

NOTICE FOR FILING AGENCY PROTESTS
United States Coast Guard Ombudsman Program

It is the policy of the United States Coast Guard to issue solicitations and make contract awards in a fair and timely manner. Parties who believe a specific procurement is unfair or otherwise defective are encouraged to use the Coast Guard Ombudsman Program for Agency Protests (OPAP), rather than filing a protest with the Government Accountability Office (GAO) or other external forum. The OPAP is designed to resolve contractor protests in a faster, less expensive manner. Concerns of interested parties can be resolved through independent, government binding adjudication taking place outside the procuring activity's chain of command.

How do I file an agency protest?

Interested parties may seek resolution of their concerns informally or opt to file a formal agency protest with the contracting officer or Ombudsman.

Informal Forum

Interested parties should first direct their concerns to the responsible contracting officer. If the contracting officer is unable to satisfy the concerns, the interested party is encouraged to contact the OPAP. Under this informal process, the agency is not required to suspend contract award performance. In order to ensure a timely response, interested parties should provide the following information: solicitation/contract number, contracting office, contracting officer, and solicitation closing date (if applicable).

Formal Agency Protest

Prior to submitting a formal agency protest, protesters must first use their best efforts to resolve their concerns with the contracting officer through open and frank discussions. If the protester's concerns are unresolved, the protester may file a formal agency protest with the contracting officer or the OPAP program. Contract award or performance will be suspended during the protest period unless contract award or performance is justified, in writing, for urgent and compelling reasons or is determined to be in the best interest of the government. The agency's goal is to resolve protests in less than 35 calendar days from the date of filing. If the protester fails to submit the required information, as outlined in Federal Acquisition Regulation (FAR) 33.103, resolution of the protest may be delayed or the protest may be dismissed. To be timely, protests must be filed within the period specified in FAR 33.103(e).

Protests filed under the OPAP program should be submitted to:

Department of Homeland Security
United States Coast Guard (CG-91)
Ombudsman Program for Agency Protests
Email: OPAP@uscg.mil

For questions pertaining to the OPAP program, please contact the Ombudsman hotline at 202-372-3695.

INSTRUCTIONS TO OFFEROR

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 in this notice. This announcement constitutes the only solicitation; quotations are being requested and a written solicitation will not be issued.

This solicitation and incorporated provisions and clauses in effect through Federal Acquisition Circular 2023-01, effective 01 December 2022. The NAICS code for this solicitation is 532490 with a small business size standard of \$40M and the PSC is W054. Solicitation number, 70Z04023Q1704Y00 is released using Federal Acquisition Regulations (FAR) Part 12, Acquisition of Commercial Items and FAR Part 13.5 Simplified Procedures for Certain Commercial Items as a Request for Quote (RFQ).

The provision at FAR 52.212-1, Evaluation-Commercial Items is applicable. This solicitation is a Request for Quote that will result in the award of a firm fixed price coned tract and will be a total small business set-aside. A written notice of award or acceptance of an offer, e-mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer, will result in a binding contract without further action by either party.

Any contractor's requests for clarification must be received no later than January 30, 2023 at 12:00 PM (EST). Offeror's may contact Laura Lugo at Laura.J.Lugo2@uscg.mil.

Offerors must e-mail their quotation to the Contract Specialist, Laura Lugo, at Laura.J.Lugo2@uscg.mil, no later than 06 February 2023 at 1:00 PM EST. All submissions must include "70Z04023Q61704Y00" in the subject line of the email. Quotations received after the established due date will be considered unacceptable and will be eliminated from further consideration.

PLACE OF PERFORMANCE.

U.S. Coast Guard Yard
2401 Hawkins Point Road
Baltimore, MD 21226-5000

SCHEDULE OF SERVICES

The Contractor must provide the following items in accordance with the Statement of Work (SOW), *Attachment II: Statement of Work*.

