

This is a combined synopsis/solicitation for commercial items prepared in accordance with the format in Federal Acquisition Regulation (FAR) Subpart 12.6, Streamlined Procedures for Evaluation and Solicitation for Commercial items, as supplemented with additional information included in this notice. This announcement constitutes the only solicitation; proposals are being requested and a written solicitation will not be issued.

This solicitation number DOC-52-PAPT-12-00048 issued as a Request for Quotation (RFQ). The solicitation document and incorporated provisions and clauses are those in effect through Federal Acquisition Circular 2005-58, effective on April 18, 2012.

The requirements will be fulfilled using Part 12, Acquisition of Commercial Items, and the Simplified Acquisition procedures, Part 13 of the FAR, and the Patent and Trademark Acquisition Guidelines (PTAG), to the maximum extent possible.

This is a total small business set-aside. The associated North American Classification System (NAICS) code is **541519** and the small business size standard is **150 employees**.

The United States Patent and Trademark Office (USPTO) established its Indefinite Delivery/Indefinite Quantity (ID/IQ) for Information Technology (IT) contracts for computer hardware and software products in July 2004, July 2007, and in July 2010. The USPTO intends to add to its existing ID/IQ Vendors to fulfill its continuing IT requirements for computer hardware and software products and to further competition. The USPTO expects to make multiple awards resulting from this RFQ. The USPTO's IT product requirements for FY 2011 were approximately \$33 million. There is, however, no guarantee of requirements. All responsible sources may submit a proposal which will be considered by the USPTO.

All ID/IQ orders are generally competed among the ID/IQ vendors using simplified acquisition procedures. However, the USPTO reserves the right to compete individual requirements, with the selected socio-economic preferences i.e., HUBZone or Service Disabled Veteran-owned businesses, to accomplish its socio-economic goals. The ID/IQ contracts will be issued for a **base period with four (4) one-year options**. The USPTO will review the ID/IQ contract at least annually. If necessary, the USPTO will update or modify existing arrangements as a result of changes in market conditions, sources of supply, and other pertinent factors that may warrant making new arrangements with different suppliers or modifying existing arrangements. The USPTO reserves the right to cancel and or not exercise options for any company's ID/IQ contract for any reason, including but not limited to: poor performance, failure to respond to Requests for Quotes, Vendor's prices are determined to be no longer competitive.

The Government is seeking a one-stop shopping vehicle, which offers a wide array of computer hardware and software products to include computer hardware, software and licenses, hardware/software maintenance **and related services** that are similar to those found under Schedule 70 – General Purpose Commercial Information Technology Equipment, Software, and Services. Vendors are not required to have a General Services Administration (GSA) Federal Supply Schedule contract in order to submit a proposal in response to this RFQ. Examples of items/**services** that the USPTO may be procuring are: servers, server racks, color scanners, mass storage units, fiber channel ports and fabric management software for Cisco Systems, dual port fibre channel cards, routers and switches, security software, automated tape libraries, data tape cartridges, **commercial-off-the-shelf** security software, software maintenance, virus control

software, installation of multi-vendor computer equipment, customization of hardware or software, training and product technical support. The vendor must be able to demonstrate that they can offer the USPTO a vast array of IT Products. The USPTO is not looking for vendors who can only offer a few products or product brands. Vendors who can only offer a few products and/or limited product brands will be found unacceptable, and will not be considered for award. Currently, the USPTO has an existing contract vehicle under which it procures desktop computer hardware. Items on the desktop computer hardware contract vehicle are excluded from these ID/IQ contracts.

Delivery orders will be issued for any orders placed under any awarded ID/IQ contract. Offerors must be authorized dealers or resellers of products that they are offering to the Government at the time of the offering (See Supplemental Instructions, E, for further description). The USPTO does not purchase “grey market” IT products. Vendors that submit quotes in response to this synopsis/solicitation are required to have been in business for five years or longer. Vendors that submit quotes who do not meet this requirement will be disqualified and eliminated from competition. The vendor must have the financial resources and the technical ability to establish lines of credit and to qualify as authorized or certified resellers that will allow it to fulfill USPTO’s requirement for a vast array of IT requirements.

