

**AMENDMENT 0004 – Revised Salient Characteristics. All other terms and conditions remain unchanged.**

This is a COMBINED SYNOPSIS/SOLICITATION for commercial items prepared in accordance with the information in FAR Subpart 12.6, using Simplified Acquisition Procedures for Certain Commercial Items found at FAR 13.5, as supplemented with the additional information included in this notice. This announcement constitutes the only solicitation; a written solicitation will not be issued. PAPER COPIES OF THIS SOLICITATION WILL NOT BE AVAILABLE. This combined synopsis/solicitation SHALL be posted on both FEDBIZOPPS and NECO (<https://www.neco.navy.mil/>).

The RFQ number is N00604-16-T-3086. This solicitation documents and incorporates provisions and clauses in effect through FAC 2005-87 and DFARS Publication Notice 20160325. It is the responsibility of the contractor to be familiar with the applicable clauses and provisions. The clauses may be accessed in full text at these addresses: <https://www.acquisition.gov/far/> and <http://www.acq.osd.mil/dpap/dars/dfarspgi/current/index.html>.

The NAICS code is 332410 and the Small Business Standard is 750 Employees. This proposed contract action is 100% set aside for small business concerns, therefore, manufacturers of the boilers must also be small business concerns. The Small Business Office concurs with the set-aside decision.

The Government is seeking New Equipment ONLY; NO remanufactured, refurbished, or "gray market" items. All items must be covered by the manufacturer's warranty.

The NAVSUP FLC Regional Contracting Department Pearl Harbor requests quotes from qualified sources capable of providing:

	Description	QTY	Unit of Issue	Extended Total
0001	Portable Boiler System See Attachment 1 for "or equal" requirements.	1	Each	\$_____

FOB Destination to:  
NAVFAC Hawaii  
Building 44  
Joint Base Pearl Harbor-Hickam,  
Pearl Harbor, Hawaii

Delivery: 10 Weeks After Date of Contract, FOB Destination

Quotes are to be submitted with drawings and specifications in sufficient detail to allow for a comprehensive evaluation to ensure that the portable boiler system meets or exceeds the salient characteristics stated in Attachment 1. If you do not submit drawings and specifications that are in sufficient detail to allow for a comprehensive evaluation, your quote will be evaluated Unacceptable. Please be advised that if your submissions are not clear, your quote may be evaluated Unacceptable.

**Basis for Award:** Lowest Price Technically Acceptable (LPTA)

The Government intends to award a contract action resulting from this synopsis-solicitation to the responsible offeror whose quote, conforming to this solicitation, is evaluated to be the lowest priced technically acceptable (LPTA) quote. The Government also intends to award a contract action on initial quotes without conducting discussions, however, the Government reserves the right to conduct discussions, if deemed necessary, with the offerors that submitted the most highly rated quotes, price and technical considered.

The ratings for the technical factors shall be Acceptable or Unacceptable. The following factors shall be used to evaluate quotes. Experience and Past Performance are the technical factors.

- Factor 1 – Meets or Exceeds Technical Criteria
- Factor 2 - Past Performance (no less than Satisfactory/Acceptable performance ratings)

AND

Factor 3 – Price.

Submission Requirements and Evaluation:

Factor 1 – Submit specifications and drawings for the portable boiler system that clearly show that your product meets or exceeds the salient characteristics stated in Attachment 1. If you do not submit drawings and specifications in sufficient detail to allow for a comprehensive evaluation, your quote will be evaluated Unacceptable.

<b>Factor 1 - Experience</b>	
<b>Rating</b>	<b>Description</b>
Acceptable (A)	Product clearly meets or exceeds the minimum specifications.
Unacceptable (U)	Product does not clearly meet the minimum specifications.

Factor 2 – Do not submit past performance information. The Government will access the Past Performance Information Retrieval System (PPIRS) to obtain past performance information on your firm’s performance record for the delivery of water storage tanks, utilizing the DUNS number obtained from the Systems for Award Management (SAM) website. If no past performance information is available, Factor 2 will be evaluated Neutral, which is considered Acceptable. If your firm has less than Satisfactory performance evaluations in PPIRS, you may submit acceptable explanations for the ratings for the Government’s consideration. Acceptable explanations will result in an Acceptable rating for Past Performance.

