

## COMBINED SYNOPSIS/SOLICITATION VA248-17-Q-1638

SERVICES: Annual Maintenance for Cleaver Brooks Boilers (Service Cleaning)

### ***General Information***

Action Code:	Combined Synopsis Solicitation
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NAICS Code:	811310

This is a combined synopsis/solicitation for commercial items prepared in accordance with the format in Subpart 12.6, as supplemented with additional information included in this notice. This announcement constitutes the only solicitation; quotes are being requested and a written solicitation will not be issued.

Solicitation number is VA248-17-Q-1638 and is issued as a Request for Quote (RFQ). This solicitation documents and incorporates provisions and clauses in effect through Federal Acquisition Circular 2005-94/95, effective 19 January 2017. This solicitation starts 09/14/2017 and will end 09/26/2017 at 16:00 pm EST.

Network Contracting Activity 8 – Service Area Office - East intends to award a Firm Fixed Price service contract for Annual Maintenance for Cleaver Brooks Boilers (Service Cleaning) for the C.W. Bill Young VAMC. This procurement is being conducted under FAR Subpart 13 and simplified acquisition procedures apply. Period of performance is 1 October 2017 – 30 September 2018. There is a base year with four (4) one year options requirement. The North American Industrial Classification System (NAICS) code for this procurement is 811310 with a small business size standard of \$7.5 million.

Wage Determination in effect: WD 15-4571 (rev.-3) dated 08/22/2017.

**This solicitation is for Service CLEANING ONLY. The service is required to be performed during the months of October, November, and December. A walkthrough will be conducted.**

Prospective offerors shall be a registered in the System for Award Management (SAM) at <http://www.sam.gov> to be considered for an award of a federal contract, and registration shall be complete and not missing elements such as representations and certifications.

For tiered evaluation purposes, to be considered as a Service Disabled Veteran Owned Small Business (SDVOSB) or Veteran Owned Small Business (VOSB), prospective offerors shall be a verified VOSB in the VA Center for Verification and Evaluation (CVE) Veteran Information Pages (VIP) pages <https://www.vip.vetbiz.gov/> at the date and time set for receipt of offers.

**Set-Aside Requirements.** The Government reserves the right to make no award from this solicitation.

Any award resulting from this solicitation will be made using the following cascade set-aside procedures per VHA memorandum #17-09, June 21, 2017

In compliance with 38 U.S.C. 8127

The evaluation of offers received in response to the solicitation will use a tiered or cascading order of precedence. "Tiered evaluation of offers," also known as "cascading evaluation of offers," is a procedure used in negotiated acquisitions when market research is inconclusive for justifying limiting competition to small business concerns or sub-categories of small business concerns. The contracting officer-

- (1) Solicits offers from both small and other than small business concerns that will be evaluated in the following tier order:
  - (a) Service-disabled veteran-owned small business (SDVOSB);
  - (b) Veteran-owned small business (VOSB);
  - (c) All other small business concerns.
  - (d) Other than small business.
- (2) If an award or a sufficient number of awards cannot be made at the first tier, evaluation of offers will proceed at the next lower tier until an award or a sufficient number of awards can be made.

**Site Walk-Through.** A site walkthrough will convene on Tuesday, 19 Sep 2017 at 10am, meeting in building 100, 1<sup>st</sup> floor, Boiler Room. All potential contractors are invited to attend to review all boilers to be serviced and to gather information for submitting plans requested in the Evaluation Criteria under FAR Provision 52.212-2 in this solicitation.

**Contractor Request for Information (RFI).** All questions regarding this RFQ shall be in writing and may be sent by e-mail to [reginald.nettles2@va.gov](mailto:reginald.nettles2@va.gov) NLT 20 Sep 2017 by 10:00am EST. No further questions will be accepted after that date and time.

**Response to Contractor RFI.** Answers to contractor questions will be posted on FBO no later than 22 Sep 2017 by 4:30 PM Eastern.