Individual awarded delivery orders will state the date and place of delivery, and acceptance and FOB point. Place of delivery may vary but most hardware deliveries will go to the Evolver Fleet Warehouse located in Alexandria, VA, 22310.

**Evaluation Factors:** (1) Ability to provide a vast array of IT Products, (2) Past Performance and Experience, (3) Other Factors (See below), and (4) Price.

The provision at FAR § 52.212.1, Instructions to Offeror—Commercial Items (Feb 2012), applies to this acquisition. In addition, Offerors are required to submit the following:

- (1) A brief Capabilities Statement addressing the ability to provide a vast array of IT Products, not to exceed 5 pages, with optional catalogs and brochures (Capabilities statement, catalogs, and brochures shall not exceed 20 pages in length);
- (2)(a), A completed Past Performance Evaluation Order submitted to Open Ratings, Inc.; and
- (2)(b), References to substantiate sales from 5 current customers with whom the offeror has had an established relationship for over one year and sales in excess of \$500,000 (cumulative for all sales) for any one (1) year period within the last five (5) years; and
- (3) Brief capabilities addressing “Other Factors,” not to exceed 3 pages (see below); and
- (4) Prices for products. Specifications for products that the vendor must price are listed at: [http://tampa-wip.uspto.gov/about/vendor\\_info/current\\_acquisitions/DOC52PAPT1200048\\_2012\\_general\\_purpose\\_Information\\_technology\\_equipment\\_home.jsp](http://tampa-wip.uspto.gov/about/vendor_info/current_acquisitions/DOC52PAPT1200048_2012_general_purpose_Information_technology_equipment_home.jsp)

Documentation provided for past performance references (Item #2(b) above) will not count toward the 20-page limitation. There is no required format for the Capabilities Statement. Table of contents and any cover letter will not be included in the 20-page limitation. The cover letter and any information contained in the cover letter will not be evaluated. Pricing information submitted in response to Item #4 above will not count toward the page limit.

Offerors shall submit three (3) electronic proposals on CD-ROM, with one (1) Original hard copy and two (2) copies of its offer to the U.S. Patent and Trademark Office, Office of Procurement, Attn: Nathia Casey, Solicitation No: DOC-52-PAPT-1200048, Mail Stop 6, P.O. Box 1450, Alexandria, VA 22313-1450 or **if hand-delivered** (non-U.S. Postal Service, i.e. FedEx or UPS): 600 Dulany Street, Madison East Bldg. Room 7C45, Alexandria, VA 22314, ATTN: Nathia Casey, Contract Specialist. **The receipt date and time for proposals is 2:00 p.m. Local Time of the Contracting Officer, Alexandria VA, June 8, 2012.** For any hand-delivered proposals, it is noted that the receipt office is in a secured building. Please call Nathia Casey at 571-272-5467 upon arrival for pickup in the lobby. Adequate time should be allowed for receipt and pickup of the proposal after arriving at the USPTO. The point of contact for this solicitation is: [Nathia.Casey@uspto.gov](mailto:Nathia.Casey@uspto.gov), ph. 571-272-5467. The secondary point of contact is: [Connie.Lum@uspto.gov](mailto:Connie.Lum@uspto.gov), ph. 571-272-4167. **All questions must be submitted by email no later than COB May 16, 2012 to [Nathia.Casey@uspto.gov](mailto:Nathia.Casey@uspto.gov) and [Connie.Lum@uspto.gov](mailto:Connie.Lum@uspto.gov).** The questions will be answered with an amendment to this synopsis/solicitation.

### Supplemental Instructions:

A. In response to Item #1 above, “Ability to provide a vast array of IT Products,” the Offeror should address its capabilities to provide a vast array of IT Products to the USPTO.

