

**Pittsburg State University**  
**Request for Proposal**

<b>RFQ Number</b>	EDA-PSU-8 Scanning Electron Microscope with EDS
<b>Economic Development Grant Award Number</b>	05-79-06038
<b>Date Issued</b>	1/26/2022
<b>Closing Date</b>	<b>2/9/2022; 2:00 pm local time</b>
<b>Procurement Officer</b>	Sean Burke; 620.235.4167; swburke@pittstate.edu
<b>Item</b>	Scanning Electron Microscope (SEM) with EDS
<b>Agency &amp; Location</b>	Pittsburg State University (PSU) in Pittsburg Kansas
<b>Scope</b>	Per Economic Development Administration Grant Award number 05-79-06038, Pittsburg State University is seeking proposals for a Scanning Electron Microscope (SEM) with EDS per the specifications in the body of this document.
<b>Bid Submittal</b>	Submit bid by e-mail to <a href="mailto:swburke@pittstate.edu">swburke@pittstate.edu</a>

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| <ol style="list-style-type: none"> <li>1. When communicating, always refer to the proposal number above.</li> <li>2. In order to receive consideration for award, one copy of this “Request for Proposal,” must be returned to Pittsburg State University no later than the specified closing time. The University is not responsible for late proposals.</li> <li>3. All prices, terms, and conditions must be shown. Additions or conditions not shown on this bid will not be allowed.</li> <li>4. Prompt payment discounts will not be considered in determining the low proposal.</li> <li>5. Prices proposed shall be less Federal Excise and State Sales taxes.</li> <li>6. The PSU Director of Purchasing reserves the right to accept or reject any part of this Proposal.</li> <li>7. RFP results will not be given to individuals over the phone. Written bid results may be obtained by written request from the procurement officer.</li> <li>8. Contractual Provisions Attachment DA-146a applies to all PSU RFPs.</li> <li>9. It is hereby agreed that the bidder will, if required by law, comply with the Kansas Act Against Discrimination, K.S.A. 44-1030 et. Seq.</li> <li>10. PSU reserves the right to award in the best interest of the university.</li> </ol> |
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<b>Vendor Name</b>	
<b>Lump Sum Price Proposed</b>	

Pittsburg State University is seeking Proposals for a Scanning Electron Microscope (SEM) with EDS per the following specifications. **Please attach a separate quote detailing each part associated with the SEM and EDS.**

**Specification for Scanning Electron Microscope (SEM) with EDS**

The SEM (with EDS) should have the following or better features and specifications

- SE Resolution:
  - 1.2nm (@ 30kV, WD=5mm, Mag. 180kx)
  - 3.0nm (@1kV, WD=3mm, Mag. 80kx)
  - 2.0nm (@1kV, WD=3mm, Mag. 120kx) with Beam Deceleration
- BSE Resolution:
  - 3.0nm (@15kV, WD=5mm, VP 10Pa)
- Automated Optical Axis Alignment and Astigmatism Correction Mode
- **\* Minimum 2 year Preventative Maintenance Plan \***
- Large Variable Pressure Range
- Variable Pressure Detector
- Motorized Computer Eucentric Stage
- Accommodates 5" (and above) Diameter Specimens
- Windows 10 OS
- Signal Mixing w/ Full, Small, Dual, and Quad Display
- SE detector
- Advanced Applications Training
- Software installation and familiarization
- One Preventative Maintenance
- Digital Beam Control Interface
- PC and Accessories

Optional

- MicroHeater

**\*Addendum to original RFP which was published on 1/26/2022\***

**Evaluation Factors**

	<b>Points</b>
<b>Cost effectiveness/alignment with grant budget</b>	<b>40</b>
<b>Alignment to specifications</b>	<b>20</b>
<b>Turn-key System including installation, validation, and training</b>	<b>15</b>
<b>Post-purchase accessibility for customer service/troubleshooting/technical questions</b>	<b>15</b>
<b>Cost effectiveness for software upgrades</b>	<b>10</b>

Buy America Provision – To the greatest extent practicable, contractors are encouraged to purchase American-made equipment and products with funding provided under EDA financial assistance.

Federal Participation Disclosure – This project will be partially funded with Federal funds from the United States Department of Commerce, Economic Development Administration and therefore is subject to the Federal laws and regulations associated with that program.

PSU reserves the right to award in the best interest of the university.

This purchase will be made within the parameters established by the Economic Development Grant Award and therefore the quantity of products purchased will be dependent upon funding established in the grant budget.

## General Provisions/Signature

**Tax Clearance Certification:** Bid submittals of \$25,000 or more shall include a copy of a Tax Clearance Certification. Tax Clearances may be obtained from the Kansas Dept. of Revenue (KDOR):

<http://www.ksrevenue.org/taxclearance.html>

**W9 Form:** Vendors who are new to PSU should submit a copy of their W9 with bid response. The form can be downloaded at [www.irs.gov/pub/irs-pdf/fw9.pdf](http://www.irs.gov/pub/irs-pdf/fw9.pdf)

**DA-146a Contractual Provisions:** The bidder agrees to accept the provisions of form DA-146a, Contractual Provisions Attachment which is incorporated into all contracts with the State <http://www.da.ks.gov/purch/DA-146a.pdf>

**NEW MATERIALS, SUPPLIES, OR EQUIPMENT:** Unless otherwise specified, all materials, supplies or equipment offered by a vendor shall be new, and unused in any regard. All materials, supplies and equipment shall be first class in all respects. Seconds or flawed items will not be acceptable. All materials, supplies or equipment shall be suitable for their intended purpose and, unless otherwise specified, fully assembled and ready for use on delivery.

**COMPARABLE PRODUCTS:** Bids on comparable products are invited. Indicate appropriate items, brands, model numbers, and specifications. Minor deviations in size and operational characteristics from those set forth in the specification will be considered when such deviations do not alter nor deter Pittsburg State University from accomplishing its intended usage or function. **Each bidder must clearly indicate in writing where (if any) their product characteristics deviate from these specifications and explain how their product accomplishes the desired function even though product characteristics may be different.**

**ACCEPTANCE OR REJECTION:** PSU reserves the right to accept or reject any or all bids or part of a bid; to waive any informalities or technicalities; clarify any ambiguities in bids; and unless otherwise specified, to accept any item in the bid.

**PAYMENT:** Payment will be made upon receipt of shipment by PSU.

**FREIGHT COST INFORMATION:** FOB Destination, Freight Prepaid, and Allowed.

The undersigned certifies that he does not have any substantial conflict of interest sufficient to influence the bidding process on this bid. A conflict of substantial interest is one which a reasonable person would think would compromise the open competitive bid process.

- Legal Name of Person, Firm or Corporation:
- Payment Terms:
- Telephone Number:
- E-mail Address:
  
- **Signature:** \_\_\_\_\_
- **Date:** \_\_\_\_\_

## **2 CFR Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards**

### Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following, as applicable.

(A) Contracts for more than the simplified acquisition threshold, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR § 401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended - Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689) - A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) - Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See § 200.323.

(K) See § 200.216.

(L) See § 200.322.