*American Embassy*
*Chanakyapuri, New Delhi-110021*
*Phone No. 91-11-24198473*
*Fax No. 91-11-24198278*

**Solicitation No. S-IN650-13-Q-0117** **Date: August 23, 2013**

**Name & address of Offeror** **Issued by: ADM/GSO/Contracting**

You are invited to submit your lowest prices for the listed Tiles in Annexure A, as well as at the space provided below, **no later than 1400 hours on September 9, 2013**. The offeror shall submit their bid via email at newdelhibids@state.gov. Offers submitted on any other e-mail address shall not be considered for further evaluation. GSO/Procurement & Contracting shall provide additional information and/or clarifications concerning this solicitation.

**Services - Description**

1. Supply of "Floor and Wall Tiles" listed in the Annexure-A. The award will be made as per the instructions listed in Annexure-B.

**Floor and Wall Tiles, Listed in Annexure-A** **Rs.** _____

**VAT : Rs.** _____
**Total Amount : Rs.** _____

2. In order to enable the Government to claim VAT refunds, the offerors shall indicate VAT separately. If VAT is indicated separately, the contractor shall furnish tax invoices in accordance with Delhi VAT regulations.
3. Period of Delivery: Delivery within 15 days of receipt of the confirm order.
4. This purchase shall be bound by the FAR & DOSAR clauses enclosed as Annexure-C. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this address: http://www.acqnet.gov/far
DOSAR clauses may be accessed at: http://www.statebuy.state.gov/dosar/dosartoc.htm

- **Important:** The Embassy reserves the right to reject any or all offers and to delete any portion/or Tiles of the solicitation. Your offer should be valid for at least 45 days from the submission date. Once the Purchase Order is awarded the prices shall hold Tiles till the order is 100% fulfilled. The U. S. Govt. reserves the right to reject any offer which is very low or high.
- Embassy may place multiple orders based on technically acceptable lowest offers.

**Name of the Offeror**_____

**Signature**_____ **Dated**_____

**Telephone #**_____
**Fax #**_____
**Email ID:**_____

**Sincerely,**

Edith Davis

**Edith A. Davis**
**Contracting Officer**

Annexure-A

## Floor and Wall Tiles

| S.No: | Drugs Name | Qty | MOU | Unit Rate | Value |
|---|---|---|---|---|---|
| 1 | Wall tiles, size 12" x 24", Pizzaco (white in color), Make NITCO | 2500 | SQFT | | |
| 2 | Floor tile, size 24" x 24", Aura Gris (Grey in color), Make NITCO | 900 | SQFT | | |
| 3 | Wall tiles, size 12" x 18", Augusta, Make Kajaria | 1200 | SQFT | | |
| 4 | Highlighter, size 12" x 18", Lastres Oliva, Make Kajaria | 96 | EACH | | |
| 5 | Highlighter, size 12" x 12", Bolivia cubezoid L/D, Make Kajaria | 70 | EACH | | |
| 6 | Highlighter, size 12" x 18", Bamboo OCRE, Make Kajaria | 96 | EACH | | |
| 7 | Floor tiles, size 24" x 24", Polished, Ocean Mist, Make NITCO | 4000 | SQFT | | |
| 8 | Floor tile, size 12" x 12", Soltria Marfil, Make Kajaria | 400 | SQFT | | |
| 9 | Wall tile, size 12" x 18", Rhombus Crema, Make Kajaria | 600 | SQFT | | |
| 10 | Floor tile, size 24" x 24", Olympia Beige, Make Kajaria | 200 | SQFT | | |
| 11 | Floor tile, size 12" x 12", Arizona Beige, Make Kajaria | 200 | SQFT | | |
| 12 | Tile, Adhasive, Pidilite, size 30 kgs per bag | 900 | BAG | | |
| | **VAT** | | | | |
| | **GRAND TOTAL** | | | | |