(a) The Government requires performance to be made according to the following schedule:

Line Item	Required Performance	Dates
0001	Erect Scaffolding & Enclosure (Days 1-15), Rental Period (Days 16-83)	February 24, 2023 – May 24, 2023
0002	Disassemble Scaffolding (Days 83-90)	
1001	Optional 30 day Extension (Days 91-120)	May 25, 2023 – June 23, 2023

Offers that propose performance that will not clearly fall within the applicable required performance period specified above, may be considered nonresponsive and rejected. If the offeror proposes no other performance schedule, the required performance schedule above will apply.

REQUIRED STANDARD OF WORKMANSHIP

Unless otherwise specifically provided in this contract, the quality of all supplies and services rendered hereunder must conform to the highest standards in the relevant profession, trade, or field of endeavor. All supplies and services must be rendered or supervised directly by individuals fully qualified in the relevant profession, trade, or field, and holding any licenses required by law.

UNAUTHORIZED INSTRUCTIONS FROM GOVERNMENT PERSONNEL

(a) The Contractor must not accept any instructions issued by any person employed by the U.S. Government or otherwise other than the Contracting Officer or the Contracting Officer's Representative (COR) acting within the limits of their authority. A Contracting Officer's Representative (COR) will be designated in writing to the Contractor and will set forth the scope of their authority.

(b) No information, other than that which may be contained in an authorized amendment to this purchase instrument duly issued by the Contracting Officer, which may be received from any person employed by the Government or otherwise will be considered as grounds for deviation from any stipulations of the purchase instruments or referenced drawings and/or specifications contained herein.

EMPLOYEE CONDUCT

Contractor employees must comply with all applicable Government regulations, policies and procedures (e.g., fire, safety, sanitation, environmental protection, security, "off limits" areas, wearing of parts of military uniforms, and possession of weapons) when visiting or working at Government facilities. The Contractor must ensure contractor employees present a professional

appearance at all times and that their conduct must not reflect discredit on the United States, the Department of Homeland Security or the U.S. Coast Guard.

INVOICING REQUIREMENTS

Electronic Submission of Payment Requests

(a) Definitions. As used in these instructions -

(1) "Payment request" means a bill, voucher, invoice, or request for contract financing payment with associated supporting documentation. The payment request must: comply with the requirements identified in FAR 32.905(b), "Content of Invoices" and the applicable Payment clause included in this contract. In addition, discount offerings and small business status if available must be stated. If travel was allowable and approved, components in accordance with FAR 31.205-46 will be provided.

(b) The contractor must submit payment requests electronically using the Invoice Processing Platform (IPP). The contractor will submit payment requests using the blank form in IPP.

(c) Information regarding IPP, including IPP Customer Support contact information, is available at www.ipp.gov or any successor site.

(d) IPP enrollment information is at <https://www.uscg.mil/fincen/IPP/>.

RESPONSIBLE OFFICIAL(S) WHO CAN RECEIVE NOTIFICATION OF AN IMPROPER INVOICE AND ANSWER QUESTIONS REGARDING THE INVOICE

For use in the event your firm receives a contract as a result of this solicitation, designate below the responsible official(s) who can receive notification of an improper invoice and answer questions regarding the invoice.

NAME: _____

TITLE: _____

ADDRESS: _____

PHONE: _____

EMAIL: _____

SUBMISSION INSTRUCTIONS:

(a) Each Offeror must furnish all the information required by the solicitation as follows:

- a. Offerors must return one fully executed copy of this Request for Quote and all amendments. **(ALL PAGES must be returned.) NO OTHER FORMATS WILL BE ACCEPTED.**

b. Price Schedule

- i. Offeror(s) must submit a complete price schedule (*Attachment I: Services Schedule*). All line items must be priced to be considered for award. Quotes providing partial pricing will be considered non- responsive.
- ii. The Government may require additional pricing information to assist in determining the extent to which the price is fair and reasonable, and the pricing information must be provided if requested. The Government will evaluate quotes for award purposes by adding the total of all CLIN prices to ensure that pricing is not unbalanced.
- c. Offeror(s) must provide an Engineer-Certified Conceptual Drawing IAW SOW (*Attachment II: Statement of Work*)
- d. Offeror(s) must provide Past Performance Documentation IAW this Solicitation (*Attachment III: Past Performance Questionnaire*)
- e. Offeror(s) must provide Small Business Self Certification
- f. Offerors must include a completed copy of the provision at [52.212-3](#), Offeror Representations and Certifications – Commercial Items (Mar 2020) with your offer.

