

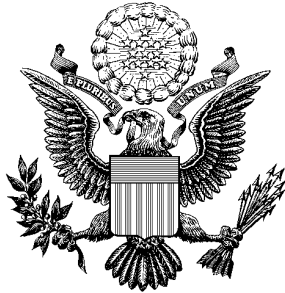
COMBINED SYNOPSIS & SOLICITATION



**State Border Guard Service of Ukraine Dugout Shelters
U.S. Embassy Kyiv**

SOLICITATION NO. 19GE5023Q0014

**Issued by:
Regional Procurement Support Office Frankfurt
Giessener Strasse 30
60435 Frankfurt am Main
Germany**



Regional Procurement Support Office Frankfurt

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February 06, 2023

**Combined Synopsis and Solicitation
Solicitation Number 19GE5023Q0014**

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

**State Border Guard Service of Ukraine Dugout Shelters
U.S. Embassy Kyiv**

Synopsis:

This is a combined synopsis/solicitation for commercial products or commercial services 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 19GE5023Q0014 and is issued as a Request for Quotes (RFQ). The solicitation document and incorporated provisions and clauses are those in effect through Federal Acquisition Circular FAC 2023-01, effective December 30, 2022. The solicitation is not set-aside.

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, and all other expenses necessary to deliver the required equipment. 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.

Schedule:

CLIN:	Description	Qty	Unit	Unit Price	Total Price
0001	<p>Field Accommodation Dugout As specified in the Statement of Work</p> <p><u>First Delivery</u></p> <p>Required Delivery Date: 05/31/2023</p>	20	EA		
0002	<p>Field Accommodation Dugout As specified in the Statement of Work</p> <p><u>Second Delivery</u></p> <p>Required Delivery Date: 06/30/2023</p>	20	EA		
0003	<p>Field Accommodation Dugout As specified in the Statement of Work</p> <p><u>Third Delivery</u></p> <p>Required Delivery Date: 07/31/2023</p>	20	EA		
0004	<p>Field Accommodation Dugout As specified in the Statement of Work</p> <p><u>Fourth Delivery</u></p> <p>Required Delivery Date: 08/31/2023</p>	20	EA		
0005	<p>Field Accommodation Dugout As specified in the Statement of Work</p> <p><u>Fifth Delivery</u></p> <p>Required Delivery Date: 09/30/2023</p>	20	EA		
0006	Shipping for CLIN 0001	1	LS		
0007	Shipping for CLIN 0002	1	LS		
0008	Shipping for CLIN 0003	1	LS		

0009	Shipping for CLIN 0004	1	LS		
0010	Shipping for CLIN 0005	1	LS		
1001	* OPTION * Field Accommodation Dugout As specified in the Statement of Work Delivery 30 days after order placed, at a rate of 20 per month.	100	EA		
1002	* OPTION * Shipping of units of CLIN 0007	1	LS		
TOTAL PRICE					

Statement of Work

Background:

INL provides emergency support for the sustainment of the State Border Guard Service of Ukraine (SBGSU). Currently, the SBGSU has an urgent and compelling need for deploying personnel to the areas de-occupied from Russian forces and securing Ukraine's borders in view of the winter season. Thus, the SBGSU is seeking INL emergency assistance in procuring field accommodation dugouts for that purpose.

Requirements:

A vendor shall supply field accommodation dugouts as described in the following specifications. All dugouts and equipment must be new and of high quality, officially imported to Ukraine or made in Ukraine. This equipment must meet the Ukrainian technical and quality regulations.

Full destination services (shipping, custom clearance, temporary warehousing, local delivery, loading/offloading, and placing) should be included to the contract price. This is an international technical assistance project, so no tax, VAT or custom fees are applied in Ukraine (project registration documents will be provided to the vendors upon request).

Shipping address:

Along Ukraine's northern border (actual delivery address/destination will be provided on a later stage).

Warranty:

At least 12 months standard manufacturer or seller warranty in Ukraine is required for all the equipment.

