

Food and Drug Administration, Pacific Southwest Food and Feed Laboratory

UV-Vis Spectrophotometer

Request for Quote #1254791

April 29, 2022

BACKGROUND

The US Food and Drug Administration (FDA)'s Pacific Southwest Food and Feed Laboratory (PSFFL) located in Irvine, CA, is an ISO 17025 accredited laboratories involved in the analysis of FDA regulated products and other scientific activities in support of the agency's public health mission.

PURPOSE

The PSFFL has been tasked to be a backup laboratory to SFFL for the nutritional testing of infant formula in FY 2023. After reviewing different methods for the analysis of fat-soluble vitamins and the instrument capacity at PSFFL, a UV-Vis spectrophotometer is needed to perform all the fat-soluble vitamins. The following AOAC methods, AOAC 992.06 (vitamin A), AOAC 999.15 (vitamin K), AOAC 2012.10 (vitamin E and A), AOAC 2016.05 (vitamin D2& D3) in milk based infant formula will need a UV-Vis spectrophotometer to verify the purity of the vitamin standard to calculate the concentration of the vitamins in infant formula with accuracy. The Food Chemistry section needs a UV-Vis spectrophotometer to accomplish its mission.

SCOPE OF WORK

The contractor shall supply, deliver, and install a UV-Vis Spectrophotometer in the PSFFL's Food Chemistry Section.

SALIENT CHARACTERISTICS

A UV-Vis Spectrophotometer, with validated UV-Vis Software and all other necessary parts in the PSFFL's Food Chemistry Section or Equivalent shall have the following characteristics:

- The UV-Vis Spectrophotometer must be a double-beam instrument with a powerful xenon lamp that flashes at least 80 times per second.
- The UV-Vis Spectrophotometer must have a wavelength range of 190–1100 nm that can be scanned in under three seconds.
- The UV-Vis Spectrophotometer shall be able to be fitted with long pathlength cuvettes and solid sample transmission or reflectance accessories.⁵
- The UV-Vis Spectrophotometer's xenon source lamp must have at least a 10 year replacement warranty.

- The UV-Vis Spectrophotometer must exhibit zero warmup.
- The UV-Vis Spectrophotometer must not cause any photodegradation of samples.
- Fast reactions shall be recorded with at least 80 data points per second using the UV-Vis Spectrophotometer.
- The UV-Vis Spectrophotometer must have a highly focused beam image, which is perfect for measuring small volumes and precious samples accurately and reproducibly.
- The UV-Vis Spectrophotometer must have a comprehensive range of accessories to accurately characterize the widest variety of liquid and solid samples.
- The UV-Vis Spectrophotometer must come with 21 CFR Part 11 software tools.
- Must include Onsite Installation and Familiarization Training.

TRADE AND SERVICE SPECIFICATIONS

A UV-Vis spectrophotometer must have, with validated UV-Vis Software and all other necessary parts, must be new. They should not be used, refurbished, or previously used for demonstration.

The entire system must be warranted for parts and labor for 12 months from the date of formal government acceptance. The vendor must also be capable of servicing the instrument through the covered warranty period. The system must include at least a one (1) year warranty and shall include at a minimum: coverage on all non-consumable items and parts supplied including base instrument, factory-certified replacement parts, engineer labor and travel costs. Exception: UV-Vis Spectrophotometer’s xenon source lamp must have at least a 10 year replacement warranty.

Delivery must be performed during normal business hours of Monday through Friday, excluding federal holidays, between 8 am and 4 pm local time. Contractor shall provide at least 48-hour advance notice of delivery and installation. Point of contact will be provided at the time of award.

