACQUISITION REGULATION**

<b><u>FAR Number</u></b>	<b><u>Title</u></b>	<b><u>Date</u></b>
52.211-6	BRAND NAME OR EQUAL	AUG 1999
52.212-1	INSTRUCTIONS TO OFFERORS -- COMMERCIAL ITEMS	APR 2014
52.212-3	OFFEROR REPRESENTATIONS AND CERTIFICATIONS – COMMERCIAL ITEMS	DEC 2014
852.209-70	ORGANIZATIONAL CONFLICTS OF INTEREST	JAN 2008
852.211-73	BRAND NAME OR EQUAL	JAN 2008
852.273-70	LATE OFFERS	JAN 2003
852.273-74	AWARD WITHOUT EXCHANGES	JAN 2003

(End of Provision)

### E.2 ADDENDUM TO FAR 52.212-1 INSTRUCTIONS TO OFFERORS – COMMERCIAL ITEMS (APR 2014)

1. Due to time constraints, responses to this RFQ shall be due on Thursday, August 25, 2016 @ 3:00 PM PST. Quotes must be submitted electronically via email to Ralph Fontela, Contracting Specialist at [raphael.fontela@va.gov](mailto:raphael.fontela@va.gov). Offeror's are advised to review and monitor the FBO website for the most up to date information, including all amendments. Correspondence or questions may be directed to Ralph Fontela at [raphael.fontela@va.gov](mailto:raphael.fontela@va.gov), with "VA262-16-Q-1329" in the subject line, within forty-eight (48) hours of the posting of this solicitation. Telephone inquiries will not be honored. Inquiries after the allotted period may not receive a response due to the time constraints of the procurement.

2. It is the responsibility of each Offeror to examine the Request for Quote to verify that he/she has all pages. In addition, in compiling this package some pages may have been duplicated. If you feel that you are missing pages or have duplicate pages, you are urged to contact the person listed on the SF 1449, Block 7a/b.
3. Offeror Concurrence. By submitting an offer to the Government in response to this Solicitation, the Offeror is confirming its complete understanding and agreement to the entire Solicitation, its requirements, and all equipment/labor/logistics/personnel, etc. required to successfully perform on the resultant award. Pricing shall be all inclusive of all necessary and appropriate labor, transportation, housing, administrative functions, insurance coverage, and all other cost normally associated to provide the commercial items as outlined herein. The Government shall not reimburse any costs not incorporated into the Offeror's price. The Offeror is also confirming that the North American Industry Classification System (NAICS) code specified on this Solicitation is also included in its company NAICS codes. Offerors are notified that failure to provide any of the required information in the solicitation may result in an offer being considered non-responsive.
4. INSTRUCTIONS IN PROVIDING QUOTES:
  - a. Offerors may fill in each line item price, extended price and totals in Section B of this solicitation. Offerors may also provide a spreadsheet, similar to the table in Section B, that clearly shows each line item price, extended price and total price.
  - b. Contractors submitting a Brand name equal product shall provide the technical specifications of each line item listed in Section B and provide a detailed description of how the brand name equal product meets or exceeds the salient characteristics listed in Section A.
  - c. Submittal of Quotes: Offerors shall submit quotations in accordance with the quantities and format specified in the instructions provided. Please include the name, address and phone number of your company on the top of each submittal page. If the file(s) is too large to send via one (1) email, the Offeror may provide the submittal in multiple emails; however, the emails must be identified such that the CO is notified as to the total number of emails that will complete the submittal (such as email submittal 1/5, 2/5, 5/5, etc.).
5. NOTICE TO OFFERORS: The awarded Offeror is advised that only the Contracting Officer, acting within the scope of the contract has the authority to make changes which affect the contract in terms of quality, quantity, price or delivery. In the event the Offeror initiates any such change at the direction of any person other than the Contracting Officer, the change shall be considered to have been made without authority and no adjustment shall be made in the contract price to cover any increase of costs incurred as a result thereof.

(End of Addendum to 52.212-1)

### **E.3 52.212-2 EVALUATION—COMMERCIAL ITEMS (JAN 1999)**

(a) The Government will award a contract resulting from this solicitation to the responsible Offeror whose offer conforming to the solicitation will be most advantageous to the Government, price and other factors considered. The following factors shall be used to evaluate offers:

**Factor 1** - Technical acceptability of the item to meet or exceed above listed salient characteristic of Brand name product.

**Factor 2** – Price

(b) A written notice of award or acceptance of an offer, mailed or otherwise furnished to the successful Offeror within the time for acceptance specified in the offer, shall result in a binding contract without further action by either party. Before the offer's specified expiration time, the Government may accept an offer (or part of an offer), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award.

(End of Provision)

### **E.4 52.216-1 TYPE OF CONTRACT (APR 1984)**

The Government contemplates award of a Firm-Fixed-Price contract resulting from this solicitation.

(End of Provision)