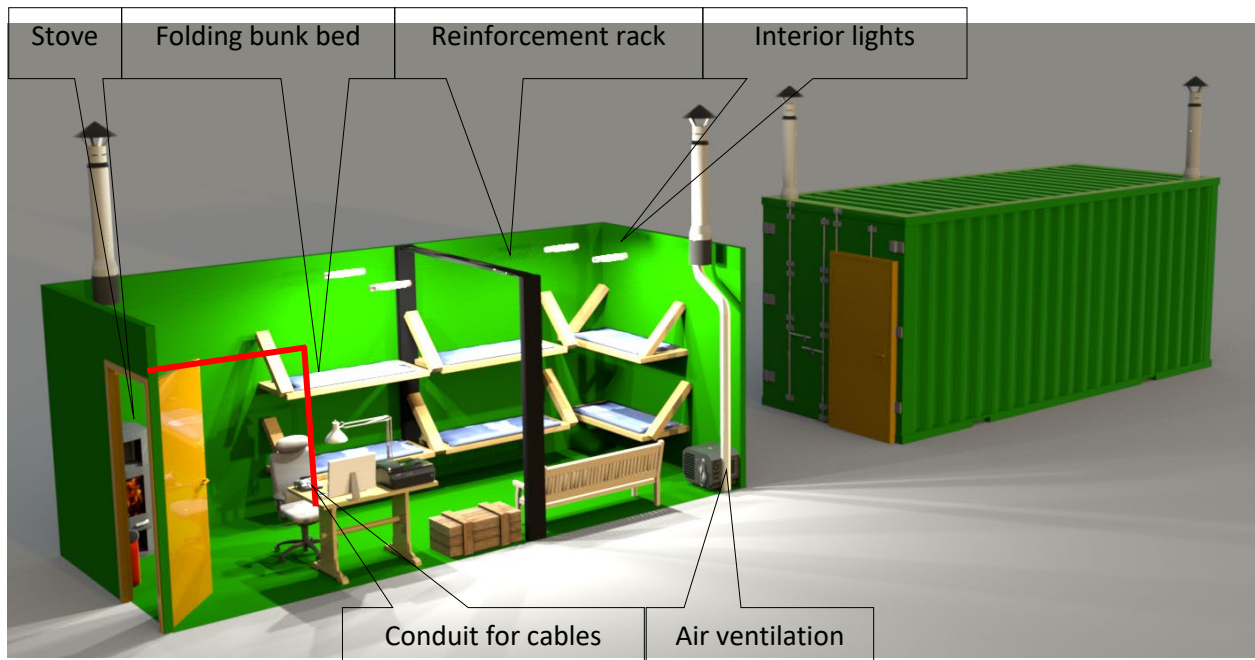
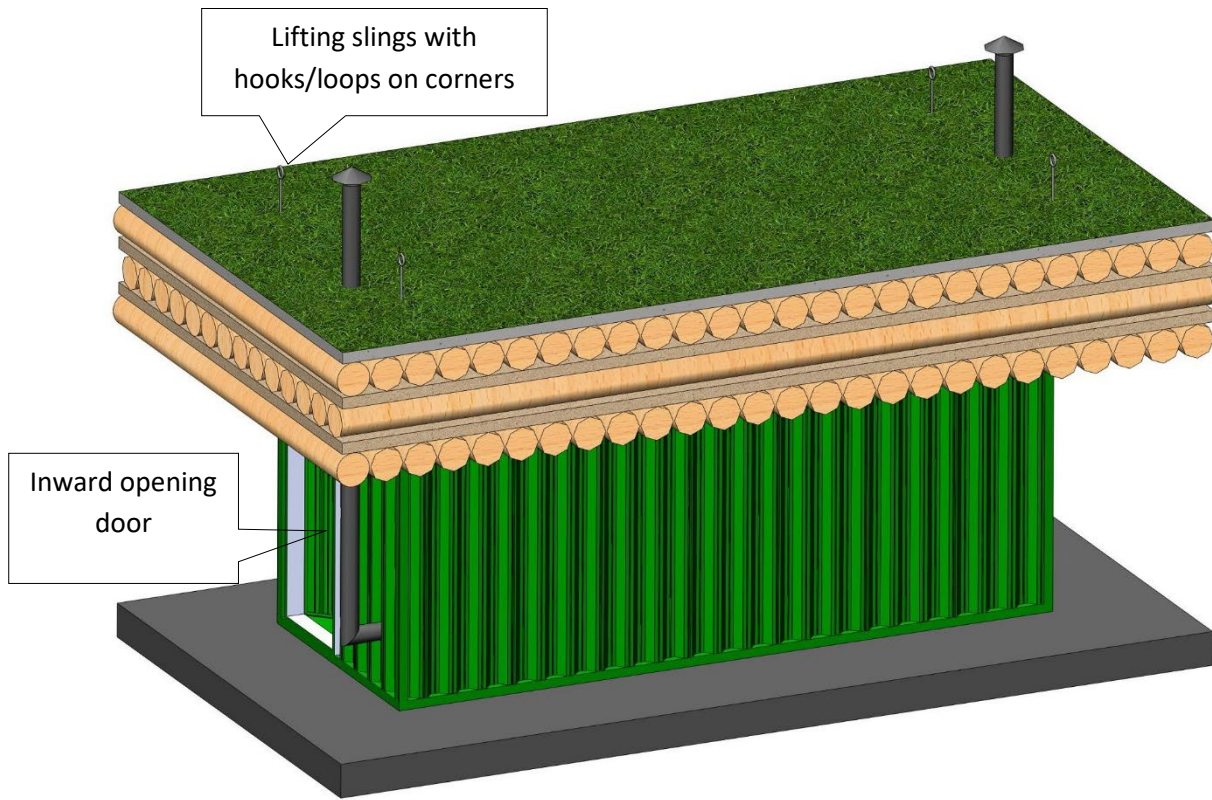
Delivery and Deadline:

As specified in the schedule. Partial deliveries are not permitted, unless expressly authorized by the Contracting Officer or the COR. See individual line-item detail for specific required delivery date. All items shall be delivered within six months after award of the purchase order. Delivery of "option" quantities (CLIN 1001) shall follow the same rate as that of the base line items, specifically 20 units every 30 days. Deliveries shall be FOB Destination.

Inspections:

The COR, or designated representative, shall conduct pre-shipment factory inspections, when notified by vendor that fabrication is complete.

Specifications:



General design

Rigid all-welded container-type structure for underground placement with overall dimensions (length x width x height) of 6000 x 2400 x 2440 mm. The frame shall be made of profile steel pipe 80x80x4 mm. The sides shall be reinforced with additional racks made of profile steel pipe 80x40x4 mm and covered with exterior side panels made of corrugated/bent profile steel sheet welded along the contour of the frame (steel sheet thickness – not less than 2 mm; steel grade – not worse than 08kp, which corresponds to the US steel grades 1008, 1010, A619, A622, G10080, G10120; profile height – not more than 60 ± 5 mm; trapezoidal corrugation pitch – not less than 270 mm). The top/roof shall be made of profile steel pipe 100x60x4 mm covered with corrugated/bent profile steel sheet, 2 mm thick, rigidly welded to the frame. The base/bottom shall be made of profile steel pipe 80x80x4 mm covered with corrugated/bent profile steel sheet, 2 mm thick, rigidly welded to the frame. The floor shall be made of non-slip profile steel sheet, 3 mm thick, rigidly welded to the frame.

Door

1 pc.; insulated steel door, 940x1900(h) mm; door frame/threshold – at 200 mm above the floor level; material – profile steel sheet, 2 mm thick; steel grade – not worse than 08kp, which corresponds to the US steel grades 1008, 1010, A619, A622, G10080, G10120; profile height – not more than 60 ± 5 mm; trapezoidal corrugation pitch – not less than 270 mm; with mortise lock and latch.