<b>Factor 2 – Past Performance</b>	
<b>Ratings</b>	<b>Description</b>
Acceptable (A)	Based on the performance records, the Government has a reasonable expectation that the quoter will successfully deliver the water storage tanks or the quoter’s performance record is unknown (see definition below).
Unacceptable (U)	Based on the performance records, the Government has no reasonable expectation that the quoter will be able to successfully deliver the water storage tanks.
Unknown (UNK)	In the case of a quoter without a record of past performance or for whom information on past performance is not available or so sparse that no meaningful past performance rating can be reasonably assigned, the quoter may not be evaluated favorably or unfavorably on past performance. Therefore, the quoter shall be determined to have Unknown past performance. In the context of acceptability/unacceptability, Unknown shall be considered ‘Acceptable.’”

In order to be evaluated overall Acceptable, a rating of Acceptable shall be obtained for both Factors 1 and 2. If either one or both are rated Unacceptable, the entire technical quote will be rated Unacceptable and will be removed from further consideration for award.

Price. The Government will evaluate all prices received from the lowest to the highest. Price shall include shipping to Building 44, JBPBH, Hawaii.

The Government will take the five lowest quotes received and evaluate the corresponding technical factors for acceptability. Should the Government identify one quote that represents the lowest priced technically acceptable quote, the Government may make an award as long as the total evaluated price can be determined fair and reasonable. Should there be no technically acceptable quote among the first five lowest quotes, the Government will evaluate the next five lowest quotes for technical acceptability. The Government will continue this method of evaluation until a quote is evaluated to be the lowest priced technically acceptable quote with a reasonable price.

Award will only be made to a firm that is determined to be responsible in accordance with FAR Part 9.

**Submission Requirements:** By submission of a quote, the quoter agrees to all requirements contained in this solicitation. Offerors shall include with their quotes the following, as well as any additional information and certifications with reference to the provisions contained herein:

- 1) A price for CLIN 0001.
- 2) Submission of specifications and drawings documenting that the portable boiler system meets or exceeds the salient characteristics stated in Attachment 1. Failure to submit specifications and drawings will render a quote Unacceptable.
- 3) Point of contact name, phone number, and email address. CAGE and DUNS numbers. Business size. Discount payment terms, if any.
- 4) A completed copy of 52.212-3 and its ALT I (Attachment 2). If the quoter has completed the annual representations and certification electronically via the System for Award Management (SAM) Web Site, the quoter shall only complete paragraph (b) of this provision. If the quoter fails to submit a completed Attachment 2, the quote may be evaluated Unacceptable.
- 5) A completed copy of FAR 52.209-11, (Attachment 3). If the quoter fails to submit a completed Attachment 3, the quote may be evaluated Unacceptable.
- 6) A completed copy of FAR 52.204-20, (Attachment 4). If the quoter fails to submit a completed Attachment 4, the quote may be evaluated Unacceptable.

Payment will be made by NAVFAC Hawaii Comptroller office via EFT.

Responsibility and Inspection: Unless otherwise specified in the order, the supplier is responsible for the performance of all inspection requirements and quality control prior to shipping of the tanks. The Government will retain the right to inspect and accept the tanks at destination.

The following FAR provision and clauses are applicable to this procurement:

- 52.203-3 Gratuities
- 52.203-6 with Alt I Restrictions on Subcontractor Sales to the Gov't
- 52.204-10 Reporting Executive Compensation and First-Tier Subcontract Awards
- 52.204-7 System for Award Management
- 52.204-13 SAM Maintenance
- 52.204-16 Commercial and Government Entity Code Reporting
- 52.204-18 Commercial and Government Entity Code Maintenance
- 52.209-2 Prohibition on Contracting with Inverted Domestic Corporations—Representation
- 52.209-5 Certification Regarding Responsibility Matters
- 52.209-6 Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment
- 52.209-10 Prohibition on Contracting with Inverted Domestic Corporations
- 52.211-6 Brand Name or Equal
- 52.212-1 Instructions to Offerors - Commercial Items
- 52.212-3 and its ALT I, Offeror Representations and Certifications - Commercial Items
- 52.212-4 Contract Terms and Conditions - Commercial Items
- 52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders – Commercial Items
- 52.219-6 Notice of Total Small Business Set-Aside
- 52.219-8 Utilization of Small Business Concerns
- 52.219-14 Limitations on Subcontracting
- 52.219-28 Post Award Small Business Program Representation
- 52.222-3 Convict Labor

