

# COMBINED SYNOPSIS & SOLICITATION



**United States Embassy Pristina, Kosovo**

**Supporting equipment for Oxygen flows: NIV  
MASKS (CPAP), OXYGEN Flowmeter, Wall  
Mounted Oxygen Regulator**

**SOLICITATION NO. 19GE5020Q0060**

**Issued by:  
American Consulate General  
Regional Procurement Support Office  
Giessener Strasse 30**

# 60435 Frankfurt am Main Germany



**US CONSULATE GENERAL**  
**Regional Procurement Support Office**  
Giessener Strasse 30  
60435 Frankfurt am Main  
Germany

Tel: (49) 69 7535 3313  
E-mail: JacobsenW@state.gov

August 28, 2020

## **Combined Synopsis and Solicitation** **Solicitation Number 19GE5020Q0060**

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

Supply and delivery of **Supporting equipment for Oxygen flows: NIV MASKS (CPAP), OXYGEN Flowmeter, Wall Mounted Oxygen Regulator** on behalf of the Office of Defense Cooperation, US Embassy Pristina, Kosovo. 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 or exceeds** 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 19GE5020Q0060 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 2020-08, effective August 13, 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 shall include the brand name, manufacturer and model number.**

**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:**

- 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, Repair and Maintenance**

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 sixty (60) days from the date of contract award to:

University Clinical Center of Kosovo  
10000 Pristina, Kosovo

**Marking:**

The cargo must be clearly marked with the requisition and purchase order number (*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 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 52.212-3 - Offeror Representations and Certifications - Commercial Items – to be completed with other certifications and submitted with the offer; FAR 52.212-4, Contract Terms and Conditions - Commercial Items,

52.204-7, 52.204-13, 52.204-16, 52.204-18. 52.203-18, 52.232-40, 52.247-34, 52.225-17,

DOSARS 652.232-70; 652.242-73; 652.243-70; 652.247-70.

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.

**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)

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

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

**Addendum to 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, Value Added Tax (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)

**Addendum to FAR 52.212-1 Instruction to Offerors – Commercial Items (Oct 2018)**

Pursuant to FAR 12.302(d), the provision at FAR 52.212-1, Instruction to Offerors – Commercial Items (Oct 2018) is augmented as follows:

- 1) The period of acceptance of offers is herewith changed to sixty (60) calendar days.
- 2) Preparation of Offers - Offerors shall prepare and submit its offer in two (2) volumes as set forth below.

**VOLUME I:**

**1. PRICING**

The offeror shall complete the tables below:

**BASE REQUIREMENT**

<b>Line Item</b>	<b>Description</b>	<b>Unit of Issue</b>	<b>Quantity</b>	<b>Unit Cost</b>	<b>Total Cost</b>
0001	NIV Masks (CPAP) – reusable for ventilators Size L: 100 pcs Size M: 50 pcs	ea	150		
0002	Oxygen Flowmeter – to be connected with cylinder valve, connector thread W21.8 mm x 1/14”	ea	300		
0003	Wall mounted oxygen regulator	ea	300		
0004	Delivery charges F.O.B. Destination Pristina, Kosovo	Lot	1		
<b>TOTAL--FIRM-FIXED PRICE:</b>					

**VAT does not apply, as Embassy Pristina holds a VAT exemption certificate**

**(i) 52.212-3 Offeror Representations and Certifications—Commercial Items (Oct 2018)**

Offeror Representations and Certifications - Commercial Items - 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

**VOLUME II:**

**1. TECHNICAL CAPABILITY**

The proposed supplies 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 sixty (60) calendar days of award to University Clinical Center of Kosovo, 1000 Pristina, Kosovo
- (C) Warranty provisions: Standard warranty is implied and shall be included in the contract price.
- (D) Proof of DUNS number and SAM Registration. A valid SAM registration is mandatory for contract award.
- (E) Completed Technical Compliance Matrix:

Line item	Requested specifications	Offered item:
<b>001</b>	<b>NIV MASKS (CPAP) reusable for ventilators</b>	
	NIV masks with standard elbow (EB) shall be for ventilators which have NIV option	
	Mask shall cover the nose and mouth of the patient	
	Shall provide effective therapy even in case of mouth breathing	

	Shall have a soft and anatomically shaped silicone lip as sealing interface to the patients face	
	Shall have an easy to adjust forehead pad with silicone cushion which allows optimal adaption to the sensitive nasal bridge	
	Requested sizes M and L	
<b>002</b>	<b>Oxygen Flowmeters to be connected with cylinder valve, connector thread W21.8 mm x 1/14"</b>	
	Oxygen Pressure reducer (flowmeter) with release valve and High Pressure manometer, with adjustable ball flow meter 0-15 l/min and autoclavable humidifier apparatus to be connected with cylinder valve	
	O2 flow: 1 to 15 l/min	
	Gas supply: less then 200 bar	
	Output pressure: 2.5 bar	
	Safety vavlv: open at Pressure exceeding 3.5 bar	
	With autoclavable humidifier device from 250-30 ml	
<b>003</b>	<b>Wall mounted Oxygen Regulator</b>	
	Oxygen-pressure regulator (flowmeter) with release valve and High pressure manometer,	
	DIN Standard / German with adjustable ball flow meter 0-15 l/min and autoclavable humidifier apparatus to be connected with cylinder valve	
	O2 flow: 1-15 l/min	
	Gas supply: central stations, approximately 5 bar (working pressure)	
	Output pressure: 2.5 bar	
	Safety valve: yes	
	With autoclavable humidifier devise from 250-300 ml	
	DIN Standard / German Standard	

## **SUBMISSION OF OFFERS:**

The complete offer submission shall include:

- (1) Price Offer and Representations and Certifications – Volume I
- (2) Technical Capability – Volume II – 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 15 hrs Central European Time (CET) on Monday, August 31, 2020** via email to Ms. Wencke Jacobsen at [JacobsenW@state.gov](mailto:JacobsenW@state.gov) and [FrankfurtRPSO@state.gov](mailto:FrankfurtRPSO@state.gov) . **Late questions may not be considered.** The email subject line must read “*Solicitation 19GE5020Q0060*”.

### **Offer due date:**

Offers shall be submitted as soon as possible but **not later than 1500 hrs Central European Time (CET) on Monday, September 5, 2020** via email to Ms. Wencke Jacobsen at [JacobsenW@state.gov](mailto:JacobsenW@state.gov) and [FrankfurtRPSO@state.gov](mailto:FrankfurtRPSO@state.gov). The email subject line must read “*Solicitation 19GE5020Q00xx*”. The size shall not exceed 20MB and the email shall not include any zipped files (.zip/.rar).

**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.

Eric N. Moore

[original signed]  
Contracting Officer