**Quote Submission.** Contractors interested in providing these services should submit their quotes via email to [Reginald.Nettles2@va.gov](mailto:Reginald.Nettles2@va.gov). Quotes shall be received NLT 26 September 2017 at

16:00 p.m. Eastern Time Zone and reference the solicitation number. Quotes received after this date and time will be considered late in accordance with FAR Provision 52.212-1(f) and will not be evaluated unless the Contracting Officer determines the late quote will be accepted IAW 52.212-1(f)(2)(i)(A-C).

The Government will award a Firm Fixed-Price contract resulting from this RFQ to the responsible contractor whose quote is determined to be Lowest Price Technically Acceptable and price reasonable in accordance with the evaluation criteria in this solicitation at FAR Provision 52.212-2. Award will be made utilizing the above cascade set-aside procedures.

## **SCHEDULE OF SERVICES**

The C.W. Bill Young Engineering Services requires Annual Maintenance for Cleaver Brooks Boilers (Service Cleaning as described in the attached Statement of Work (SOW). The contractor shall furnish all labor, materials, parts, supervisions, services and incidentals to perform an annual cleaning on three (3) Cleaver Brooks boilers CBX-500Hp. Work shall be completed one boiler per month during the following months: October, November, and December. Only one boiler at a time will be out of service for cleaning and certifying inspection. Contractors shall quote prices for each Contract Line Item Numbers (CLIN) for a Base year and 4 one year options. ***See Attached Price Schedule for quote submission***

The following Federal Acquisition Regulation (FAR) and Veterans Affairs Acquisition Regulation (VAAR) provisions and clauses are applicable to this acquisition and are available for view at: <http://www.acquisition.gov/far/index.html>  
<http://www.va.gov/oamm/oa/ars/policyreg/vaar/index.cfm>

## **FAR Provisions:**

52.203-98 Prohibition on Contracting with Entities that require certain Internal Confidentiality Agreements - Representation (FEB 2015)

(a) In accordance with section 743 of Division E, Title VII, of the Consolidated and further Continuing Resolution Appropriations Act, 2015 (Pub. L. 113-235), Government agencies are not permitted to use funds appropriated (or otherwise made available) under that or any other Act for contracts with an entity that requires employees or subcontractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

(b) The prohibition in paragraph (a) of this provision does not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

(c) Representation. By submission of its offer, the Offeror represents that it does not require employees or subcontractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or subcontractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

52.204-7	System for Award Management (JUL 2013)
52.204-8	Annual Representations and Certifications (Nov 2014)
52.204-16	Commercial and Government Entity Code Reporting (Jul 2014)
52.204-17	Ownership or Control of Offeror (Jul 2016)
52.204-18	Commercial and Government Entity Code Maintenance (Jul 2016)
52.204-20	Predecessor of Offeror (Jul 2016)
52.209-2	Prohibition on Contracting with Inverted Domestic Corporations—Representation (Nov 2015)
52.209-5	Certification Regarding Responsibility Matters. (Oct 2015)
52.209-6	Protecting the Government’s Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (Aug 2013)
52.209-7	Information Regarding Responsibility Matters (JUL 2013)
52.209-10	Prohibition on Contracting with Inverted Domestic Corporations (NOV 2015)
52.212-1	Instructions to Offerors- Commercial Items (JUL 2013)

#### **QUOTATION SUBMISSION**

Offerors shall submit quotes electronically by the date and time in accordance with the Request for Quote instructions. Quote shall be no more than 5 megabytes or exceed the limits to be submitted electronically via email.

The Government will award a Firm Fixed Priced contract to the responsible offeror determined to be the Lowest Priced Technically Acceptable (LPTA). In order to be rated Technically Acceptable all technical factors shall be rated as pass. Offeror shall demonstrate their ability to meet these factors with their offer in accordance with Paragraphs 1-3 below, and offers shall meet the minimum qualifications below in order to be evaluated. Technical acceptability is rated as pass or fail based on the following: Technical acceptability is rated based on the following:

I. Technical.

At a minimum, the offeror shall develop a plan detailing an understanding of the tasks to be covered and the schedule for the required services as identified within the Scope of Work in the SOW. The plan will at a minimum outline:

- 1) Offeror shall provide detailed plans for:
  - i. Confine Space Entry Plan.
  - ii. Lock & Tag Out Plan.
  - iii. Hazardous Energy Plan.
  - iv. Plan for Submittals to be used (i.e., Chemicals, Materials, Parts)
  - v. Proposed schedule plan for cleaning as described in the SOW (include key personnel, number of personnel, dates, estimated time to complete task, etc.)
- 2) Offerors shall provide Certifications, Licenses, and permits for meeting SOW requirements. At a minimum provide:
  - i. Offeror shall provide certifications, licenses, and permits required for performance of Boiler Efficiency Institute (BEI) services.
  - ii. Offeror shall provide compliance certifications, licenses, and permits applicable to local and State of Florida.
  - iii. Offeror shall provide any training certificates issued by the VA; and manufacture approved authorized factory servicing agreements.

- iv. Offeror shall provide FL Mechanical Contractors License and FL Professional Engineers License. Equivalents may be accepted. Equivalency acceptance shall be determined by technical review board.

3) Offeror shall provide personnel qualifications for the following:

- i. Training Certificates as Cleaver Brooks Service Technician
- ii. Resume of scheduled technicians; illustrating at a minimum of one year trade school/5yrs experience with Cleaver Brooks Fire Tube & Water Tube Boilers.

## II. Past Performance.

Offerors shall provide a minimum of three (3) identified references when submitting their quote. Emphasis will be on recent, relevant past performance. Recent is defined as work performed within the last three years. Relevant is defined as work similar in size and scope of the work described in the Scope of Work in the Statement of Work (SOW).

## III. Price.

### 52.212-3 Certifications and & Representations (NOV 2013)

Offeror shall include a completed copy of the provision 52.212-3, Offeror Representations and Certifications—Commercial Items, with its offer.

### 52.216-1 Type of Contract (APR 1984)

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

### 52.217-5 Evaluation of Options (JUL 1990)

Except when it is determined in accordance with FAR 17.206(b) not to be in the Government's best interests, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. Evaluation of options will not obligate the Government to exercise the option(s).

### 52.225-25 Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran—Representation and Certifications (Oct 2015)

52.233-2 Service of Protest (SEP 2006)

**VAAR Provisions:**

852.209-70 Organizational Conflicts of Interest (JAN 2008)52.212-3  
852.215-70 Service-Disabled Veteran-Owned and Veteran-Owned Small Business Evaluation Factors (DEC 2009)  
852.233-70 Protest Content/Alternative Dispute Resolution (JAN 2008)  
852.233-71 Alternative Protest Procedure (JAN 1998)  
852.252-70 Solicitation Provisions or Clauses Incorporated by Reference (JAN 2008)  
852.270-1 Representatives of Contracting Officers (JAN 2008)  
852.273-74 Award Without Exchanges (JAN 2003)

**FAR Clauses:**

52.212-4 Contract Terms and Conditions- Commercial Items (SEP 2013):  
52.202-1 Definitions (Nov 2013)  
52.203-5 Covenant Against Contingent Fees (May 2014)  
52.203-6 Restrictions on Subcontractor Sales to the Government. (Sep 2006)  
52.203-7 Anti-Kickback Procedures (May 2014)  
52.203-99 Prohibition on Contracting with Entities that require certain Internal Confidentiality Agreements (FEB 2015)  
  
(a) The contractor shall not require employees or contractors seeking to report fraud, waste or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or subcontractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.  
(b) The contractor shall notify employees that the prohibitions and restrictions of any internal confidentiality agreements covered by this clause are no longer in effect.

(c) The prohibition in paragraph (a) of this clause does not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

(d)(1) In accordance with section 743 of Division E, Title VII, of the Consolidated and Further Continuing Resolution Appropriations Act, 2015 (Pub. L. 113-235), use of funds appropriated (or otherwise made available) under that or any other Act may be prohibited, if the Government determines that the Contractor is not in compliance with the provisions of this clause.

