

**United States Department of Veterans Affairs**

**Task Order Proposal Request**

via

Indefinite Delivery/Indefinite Quantity (IDIQ) Contract, ND/SD Region Veterans Integrated Service Network 23 (VISN 23)

Solicitation Number: 36C26321R0164

Project: Upgrade Medical Gas System 437-21-160

Project Location: Fargo VA Health Care System, 2101 Elm. St. N, Fargo, ND 58102

**Pre-Proposal Site Visit**:

Monday, August 2, 2021, at 2:00 pm CT

Site visit location is Building 1, Room BD-22, Fargo VA Health Care System

**Due Date for Proposal Questions**:

Monday, August 9, 2021, at 10:00 am CT

**Due Date for Proposal Package**:

Thursday, August 26, 2021, at 10:00 am CT

This solicitation administered by:

Department of Veterans Affairs

Network Contracting Office 23 (NCO 23)

316 Robert Street North, Suite 506

St Paul, MN 55101

1. SOLICITATION NUMBER

2. TYPE OF SOLICITATION

3. DATE ISSUED

PAGE OF PAGES

4. CONTRACT NUMBER

5. REQUISITION/PURCHASE REQUEST NUMBER

6. PROJECT NUMBER

7. ISSUED BY

CODE

8. ADDRESS OFFER TO

a. NAME

b. TELEPHONE NUMBER (Include area code) (NO COLLECT CALLS)

10. THE GOVERNMENT REQUIRES PERFORMANCE OF THE WORK DESCRIBED IN THESE DOCUMENTS (Title, identifying number, date)

12a. THE CONTRACTOR MUST FURNISH ANY REQUIRED PERFORMANCE AND PAYMENT BONDS?

(If "YES," indicate within how many calendar days after award in Item 12B.)

12b. CALENDAR DAYS

13. ADDITIONAL SOLICITATION REQUIREMENTS:

STANDARD FORM 1442 (REV. 8/2014)

STANDARD FORM 1442

Prescribed by GSA-FAR (48 CFR) 52.236-1(d)

SOLICITATION, OFFER,

AND AWARD

(Construction, Alteration, or Repair)

SOLICITATION

SOLICITATION

IMPORTANT - The "offer" section on the reverse must be fully completed by offeror.

9. FOR INFORMATION

 CALL:

NOTE: In sealed bid solicitations "offer" and "offeror" mean "bid" and "bidder".

SEALED BID (IFB)

NEGOTIATED (RFP)

11. The Contractor shall begin performance within \_\_\_\_\_\_\_\_\_\_\_\_ calendar days and complete it within

 \_\_\_\_\_\_\_\_\_\_\_\_

calendar days after receiving

award,

notice to proceed. This performance period is

mandatory

negotiable. (See \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_).

YES

NO

a.

Sealed offers in original and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_copies to perform the work required are due at the place specified in Item 8 by \_\_\_\_\_\_\_\_\_\_\_\_\_

(hour) local time \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date). If this is a sealed bid solicitation, offers must be publicly opened at that time. Sealed

envelopes containing offers shall be marked to show the offeror's name and address, the solicitation number, the date and time offers are due.

b.

An offer guarantee

is,

is not required.

c.

All offers are subject to the (1) work requirements, and (2) other provisions and clauses incorporated in the solicitation in full text or by reference.

 .

d.

Offers providing less than \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ calendar days for Government acceptance after the date offers are due will not be

considered and will be rejected.

1

20

36C26321R0164

X

07-28-2021

437-21-4-6643-0048

437-21-160

36C263

Department of Veterans Affairs

NETWORK 23 CONTRACTING OFFICE

Angie Frost Contract Specialist

316 Robert Street N. STE. 506

St. Paul MN 55101

Department of Veterans Affairs

NETWORK 23 CONTRACTING OFFICE

Angie Frost Contract Specialist

316 Robert Street N. STE. 506

St. Paul MN 55101

Angie Frost

651-293-3025

This solicitation is for the project titled Upgrade Medical Gas System, Project Number 437-21-160.

Project site location is Fargo VA Health Care System, Fargo, ND 58102.

The Contractor shall provide all labor, materials and equipment to accomplish the Upgrade Medical Gas System project

per drawings and specifications. See Statement of Work, specifications and drawings for full project description and

requirements.

This task order solicitation is 100% set-aside for Service-Disabled Veteran Owned Small Business (SDVOSB). General

Contractors who hold a Multiple Award Multiple Year Indefinite Delivery Indefinite Quantity (IDIQ) contract for the

ND/SD region.