Insulation

The wall with the door shall be insulated – mineral wool 100 mm, vapor barrier, water barrier, interior material – profile steel sheet, 2 mm thick.

Corrosion protection

All elements of the container shall be galvanized or painted. 2 corrosion protection layers on the outside: 3 in 1 ship enamel coating covered with waterproof bitumen-rubber mastic; Shall withstand temperatures range from -35°C to $+40^{\circ}\text{C}$; atmospheric precipitation and air humidity up to 100%; effects of aggressive liquids, oil, and grease.

Ventilation

Ventilation portal with a hatch over the top of the door and an exhaust pipe in the ceiling, comprised of 2 removable parts (1.5 m above the roof).

Two backups for ventilation shall be provided:

- Air intake fan that can be connected to and powered from a generator (the generator is not a part of this requirement);

- Solar-powered air intake fan with battery auxiliary

Heating

Wood stove – 1 pc

Material: Metal

Doors: Without glass

Furnace material thickness: Not less than 3 mm

Efficiency: at least 75%

Installation type: Free standing

Heating area: not less than 40 square meters

Type of fuel: Solid

Chimney exit: From above; 110 mm diameter

Chimney pipe 1 m (at least 0.5 mm thick): 5 pcs

Chimney cap (at least 0.5 mm thick): 1 pc

Interior lighting

Solar-powered lamp with battery auxiliary (at least 12-hour of work) – 4 pcs.

Backup interior lighting shall be provided:

- Lamps that can be connected to and powered from a generator (the generator is not a part of this requirement).

Transportation features

Corner castings on the container; lifting slings with hooks/loops – 4 pcs, 1 m long, made of rolled metal, Ø30 mm.

Equipment

Folding bunk bed – 3 pcs (for 6 people)

Fire extinguisher – 1 pc

Optional quantity:

After evaluation and assessment of operational benefits and performance of delivered items additional units may be procured by exercising option CLIN 1001 and CLIN 1002. The requirements of the items will remain the same. However, the quantity needed during the renewal option year will be confirmed once the decision to exercise the option is made.

APPLICABLE CLAUSES AND PROVISIONS

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 Products and Commercial Services (Nov 2021), applies to this acquisition,
- FAR 52.212-3, Offeror Representations and Certifications - Commercial Products and Commercial Services (Dec 2022) – **to be completed with other certifications and submitted with the offer,**
- FAR 52.212-4, Contract Terms and Conditions - Commercial Products and Commercial Services (Dec 2022),
- FAR 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders-Commercial Products and Commercial Services - the applicable clauses under paragraph (b) are: 52.203-6, 52.204-10, 52.209-6, 52.209-9, 52.219-4, 52.222-19, 52.222-50, 52.223-18, 52.225-5, 52.225-13 and 52.232-33,
- FAR 52.204-7 System for Award Management (Oct 2018),
- FAR 52.204-13 System for Award Management Maintenance (Oct 2018),
- FAR 52.204-16 Commercial and Government Entity Code Reporting (Aug 2020),
- FAR 52.204-18 Commercial and Government Entity Code Maintenance (Aug 2020),
- FAR 52.204-24 Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (Nov 2021),
- FAR 52.217-5 Evaluation of Options (July 1990),
- FAR 52.225-14 Inconsistency between English Version and Translation of Contract (Feb 2000),
- FAR 52.225-25 Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran – Representations and Certifications (Jun 2020),
- FAR 52.232-40 Providing Accelerated Payments to Small Business Subcontractors (Nov 2021),
- FAR 52.247-64 Preference for Privately Owned U.S.-Flag Commercial Vessels (Nov 2021),
- DOSAR 652.232-70,
- DOSAR 652.242-73, and
- DOSAR 652.243-70.

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

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

52.217-7 Option for Increased Quantity-Separately Priced Line Item (Mar 1989)

The Government may require the delivery of the numbered line item, identified in the Schedule as an option item, in the quantity and at the price stated in the Schedule. The Contracting Officer may exercise the option by written notice to the Contractor within 12 months after the final delivery of the initial 100 units. Delivery of added items shall continue at the same rate that like items are called for under the contract, unless the parties otherwise agree.