(2) The Government may seek any available remedies in the event the contractor fails to comply with the provisions of this clause.

52.204-13 System for Award Management Maintenance ((Oct 2016)

52.204-18 Commercial and Government Entity Code Maintenance (JUL 2016)

52.204-19 Incorporation by Reference of Representations and Certifications. (Dec 2014)

52.204-21 Basic Safeguarding of Covered Contractor Information Systems.

52.217-8 Option to Extend Services (NOV 1999)

The Government may require continued performance of any services within the limits and at the rates specified in the contract. These rates may be adjusted only as a result of revisions to prevailing labor rates provided by the Secretary of Labor. The option provision may be exercised more than once, but the total extension of performance hereunder shall not exceed 6 months. The Contracting Officer may exercise the option by written notice to the Contractor within 30 days of contract expiration.

52.217-9 Option to Extend Term of the Contract (MAR 2000)

(a) The Government may extend the term of this contract by written notice to the Contractor within no later than 30 days before contract expiration; provided that the Government gives the Contractor a preliminary written notice of its intent to extend at least 60 days before the contract expires. The preliminary notice does not commit the Government to an extension.

(b) If the Government exercises this option, the extended contract shall be considered to include this option clause.



(c) The total duration of this contract, including the exercise of any options under this clause, shall not exceed 5 years.

52.219-28	Post-Award Small Business Program Representation (Jul 2013)
52.222-41	Service Contract Labor Standards (May 2014)
52.222-42	Statement of Equivalent Rates for Federal Hires. (May 2014)
52.222-43	Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment (Multiple Year and Option Contracts). (May 2014)
52.222-44	Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment. (May 2014)
52.222-50	Combating Trafficking in Persons (Mar 2015)
52.223-18	Encouraging Contractor Policies to Ban Text Messaging While Driving. (Aug 2011)
52.225-13	Restrictions on certain foreign purchases (June 2008)
52.229-3	Federal, State, and Local Taxes (Feb 2013)
52.232-18	Availability of Funds (APR 1984)
52.232-19	Availability of Funds for the Next Fiscal Year (APR 1984)
52.232-40	Providing Accelerated Payment to Small Business Subcontractors (DEC 2013)
52.232-39	Unenforceability of Unauthorized Obligations (Jun 2013)
52.232-40	Providing Accelerated Payment to Small Business Subcontractors (DEC 2013)
52.233-4	Applicable Law for Breach of Contract Claim. (Oct 2004)
52.237-3	Continuity of Services (Jan 1991)
52.252-2	Clauses Incorporated by Reference (FEB 1998)
52.212-5	Contract Terms and Conditions Required to Implement Statutes or Executive Orders-Commercial Items (SEP 2013)

- 52.204-10 Reporting Executive Compensation and First-Tier Subcontract Awards (JUL 2013)
  - 52.209-6 Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (AUG 2013)
  - 52.222-3 Convict Labor (JUN 2003)
  - 52.222-19 Child Labor – Cooperation with Authorities and Remedies (MAR 2012)
  - 52.222-21 Prohibition of Segregated Facilities (FEB 1999)
  - 52.222-26 Equal Opportunity (MAR 2007)
  - 52.222-35 Equal Opportunity for Veterans (SEP 2010)
  - 52.222-36 Affirmative Action for Workers with Disabilities (OCT 2010)
  - 52.223-18 Encouraging Contractor Policies to Ban Text Messaging While Driving (AUG 2011)
- 52.232-33 Payment by Electronic Funds Transfer- System for Award Management (JUL 2013)

**VAAR Clauses:**

- 852.203-70 Commercial Advertising (JAN 2008)
- 852.203-71 Display of Department of Veterans Affairs hotline poster
- 852.215-70 Service-Disabled Veteran-Owned and Veteran-Owned Small Business Evaluation Factors.
- 852.216-70 Estimated quantities
- 852.228-71 Indemnification and Insurance (JAN 2008)
- 852.232-72 Electronic Submission of Payment Requests (NOV 2012)
- 852.237-70 Contractor Responsibilities (APR 1984)