DELIVERABLES

A UV-Vis spectrophotometer must have, with validated UV-Vis Software and all other necessary parts, must be supplied, delivered and installed by 07/31/2022 to the following location:

Shipping Destination	Quantity
FDA/ORAPSFFL 19701 Fairchild Irvine, CA 92612	1

Observance of Federal Holidays:

Delivery shall be made Monday through Friday between 8:00 AM- 4:00 PM, excluding holidays and any day declared an official federal holiday. If the government holiday falls on the scheduled delivery date, the delivery will be on the next business day. Holidays observed by the FDA are:

- New Year’s Day
- Martin Luther King Day
- President’s Day
- Memorial Day
- Juneteenth Day
- Independence Day
- Labor Day
- Columbus Day
- Veteran’s Day
- Thanksgiving Day
- Christmas Day

PROPOSAL SUBMISSION FORMAT:

The solicitation does not commit the Government to pay any cost for the preparation and submission of a quote or proposal. It is also advised that the Contracting Officer (CO) is the only individual who can legally commit and obligate the Government to the expenditure of public funds in connection with the proposed acquisition.

QUOTES DUE: All quotes are due, electronically via email to Nina.Montgomery@fda.hhs.gov for the RFQ no later than May 6, 2022, 10:00 a.m. Eastern Time.

The offeror or applicant shall submit all electronic documents for Microsoft Office suite products without the use of “macros”. When submitting proposals via email, DO NOT include .exe, .mso, or any other executable file types that could potentially trigger email security protections (i.e. email blocks, quarantine). If the offeror or applicant submits documents that contain macros, macro referenced files, and/or executable files, the Government will not be able to view or open such documents and the submission will be considered non-responsive to the solicitation. No additional time will be given to an offeror or applicant to correct the document submission and the Government will not inform the offeror or applicant that their submission is non-responsive prior to award. It is the offeror’s or applicant’s responsibility to ensure all electronic documents are submitted without the use of macros.

Contract clauses, including agency-specific clauses

FAR/ HHSAR Clauses:

I. The provision at 52.212-1, Instructions to Offerors – Commercial DEVIATION 2018-00018, applies to this acquisition. The following addenda have been attached to this provision:

In addition to the requirements set for the in FAR 52.212-1, all offers responding to this solicitation must provide their business size in relation to the NAICS code contained in this solicitation and shall identify any socioeconomic categories to which they belong.

II. Evaluation Criteria - The specific evaluation criteria to be used are as follows: Lowest Price Technically Acceptable.

III. Offerors shall include a completed copy of the provision at FAR 52.212-3 (with its Alternate I), Offeror Representations with its offer.

IV. The clause at 52.212-4, Contract Terms and Conditions - Commercial Items, applies to this acquisition. The following addenda have been attached to this clause – Not Applicable

V. The clause at 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders - Commercial Items applies to this acquisition. The following additional FAR clauses cited in this clause are applicable:

52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards (Oct 2018)

52.209-6, Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (Oct 2015)

52.219-28, Post Award Small Business Program Representation (Nov 2020)

52.222-3, Convict Labor (June 2003)

52.222-19, Child Labor-Cooperation with Authorities and Remedies (Jan 2020)

52.222-21, Prohibition of Segregated Facilities (Apr 2015)

52.222-26, Equal Opportunity (Sept 2016)

52.222-36, Equal Opportunity for Workers with Disabilities (Jun 2020)

52.222-50, Combating Trafficking in Persons (Oct 2020)

52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (Jun 2020)

52.225-13, Restrictions on Certain Foreign Purchases (June 2008)

52.232-33, Payment by Electronic Funds Transfer-System for Award Management (Oct 2018)

52.204-7 System for Award Management (Oct 2018)

52.204-13 System for Award Management Maintenance (Oct 2018)

52.204-16 Commercial and Government Entity Code Reporting (Aug 2020)

52.204-18 Commercial and Government Entity Code Maintenance (Aug 2020)

52.204-24 Representations Regarding Certain Telecommunications and Video Surveillance Services or Equipment (Aug 2019)

52.204-25 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment

52.204-26 Covered Telecommunications Equipment or Services-Representation

52.232-40 Providing Accelerated Payments to Small Business Subcontractors (Dec 2013)

352.239-73 Electronic and Information Technology Accessibility Notice (Dec 2015)

352.239-74 Electronic and Information Technology Accessibility (Dec 2015)

352.232-71 Electronic Submission of Payment Requests (FEB 2022)

(a) Definitions. As used in this clause—

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.