(End of clause)

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)

52.222-56 Certification Regarding Trafficking in Persons Compliance Plan (Oct 2020)

(a) The term "commercially available off-the-shelf (COTS) item," is defined in the clause of this solicitation entitled "Combating Trafficking in Persons" (FAR clause 52.222-50).

(b) The apparent successful Offeror shall submit, prior to award, a certification, as specified in paragraph (c) of this provision, for the portion (if any) of the contract that-

(1) Is for supplies, other than commercially available off-the-shelf items, to be acquired outside the United States, or services to be performed outside the United States; and

(2) Has an estimated value that exceeds \$550,000.

(c) The certification shall state that-

(1) It has implemented a compliance plan to prevent any prohibited activities identified in paragraph (b) of the clause at 52.222-50, Combating Trafficking in Persons, and to monitor, detect, and terminate the contract with a subcontractor engaging in prohibited activities identified at paragraph (b) of the clause at 52.222-50, Combating Trafficking in Persons; and

(2) After having conducted due diligence, either-

(i) To the best of the Offeror's knowledge and belief, neither it nor any of its proposed agents, subcontractors, or their agents is engaged in any such activities; or

(ii) If abuses relating to any of the prohibited activities identified in 52.222-50(b) have been found, the Offeror or proposed subcontractor has taken the appropriate remedial and referral actions.

(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 <https://x-rates.com> in effect as follows:

(a) For acquisitions conducted using sealed bidding procedures, on the date of bid opening.

(b) For acquisitions conducted using negotiation procedures--

(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)

652.206-70 - ADVOCATE FOR COMPETITION/OMBUDSMAN (FEB 2015)

(a) The Department of State's Advocate for Competition is responsible for assisting industry in removing restrictive requirements from Department of State solicitations and removing barriers to full and open competition and use of commercial items. If such a solicitation is considered competitively restrictive or does not appear properly conducive to competition and commercial practices, potential offerors are encouraged first to contact the contracting office for the solicitation. If concerns remain unresolved, contact:

(1) For solicitations issued by the Office of Acquisition Management (A/LM/AQM) or a Regional Procurement Support Office, the A/LM/AQM Advocate for Competition, at AQMCompetitionAdvocate@state.gov.

(2) For all others, the Department of State Advocate for Competition at cat@state.gov.

(b) The Department of State's Acquisition Ombudsman has been appointed to hear concerns from potential offerors and contractors during the pre-award and post-award phases of this acquisition. The role of the ombudsman is not to diminish the authority of

the contracting officer, the Technical Evaluation Panel or Source Evaluation Board, or the selection official. The purpose of the ombudsman is to facilitate the communication of concerns, issues, disagreements, and recommendations of interested parties to the appropriate Government personnel, and work to resolve them. When requested and appropriate, the ombudsman will maintain strict confidentiality as to the source of the concern. The ombudsman does not participate in the evaluation of proposals, the source selection process, or the adjudication of formal contract disputes. Interested parties are invited to contact the contracting activity ombudsman, Sharon D. James, at 703-875-5429 or fax 703-875-6155. For an American Embassy or overseas post, refer to the

numbers below for the Department Acquisition Ombudsman. Concerns, issues, disagreements, and recommendations which cannot be resolved at a contracting activity level may be referred to the Department of State Acquisition Ombudsman at (703) 516-1696 or write to: Department of State, Acquisition Ombudsman, Office of the Procurement Executive (A/OPE), 1200 Wilson Blvd, SA-6B 13th Floor, Arlington, VA 22209.

