

## Attachment 1: Combined Synopsis

(i) 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 only the solicitation; quotes are being requested and a written solicitation will not be issued.

(ii) This solicitation (36C24818Q9195) is being issued as a Request for Quotation (RFQ).

(iii) This solicitation document and incorporated provisions and clauses are those in effect through Federal Acquisition Circular 2005-98 dated 05/31/2018.

(iv) This requirement is a Service Disabled Veteran Owned Small Business (SDVOSB) concern and with Tiered evaluations (Cascading) for Veteran Owned Small Business (VOSB) and Small Business concern procedures. The NAICS code for this requirement is NAICS Code 339113- Surgical Appliance and Supplies Manufacturing (750 employees) SBA Size Standard).

(v) Description of line item number, quantities and unit of measure including options. Price/Cost Schedule. **See attachment 2:**

(vi) Description of requirements for the items to be acquired: This combined synopsis is for the requirement of Brand Name or equal (CHF Solution) Aquadex blood set. Statement of Need. **See attachment 3).**

(vii) **FOB: Destination.** All items are to be delivered to the Department of Veteran Affairs (VA), James A. Haley VA hospital. Delivery Schedule: Delivery dates and points/places will be provided at the issuance of each delivery order. The delivery locations are as following:

- James A Haley Veterans' Hospital and associated Clinics, 13000 Bruce B. Downs Blvd., Tampa, FL 33612

(viii) The provision at [52.212-1](#), Instructions to Offerors -- Commercial, applies to this acquisition. Quoters shall complete the following in regards to instruction for Offerors:

- Quoters shall complete the Price and cost schedule in its entirety
- Quoters shall submit their technical and description of supplies that addresses all requirements, to include characteristics, pertaining to the required supplies and services.
- Quoters shall have the capability to provide Brand name or equal supplies of CHF Solutions for Aquadex blood set.
- Quoter shall provide a statement that the product meets all requirements of the Statement of Need.
- Quoter shall include shipping in the cost of supplies.

(ix) The provision at [52.212-2](#), Evaluation -- Commercial Items will be used. Tiered Evaluation (cascading) for small business concerns will be used first in accordance with 38 U.S.C. 8127 (i). Upon completion of the tiered evaluation the comparative evaluation procedures will be used in accordance with FAR 13.106-2(b)(3).

- **Tiered Evaluation for small business concerns**

The government will conduct tiered evaluations for small business concerns with the following procedures.

Government will evaluate the quoters, if any, submitted by SDVOSB concerns. If no quotes were submitted by SDVOSB concerns, or if none of the quotes would result in award at a fair and reasonable price that offers best value to the United States, the government will proceed to the set-aside for VOSB concerns.

If no offers were submitted by VOSB concerns, or if none of the offers would result in award at a fair and reasonable price that offers best value to the United States, the government will proceed to the set aside for other small business concerns.

If no offers were submitted by other Small business concerns, or if none of the offers would result in award at a fair and reasonable price that offers best value to the United States, the government will withdraw from the set-aside, cancel the solicitation and resolicit as an unrestricted procurement.

If any, submitted by SDVOSB, VOSB or other small business concerns are accepted the government will proceed with the following comparative evaluation for the basis of award.

- **Comparative Evaluation**

The Government will award a **Fixed Price with estimated quantities Single Award Blanket Purchase Agreement** to the responsible quoter using a comparative evaluation. The comparative evaluation will be performed in accordance with FAR 13.106-2(b)(3). The government reserves the right to select a quotation that provides benefit to the government that exceeds the minimum but is not required to do so. Quoters are advised that quotation may exceed the requirements but the government is not requesting or accepting alternate quotes; each response must respond to the solicitation requirement, stated in the RFQ.

The government will apply the following comparative evaluation process as the basis for award:

Assess the direct comparison of one quote with another using a uniform and fair approach to determine which quote provides the government what it needs, where and when in accordance with the SON and RFQ.

Once one quotation is found acceptable, it is compared to the remaining ones, and the “best” one is chosen for the best value to the government.