- 52.222-19 Child Labor—Cooperation with Authorities and Remedies
- 52.222-21 Prohibition of Segregated Facilities
- 52.222-22 Previous Contracts and Compliance Reports
- 52.225-25 Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran--Reps and Certs
- 52.222-26 Equal Opportunity
- 52.222-35 Equal Opportunity for Veterans
- 52.222-36 Affirmative Action for Workers with Disabilities
- 52.222-37 Employment Reports on Disabled Veterans
- 52.222-40 Notification of Employee Rights Under the National Labor Relations Act
- 52.222-50 Combating Trafficking in Persons
- 52.223-18 Encouraging Contractor Policies to Ban Text Messaging While Driving
- 52.225-13 Restriction on Foreign Purchases
- 52.232-33 Payment by Electronic Funds Transfer – SAM
- 52.232-39 Unenforceability of Unauthorized Obligations
- 52.232-40 Providing Accelerated Payments to Small Business Subcontractors
- 52.233-2 Service of Protest
- 52.233-3 Protest After Award
- 52.233-4 Applicable Law for Breach of Contract Claim
- 52.247-34 FOB Destination
- 52.252-1 Solicitation Provisions Incorporated by Reference
- 52.252-2 Clauses Incorporated by Reference

Quoters are reminded to include a completed copy of 52.212-3 and its ALT I with quotes. All clauses shall be incorporated by reference in the order. Additional contract terms and conditions applicable to this procurement are:

- 252.203-7000 Requirements Relating To Compensation of Former DoD Officials
- 252.203-7002 Requirement to Inform Employees of Whistleblower Rights
- 252.203-7005 Representation Relating To Compensation of Former DoD Officials
- 252.203-7996 Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements — Representation (Dev 2016-O0003)
- 252.203-7997 Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements (Dev 2016-O0003)
- 252.204-7003 Control of Government Personnel Work Product
- 252.204-7004 Alt A System for Award Management
- 252.204-7008 Compliance with Safeguarding Covered Defense Information Controls
- 252.204-7011 Alternative Line Item Structure
- 252.204-7012 Safeguarding of Unclassified Controlled Technical Information
- 252.204-7015 Disclosure of Information To Litigation Support Contractors
- 252.209-7004 Subcontracting with Firms that are Owned or Controlled by the Government of a Country that is a State Sponsor of Terrorism
- 252.211-7003 Item Identification & Valuation
- 252.213-7000 Notice to Prospective Suppliers on Use of PPIRS-SR in Past Performance Evaluations
- 252.222-7007 Representation Regarding Combating Trafficking in Persons
- 252.223-7008 Prohibition of Hexavalent Chromium
- 252.225-7035 Buy American Act-Free Trade Agreements-Balance of Payments Program Certificate
- 252.225-7036 Buy American Act-Free Trade Agreements-Balance of Payments Program
- 252.225-7002 Qualifying Country Sources as Subcontractors
- 252.225-7048 Export-Controlled Items
- 252.232-7010 Levies On Contract Payments
- 252.243-7002 Requests for Equitable Adjustment
- 252.244-7000 Subcontracts For Commercial Items And Commercial Components (DoD Contracts)
- 252.247-7023 Transportation of Supplies by Sea

This announcement will close at **10:00AM HST on June 29, 2016**. Quotes must be received via email to [norine.horikawa@navy.mil](mailto:norine.horikawa@navy.mil) by this time and date to be considered responsive. Questions shall be submitted to Norine

Horikawa via email at [norine.horikawa@navy.mil](mailto:norine.horikawa@navy.mil) by **10:00AM HST on June 23, 2016**. Oral communications are not acceptable in response to this notice. All responsible sources may submit a quote which shall be considered by the agency.

System for Award Management (SAM). Quoters must be registered in the SAM database to be considered for award. Registration is free and can be completed on-line at <http://www.sam.gov/>.

**Attachments (Attachments 2 through 4 are combined in one PDF file)**

**Attachment 1 Salient Characteristics, Amendment 0004**

Attachment 2 FAR 52.212-3 and ALT 1

Attachment 3 FAR 52.209-11

Attachment 4 FAR 52.204-20

\*\*\*\*\* End of Combined Synopsis/Solicitation \*\*\*\*\*