

COMBINED SYNOPSIS/SOLICITATION FOR COMMERCIAL ITEMS

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; quotations are being requested, and a written solicitation document will not be issued.

This solicitation is a Request for Quotations (RFQ). The solicitation document and incorporated provisions and clauses are those in effect through **Federal Acquisition Circular (FAC) 2024-03 Effective: 23 February 2024**

This is a Total Small Business Set-Aside in accordance with FAR 13.003 (b)(1) on a Firm-Firm Fixed-Price (FFP) basis.

The associated North American Industrial Classification System (NAICS) code for this procurement is 334111, with a small business size standard of SMALL.

The associated Federal Supply Code (FSC) / Product Service Code (PSC) procurement is 7B22.

The Naval Research Laboratory (NRL), located in Washington, DC, is seeking to purchase Apple Macbook Pros and an Apple Mac Studio.

All interested companies shall provide quotations for the following:

 X See specification attachment

Supplies: BRAND NAME OR EQUAL.

Items must be brand name or equal in accordance with FAR 52.211-6.

Software/Hardware/Services:

This procurement is for new equipment ONLY, unless otherwise specifically stated. No remanufactured or "gray market" items are acceptable. All equipment must be covered by the manufacturer's warranty.

- Vendor shall be an Original Equipment Manufacturer (OEM), an OEM authorized dealer, an authorized distributor, or an authorized reseller for the proposed equipment/system such that OEM warranty and service are provided and maintained by the OEM. All software licensing, warranty, and service associated with the equipment/system shall be in accordance with the OEM terms and conditions
- Offerors are required to submit documentation from the manufacturer stating that they are an authorized distributor for the specific items being procured.

Note: Maintenance Renewals - The performance period for maintenance renewals, (software licenses, services, etc.), must begin on or after the date of contract award. The performance period cannot be back dated. If reinstatement fees are required, they must be listed on separate line items.

Delivery Address:

 X U.S. Naval Research Laboratory
4555 Overlook Avenue, S.W.
Bldg. 49 – Shipping/Receiving
Code 3400
Washington, DC 20375

****FOB DESTINATION IS THE PREFERRED METHOD****

Estimated Delivery Time: _____

For FOB ORIGIN, please provide the following information:

FOB Shipping Point: _____

Estimated Shipping Charge: _____

Dimensions of Package(s): _____

Shipping Weight: _____

The following FAR & DFARS provisions and clauses as identified below are hereby incorporated. Any FAR & DFARS provisions or clauses not applicable by their terms shall be self-deleting. Any FAR or DFARS provisions or clause(s) erroneously, or otherwise, omitted, that which should have been included by their terms, shall be considered to be incorporated into this solicitation and any resultant contract.

The full text of FAR & DFARS provisions and clauses may be accessed electronically at <https://www.acquisition.gov>. The clauses and provisions identified below are to be considered the most up-to-date version, as accessible at <https://www.acquisition.gov/>.

- 52.203-11, Certification & Disclosure Regarding Payments to Influence Certain Federal Transactions
- 52.203-18, Prohibition on Contracting with Entities that Require Certain Internal Confidentiality Agreements or Statements—Representation
- 52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements
- 52.204-7, System for Award Management
- 52.204-16, Commercial and Government Entity Code Reporting
- 52.204-17, Ownership or Control of Offeror
- 52.204-20, Predecessor of Offeror
- 52.204-24, Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment – Attached below to be completed and returned with Quote/Proposal.
- 52.204-26, Covered Telecommunication Equipment or Services - Representation
- 52.209-11, Representation by Corporations Regarding Delinquent Tax Liability or a Felony Conviction under any Federal Law

- 52.211-14, Notice of Priority Rating for National Defense, Emergency Preparedness, and Energy Program Use
(Apr 2008)