In accordance with VAAR 819.7003 (b), at the time of submission of offers and prior to award of any task order, the

Offeror is required to be:

 1. SDVOSB eligible under VAAR 819.70,

 2. Small business concern under the NAICS code assigned to this acquisition, AND

 3. Listed as a verified SDVOSB in VIP database at www.vip.vetbiz.gov.

The project NAICS code is 236220, Commercial and Institutional Building Construction, small business $39.5 Million

Project Schedule: 270 calendar days after Notice to Proceed date

Estimated Magnitude of Construction: $500,000 and $1,000,000

Request for Information (RFIs) will only be accepted and acknowledged from contractors who hold a ND/SD IDIQ contract.

Subcontractors who need additional information are required to route questions through contractors who hold a ND/SD

IDIQ contract.

RFIs will only be accepted and acknowledged via the Vendor Portal, and not via telephone or email.

Issuance of this solicitation does not warrant that funds are presently available for award of a contract. Award of

the contract shall be subject to the availability of appropriated funds, and the government shall incur no obligation

under this solicitation in advance of such time as funds are made available to the Contracting officer for the

purpose of contract award.

15

270

X

52.211-10

X

10

zero

10:00 AM

CDT

08-26-2021

X

90

14. NAME AND ADDRESS OF OFFEROR

15. TELEPHONE NUMBER

16. REMITTANCE ADDRESS

CODE

FACILITY CODE

17. The offeror agrees to perform the work required at the prices specified below in strict accordance with the terms of the solicitation, if this offer is

accepted by the Government in writing within \_\_\_\_\_\_\_\_\_\_ calendar days after the date offers are due.

AMOUNTS

18. The offeror agrees to furnish any required performance and payment bonds.

19. ACKNOWLEDGMENT OF AMENDMENTS

AMENDMENT

NUMBER

DATE.

20a. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER

20b. SIGNATURE

20c. OFFER DATE

21. ITEMS ACCEPTED:

22. AMOUNT

23. ACCOUNTING AND APPROPRIATION DATA

24. SUBMIT INVOICES TO ADDRESS SHOWN IN

ITEM

25. OTHER THAN FULL AND OPEN COMPETITION PURSUANT TO

10 U.S.C. 2304(c)(

 )

41 U.S.C. 3304(a) (

 )

26. ADMINISTERED BY

27. PAYMENT WILL BE MADE BY

PHONE:

FAX:

28. NEGOTIATED AGREEMENT

29. AWARD

Your

Contractor agrees

offer on this solicitation is hereby accepted as to the items listed. This

to furnish and deliver all items or perform all work requirements identified

award consummates the contract, which consists of (a) the Government

on this form and any continuation sheets for the consideration stated in

solicitation and your offer, and (b) this contract award. No further cont-

this contract. The rights and obligations of the parties to this contract

ractual document is necessary.

shall be governed by (a) this contract award, (b) the solicitation, and (c)

the clauses, representations, certifications, and specifications incorporated

by reference in or attached to this contract.

30a. NAME AND TITLE OF CONTRACTOR OR PERSON AUTHORIZED

31a. NAME OF CONTRACTING OFFICER

TO SIGN

30b. SIGNATURE

30c. DATE

31b. UNITED STATES OF AMERICA

31c. AWARD DATE

BY

**OFFER**

**AWARD**

**STANDARD FORM 1442 (REV. 8/2014) BACK**

(Include ZIP Code)

(Include area code)

(Include only if different than Item 14.)

(Insert any number equal to or greater than

the minimum requirement stated in Item 13d. Failure to insert any number means the offeror accepts the minimum in Item 13d.)

(The offeror acknowledges receipt of amendments to the solicitation -- give number and date of each)

(Type or print)

(4 copies unless otherwise specified)

(Type or print)

(Type or print)

(Contractor is required to sign this

document and return \_\_\_\_\_\_\_ copies to issuing office.)

(Contractor is not required to sign this document.)