The offeror must complete only paragraphs (b) of this provision if the Offeror has completed the annual representations and certification electronically via the System for Award Management (SAM) Web site accessed through <http://www.acquisition.gov>. If the Offeror has not completed the annual representations and certifications electronically, the Offeror must complete only paragraphs (c) through (r) of this provision.

- g. The clause at [52.212-4](#), Contract Terms and Conditions-Commercial Items, applies to this acquisition.
- h. The clause at [52.212-5](#), Contract Terms and Conditions Required To Implement Statutes or Executive Orders-Commercial Items, applies to this acquisition, additional FAR clauses referenced in *Attachment IV: Supplemental Terms & Conditions*.
- i. The quotation must be submitted electronically in three (3) volumes, and must be clearly marked as to volume number, solicitation number, and the company name and/or logo with a point of contact, complete contact information including name, telephone number, and e-mail address. Volumes I and II must not contain any pricing information. The electronic quotation must be in Portable Document Format (PDF).
- j. Volume Description

Volume	Description
I	Technical Capability
II	Past Performance
III	Price

- k. Offerors must e-mail their quotation to the Contract Specialist, Laura Lugo, at Laura.J.Lugo2@uscg.mil, no later than **06 February 2023 at 1:00 PM EST**. All submissions must include “70Z04023Q61704Y00” in the subject line of the email. Quotations received after the established due date will be considered unacceptable and will be eliminated from further consideration.
- l. Data previously submitted, or presumed to be known, i.e., descriptions of other projects performed for the Government, will not be considered as part of the quotation unless physically incorporated into the quotation.
- m. Clarity, completeness, and conciseness are essential. The overall quality of the quotation will be evaluated in the context of being representative of the Offeror’s capability. “Brochuremanship” is not desired or recommended. DO NOT make general statements about capabilities.

(b) All quotations submitted in response to this solicitation must discuss the following:

TECHNICAL

- a. The technical volume must not exceed three (3) pages, printed on one (1) side with 12-point font. The page count does not include the required Engineer-Certified Conceptual Drawing.
- b. The technical capabilities submitted in response to this solicitation must demonstrate an understanding and the ability to meet all the requirements covered in the SOW. The offeror must demonstrate the ability to:
 - i. Mobilize, erect, and disassemble scaffolding IAW the SOW and within the required timeframe
 - ii. Provide a structure that can sustain 60 mph winds
 - iii. Provide building entry points IAW the SOW
 - iv. Provide containment utilizing fireproof shrink wrap material
 - v. Conform to the required Engineer-Certified Conceptual Drawing
- c. Quotations must be prepared in such a manner as to enable personnel with general training to make a thorough evaluation and arrive at a sound determination as to whether or not the proposed services will satisfy the requirements of the government. In order to provide all necessary information for a comprehensive evaluation, all quotations must be complete, self-sufficient, and respond directly to the requirements of the solicitation.

PAST PERFORMANCE

- a. The Government will review the Offeror’s Past Performance record in Contractor Performance Assessment Reporting System (CPARS) for those projects that are similar in nature, size, and complexity as this requirement, performed or completed within the last three years. The offeror will provide one (1) awarded completed project that is listed in CPARS for the Government to review. Offeror’s must present this information for each contract in the following format:
 - i. Name of Offeror
 - ii. Program Title
 - iii. Contract Number
 - iv. Contract type

- v. Contract dollar value
 - vi. Period of performance
 - vii. Place of performance
 - viii. Contracting activity
 - ix. Customer points of contact with telephone numbers and email addresses for the Contracting Officer and the Contracting Officer's Representative (COR) or Program Manager (PM).
 - x. Brief description of work performed. Explain the nature of the work involved and the extent the work involved is similar to the requirements contained herein.
- b. In addition, the Government will also review responses to past performance questionnaires only if no record of past performance is available in CPARS.
- c. Past performance refers to the quality of recent project experience from the customer's perspective. The Offeror must arrange for the reference customer point of contact for one project to fill out the Past Performance Questionnaire included with this solicitation. The Government will not release the questionnaire forms to the Offeror at any time, in order for the Government to solicit candid, unbiased responses and comments. This reference must be relevant to the work which will be performed on this contract. References must be within the past three (3) years. This questionnaire may be submitted for contracts including those entered into with the Federal Government, agencies of the state and local governments, and commercial customers.
- (c) A written notice of award or acceptance of an offer will be e-mailed to the successful Offeror within the time for acceptance specified in the offer and will 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.