(End of provision)

Addendum to FAR 52.212-1 Instruction to Offerors – Commercial Products and Commercial Services (Nov 2021)

As specified in FAR 52.212-1, offers shall provide the following:

Submission of offers. Submit signed and dated offers to the office specified in this solicitation at or before the exact time specified in this solicitation. Offers may be submitted on letterhead stationery. As a minimum, offers must show—

- (1) The solicitation number;
- (2) The time specified in the solicitation for receipt of offers;
- (3) The name, address, and telephone number of the offeror;
- (4) **A technical description of the items being offered in sufficient detail to evaluate compliance with the requirements in the solicitation. This shall include product literature, or other documents;**
- (5) Terms of any express warranty;
- (6) Price and any discount terms;
- (7) "Remit to" address, if different than mailing address;
- (8) A completed copy of the representations and certifications at Federal Acquisition Regulation (FAR) 52.212-3 (see FAR 52.212-3(b) for those representations and certifications that the offeror shall complete electronically);

(9) Acknowledgment of Solicitation Amendments;

(10) Past performance information, when included as an evaluation factor, to include recent and relevant contracts for the same or similar items and other references (including contract numbers, points of contact with telephone numbers and other relevant information); and

(11) Include a statement specifying the extent of agreement with all terms, conditions, and provisions included in the solicitation. Offers that fail to furnish required representations or information, or reject the terms and conditions of the solicitation may be excluded from consideration.

ADDITIONAL REQUIREMENTS

(A) SAM Registration – Offeror is required to be registered in the System for Award Management (SAM) database, in accordance with FAR 52.204-7. Offeror shall provide UEI number for SAM registration verification.

(B) Offeror Representations and Certifications FAR 52.212-3 Offeror Representations and Certifications – Commercial Items (Dec 2022): The Offeror shall complete the 52.212-3, as applicable, and submit with their quote.

(C) Provide the Certification required in provision 52.222-56, that the offeror has a trafficking in person compliance plan and confirming the offeror, nor its agents or subcontractors, have engaged in any human trafficking related activities.

SUBMISSION OF OFFERS

Offers and all supporting documentation shall be submitted via email to machendd@state.gov. The subject line shall read “**Quotation 19GE5023Q0014**”. Downloading of offers from cloud-based file storage platforms, such as Google Drive, is not permitted.

OFFER DUE DATE

The complete offer shall be submitted via email to the email addresses provided below. The email shall be marked “**QUOTE 19GE5023Q0014**” and must arrive on or before March 21, 2023, 15.00 hrs. C.E.T.

machendd@state.gov

NOTE: No offers will be accepted after the time specified above.

All offers must be sent by email. Delivery via a cloud file storage service (eg. Google Drive, etc.) is not allowed. The file size limit for individual emails is 50 Mb. In the event that the proposal is sent in multiple emails, the email shall be labeled accordingly (eg. file 1 of 2).

Any questions concerning any aspect of the Request for Quote and the statement of work pertaining to this project may be directed to:

Mr. David Machen

Email: machendd@state.gov

SUBMISSION OF QUESTIONS

Any questions pertaining to this solicitation must be submitted via email to **machendd@state.gov** no later than 17:00 CET on Tuesday, February 28, 2023.

52.212-2 Evaluation – Commercial Items (Oct 2014)

(a) The Government shall award a contract resulting from this solicitation to the responsible offeror whose offer is the lowest priced technically acceptable. The following factors shall be used to evaluate offerors:

1. Price;
2. Technical acceptability
3. Past Performance

(b) Options. The Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. The Government may determine that an offer is unacceptable if the option prices are significantly unbalanced. Evaluation of options shall not obligate the Government to exercise the option(s).

(c) 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)

52.212-2 Evaluation—Commercial Products and Commercial Services (Nov 2021)

(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:

1. Price;
2. Technical acceptability
3. Past Performance

(b) Options. The Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. The Government may determine that an offer is unacceptable if the option prices are significantly unbalanced. Evaluation of options shall not obligate the Government to exercise the option(s).

(c) 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)

BASIS OF AWARD

The Government intends to 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 lowest price technically acceptable offer, which meets the required delivery date requirements. Evaluation will be based on FAR 52.212-2, as provided in this solicitation.

ADDITIONAL INFORMATION

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

Nicolas Wilhelm
Contracting Officer