(b) Except as provided in paragraph (c) of this clause, the Contractor shall submit payment requests electronically using the Department of Treasury Invoice Processing Platform (IPP) or successor system. Information regarding IPP, including IPP Customer Support contact information, is available at www.ipp.gov or any successor site.

(c) The Contractor may submit payment requests using other than IPP only when the Contracting Officer authorizes alternate procedures in writing in accordance with HHS procedures.

(d) If alternate payment procedures are authorized, the Contractor shall include a copy of the Contracting Officer's written authorization with each payment request.

VII. This acquisition is rated under the Defense Priorities and Allocations System (DPAS) as N/A

VIII. The following notes apply to this announcement: N/A

Section 508 Requirements

The following standards are applicable for this requirement:

- Must meet WCAG 2.0 A and AA
- E101.2 Equivalent Facilitation (Appendix A, Application and Scoping Requirements)
- E203 Access to Functionality (Appendix A, Application and Scoping Requirements)
- E204 Functional Performance Criteria (Appendix A, Application and Scoping Requirements)
- E205 Electronic Content (Appendix A, Application and Scoping Requirements)
- E208 Support Documentation and Services (Appendix A, Application and Scoping Requirements)
- Chapter 6 Support Documentation and Services (Appendix C, Functional Performance Criteria and Technical Requirements)
- 302 Functional Performance Criteria (Appendix C, Functional Performance Criteria and Technical Requirements)

Electronic content must be accessible to HHS acceptance criteria. Checklist for various formats are available at <https://www.hhs.gov/web/section-508/accessibility-checklists/index.html>, or from the Section 508 Coordinator listed

at <https://www.hhs.gov/web/section-508/additional-resources/section-508-contacts/index.html>. Materials that are final items for delivery should be accompanied by the appropriate checklist, except upon approval of the Contracting Officer or Representative.

Section E: Instructions to offerors, including offeror Representations and Certifications.

FAR 52.212-1 Instructions to Offerors—Commercial Items (Jun 2020)

PROPOSAL SUBMISSION FORMAT:

The solicitation does not commit the Government to pay any cost for the preparation and submission of a quote or proposal. It is also advised that the Contracting Officer (CO) is the only individual who can legally commit and obligate the Government to the expenditure of public funds in connection with the proposed acquisition.

QUOTES DUE: All quotes are due, electronically via email to Julia.Savage@fda.hhs.gov for the RFQ no later than April 21, 2022, 1:00 p.m. Eastern Time.

The offeror or applicant shall submit all electronic documents for Microsoft Office suite products without the use of “macros”. When submitting proposals via email, DO NOT include .exe, .mso, or any other executable file types that could potentially trigger email security protections (i.e. email blocks, quarantine). If the offeror or applicant submits documents that contain macros, macro referenced files, and/or executable files, the Government will not be able to view or open such documents and the submission will be considered non-responsive to the solicitation. No additional time will be given to an offeror or applicant to correct the document submission and the Government will not inform the offeror or applicant that their submission is non-responsive prior to award. It is the offeror’s or applicant’s responsibility to ensure all electronic documents are submitted without the use of macros.

FDA Electronic Invoicing and Payment Requirements - Invoice Processing Platform (IPP) (Jan 2022)

(a) All Invoice submissions for goods and or services must be made electronically through the U.S. Department of Treasury’s Invoice Processing Platform System (IPP).

<http://www.ipp.gov/vendors/index.htm>

(b) Invoice Submission for Payment means any request for contract financing payment or invoice payment by the Contractor. To constitute a proper invoice, the payment request must comply with the requirements identified in in FAR 32.905(b), “Content of Invoices” and the applicable Payment clause included in this contract, or the clause 52.212-4 Contract Terms and Conditions – Commercial Items included in commercial items contracts. The IPP website address is: <https://www.ipp.gov>.

(c) -----

(1) The Agency will enroll the Contractors new to IPP. The Contractor must follow the IPP registration email instructions for enrollment to register the Collector Account for submitting invoice requests for payment. The Contractor Government Business Point of Contact (as listed in SAM) will receive Registration email from the Federal Reserve Bank of St. Louis (FRBSTL) within 3 – 5 business days of the contract award for new contracts or date of modification for existing contracts.

