

COMBINED SYNOPSIS & SOLICITATION



United States Embassy Tirana, Albania
Supply and Delivery of Televisions and Accessories

SOLICITATION NO. 19GE5020Q0071

Issued by:
American Consulate General
Regional Procurement Support Office
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**Combined Synopsis and Solicitation
Solicitation Number 19GE5020Q0071**

The American Consulate General Frankfurt hereby provides the following Combined Synopsis and Solicitation for:

Supply and delivery of **Televisions and Accessories - Brand Name or Equal** for the U.S. Embassy Tirana, Albania on behalf of International Criminal Investigative Training Assistance Program (ICITAP). All interested sellers shall review the attached pages of this solicitation and offer equipment in accordance with the specification provided in this document.

The evaluation of offers will be based on the Lowest-Priced, Technically Acceptable (LPTA) approach. It is the offeror's responsibility to prove that the equipment it is offering meets the requested specifications.

Synopsis:

This is a combined synopsis/solicitation for commercial items prepared in accordance with the format in FAR Subpart 12.6, as supplemented with additional information included in this notice. This announcement constitutes the only solicitation; offers are being requested and a written solicitation will not be issued. The solicitation number is 19GE5020Q0071 and is issued as a Request for Quotations (RFQ), unless otherwise indicated herein.

The solicitation document and incorporated provisions and clauses are those in effect through Federal Acquisition Circular FAC 2020-07, effective August 31, 2020.

Contract Type:

The Government intends to award a single, firm fixed-price contract to the responsible offeror whose offer is evaluated as the lowest-priced and technically acceptable. The total price shall include all labor, equipment, delivery charges, materials, overhead, profit, insurance, warranty, customs clearance, and all other expenses necessary to deliver the required supplies. No additional sums will be payable on account of any escalations in the cost of materials, equipment, or labor, or because of the Contractor's failure to properly estimate or accurately predict the cost or difficulty of achieving the results required by this contract. Nor will the contract price be adjusted on account of fluctuations in currency exchange rates.

Term of Contract:

This ensuing contract shall be effective from the date of the Contracting Officer's signature and shall remain valid until all items are received and accepted by the Government.

Compliance with Specifications:

Offerors shall also provide with their offer, at a minimum, existing product literature substantiating the acceptability of their offered product in accordance with this solicitation's specifications provided in the solicitation. Failure to provide this information will result in a 'non-responsive' offer and removal from award consideration.

Descriptive Literature Required:

Definition: (a) "Descriptive literature" means information (e.g., cuts, illustrations, drawings and original manufacturers' brochures) that is submitted as part of an offer. Descriptive literature is required to establish, for the purpose of evaluation and award, details of the product offered that are specified elsewhere in the solicitation and pertain to significant elements such as (1) design; (2) materials; (3) components; (4) performance characteristics; and (5) methods of manufacture, assembly, construction, or operation. The term includes only information required to determine the *technical acceptability* of the offered product. It does not include other information such as that used in determining the responsibility of a prospective contractor or for operating or maintaining equipment. (b) Descriptive literature must be (1) identified to show the item(s) of the offer to which it applies and (2) received by the time specified in this solicitation for receipt of offers. (c) Data displaying more than one model or size shall be clearly marked so as to indicate the specific item being offered. (d) Offers which do not present sufficient information to permit complete technical evaluation by the Government may be rejected. It is the offeror's responsibility to prove that their proposed solution meets the requested specifications, subject to any limitations elsewhere in this solicitation.

Other Specific Requirements:

- If applicable, the Contractor shall comply with all import requirements mandated by the Government of Albania. Further, the Contractor shall provide all the necessary documentation required at destination for importation of the proposed items.
- The Contractor shall obtain all necessary export licenses regardless of shipping method. The Contractor shall state in its export license request that this is a U.S. government funded contract.
- The Contractor shall provide a letter of guarantee certifying that the vendor is not subject to sanctions pursuant to the effective laws of Albania.
- All manuals and literature shall be in the English language.

Basis of Price:

The price of all items shall include their transportation f.o.b. destination to the designated delivery point in accordance with FAR 52.247-34. **All or Nothing:** The Government is allowing complete offers for all items. Offers failing to meet this condition may be rejected.