**(Must be fully completed by offeror)**

**(To be completed by Government)**

**CONTRACTING OFFICER WILL COMPLETE ITEM 28 OR 29 AS APPLICABLE**

Base Project: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Deduct Alternate 1: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

437-361/20162//-6643-854200-3220 23NROWCV9

Department of Veterans Affairs

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Y

Department of Veterans Affairs

Financial Services Center

PO Box 149971

Austin TX 78714-9971

X

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Jennifer Johnson

SAOC16L3-0537

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**NOTICE OF TASK ORDER REQUEST FOR PROPOSAL (RFP)**

**ISSUE DATE: July 28, 2021**

**PROJECT NUMBER: 437-21-160**

**PROJECT TITLE: Upgrade Medical Gas System**

**LOCATION: Fargo VA Health Care System**

**CONTRACTING POINT OF CONTACT: Angie Frost**

**PROPOSAL DUE DATE: Thursday August 26, 2021 at 10:00am CT.**

Under the terms and conditions set forth in the Network Contracting Office 23 ND/SD Indefinite Delivery Indefinite Quantity (IDIQ) Multiple Award Task Order Contract (MATOC), VA Network Contracting Office 23 (NCO 23) requests that you provide a price proposal for the above referenced project as described below and in the attached Construction Documents. The following information is provided to assist you in preparing your proposal:

Note: **All documentation submittal due times are local time (CST).**

Note: If a firm is **not submitting** a proposal, you are requested to **submit a "No Bid" response** via email to the Contracting Officer or through Vendor Portal within five (5) days from receipt of the RFP.

1. **SCOPE:**  Contractor shall provide all labor, materials and equipment to accomplish the project 437-21-160 Upgrade Medical Gas System in accordance with the Scope of Work, the contract documents, National Fire Protection Association (NFPA), local building codes, local environmental codes, and other applicable requirements. The project shall include but not be limited to: Constructing external medical gas and power connections for commercial rentable medical air and vacuum system skids in compliance with National Fire Protection Association (NFPA) 99 Health Care Facilities Code. Lockable boxes will be installed to secure external connections. Once the exterior connections are certified for use, and the interior bypass is installed and certified for each the medical air and vacuum systems, work on the interior medical air and vacuum systems may take place. Replacement of existing medical air and vacuum compressors due to capacity and age issues are included under this project. The existing interior medical air and vacuum system skids shall be removed. Piping and power alterations and modifications shall be provided as required for the new equipment. When the existing medical air and vacuum compressors are removed, the construction contractor shall rent commercial portable skids to connect into the exterior connection points (power and air/vacuum) which the contractor shall have certified by a licensed individual who shall indicate if the units are ready for use. Then, new interior medical air and vacuum compressor system replacements are completed and certified for use at the medical center.
2. **PERIOD OF PERFORMANCE:**
	1. The contractor shall commence work under this contract within **15** calendar days after the date the Contractor receives the notice to proceed, prosecute the work diligently, and complete the entire work ready for use not later than **270 calendar days** from the contractor’s receipt of the notice to proceed (NTP). The time stated for completion shall include final cleanup of the premises.
	2. Working hours will be 8:00 AM to 4:30 PM unless otherwise stated in the SOW/drawings/specifications or pre-arranged with the local VA Engineering Office/Contracting Officer’s Representative (COR).
3. **NAICS CODE:** 236220
4. **MAGNITUDE OF CONSTRUCTION:** Between $500,000.00 and $1,000,000.00
5. **BONDS:**
	1. Bid Guarantee:  **Yes.**  20% as indicated in FAR Provision 52.228-1.
		1. Note: A scanned copy of the Bid Guarantee may be provided with the proposal. A signed and sealed original must be provided by the awardee prior to award.
	2. Performance and Payment Bonds**: Yes.** Performance and payment bonds in the amount of 100% of the awarded CLIN(s) shall be required. Bonds shall be submitted for approval to the Contracting Officer within 10 days after award of the task order. Commencement of construction is contingent upon approval of required bonds.
6. **WAGE DETERMINATION:**  ND20210013 05/14/2021 Full text of Wage Determination is provided as Attachment G, titled Attachment G-Wage Determination ND20210013.
7. **SITE VISIT:** An organized Site Visit **has** been scheduled for **Monday August 2, 2021, at 2:00 PM (CT).** Participants will meet at **Building 1, Room BD-22**.The job site will be visited after the meeting. Offerors are strongly encouraged to visit the VA installation to fully appraise themselves with the physical layout and the character and conditions under which the service is to be performed. Failure to do so will in no way relieve the successful offeror from the necessity of furnishing the services as specified in this proposal without additional cost to the Government.
	1. Due to the current pandemic, a face mask will be required at all times while at the VA facility. If traveling from out of state, you must wear a surgical mask (cloth masks are not acceptable). Only one representative from each company (general contractor) may attend the site visit; each general contractor may bring along one subcontractor. All Visitors will be pre-screened for symptoms of COVID-19. Please allow enough time to ensure you arrive by the site visit start time.
8. **SOLICITATION RFI/QUESTIONS/CLARIFICATIONS:** Questions must be submitted to the vendor portal. Questions will be accepted up to **Monday August 9, 2021, at 10:00 AM (CT).**  All answers will be published to vendor portal via an amendment. The Government reserves the right to not answer any RFIs/questions after the stated due date/time.
9. **PROPOSAL FORMAT:**
	1. Proposals submitted in response to this solicitation shall be submitted via the [eCMS Vendor Portal](https://www.vendorportal.ecms.va.gov/eVP/Admin/UserList.aspx) and formatted as follows:
		1. Offerors shall submit a cover letter and price proposal in the form of electronic documents. The cover letter shall include:
			1. The solicitation number;
			2. The name, address, telephone and facsimile numbers, and e-mail addresses of the offeror.
			3. A statement specifying the extent of agreement with all terms, conditions, and provisions included in the solicitation and agreement to furnish all items upon which prices are offered at the price set opposite each item;
			4. Names, titles, phone numbers, facsimile numbers, and e-mail addresses of persons authorized to negotiate on the offeror’s behalf with the Government in connection with this solicitation, and;
			5. Name, title, and signature of person authorized to sign the proposal.
			6. The price proposal shall be in the format provided in Attachment A, Price Schedule Sheet and Attachment B, Price Schedule Breakdown Sheet. The price proposal shall provide the total price and a price breakdown for the specified Divisions in specified specifically for this project in Attachment B.
			7. Electronic documents shall be submitted in Microsoft Word and/or Microsoft Office Excel as applicable. An additional copy of all documentation shall be submitted using portable document format (.pdf).
			8. Narrative Response to Non-Priced Evaluation Factors: In order to evaluate each proposal, it is necessary that each offeror respond to all factors in the same order as presented herein. Proposal shall be organized with sections appropriately identified. Offerors are to propose how they intend to fulfill the requirements of this solicitation and how their total proposal will meet the minimum needs of the specifications.
			9. Minimum Submission Requirements: In order to be considered for award, the offeror is required to submit, at a minimum, the following:

Signed SF-1442

Signed Amendment(s) SF-30, if any.

Written response to all non-price evaluation factors in accordance with the written instruction stated herein.

Solicitation provided Price Schedule and Attachment A-Price Schedule Breakout that contains pricing for the entire requirement including each deduct.

Safety or Environmental Information in accordance with the written instructions stated herein.

1. **BASIS OF AWARD: Lowest Priced Technical Acceptable.**
	1. **EVALUATION PROCEDURES**
		1. Only the lowest price proposal will be evaluated for technical acceptability, however, if the lowest price proposal is determined to be technically unacceptable then the evaluation team will be given the next lowest price proposal for evaluation, and so on, until a determination of full technical acceptability has been made. When a proposal has been determined to be technically acceptable, based on order of lowest price, technical reviews will stop, and no additional proposals will be evaluated for technical acceptance.
		2. If an Offeror is determined to be technically unacceptable in any/all below listed non-price factors, price shall not be considered, and that Offeror’s proposal is determined unacceptable overall.
		3. If an Offeror is determined to have both the lowest price and has been determined to be technically acceptable in all of the below factors, then that Offeror will be awarded the task order.
	2. **Selection and Award without Discussions:** It is the intent of the Government to make award based upon initial offers, without further discussions or additional information but the Government reserves the right to conduct such if so needed.

**TECHNICAL RATINGS:**

The Technical Evaluation Board (TEB) will evaluate each offeror’s proposal against the evaluation factors to determine whether the proposal is acceptable or unacceptable, using the ratings and descriptions outlined below.

**Technical Acceptable/Unacceptable Ratings (Factors 1, 2 and 3):**

|  |  |
| --- | --- |
| **Rating**  | **Description**  |
| Acceptable  | Proposal clearly meets the minimum requirements of the solicitation  |
| Unacceptable  | Proposal does not clearly meet the minimum requirements of the solicitation  |

**Technical Acceptable/Unacceptable Ratings (Factors 4):**

|  |  |
| --- | --- |
| **Rating**  | **Description**  |
| Acceptable  | Based on the Offerors performance record, low risk exists that the contractor will not successfully perform the required effort. Past performance effort involved much of the size, scope, and complexity this solicitation requires and quality met or exceeded standards.  |
| Unacceptable  | Based on the Offerors performance record, substantial risk exists that the contractor will not successfully perform the required effort. Past performance effort involved very little of the size, scope, and complexity this solicitation requires and/or quality did not meet standards or no relevant past performance examples were provided. |
| Unknown | No performance record is identifiable equates to a neutral rating having no positive or negative evaluation significance. |