**Name of the Offeror**_____

**Signature**_____ **Dated**_____

**Telephone #**_____
**Fax #**_____
**Email ID:**_____

Annexure-B

## ➔ IMPORTANT INSTRUCTIONS FOR THIS BUY:

- The offered product shall be in 100% compliance as prescribed in enclosed as Annexure-A. A compliance statement for the same to be submitted along with offer.
- Delivery time: within 15 days from the date of receipt of confirmed PO.
- If your proposal/offer is accepted, American Embassy will issue a **U S Government purchase order** with standard payment term of **30 days credit**. The payment will be made through electronic funds transfer (EFT) direct into your bank account within 30 days after delivery of Tiles.
- Central Sales Form J will be provided in lieu of CST under section 6(4) of the central sales tax (registration & turnover) rules, 1957 under rule 12(11A)
- Award will be made to the **"technically acceptable lowest offer".** The U. S. Govt. reserves the right to reject any offer which is very low or high.
- In case of any technical queries please write through e-mail at xrajender@state.gov by/before August 30, 2013. The answers to the queries will be shared with all prospective bidders. Any query received after August 30, 2013 will not be entertained.
- In case of late receipt of offer, it shall be sole discretion of the Contracting Officer (CO), to accept or reject the offer.
- **The offer should be submitted no later than 1400 hrs on 9th September 2013 at – Newdelhibids@state.gov.**

Annexure-C

# CLAUSES FOR PURCHASE ORDERS AND BLANKET PURCHASE AGREEMENTS AWARDED BY OVERSEAS CONTRACTING ACTIVITIES (Current thru FAC 2005-55)

## COMMERCIAL ITEMS

### FAR 52.252-2 Clauses Incorporated By Reference (FEB 1998)

This purchase order or BPA incorporates the following clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this address: https://www.acquisition.gov/far

DOSAR clauses may be accessed at: http://www.statebuy.state.gov/dosar/dosartoc.htm

### FEDERAL ACQUISITION REGULATION (48 CFR Chapter 1) CLAUSES

| NUMBER | TITLE | DATE |
|---|---|---|
| 52.204-9 | Personal Identity Verification of Contractor Personnel (if contractor requires physical access to a federally-controlled facility or access to a Federal information system) | JAN 2011 |
| 52.212-4 | Contract Terms and Conditions – Commercial Items (Alternate I (OCT 2008) of 52.212-4 applies if the order is time-and-materials or labor-hour) | Feb 2012 |
| 52.225-19 | Contractor Personnel in a Diplomatic or Consular Mission Outside the United States (applies to services at danger pay posts only) | MAR 2008 |
| 52.225-25 | Prohibition on Contracting with Entities Engaging in Sanctioned Activities Relating to Iran – Representation and Certification (applies to acquisitions above the micropurchase threshold) | NOV 2011 |
| 52.227-19 | Commercial Computer Software License (if order is for software) | DEC 2007 |
| 52.228-3 | Workers' Compensation Insurance (Defense Base Act) (if order is for services and contractor employees are covered by Defense Base Act insurance) | APR 1984 |
| 52.228-4 | Workers' Compensation and War-Hazard Insurance (if order is for services and contractor employees are not covered by Defense Base Act insurance) | APR 1984 |

The following clause is provided in full text:

**52.212-5 Contract Terms and Conditions Required to Implement Statutes or Executive Orders -- Commercial Items (MAY 2012)**

(a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses, which are incorporated in this contract by reference, to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

(1) 52.222-50, Combating Trafficking in Persons (FEB 2009) (22 U.S.C. 7104(g)). (applies for all orders)

____ Alternate I (AUG 2007) of 52.222-50 (22 U.S.C. 7104(g)).

(2) 52.233-3, Protest After Award (AUG 1996) (31 U.S.C. 3553).

(3) 52.233-4, Applicable Law for Breach of Contract Claim (OCT 2004) (Pub. L. 108-77, 108-78).