Warranty:

The Contractor shall provide a copy of standard warranty information unless indicated otherwise. The warranty applies as of the date the items are received and accepted at the delivery location. The price for warranty shall be included in the price for each item.

Delivery:

Delivery shall be made F.O.B. destination as soon as possible but not later than thirty (30) days from the date of contract award.

Partial delivery is not acceptable.

Delivery shall be made to the following address:

U.S. EMBASSY TIRANA
ATTN: **(to be advised on award)*
RRUGA ELBASANIT, NR. 103
TIRANA, ALBANIA

Marking and Submission of Documents:

The cargo must be clearly marked with the requisition and purchase order number (*to be advised on award*). If applicable, the Contractor shall provide delivery information or certificates of origin and shipping documents for the required goods being imported to the Point of Contact (POC) (*to be advised on award*) in advance of delivery.

Coordination:

The Contractor shall coordinate the delivery of the items with the following Points of Contact (POC): (*to be advised on award*).

Condition of Delivered Equipment:

Only new supplies are authorized; no grey market or refurbished products. All items must be in original packaging, never used, and not altered in any way.

APPLICABLE CLAUSES AND PROVISIONS

The full text of the referenced FAR and DOSAR clauses may be accessed electronically at <https://www.acquisition.gov/content/regulations>.

The selected Offeror must comply with the following commercial item terms and conditions, which are incorporated herein by reference: FAR 52.212-1, Instructions to Offerors - Commercial Items applies to this acquisition; FAR 52.212-2, Evaluation – Commercial Items; FAR 52.212-3, Offeror Representations and Certifications - Commercial Items and FAR 52.204-24 – Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment to be completed with other certifications and submitted with the offer; FAR 52.212-4, 52.204-13 Contract Terms and Conditions - Commercial Items, 52.203-18; 52.204-7; 52.204-13; 52.204-16; 52.204-18; 52.211-6; 52.225-17; 52.247-34; DOSARS 652.232-70; 652.242-73; 652.243-70; 652.247-70; 652.247-71.

Addendum to FAR 52.212-4 Contract Terms and Conditions – Commercial Items (Deviation 2017-02)

The whistleblower protection of 41 U.S.C 4712 has been removed from paragraph (r) of FAR clause 52.212-4. The following revised paragraph applies:

(r) Compliance with laws unique to Government contracts. The Contractor agrees to comply with 31 U.S.C. 1352 relating to limitations on the use of appropriated funds to influence certain Federal contracts; 18 U.S.C. 431 relating to officials not to benefit; 40 U.S.C. chapter 37, Contract Work Hours and Safety Standards; 41 U.S.C. chapter 87, Kickbacks; 10 U.S.C. 2409

relating to whistleblower protections; 49 U.S.C. 40118, Fly American; and 41 U.S.C. chapter 21 relating to procurement integrity.

(End of Clause)

FAR 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders-Commercial Items - the applicable clauses under paragraph (b) are: 52.222-19; 52.222-50; 52.223-18; 52.225-13; 52.232-33 [U.S Based Company: 52.222-21; 52.222-26; 52.222-36].

The following clauses and provision(s) are provided in full text:

Addendum to FAR 52.212-2 Evaluation – Commercial Items (Oct 2014)

The Government will award a contract resulting from this solicitation to the responsible offeror (as determined within the meaning of FAR Part 9, paragraph 9.104), whose offer conforms to the solicitation and is determined to be the most advantageous solution to the Government, price and other factors considered. Evaluation will be based on offeror's submission and the provision at FAR 52.212-2, as provided in this solicitation.

The Government reserves the right to award without any discussions. The following factors shall be used to evaluate offers:

(a) The following factors shall be used to evaluate offers:

(i) Price

The price will be evaluated by the lowest aggregate sum of the items including any delivery charges, custom clearance, handling charge, VAT (if applicable) etc.

(ii) Technical Capability/Acceptability

Technical capability is equal to 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)

52.214-34 Submission of Offers in the English Language (Apr 1991)

Offers submitted in response to this solicitation shall be in the English language. Offers received in other than English shall be rejected.