**The following are the proposal evaluation factors for subject project:**

1. Schedule and Capacity: *(non-price factor)*
2. Experience *(non-price factor)*
3. Team Qualifications *(non-price factor)*
4. Past Performance *(non-price factor)*
5. Price

**Factor 1 – Schedule and Capacity (non-price factor**)**:** This factor considers the proposed schedule with starting and completion times of major elements of work beginning with the notice to proceed. Offeror must submit a project schedule (no page limit, utilizing a standard project schedule software) that meets the 270 calendar-day time frame for project completion. For purposes of the proposal submittal, assume a Notice to Proceed (NTP) date of November 1, 2021. (8-1/2 x 11, double spaced, 12pt font, no more than four pages):

As a minimum, the narrative must address/discuss the following to receive an acceptable rating for this factor:

1. What is your company’s workload expected at time of award, estimated to be September 30, 2021, and explain its impact on your company’s ability to ensure timeliness of this project. Schedule must describe the following and its impact on ensuring the timeliness of this project.
	1. Submittals
	2. Identification of long lead items
	3. Work by Division (e.g. plumbing, HVAC, electrical, etc.)
2. Provide information on the proposed project superintendent / foreman and this individual’s qualifications, to include a list of the last five projects the individual worked on for the firm in the same capacity. Provide the NTP date for these projects, the original contract completion date and the date of the final inspection (or acceptance of the projects by the owners).
3. Describe and explain the process your company uses to monitor a construction project schedule and how often this is done. If there are schedule, capacity and material availability issues during the life of this project, how will your company address these issues and alleviate the problems in order to get the project back on schedule and ensure there is no issue (main firm and subcontractors) that will hinder the completion of the project.
4. Provide a schedule with starting and completion dates for major elements of work beginning with the NTP. Offeror must submit a project schedule *(no page limit, utilizing a standard project schedule software)* that meets the **270** calendar-day time frame for project completion. *For purposes of the proposal submittal*, assume a NTP date of **November 1, 2021**.

At a minimum, the schedule must include the following to receive an acceptable rating for this

factor:

1. Submittals
2. Identification of long lead items
3. Work by Division (e.g. plumbing, HVAC, Electrical)
4. Utility shutdowns, with restricted hours so the effect on the medical center is minimized.
5. Commissioning

The project schedule must be reasonable and realistic, demonstrating the offeror’s ability to propose a schedule that identifies major elements of work for this project, meets the Government’s requirements, and is obtainable.

**Factor 2 –** **Experience (non-price factor**)**:**  This factor considers the extent of the offeror’s recent and relevant experience on projects of similar scope, magnitude and complexity. This factor requires the contractor to have performed construction on at least three (3) successful projects of similar scope and size within the last five (5) years and must be at least 75% completed. The contractor shall provide at least three (3) projects that include the following information *(8-1/2 x 11, double spaced, 12pt font, no more than three pages):*

1. Project Name
2. Project Description
3. Contract/Task Order number
4. Customer Name
5. Customer POC Name and contact information
6. Project amount at award
7. Project amount at completion if unfinished (if the final amount is the same as the award amount, state so)

This factor requires previous experience to be shared regarding issues that were encountered at the project sites listed under Factor 2. Experience, and how your company worked with the medical center staff to mitigate these issues to prevent delaying the project’s completion date.

As a minimum, relevant experience must include the following to receive an acceptable rating for this factor:

1. The offeror must submit evidence of the Prime Contractor’s recent and relevant experience. Offeror shall submit at least three (3) projects with the information requested above. All information provided must be accurate, current and complete.
2. Offeror must demonstrate familiarity and experience with “same or similar” to the project described here in the solicitation.
3. All projects submitted must be at least 75% complete.
4. Provide experience with issues encountered at the project sites listed under Factor 2. Experience, and how your company worked with the medical center staff to mitigate these issues to prevent delaying the project’s completion date.

**Factor 3 – Team Qualifications (non-price factor**): The Government will evaluate the “Team” proposed for this project, by reviewing medical gas projects previously completed by this team. In addition, information will be evaluated on the firm’s and the subcontracted firm’s experience and certifications for installing medical gas systems and components.