B. In response to Item #2(a) above, the Offeror must complete a past performance evaluation to Open Ratings, Inc. (a Dun & Bradstreet company) prior to submission of their offer. A minimum of four references must be provided on the request in order to be processed by Open Ratings, Inc. ([www.openratings.com](http://www.openratings.com)). However, Open Ratings recommends providing up to 20 references to ensure Open Ratings receives at least four completed responses. It is strongly encouraged that you proactively contact your references to request that they promptly respond to the Open Ratings, Inc. inquiries for past performance. The requests for past performance by Open Ratings, Inc. will be sent by email and will be filled out on an on-line survey. Any Vendor not receiving a past performance evaluation from Open Ratings, Inc., may result in a “neutral” rating under the Past Performance and Experience evaluation factor. Open Ratings, Inc. charges \$185.00 for this service, and Offerors are responsible for direct payment to Open Ratings, Inc. Each Offeror must submit, with its proposal, a confirmation that the past performance evaluation order has been submitted to Open Ratings, Inc. Open Ratings will provide the Offeror who submitted the request for past performance a copy of the evaluation, along with a copy to the USPTO. Please provide Open Ratings with the following information as a contact: Nathia Casey, Contract Specialist, U.S. Patent and Trademark Office, 600 Dulany St., MDE 7C45, Alexandria, VA 22313, e-mail: [Nathia.Casey@uspto.gov](mailto:Nathia.Casey@uspto.gov), ph: 571-272-5467, and fax 571-273-5467. The USPTO will evaluate the Offeror’s past performance in successfully fulfilling requirements that are relevant or similar to the requirements in this RFQ. To accomplish this, USPTO will review the results of Open Ratings Past Performance Evaluation to determine acceptability under this factor. Where appropriate, offerors will be given an opportunity to explain both information concerning the relevancy of the information on past performance provided and any negative past performance information to which the Offeror has not previously had an opportunity to respond. (Note: The USPTO reserves the right to consider any other related information which may come to the attention of the USPTO regarding the Offeror’s past performance.)

C. In response to Item #2(b) above, the Offeror is required to submit references from 5 current customers with whom the offeror has had an established relationship for over one year and have had sales for IT Products in excess of \$500,000 (cumulative of all sales) for any one (1) year period within the last five (5) years. Offerors may include sales to entities other than the Federal Government community. Offerors shall include documentation to substantiate sales such as purchase orders, sale invoices, packaging slips, etc. The offeror shall submit current customer contact information to include: name of customer, address, phone number, and email address. The USPTO may verify the sales information that is submitted.

D. In response to Item #3 above, the Offeror is required to address “Other Factors” which the Offeror may offer to the USPTO as an added benefit. “Other factors” may include, for example, availability of an internet products catalog, obtaining quotes on-line, ordering and on-line order tracking capability, credit card acceptance, flexible return policies, flexible hours of operation, distribution centers, technology consultants, use of Other Small Businesses as teaming partners, established partner relationships with major Original Equipment Manufacturers (OEMs), and staging warehouse or facilities for equipment to be delivered to the USPTO fully assembled.

E. In response to Item #4 above, there are numerous specifications that are contained at this website from which the vendor must price 3 specifications. The vendor is required to price “No. 1 - PowerEdge R710 servers.” It is the Vendor’s option which 2 other specifications it chooses to price. The vendor may price any of the specifications, regardless of whether or not they are authorized to sell the items. Once the ID/IQs contracts are awarded, the Vendors must be authorized to sell the products which they are quoting in response to Requests for Quotes (RFQs). *The prices will be used strictly for evaluation purposes only.* There will not be any orders resulting from this pricing. Prices as submitted will be used for evaluation purposes only. The Vendor should state the percentage of discount, if any, as an example of the types of discounts the Vendor may offer to the USPTO. In addition, the dollar amount of the discount shall be listed, along with the total price. **If a part number has changed or been replaced for the hardware or software as a result of an upgrade by the manufacturer, the Offeror is to price the most recent version or replacement part number. The Offeror shall note the new part or version number on its pricing documentation.** As each requirement will be competed among the ID/IQ Vendors when the requirement occurs, there will not be any priced items listed in the contract.