(Alternate I (AUG 2007) *[if the contracting officer has been notified of specific U.S. directives or notices regarding combating trafficking in persons that apply to contractor employees])*

(b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

| | **Clause Number and Title** |
|---|---|
| | (1) 52.203-6, Restrictions on Subcontractor Sales to the Government (SEP 2006), with Alternate I (Oct 1995) (41 U.S.C. 253g and 10 U.S.C. 2402). *[Check if order exceeds $150,000]* |
| | (2) 52.203-13, Contractor Code of Business Ethics and Conduct (APR 2010) (Pub. L. 110-252, Title VI, Chapter 1 (41 U.S.C. 251 note). |
| | (3) [Reserved]. |
| | (4) 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards (FEB 2012) (Pub. L. 109-282) (31 U.S.C. 6101 note). (in all solicitations and contracts of $25,000 or more) |
| | (5) [Reserved]. |
| | (6) 52.209-6, Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (DEC 2010) (31 U.S.C. 6101 note). (if contract value exceeds $30,000) |
| | (7) 52.209-9, Updates of Publicly Available Information Regarding Responsibility Matters (FEB 2012) (41 U.S.C. 2313). (contract value exceed $500,000 and offeror's total federal contracts value are over $10,000,000) |
| | (8) – (26) [Reserved]. |

| | |
|---|---|
| | (27) 52.222-19, Child Labor – Cooperation with Authorities and Remedies (MAR 2012) (E.O. 13126). |
| | (28) 52.222-21, Prohibition of Segregated Facilities (FEB 1999). [Check if the following apply: for supplies, the order exceeds $10,000 and is awarded to a U.S. firm. For services, the order exceeds $10,000 and is awarded to a U.S. firm whose employees who will be performing the work were recruited within the U.S.] |
| | (29) 52.222-26, Equal Opportunity (MAR 2007) (E.O. 11246). |
| | (30) 52.222-35, Equal Opportunity for Veterans (SEP 2010) (38 U.S.C. 4212). |
| | (31) 52.222-36, Affirmative Action for Workers with Disabilities (OCT 2010) (29 U.S.C. 793). |
| | (32) 52.222-37, Employment Reports Veterans (SEP 2010) (38 U.S.C. 4212). |
| | (33) – (37) [Reserved]. |
| | (38) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging while Driving (AUG 2011) (E.O. 13513). |
| | (39) – (40) [Reserved]. |
| | (41) 52.225-5, Trade Agreements (MAY 2012) (19 U.S.C. 2501, *et seq.*, 19 U.S.C. 3301 note). |
| | (42) 52.225-13, Restrictions on Certain Foreign Purchases (JUN 2008) (E.O.s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury). |
| | (43) – (46) [Reserved]. |
| | (47) 52.232-33, Payment by Electronic Funds Transfer – Central Contractor Registration (OCT 2003) (31 U.S.C. 3332). |
| | (48) 52.232-34, Payment by Electronic Funds Transfer – Other than Central Contractor Registration (MAY 1999) (31 U.S.C. 3332). |
| | (49) 52.232-36, Payment by Third Party (FEB 2010) (31 U.S.C. 3332). |
| | (50) 52.239-1, Privacy or Security Safeguards (AUG 1996) (5 U.S.C. 552a). |
| | (51)(i) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (FEB 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631). |
| | (ii) Alternate I (APR 2003) of 52.247-64. |

(c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial items, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial Items:

| | **Clause Number and Title** |
|---|---|
| | (1) – (6) [Reserved]. |
| | (7) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (MAR 2009) (Public Law 110-247). |
| | (8) 52.237-11, Accepting and Dispensing of $1 Coin (SEP 2008) (31 U.S.C. 5112(p)(1)). |

(d) *Comptroller General Examination of Record.* The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, and does not contain the clause at 52.215-2, Audit and Records -- Negotiation.

(1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.

(2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR Subpart 4.7, Contractor Records Retention, of the other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.

(3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.