As a minimum, relevant experience must include the following to receive an acceptable rating for this factor:

1. The contractor shall provide information, with emphasis on medical gas projects, completed by the “Team” proposed for this project. This shall include a brief description of the work, location of the work (owner, where in the facility, etc.), when the work was performed, etc. This narrative should also discuss the med gas certification firm and the plan for certifying the work and getting med gases back to the facility for use as soon as it was possible. Explain how the certification firm fit into the scheduling of the project work and completion. Work noted should be relevant to the project being solicited and shall have been for projects awarded and completed within the last five years.
2. The contractor shall provide information on the firm’s and the subcontracted firms experience and certifications for installing medical gas systems and components. Provide information on the individuals medical gas work or project work experience from both the proposed general contractor staff and the subcontracted staff relating to medical gas projects.
3. The contractor shall provide information on the experience and training the team has had with infection control practices in a medical center. How will the “Team” ensure compliance with infection control practices during the project

**Factor 4 – Past Performance (non-price factor**): The Government will evaluate past performance to assess the risk associated with an Offeror’s likelihood of success in performing the requirements as indicated by an Offeror’s record of past performance under other contracts. The contractor shall provide at least three (3) projects that include the following information (8-1/2 x 11, double spaced, 12pt font, no more than three pages):This factor considers the proposed schedule with starting and completion times of major elements of work beginning with the notice to proceed.

1. Project Name
2. Project Description
3. Contract/Task Order number
4. Customer Name
5. Customer POC Name and contact information
6. Project amount at award
7. Project amount at completion if unfinished (if the final amount is the same as the award amount, state so)

In making a decision on the award of an individual order, the Contracting Officer may consider factors such as Past Performance on previously awarded contracts and task orders, review completed Contractor Performance Assessment Reporting System (CPARS) reports, and take into consideration, quality and timeliness of work performed, and/or other factors that may be relevant to the award of this particular order.

Offerors shall provide relevant past performance information from projects that are similar in scope, complexity, and dollar value to this acquisition. Projects may be on-going, if complete to at least seventy-five percent (75%). Completed projects shall have a completion date of no more than five years prior to the closing date of this solicitation.

The offeror shall request that a minimum of two (2) to four (4) past performance evaluation questionnaires, preferably the projects identified in the Construction Experience Area, be filled out using the evaluation sheet that is attached to the solicitation, and request that the evaluator send to the Contracting Officer electronically via the e-mail address listed in the solicitation.

In the case of an offeror without a record of relevant past performance or for whom the information on past performance is not available, the offeror may not be evaluated favorably or unfavorably on past performance.

**Factor 5 – Price:** Price will be evaluated to determine the lowest priced technically acceptable contractor. The total evaluated price will be determined by using the offeror’s total price. A price analysis will be used to evaluate all CLINs to support the selection of the lowest priced, technically acceptable offeror. Price reasonableness will be established using any necessary price / cost analysis techniques in FAR 15.404-1, including but not limited to price competition information and the Independent Government Estimate (IGE), along with any other pricing tools deemed necessary. The price evaluator will check for appearance of unbalanced line item prices in the cost breakdown. Price will not be rated or scored but will be evaluated for fairness and reasonableness through the use of a price analysis. Award cannot be made for project cost for design and construction exceeding the cost limitation, if applicable, described herein.

NOTE: this project IS NOT sales tax exempt.

The offeror shall submit the properly filled out Price Schedule included in the solicitation, containing proposed line items and total pricing, as well as deductive items, if applicable.

• Price Schedule Breakdown. The contractor shall submit a price schedule with a cost breakdown of all major cost elements by division.