(End of Provision)

52.225-17 Evaluation of Foreign Currency Offers (Feb 2000)

If the Government receives offers in more than one currency, the Government will evaluate offers by converting the foreign currency to United States currency using <http://ice.cgfs.state.sbu> in effect as follows:

- (1) On the date specified for receipt of offers if award is based on initial offers; otherwise
- (2) On the date specified for receipt of proposal revisions.

(End of provision)

Addendum to FAR 52.212-1 Instruction to Offerors – Commercial Items (Jun 2020)

Pursuant to FAR 12.302(d), the provision at FAR 52.212-1, Instruction to Offerors – Commercial Items (June 2020) is augmented as follows:

- 1) Preparation of Offers - Offerors shall prepare and submit its offer in two (2) volumes as set forth below.

VOLUME I:

1. PRICING

- (i) The offeror shall complete the table below:

CLIN	Description	Place of Manufacture (Representation & Certification)	Quantity	Unit	Unit Price	Extended Cost
0001	Television, Samsung LED UE55RU7022KXXH, Brand Name or Equal		24	Each		

CLIN	Description	Place of Manufacture (Representation & Certification)	Quantity	Unit	Unit Price	Extended Cost
0002	TV Wall Mount – appropriate to support CLIN 0001		24	Each		
0003	Value Added Tax (if applicable)	N/A	1	Lot		
0004	Shipping Charges, F.O.B. Destination Tirana, Albania	N/A	1	Lot		
GRAND TOTAL – CLINs 0001 to 0004:						

CURRENCY*: _____

- (ii) 52.212-3 Offeror Representations and Certifications - Commercial Items (Aug 2020)
The selected offeror must submit a completed copy of the listed representations and certifications. A completed copy of these provisions **MUST** be included on the System for Award Management (SAM) web site located at <https://www.sam.gov/portal>. If the Offeror has not completed the annual representations and certifications electronically, the Offeror shall complete only paragraphs (c) through (u) of this provision.
- (iii) 52.204-24 Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (Aug 2020)

The Offeror shall not complete the representation at paragraph (d)(1) of this provision if the Offeror has represented that it “does not provide covered telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument” in the provision at 52.204-26, Covered Telecommunications Equipment or Services—Representation, or in paragraph (v) of the provision at 52.212-3, Offeror Representations and Certifications-Commercial Items.

(a) Definitions. As used in this provision—

Backhaul, covered telecommunications equipment or services, critical technology, interconnection arrangements, reasonable inquiry, roaming, and substantial or essential component have the meanings provided in the clause 52.204-25, Prohibition

on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.

(b) Prohibition. (1) Section 889(a)(1)(A) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232) prohibits the head of an executive agency on or after August 13, 2019, from procuring or obtaining, or extending or renewing a contract to procure or obtain, any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. Nothing in the prohibition shall be construed to—

(i) Prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

(ii) Cover telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(2) Section 889(a)(1)(B) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232) prohibits the head of an executive agency on or after August 13, 2020, from entering into a contract or extending or renewing a contract with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. This prohibition applies to the use of covered telecommunications equipment or services, regardless of whether that use is in performance of work under a Federal contract. Nothing in the prohibition shall be construed to—

(i) Prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

(ii) Cover telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(c) Procedures. The Offeror shall review the list of excluded parties in the System for Award Management (SAM) (<https://www.sam.gov>) for entities excluded from receiving federal awards for “covered telecommunications equipment or services”.

(d) Representation. The Offeror represents that—

(1) It will, will not provide covered telecommunications equipment or services to the Government in the performance of any contract, subcontract or other contractual instrument resulting from this solicitation. The Offeror shall provide the

additional disclosure information required at paragraph (e)(1) of this section if the Offeror responds “will” in paragraph (d)(1) of this section; and

(2) After conducting a reasonable inquiry, for purposes of this representation, the Offeror represents that—

It does, does not use covered telecommunications equipment or services, or use any equipment, system, or service that uses covered telecommunications equipment or services. The Offeror shall provide the additional disclosure information required at paragraph (e)(2) of this section if the Offeror responds “does” in paragraph (d)(2) of this section.