- 52.212-1, "Instructions to Offerors-Commercial Items"
- 52.212-3, "Offerors Representations and Certifications-Commercial Items and Commercial Services"
- 52.217-5, Evaluation of Options
- 52.219-1, Small Business Program Representations
- 52.223-22, Public Disclosure of Greenhouse Gas Emissions and Reduction Goals—Representation
- 52.225-18, Place of Manufacture
- 52.225-25, Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran—Representation and Certifications
- 52.237-1, Site Visit
- 52.252-1, Solicitation Provisions Incorporated by Reference

NRL also includes the following provisions that must be **completed and returned** by the offeror:

1. FAR 52.209-2, Prohibition on Contracting with Inverted Domestic Corporations Representation.
2. FAR 52.222-22, Previous Contracts and Compliance Reports
3. FAR 52.222-25, Affirmative Action Compliance

Offerors must complete annual representations and certifications on-line at <https://www.sam.gov/> in accordance with FAR 52.212-3, "Offerors Representations and Certifications-Commercial Items." If paragraph (j) of the provision is applicable, a written submission is required.

The following contract **FAR CLAUSES** apply to this acquisition, unless not applicable by their terms, in which case shall be considered self-deleting. Any FAR clause erroneously, or otherwise, omitted, that which should have been included by their terms, shall be considered to be incorporated into this solicitation and any resultant contract:

- 52.212-4, Contract Terms and Conditions-Commercial Items
- 52.203-3, Gratuities (APR 1984)
- 52.203-12, Limitation of Payments to Influence Certain Federal Transactions
- 52.204-9, Personal Identity Verification of Contractor Personnel
- 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards
- 52.204-18, Commercial and Government Entity Code Maintenance
- 52.204-19, Incorporation by Reference of Representations and Certifications
- 52.204-21, Basic Safeguarding of Covered Contractor Information Systems
- 52.209-10, Prohibition on Contracting with Inverted Domestic Corporations
- 52.219-8, Option to Extend Services
- 52.217-9, Option to Extend the Term of the Contract
- 52.219-28, Post-Award Small Business Program Representation
- 52.232-1, Payments
- 52.232-8, Discounts for Prompt Payment
- 52.232-11, Extras
- 52.232-23, Assignment of Claims
- 52.232-39, Unenforceability of Unauthorized Obligations
- 52.232-40, Providing Accelerated Payments to Small Business Subcontractors

- 52.233-1, Disputes
- 52.233-3, Protest After Award
- 52.233-4, Applicable Law for Breach of Contract Claim
- 52.243-1, Changes-Fixed-Price
- 52.247-34, F.O.B Destination
- 52.249-1, Termination for Convenience of the Government (Fixed Price)(Short Form)
- 52.249-4, Termination for Convenience of the Government (Services)(Short Form)
- 52.252-2, Clauses Incorporated By Reference

2. FAR 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders - The following subparagraphs of FAR 52.212-5 are applicable, unless otherwise not applicable by their terms, in which case shall be considered self-deleting:

- 52.204-10
- 52.209-6
- 52.219-6
- 52.222-3
- 52.222-19
- 52.222-21
- 52.222-26
- 52.222-36
- 52.222-50
- 52.223-18
- 52.225-13
- 52.232-33

3. DFARS 212.301 - Solicitation Provisions and Contract Clauses for the Acquisition of Commercial Items DoD Class Deviation 2018-O0021, Commercial Item Omnibus Clause for Acquisitions Using the Standard Procurement System, issued October 1, 2018 (Revised October 1, 2018): DoD Class Deviation 2018-O0021

The following solicitation **DFARS PROVISIONS** apply to this acquisition, unless not applicable by their terms, in which case shall be considered self-deleting. Any DFARS Provisions erroneously, or otherwise, omitted, that which should have been included by their terms, shall be considered to be incorporated into this solicitation:

- 252.203-7005, Representation Relating to Compensation of Former DoD Officials
- 252.204-7008, Compliance with Safeguarding Covered Defense Information Controls
- 252.204-7016, Covered Defense Telecommunications Equipment or Services – Representation
- 252.204-7017, Prohibition On The Acquisition Of Covered Defense Telecommunications Equipment Or Services—Representation
- 252.215-7007, Notice of Intent to Resolicit

The following solicitation **DFARS CLAUSES** apply to this acquisition, unless not applicable by their terms, in which case shall be considered self-deleting. Any DFARS clause erroneously, or otherwise, omitted, that which should have been included by their terms, shall be considered to be incorporated into this solicitation and any resultant contract:

- 252.203-7000, Requirements Relating to Compensation of Former DoD Officials

- 252.203-7002, Requirement to Inform Employees of Whistleblower Rights
- 252.204-7003, Control of Government Personnel Work Product
- 252.204-7009, Limitations on the Use or Disclosure of Third-Party Contractor
- 252.204-7012, Safeguarding Covered Defense Information and Cyber Incident Reporting
- 252.204-7015, Notice of Authorized Disclosure of Information for Litigation Support
- 252.204-7018, Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services
- 252.211-7003, Item Unique Identification and Valuation
- 252.211-7008, Use of Government-Assigned Serial Numbers
- 252.223-7008, Prohibition of Hexavalent Chromium
- 252.225-7013, Duty-Free Entry
- 252.227-7015, Technical Data - Commercial Items
- 252.227-7037, Validation of Restrictive Markings on Technical Data
- 252.232-7003, Electronic Submission of Payment Requests and Receiving Reports
- 252.232-7006, Wide Area Work Flow Payment Instructions
- 252.232-7010, Levies on Contract Payments
- 252.239-7010, Cloud Computing Services
- 252.239-7018, Supply Chain Risk
- 252.244-7000, Subcontracts for Commercial Items
- 252.246-7003, Notification of Potential Safety Issues
- 252.246-7004, Safety of Facilities, Infrastructure, and Equipment for Military Operations

SUBMISSION INSTRUCTIONS:

All Quoters shall submit 1 (one) copy of their technical and price quote. Include your company DUNS Number and Cage Code on your quote.

All quotations shall be sent via e-mail.

GOVERNMENT POINT OF CONTACT

Purchasing Agent Name: Kayrelly Aguirre-Arroba

Email: Kayrelly.aguirre-arroba2.civ@us.navy.mil

Tel: 202-875-9394

Please reference this combined synopsis/solicitation number **N0017325Q5324** on your correspondence and in the "Subject" line of your email.

ALL QUESTIONS REGARDING THE SOLICITATION SHALL BE SUBMITTED VIA EMAIL.

The government intends to award a purchase order as a result of this combined synopsis/solicitation that will include the terms and conditions set forth herein. Award may be made without discussions or negotiations; therefore, prospective contractors should have an active registration in the System for Award Management (SAM) database (www.sam.gov) in accordance with Federal Acquisition Regulation (FAR) Part 4.1102 and Part 52.204-7 when submitting a response to this solicitation.

The Government will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the Government, price and other factors considered. The following factors shall be used to evaluate offers:

Lowest Price Technically Acceptable - Offers will be ranked lowest to highest according to price. A price analysis will be conducted to determine whether the lowest price will result from a single award or multiple awards. Based on the price analysis, the lowest price offer or multiple offers, will be forwarded to the requiring activity for technical evaluation (offer(s), in accordance with the specifications, will be deemed either technically acceptable or technically unacceptable). If the lowest price offer or offers is found technically acceptable and the pricing determined fair and reasonable by the Contracting Officer, evaluation will be deemed complete and award will be made based on the lowest price offer(s). If the lowest price offer is determined technically unacceptable, another analysis will be conducted amongst the remaining offers to determine if a single or multiple awards will provide the lowest price. The lowest price offer(s) will be sent for technical evaluation. This process is repeated in order of price until an offer or combination of offers is deemed technically acceptable and price is determined fair and reasonable.