* Price Completeness: Price proposals will be evaluated to determine if the proposal contains costs to perform all tasks as required by the Statement of Work, Specifications, and Design Drawings.
* Price Reasonableness: Reasonableness is based on the total evaluated price compared to historical prices for similar efforts, comparison to the Independent Government Estimate (IGE), and price competition obtained by the other offerors’ proposals submitted in response to this RFP. A reasonable price represents an amount that a prudent person would pay in a competitive business environment.
1. **SITE SUPERVISION:**  The Contractor shall provide supervision in accordance with contract clause 52.236-6, Superintendence by the Contractor. It is Fargo’s Engineering’s requirement that due to the size, complexity, and length of this project that the project superintendent be **dedicated exclusively** to this project through the duration of the period of performance.
2. **SYSTEM FOR AWARD MANAGEMENT (SAM):** Contractors must ensure that their registration in SAM is up-to-date at time of proposal due date and prior to award of a task order. For more information, see the SAM website at [http://www.sam.gov](http://www.sam.gov/). A task order cannot be awarded to a contractor that is not registered and current in SAM.
3. **CLAUSES:**
	1. All applicable Clauses of the base IDIQ contract for each offeror are incorporated into this solicitation in full force and effect.
4. **SAFETY OR ENVIRONMENTAL VIOLATIONS AND EXPERIENCE MODIFICATION RATE**
	1. All Offerors shall submit the following information pertaining to their past Safety and Environmental record. The information shall contain, at a minimum, a certification that the bidder/offeror has no more than three (3) serious, or one (1) repeat or one (1) willful OSHA or any EPA violation(s) in the past three years.
	2. All Offerors shall submit information regarding their current Experience Modification Rate (EMR) equal to or less than 1.0. This information shall be obtained from the offeror’s insurance company and be furnished on the insurance carrier’s letterhead.
	3. Self-insured contractors or other contractors that cannot provide their EMR rating on insurance letterhead must obtain a rating from the National Council on Compensation Insurance, Inc. (NCCI) by completing/submitting form ERM-6 and providing the rating on letterhead from NCCI. Note: Self-insured contractors or other contractors that cannot provide EMR rating on insurance letterhead from the states or territories of CA, DE, MI, NJ, ND, OH, PA, WA, WY, and PR shall obtain their EMR rating from their state-run worker’s compensation insurance rating bureau.
	4. A Determination of Responsibility will be accomplished for the apparent awardee prior to processing the award. The above information, along with other information obtained from Government systems, such as the OSHA and EPA online inspection history databases will be used to make the Determination of Responsibility. Failure to affirm being within the guidelines above or submit this information may result in a determination of “Non-Responsibility” for the bidder/offeror. NOTE: Any information received by the Government that would cause for a negative Determination of Responsibility will make the bidder/offeror ineligible for award.
	5. This requirement is applicable to all subcontracting tiers, and prospective prime contractors are responsible for determining the responsibility of their prospective.

SCOPE OF WORK

UPGRADE MEDICAL GAS SYSTEM

project #437-21-160

1. **Base Project:** The Contractor shall provide all materials, labor, equipment, etc. to provide a complete and coordinated construction project for Fargo VA Health Care System project 437-21-160, Upgrade Medical Gas Systems in accordance with the contract documents and the scope of work. This work includes, but is not limited to:
2. Summary of Major Tasks (see drawing for area covered):
	1. Constructing external medical gas and power connections for commercial rentable medical air and vacuum system skids in compliance with National Fire Protection Association (NFPA) 99 Health Care Facilities Code. Lockable boxes will be installed to secure external connections. Once the exterior connections are certified for use, and the interior bypass is installed and certified for each the medical air and vacuum systems, work on the interior medical air and vacuum systems may take place. Certified means by a licensed and VA approved medical gas certification firm. Replacement of existing medical air and vacuum compressors due to capacity and age issues are included under this project. The existing interior medical air and vacuum system skids shall be removed. Piping and power alterations and modifications shall be provided as required for the new equipment. When the existing medical air and vacuum compressors are removed, the construction contractor shall rent commercial portable skids to connect into the exterior connection points (power and air/vacuum) which the contractor shall have certified by a licensed individual who shall indicate if the units are ready for use. Then, new interior medical air and vacuum compressor system replacements are completed and certified for use at the medical center.
	2. Medical gas pipe size shall be selectively increased to improve pressure and flow to area noted on the contract documents.
	3. The project shall also address replacement of area alarms, medical gas outlets, medical gas sensors, medical gas manifolds, zone valves, cabling, piping, demolition, patch to match finishes, etc. and other items as noted in the contract documents. All medical gas and vacuum work shall comply with NFPA 99 Gas and Vacuum Systems.
	4. The construction work shall address Fargo VA Infection Control Risk Assessment/Pre-Construction Risk Assessment (ICRA/PCRA) requirements, Interim Life Safety Measures (ILSM) and all other applicable requirements.
	5. Phasing plans shall be followed to ensure continuous operation of all services under this project, as well as access to existing building(s), elevators, stairwells, corridors, etc. Phasing shall ensure patient service, department staff activities, etc. downtimes are kept to a minimum
3. Expected Schedule:
4. The expected substantial completion of this project is 270 calendar days after Notice to Proceed (NTP) date.

## A.3 52.204-24 REPRESENTATION REGARDING CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT (OCT 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 paragraph I(1) in the provision at 52.204–26, Covered Telecommunications Equipment or Services—Representation, or in paragraph (v)(2)(i) of the provision at 52.212–3, Offeror Representations and Certifications–Commercial Items. The Offeror shall not complete the representation in paragraph (d)(2) of this provision if the Offeror has represented that it ‘‘does not use covered telecommunications equipment or services, or any equipment, system, or service that uses covered telecommunications equipment or services’’ in paragraph I(2) of the provision at 52.204–26, or in paragraph (v)(2)(ii) of the provision at 52.212–3.

1. *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.

 I *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) *Representations*. 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 I(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 I(2) of this section if the Offeror responds “does’’ in paragraph (d)(2) of this section.