(e) Disclosures. (1) Disclosure for the representation in paragraph (d)(1) of this provision. If the Offeror has responded “will” in the representation in paragraph (d)(1) of this provision, the Offeror shall provide the following information as part of the offer:

(i) For covered equipment—

(A) The entity that produced the covered telecommunications equipment (include entity name, unique entity identifier, CAGE code, and whether the entity was the original equipment manufacturer (OEM) or a distributor, if known);

(B) A description of all covered telecommunications equipment offered (include brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); and

(C) Explanation of the proposed use of covered telecommunications equipment and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(1) of this provision.

(ii) For covered services—

(A) If the service is related to item maintenance: A description of all covered telecommunications services offered (include on the item being maintained: Brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); or

(B) If not associated with maintenance, the Product Service Code (PSC) of the service being provided; and explanation of the proposed use of covered telecommunications services and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(1) of this provision.

(2) Disclosure for the representation in paragraph (d)(2) of this provision. If the Offeror has responded “does” in the representation in paragraph (d)(2) of this provision, the Offeror shall provide the following information as part of the offer:

(i) For covered equipment—

(A) The entity that produced the covered telecommunications equipment (include entity name, unique entity identifier, CAGE code, and whether the entity was the OEM or a distributor, if known);

(B) A description of all covered telecommunications equipment offered (include brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); and

(C) Explanation of the proposed use of covered telecommunications equipment and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(2) of this provision.

(ii) For covered services—

(A) If the service is related to item maintenance: A description of all covered telecommunications services offered (include on the item being maintained: Brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); or

(B) If not associated with maintenance, the PSC of the service being provided; and explanation of the proposed use of covered telecommunications services and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(2) of this provision.

(End of provision)

VOLUME II:

1. TECHNICAL CAPABILITY

The proposed supply shall meet all of the minimum technical specifications and the delivery terms contained herein. In addition, the offeror shall provide:

- (A) Descriptive Literature.
- (B) A delivery confirmation providing delivery within thirty (30) calendar days of award to U.S. Embassy Tirana, Albania.
- (C) Warranty provisions: Standard warranty is implied and shall be included in the contract price.
- (D) Technical Compliance Matrix:

REQUIRED SPECIFICATIONS:	<i>- OFFERED SPECIFICATIONS (TO BE COMPLETED BY OFFEROR) -</i>
CLIN 0001: Television, Samsung LED UE55RU7022KXXH, Brand Name or Equal <ul style="list-style-type: none"> • UHD Engine • HDR formats supported • Slim design • Connect & Share ability • Sync your TV to smartphone capability • Remote control • 54.6" screen (measured diagonally from corner to corner) • 2160p Ultra HD • Full HD resolution • Smart TV • Two 10W speakers. • 2 High-speed HDMI inputs • 2 USB inputs 	
CLIN 0002: TV Wall Mounts <ul style="list-style-type: none"> • Must fit the TV under CLIN001 	

SUBMISSION OF OFFERS:

The complete offer submission shall include:

- (1) Volume I - Price Offer and Representations and Certifications
- (2) Volume II - Technical Capability - Descriptive literature, a delivery confirmation, warranty provisions, and completed Technical Compliance Matrix.

Submission of Questions:

Interested parties may submit any questions concerning the solicitation as soon as possible but not later than **1100 hrs Central European Summer Time (CEST) on Friday, September 18, 2020** via email to Patticha Gruenbeck at GruenbeckP@state.gov and FrankfurtRPSO@state.gov. The email subject line must read "Solicitation 19GE5020Q0071". **Late questions may not be considered.**

Offer due date:

Offers shall be submitted as soon as possible but **not later than 1600 hrs Central European Summer Time (CEST) on Thursday, September 24, 2020** via email to Patticha Gruenbeck at GruenbeckP@state.gov and FrankfurtRPSO@state.gov. The email subject line must read "Solicitation 19GE5020Q0071". The size shall not exceed 20MB.

Late submissions shall not be considered.

Applicable laws and regulations: Solicitation and award will be subject to laws and regulations of the United States of America.

{END OF SOLICITATION}