(e)(1) *[This paragraph applies only if award is made to a U.S. firm, <u>except</u> for item (vii) which applies to all orders.]* Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c), and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1) in a subcontract for commercial items. Unless otherwise indicated below, the extent of the flow down
shall be as required by the clause—

(i) 52.203-13, Contractor Code of Business Ethics and Conduct (APR 2010) (Pub. L. 110-252, Title VI, Chapter 1 (41 U.S.C. 251 note)).

(ii) 52.219-8, Utilization of Small Business Concerns (JAN 2011) (15 U.S.C. 637(d)(2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds $650,000 ($1.5 million for construction of any public facility), the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.

(iii) [Reserved]

(iv) 52.222-26, Equal Opportunity (MAR 2007) (E.O. 11246).

(v) 52.222-35, Equal Opportunity for Veterans (SEP 2010) (38 U.S.C. 4212).

(vi) 52.222-36, Affirmative Action for Workers with Disabilities (OCT 2010) (29 U.S.C. 793).

(vii) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause 52.222-40.

(viii) [Reserved].

(ix) 52.222-50, Combating Trafficking in Persons (FEB 2009) (22 U.S.C. 7104(g)).
___Alternate I (AUG 2007) of 52.222-50 (22 U.S.C. 7104(g)).

(x) – (xii) [Reserved].

(xiii) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (MAR 2009) (Pub. L. 110-247). Flow down required in accordance with paragraph (e) of FAR clause 52.226-6.

(xiv) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (FEB 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631). Flow down required in accordance with paragraph (d) of FAR clause 52.247-64.

(2) While not required, the contractor may include in its subcontracts for commercial items a minimal number of additional clauses necessary to satisfy its contractual obligations.

(End of clause)

**DEPARTMENT OF STATE ACQUISITION REGULATION (48 CFR Chapter 6) CLAUSES**

| NUMBER | TITLE | DATE |
|---|---|---|
| 652.225-71 | Section 8(a) of the Export Administration Act of 1979, As Amended (if order exceeds simplified acquisition threshold) | AUG 1999 |
| 652.228-71 | Workers Compensation Insurance (Defense Base Act) – Services (for services to be performed overseas when the contract includes covered contractor employees as defined in paragraph (a) of the clause) Fill-in for paragraph (c): "(c) The current rate under the Department of State contract is of compensation for services." | JUN 2006 |
| 652.229-70 | Excise Tax Exemption Statement for Contractors Within the United States (for supplies to be delivered to an overseas post) | JUL 1988 |
| 652.229-71 | Personal Property Disposition at Posts Abroad | AUG 1999 |
| 652.237-72 | Observance of Legal Holidays and Administrative Leave (for services where performance will be on-site in a Department of State facility) | APR 2004 |
| 652.239-71 | Security Requirements for Unclassified Information Technology Resources (for orders that include information technology resources or services in which the contractor will have physical or electronic access to Department information that directly supports the mission of the Department) | SEP 2007 |
| 652.242-70 | Contracting Officer's Representative (if a COR will be named for the order) Fill-in for paragraph b: "The COR is _____" | AUG 1999 |
| 652.242-71 | Notice of Shipments (for overseas shipment of supplies) | JUL 1988 |
| 652.242-73 | Authorization and Performance | AUG 1999 |
| 652.243-70 | Notices | AUG 1999 |

The following clause is provided in full text, and is applicable for orders for services that will require contractor employees to perform on-site at a DOS location and/or that require contractor employees to have access to DOS information systems:

**652.204-70 Department of State Personal Identification Card Issuance Procedures (MAY 2011)**

(a) The Contractor shall comply with the Department of State (DOS) Personal Identification Card Issuance Procedures for all employees performing under this contract who require frequent and continuing access to DOS facilities, or information systems. The Contractor shall insert this clause in all subcontracts when the subcontractor's employees will require frequent and continuing access to DOS facilities, or information systems.

(b) The DOS Personal Identification Card Issuance Procedures may be accessed at http://www.state.gov/m/ds/rls/rpt/c21664.htm .

(End of clause)