The Government may rely on internal documentation including the Federal Awardee Performance and Integrity Information System (FAPIS) Past Performance Information Retrieval System (PPIRS) and contracting officer’s knowledge of and previous experience with supply or service being acquired for determining Past Performance. If no record of past performance is found in FAPIS or PPIRS, the contract shall not receive a favorable or unfavorable rating, but shall receive a rating of neutral.

Price shall be submitted using the enclosed Price Schedule.

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The government will evaluate prices for the option under FAR [52.217-8](#) by using the final year's option prices to calculate the price for six months of effort, and adding that amount to the base and other option years to arrive at the total price.

Information not contained in a vendor's quote will not be considered during the evaluation. The Government intends to make award selection without clarification, but may determine after evaluating submitted quotes that the elements stated in FAR 13.106-2(b) for evaluation procedures are necessary, and conduct them as appropriate. The Government reserves the right to make no award if no quotes meet the requirements of this solicitation.

(x) To be eligible for award offerors must be registered in System for Award Management (SAM) prior to award in accordance with the provision at [52.212-3](#), Offeror Representations and Certifications -- Commercial Items.

(xi) The clause at [52.212-4](#), Contract Terms and Conditions -- Commercial Items, applies to this acquisition and no additional addenda to the clause included.

(xii) The clause at [52.212-5](#), Contract Terms and Conditions Required to Implement Statutes or Executive Orders -- Commercial Items, applies to this acquisition. The following FAR clauses cited in the clause are applicable to the acquisition:

- 52.203-6, Restrictions on Subcontractor Sales to the Government (SEPT 2006)
- 52.204-10, Reporting Executive Compensation & First-Tier Subcontract Awards (OCT 2016)
- 52.209-6, Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (OCT 2015)
- 52.209-9, Updates of Publicly Available Information Regarding Responsibility Matters (JUL 2013)
- 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns (OCT 2014)
- 52.219-6, Notice of Total Small Business Set-Aside (NOV 2011)
- 52.219-13, Notice of Set-Aside of Orders (NOV 2011)
- 52.222-3, Convict Labor (JUNE 2003)
- 52.222-19, Child Labor--Cooperation with Authorities and Remedies (JAN 2018)
- 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (DEC 2010)
- 52.222-50, Combating Trafficking in Persons (MAR 2015)
- 52.222-54, Employment Eligibility Verification (OCT 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)
- 52.232-33, Payment by Electronic Funds Transfer—System for Award Management (JUL 2013)

(xiii) The following additional contract requirement(s) or terms and conditions determined by the contracting officer to be necessary for this acquisition and consistent with customary commercial practices are as follows:

13.303-3 Preparation of Blanket Purchase Agreements (BPA's) Single award

VAAR 852.233-70 Protest Content/Alternative Dispute Resolution (JAN 2008)

VAAR 852.233-71 Alternative Protest Procedure (JAN 1998)

VAAR 852.232-72 Electronic Submission of Payment Requests (NOV 2012)

VAAR 852.237-70 Contractor Responsibilities (APR 1984)

VAAR 852-246-71 Inspection

VAAR 852.252-70 Solicitation Provisions or Clauses Incorporated by Reference (JAN 2008)

VAAR 852.270-1 Representatives of contracting officers

VAAR 852.273-70 Late offers

VAAR 852-273-74 Award without exchanges

Additional solicitation Provisions:

52.203-98 Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements—Representation (DEVIATION) (FEB 2015)

52.209-5 Representation by Corporations Regarding an Unpaid Tax Liability or a Felony Conviction Under Any Federal Law (DEVIATION)(MAR 2012)

52.252-1 Solicitation Provisions Incorporated by Reference (FEB 1998)

52.203-99 Prohibition on Contracting with Entities That Require Certain Internal Confidentiality Agreements (DEVIATION) (FEB 2015)

VAAR 852.211-73 Brand name or equal

52.217-6 Option for Increased Quantity

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

52.232-19 Availability of funds for the next Fiscal Year (APR 1984)