Table A-1. Technical Acceptable/Unacceptable Ratings:

Rating	Description
Acceptable	Quote meets all the minimum requirements/specifications as stated or provided in the RFQ specifications.
Unacceptable	Quote does not clearly meet the minimum requirements/specifications as stated or provided in the RFQ specifications.

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

Terms and Conditions. To facilitate the award process, all quotes must include a statement regarding the terms and conditions herein as follows:

"The terms and conditions in the solicitation are acceptable to be included in the award document without modification, deletion, or addition."

OR

"The terms and conditions in the solicitation are acceptable to be included in the award document with the exception, deletion, or addition of the following:"

Exceptions. Quoter shall list exception(s) and rationale for the exception(s).

Submission shall be received not later than the response date listed above. Late submissions shall be treated in accordance with the solicitation provision at FAR 52.212-1(f). E-mailed submissions are accepted and are the preferred form of submission. Receipt will be verified by the date/time stamp on fax or e-mail.

Unless already completed in SAM.gov, the following provision must also be completed and returned by the Offeror:

Interim FAR rule 2019-009, published on July 14, 2020, and effective on August 13, 2020

Instruction to Offeror: Complete the attached 52.504-24 and include it with your offer.

FAR 52.204-24 REPRESENTATION REGARDING CERTAIN TELECOMMUNICATIONS AND VIDEO

SURVEILLANCE SERVICES OR EQUIPMENT

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 the provision at 52.204–26, Covered Telecommunications Equipment or

Services—Representation, or in paragraph (v) of the provision at 52.212–3, Offeror

Representations and

Certifications—Commercial Items.

(a) 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.

(c) 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 (e)(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 (e)(2) of this section if the Offeror responds “does” in paragraph (d)(2) of this section.

(e) *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

(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)(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)

This is an APPLE Brand Name Only RFQ.

Quotes for Equivalent Items will not be considered.

Authorized OEM Resellers only.

Submit Authorized OEM Reseller letter with quote.

All Quotes must provide shipping in quotes, if applicable, to be considered

STATEMENT OF NEED

TITLE: Four Apple Macbook Pros and an Apple Mac Studio

I. Purpose

Apple MacBook Pro M4 Max 16" Laptops and Apple Mac Studio M4 Max desktop

II. Scope

The following list details the system requirements that are needed:

<i>Quantity</i>	<i>Description</i>
2	Apple 16" Macbook Pro (MFR # Z1FT000D6) , with the following features: <ul style="list-style-type: none">* Apple M4 Max 16-core chip* 64 GB Unified RAM* 4 TB SSD memory* 40-core GPU* 16" 3456 x 2234 Liquid Retina XDR Screen* Color: Space Black
1	Apple 16" Macbook Pro (MFR # Z1FT000D9) , with the following features: <ul style="list-style-type: none">* Apple M4 Max 16-core chip* 128 GB Unified RAM* 2 TB SSD memory* 40-core GPU* 16" 3456 x 2234 Liquid Retina XDR Screen* Color: Space Black
1	Apple 16" Macbook Pro (MFR # Z1FT000FM) , with the following features: <ul style="list-style-type: none">* Apple M4 Max 16-core chip* 128 GB Unified RAM* 4 TB SSD memory* 40-core GPU* 16" 3456 x 2234 Liquid Retina XDR Screen* Color: Space Black, with nano-texture display finish
1	Apple Mac Studio (MFR # Z1CD00186) , with the following features: <ul style="list-style-type: none">* Apple M4 Max 16-core CPU* 128 GB Unified RAM* 8 TB SSD memory* 40-core GPU

III. Period of Performance (applies to maintenance/software)

1-year manufacturer warranty

IV. Delivery Location

U.S. Naval Research Laboratory

4555 Overlook Avenue, SW

Washington, DC 20375

Bldg. 2, Room 153

V. Inspection and Acceptance Criteria

The items listed in the scope of this document must be received and in full working order to be accepted as final by NRL