 I *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

 I 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)

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| --- | --- | --- |
| **FAR Number** | **Title** | **Date** |
| 52.204-25 | PROHIBITION ON CONTRACTING FOR CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT | AUG 2020 |
|  |  |  |

## A.4 52.222-23 NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY FOR CONSTRUCTION (FEB 1999)

 (a) The offeror's attention is called to the Equal Opportunity clause and the Affirmative Action Compliance Requirements for Construction clause of this solicitation.

 (b) The goals for minority and female participation, expressed in percentage terms for the Contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

|  |  |
| --- | --- |
| **Goals for minority participation for each trade** | **Goals for female participation for each trade** |
|  0.7% | 6.9 % |

 These goals are applicable to all the Contractor’s construction work performed in the covered area. If the Contractor performs construction work in a geographical area located outside of the covered area, the Contractor shall apply the goals established for the geographical area where the work is actually performed. Goals are published periodically in the Federal Register in notice form, and these notices may be obtained from any Office of Federal Contract Compliance Programs office.

 € The Contractor’s compliance with Executive Order 11246, as amended, and the regulations in 41 CFR 60-4 shall be based on (1) its implementation of the Equal Opportunity clause, (2) specific affirmative action obligations required by the clause entitled “Affirmative Action Compliance Requirements for Construction,” and (3) its efforts to meet the goals. The hours of minority and female employment and training must be substantially uniform throughout the length of the contract, and in each trade. The Contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from Contractor to Contractor, or from project to project, for the sole purpose of meeting the Contractor’s goals shall be a violation of the contract, Executive Order 11246, as amended, and the regulations in 41 CFR 60-4. Compliance with the goals will be measured against the total work hours performed.

 (d) The Contractor shall provide written notification to the Deputy Assistant Secretary for Federal Contract Compliance, U.S. Department of Labor, within 10 working days following award of any construction subcontract in excess of $10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the—

 (1) Name, address, and telephone number of the subcontractor;

 (2) Employer’s identification number of the subcontractor;

 (3) Estimated dollar amount of the subcontract;

 (4) Estimated starting and completion dates of the subcontract; and

 (5) Geographical area in which the subcontract is to be performed.

 € As used in this Notice, and in any contract resulting from this solicitation, the “covered area” is

(End of Provision)

|  |  |  |
| --- | --- | --- |
| **FAR Number** | **Title** | **Date** |
| 52.228-11 | INDIVIDUAL SURETY—PLEDGE OF ASSETS | FEB 2021 |
|  |  |  |

## A.5 52.228-17 INDIVIDUAL SURETY—PLEDGE OF ASSETS (BID GUARANTEE) (FEB 2021)

 (a) Offerors shall obtain from each person acting as an individual surety on a bid guarantee—

 (1) A pledge of assets that meets the eligibility, valuation, and security requirements described in the Federal Acquisition Regulation (FAR) 28.203–1; and

 (2) Standard Form 28, Affidavit of Individual Surety.

 (b) The Offeror shall include with its offer the information required at paragraph (a) of this provision within the timeframe specified in the provision at FAR 52.228–1, Bid Guarantee, or as otherwise established by the Contracting Officer.

 (c) The Contracting Officer may release the security interest on the individual surety’s assets in support of a bid guarantee based upon evidence that the offer supported by the individual surety will not result in contract award.

(End of Provision)

## A.6 52.232-18 AVAILABILITY OF FUNDS (APR 1984)

 Funds are not presently available for this contract. The Government's obligation under this contract is contingent upon the availability of appropriated funds from which payment for contract purposes can be made. No legal liability on the part of the Government for any payment may arise until funds are made available to the Contracting Officer for this contract and until the Contractor receives notice of such availability, to be confirmed in writing by the Contracting Officer.

(End of Clause)

# ATTACHMENTS:

See attached document: Attachment A Price Schedule Sheet - 1 page.

See attached document: Attachment B Price Schedule Breakdown Sheet - 1 page.

See attached document: Attachment C Questions Request Form - 1 page.

See attached document: Attachment D Past Performance Questionnaire - 3 pages.

See attached document: Attachment E - Wage Determination ND20210013 - 5 pages.

See attached document: Attachment F - Specifications 437-21-160 - 291 pages.

See attached document: Attachment G - Drawings 437-21-160 Part 1 - 13 pages.

See attached document: Attachment G - Drawings 437-21-160 Part 2 - 13 pages.

See attached document: Attachment G - Drawings 437-21-160 Part 3 - 15 pages.