The provision at FAR §52.212-2, Evaluation –Commercial Items, will be used to evaluate offerors for awarding the ID/IQ contracts. The Government intends to award ID/IQ contracts resulting from this solicitation to the most responsible offerors whose offers conforming to the solicitation will be the most advantageous, representing the best value to the Government, price and other factors considered. The following factors shall be used to evaluate offers:

- (1) Ability to provide a vast array of computer hardware and software products;
- (2) Past Performance and Experience;
- (3) Other factors; and
- (4) Price.

**Factors 1, 2 and 3 are of equal importance. Factor 4 is less important than Factor 1, 2 and 3. Those factors individually and collectively are more important than price.**

Offerors must include a completed copy of the provision at 52.212-3, Offeror Representations and Certifications—Commercial Items, with its offer. Offerors shall provide Taxpayer Identification Number, as well as, Data Universal Numbering System no. with its proposal. The following clauses apply to this acquisition: 52.204-7, Central Contractor Registration (Feb 2012). The clause at 52.212-4, Contract Terms and Conditions—Commercial Items (Feb 2012), applies to this acquisition. The clause at 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders—Commercial Items (Apr 2012), applies to this acquisition and the following clauses are applicable: 52.203-6, Restrictions on Small Business Set-Aside (Sept 2006), 52.203-13, Contractor Code of Business Ethics and Conduct (Apr 2010), 52.219-6 Notice of Total Small Business Set-Aside (Nov 2011), 52.219-28 Post Award Small Business Program Representation (Apr 2012), 52.222-3, Convict Labor (June 2003), 52.222-19, Child Labor-Cooperation with Authorities and Remedies (Mar 2012), 52.222-21, Prohibition of Segregated Facilities (Feb 1999), 52.222-26, Equal Opportunity (Mar 2007), 52.222-35, Equal Opportunity for Veterans (Sep 2010), 52.222-36, Affirmative Action for Workers with Disabilities (Oct 2010), 52.222-37, Employment Reports on Veterans (Sep 2010), 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (Dec 2010), 52.222-50 Combating Trafficking in persons (Feb 2009), 52.225-1 Buy American Act-Supplies (Feb 2009), 52.216-18 Ordering (Oct 1995), 52.216-19 Order Limitations (Oct 1995), 52.216-22 Indefinite Quantity (Oct 1995), 52.217-6 Option for Increased Quantity (Mar 1989), 52.217-9 Option to Extend the Term of the Contract (Mar 2000), 52.232-25, Prompt Payment (Oct 2008), 52.232-33, Payment by Electronic Funds Transfer-Central Contractor Registration (Oct 2003), 52.233-3, Protest After Award (Aug. 1996), and 52.233-4 Applicable Law for Breach of Contract Claim (Oct 2004). In addition, Section 508 Compliance – in accordance with Section 508, the USPTO requires that all Electronic Information Technology (“EIT”), as that term is defined at FAR §52.101, delivered under the contract comply with the applicable EIT accessibility standards issued by the Architectural and Transportation Barriers Compliance Board set forth at 36 CFR Part 1194.

The following USPTO clauses apply to this acquisition: PTO-03 USPTO/Invoices, PTO-06 Limitation on Contractor Advertisement, PTO-17 Contractor FOIA Requirement, and Technology Infusion and Enhancements TO REPLACE Obsolete or Out-of-Production Items.

Updates to this synopsis/solicitation will be posted on Federal Business Opportunities website at: <https://www.fbo.gov/> as well as the USPTO Office of Procurement homepage at: [http://tampawip.uspto.gov/about/vendor\\_info/current\\_acquisitions/DOC52PAPT1200048\\_2012\\_general\\_purpose\\_Information\\_technology\\_equipment\\_home.jsp](http://tampawip.uspto.gov/about/vendor_info/current_acquisitions/DOC52PAPT1200048_2012_general_purpose_Information_technology_equipment_home.jsp). This solicitation shall not be construed as a commitment of any kind.