(2) Registration emails are sent via email from ipp.noreply@mail.ero.c.twai.gov. Contractor assistance with enrollment can be obtained by contacting the IPP Production Helpdesk via email to IPPCustomerSupport@fiscal.treasury.gov or phone (866) 973-3131.

(3) The Contractor POC will receive two emails from IPP Customer Support, the first email contains the initial administrative IPP User ID. The second email, sent within 24 hours of receipt of the first email, contains a temporary password. You must log in with the temporary password within 30 days.

(4) If your company is already registered to use IPP, you will not be required to re-register.

(5) If the Contractor is unable to comply with the requirement to use IPP for submitting invoices for payment as authorized by HHSAR 332.7002, a written request must be submitted to the Contracting Officer to explain the circumstances that require the authorization of alternate payment procedures.

(d) Invoices that include time and materials or labor hours Line Items must include supporting documentation to (1) substantiate the number of labor hours invoiced for each labor category, and (2) substantiate material costs incurred (when applicable).

(e) Invoices that include cost-reimbursement Line Items must be submitted in a format showing expenditures for that month, as well as contract cumulative amounts.

(1) At a minimum the following cost information shall be included, in addition to supporting documentation to substantiate costs incurred.

- Direct Labor - include all persons, listing the person's name, title, number of hours worked, hourly rate, the total cost per person and a total amount for this category;

- Indirect Costs (i.e., Fringe Benefits, Overhead, General and Administrative, Other Indirects)- show rate, base and total amount;

- Consultants (if applicable) - include the name, number of days or hours worked, daily or hourly rate, and a total amount per consultant;

- Travel - include for each airplane or train trip taken the name of the traveler, date of travel, destination, the transportation costs including ground transportation shown separately and the per diem costs. Other travel costs shall also be listed;

- Subcontractors (if applicable) - include, for each subcontractor, the same data as required for the prime Contractor;

- Other Direct Costs - include a listing of all other direct charges to the contract, i.e., office supplies, telephone, duplication, postage; and
 - Fee – amount as allowable in accordance with the Schedule and FAR 52.216-8 if applicable.
- (f) Contractor is required to attach an invoice log addendum to each invoice which shall include, at a minimum, the following information for contract administration and reconciliation purposes:
- (1) list of all invoices submitted to date under the subject award, including the following:
- invoice number, amount, & date submitted
 - corresponding payment amount & date received
 - total amount of all payments received to date under the subject contract or order
 - and, for definitized contracts or orders only, total estimated amounts yet to be invoiced for the current, active period of performance.
- (g) Payment of invoices will be made based upon acceptance by the Government of the entire task or the tangible product deliverable(s) invoiced. Payments shall be based on the Government certifying that satisfactory services were provided, and the Contractor has certified that labor charges are accurate.
- (h) If the services are rejected for failure to conform to the technical requirements of the task order, or any other contractually legitimate reason, the Contractor shall not be paid, or shall be paid an amount negotiated by the CO.
- (i) Payment to the Contractor will not be made for temporary work stoppage due to circumstances beyond the control of U.S. Food and Drug Administration such as acts of God, inclement weather, power outages, and results thereof, or temporary closings of facilities at which Contractor personnel are performing. This may, however, be justification for excusable delays.
- (j) The Contractor agrees that the submission of an invoice to the Government for payment is a certification that the services for which the Government is being billed, have been delivered in accordance with the hours shown on the invoices, and the services are of the quality required for timely and successful completion of the effort.
- (k) Questions regarding invoice payments that cannot be resolved by the IPP Helpdesk should be directed to the FDA Employee Resource and Information Center (ERIC) Helpdesk at 301-827-ERIC (3742) or toll-free 866-807-ERIC (3742); or, by email at ERIC@fda.hhs.gov. Refer to the Call-in menu options and follow the phone prompts to dial the option that corresponds to the service that's needed. All ERIC Service Now Tickets will either be responded to or resolved within 48 hours (2 business days) of being received. When emailing, please be sure

to include the contract number, invoice number and date of invoice, as well as your name, phone number, and a detailed description of the issue.