PRICE

- a. The Offeror's price must represent the best price in response to the Request for Quotation (RFQ). The offeror must provide pricing information for all CLINS.

SITE VISIT

Offerors are highly encouraged to inspect the site where services are to be performed and to satisfy themselves regarding all general and local conditions that may affect the cost of contract performance, to the extent that the information is reasonably obtainable. In no event will failure to inspect the site constitute grounds for a claim after contract award. All offerors that wish to inspect the site must e-mail Laura Lugo at Laura.J.Lugo2@uscg.mil to make arrangements by January 26, 2023 at 1 PM EST.

BASIS OF AWARD

The Government will conduct a best value tradeoff process to determine award of this task order. Accordingly, award will be made to the responsible Offeror whose proposal provides

the greatest overall value to the Government, price and other factors considered. Award will be made on a best value basis considering each offeror's ability to meet or exceed the requirements at a reasonable price to the Government. In making this determination, the Government may award to other than the lowest priced proposal or other than the highest technically rated proposal. The evaluation of proposals, submitted in response to this solicitation, must be made in accordance with the criteria outlined in this section. The Government will evaluate the proposals against the following factors:

- (a) Technical Capability
- (b) Past Performance
- (c) Price

The Government intends to evaluate offers and make an award without discussions with Offerors. Therefore, the Offeror's initial proposal should contain the Offeror's best terms from both a technical and price standpoint. The Government reserves the right to seek information clarifying any element of an offer prior to award without discussions.

The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary. Technical capability and past performance are the most important non-cost factors. Technical capability is of greater importance than past performance. When combined, the non-cost factors are more important than the evaluated price.

TECHNICAL EVALUATION

Each Offeror's proposal will be evaluated to determine their ability to successfully perform the work identified in the Statement of Work. Offerors that demonstrate their ability to mobilize, erect, and disassemble scaffolding IAW the SOW and within the required timeframe, to provide a structure that can sustain 60 mph winds, to provide building entry point IAW the SOW, to provide containment utilizing fireproof shrink wrap material, and to conform to the required Engineer-Certified Conceptual drawing will be rated more favorably.

PAST PERFORMANCE EVALUATION

Each Offeror will be evaluated to assess the extent of the offeror's ability to successfully perform the contract based on the quality of recent, relevant past performance as it relates to the SOW requirements, their ability to perform and the quality of services previously provided. Relevant past performance is defined by similarity in nature, scope and technical complexity of the effort for one (1) contract completed by the Offeror, during the past three years or currently in process for the same type of services as are being solicited under this solicitation.

In addition, the Government will also review responses to past performance questionnaires only if no record of past performance is available in CPARS.

The Government will review quality, timeliness, business relations, and customer satisfaction as part of its assessment of performance risk. References other than those provided by the Offeror, such as past performance databases, such as records available on the Contractor Performance Assessment Report system (CPARS) and other relevant information such as “close at hand” knowledge from past contracts may also be used in the evaluation of the offeror’s past performance

Offerors that have less than one (1) recent, relevant past performance references are to submit a statement to that effect. Offerors without a record of relevant Past Performance, or for whom information or past performance is not available, will not be evaluated favorably or unfavorably as a result.

PRICE EVALUATION

The Price Evaluation will be completed separately from the technical and past performance evaluations. The quote will be evaluated to determine if it is fair and reasonable. The Government will evaluate proposals 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 will not obligate the Government to exercise the option(s).

FAR 52.217-5 EVALUATION OF OPTIONS (Jul 1990)

Except when it is determined in accordance with FAR 17.206(b) not to be in the Government’s best interests, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. Evaluation of options will not obligate the Government to exercise the option(s).