### **VAAR 852.219-10 VA NOTICE OF TOTAL SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS SET-ASIDE (JUL 2016)(DEVIATION)**

(a) *Definition.* For the Department of Veterans Affairs, "Service-disabled veteran-owned small business concern or SDVSOB":

(1) Means a small business concern:

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans or eligible surviving spouses (see VAAR 802.201 Surviving Spouse definition);

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(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans (or eligible surviving spouses) or, in the case of a service-disabled veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran;

(iii) The business meets Federal small business size standards for the applicable North American Industry Classification System (NAICS) code identified in the solicitation document;

(iv) The business has been verified for ownership and control pursuant to 38 CFR 74 and is so listed in the Vendor Information Pages database, (<https://www.vip.vetbiz.gov>); and

(v) The business will comply with subcontracting limitations in 13 CFR 125.6, as applicable

(2) "Service-disabled veteran" means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

### (b) *General.*

(1) Offers are solicited only from verified service-disabled veteran-owned small business concerns. Offers received from concerns that are not verified service-disabled veteran-owned small business concerns shall not be considered.

(2) Any award resulting from this solicitation shall be made to a verified service-disabled veteran-owned small business concern.

(c) *Agreement.* A service-disabled veteran-owned small business concern agrees that in the performance of the contract, the concern will comply with the limitation on subcontracting requirements in 13 CFR §125.6.

(d) A joint venture may be considered a service-disabled veteran owned small business concern if the joint venture complies with the requirements in 13 CFR 125.15, provided that any reference therein to SDVO SBC is to be construed to apply to a VA verified SDVOSB as appropriate.

(e) Any service-disabled veteran-owned small business concern (non-manufacturer) must meet the requirements in FAR 19.102(f) of the Federal Acquisition Regulation to receive a benefit under this program.

(C\$END-OF-CLAUSE)

## **LIMITATIONS ON SUBCONTRACTING-- MONITORING AND COMPLIANCE (JUN 2011)**

This solicitation includes VAAR 852.219-10 VA Notice of Total Service- Disabled Veteran-Owned Small Business Set-Aside. If needed and in accordance with the Tiered Evaluation Procedures herein, VAAR 852.219-11 VA Notice of Total Veteran-Owned Small Business Set-Aside and FAR 52.219-6 Notice of Total Small Business Set-Aside have been included. Accordingly, any contract resulting from this solicitation will include this clause. The contractor is advised in performing contract administration functions, the CO may use the services of a support contractor(s) retained by VA to assist in assessing the contractor's

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compliance with the limitations on subcontracting or percentage of work performance requirements specified in the clause. To that end, the support contractor(s) may require access to contractor's offices where the contractor's business records or other proprietary data are retained and to review such business records regarding the contractor's compliance with this requirement. All support contractors conducting this review on behalf of VA will be required to sign an "Information Protection and Non-Disclosure and Disclosure of Conflicts of Interest Agreement" to ensure the contractor's business records or other proprietary data reviewed or obtained in the course of assisting the CO in assessing the contractor for compliance are protected to ensure information or data is not improperly disclosed or other impropriety occurs. Furthermore, if VA determines any services the support contractor(s) will perform in assessing compliance are advisory and assistance services as defined in FAR 2.101, Definitions, the support contractor(s) must also enter into an agreement with the contractor to protect proprietary information as required by FAR 9.505-4, obtaining access to proprietary information, paragraph (b). The contractor is required to cooperate fully and make available any records as may be required to enable the CO to assess the contractor's compliance with the limitations on subcontracting or percentage of work performance requirement.

(xiv) Defense Priorities and Allocations System (DPAS) and assigned rating, is not applicable to this acquisition.

(xv) Quotes are due no later than 2:00 PM eastern standard time (EST) on June 28, 2018 via e-mail to [leslie.hawkins@va.gov](mailto:leslie.hawkins@va.gov).

(xvi) The point of contact is Contracting Officer (813) 631-2806.