



**United States District Court  
District of New Mexico**  
333 Lomas Blvd NW Suite 270  
Albuquerque, NM 87102  
Request for Proposal

**\*\*This request is for Open Market Pricing\*\***

RFP Number: ABQ17-200  
Request Date: June 23, 2017

Point of Contact: Eduardo Contreras, Jr.  
Telephone: (505) 348-2066  
Email: [econtreras@nmcourt.fed.us](mailto:econtreras@nmcourt.fed.us)

Bid due date: **Friday, July 14, 2017 at 1:00 p.m. MST**

The United States District Court for the District of New Mexico is soliciting Open Market bids for components to integrate into our Virtualization infrastructure.

**A fixed price award from this RFP will be made based on the lowest priced, technically acceptable offer. Delivery is desired within 7 days after receipt of order (ARO).**

Any technical questions regarding this solicitation can be directed to Bryan Borne at (505) 348-2035.

Sincerely,

Eduardo Contreras, Jr.

## I. Scope

Hardware and software proposals are being solicited for components to be deployed at one location within the District of New Mexico.

## II. Requirements

Existing virtual infrastructure is Nutanix based hardware and KVM based software. We are requiring 2 Nutanix NX-3260-G5 Nodes with the option to buy up to 2 more. Each node must be configured with two (2) 12-Core Intel E5-2650v4 Xeon Processors, sixteen (16) modules of 32GB DDR4 RAM for a total of 512GB DDR4 RAM, six (6) 1.92 TB 2.5" SSD Disks, one (1) 10GbE Dual SFP+ Network adapter and two 3 meter SFP+ 10GbE Copper cables. Each node must include a Pro Entitlement License and three years of Gold system support.

## III. Evaluation Criteria/Award Basis

The Lowest Price Technically Acceptable (LPTA) source selection process, conducted in accordance with Section 330 of Volume 14 of the Guide to Judiciary Policy (the Guide), will be used as the basis for selecting a proposal for award. The Guide is available at <http://www.uscourts.gov/procurement.aspx>. Award will be made to the responsible offeror whose proposal is determined to conform to all required terms and conditions of this solicitation, include all required representations and certifications, meet all requirements set forth in this solicitation and provide the lowest evaluated price while meeting or exceeding acceptability standards, based on the results of the evaluation described below. Any finding of deficiency, defined as an aspect of a proposal that fails to meet a minimum requirement, will cause an offer to be rated "Technically Unacceptable" and will therefore eliminate that offer from consideration for award. Pricing should include all discounts, incentives markdowns, or any other adjustment to provide the lowest price. Proposal should distinguish between required and optional items as follows;

Item	Description	Unit Price	Total Price
Required 2 Nodes	Nutanix NX-3260-G5 Nodes: (2) 2650v4 Xeon CPU, 512GB DDR4 RAM, (6) 1.92 TB 2.5" SSDs, (1) 10GbE Dual SFP+ Network adapter, (2) 3 meter SFP+ 10GbE Copper cables. Pro Entitlement Licenses, three years of Gold system support.		
Optional 1 Node	Nutanix NX-3260-G5 Node: (2) 2650v4 Xeon CPU, 512GB DDR4 RAM, (6) 1.92 TB 2.5" SSDs, (1) 10GbE Dual SFP+ Network adapter, (2) 3 meter SFP+ 10GbE Copper cables. Pro Entitlement License, three years of Gold system support.		
Optional 1 Node	Nutanix NX-3260-G5 Node: (2) 2650v4 Xeon CPU, 512GB DDR4 RAM, (6) 1.92 TB 2.5" SSDs, (1) 10GbE Dual SFP+ Network adapter, (2) 3 meter SFP+ 10GbE Copper cables. Pro Entitlement License, three years of Gold system support.		

#### **IV. Request for Proposal Compliance**

The vendor shall state whether their response to this RFP meets the requirement. Include what parts of the response to the RFP the vendor cannot comply with.

#### **V. RFP Response**

The proposal should contain an itemized price list. The response shall be received in the USDC Clerk's office, faxed or via email no later than **Friday, July 14, 2017 at 1:00 p.m. MST**. Email address: bryan\_borne@nmcourt.fed.us. Faxed proposals should be sent to the attention of Bryan Borne at (505)348-2139. For additional information, you may contact Bryan Borne at (505) 348-2035.

#### **VI. Award Without Discussions**

As stated in judiciary provision 3-100, Instruction to offerors, the judiciary intends to evaluate offers and award a contract without discussions with offerors. Therefore, the offeror's initial offer shall contain the offeror's best terms from a price and technical standpoint. However, the judiciary reserves the right to conduct discussions if the contracting officer later determines them to be necessary.

#### **VII. References**

We reserve the right to check with references.

#### **VIII. Contract Award**

- (a) The Court intends to award a single contract resulting from this solicitation.
- (b) Contract award will be made to the responsible offeror whose response represents the lowest priced technically acceptable offer.
- (c) The Court reserves the right to make no award pursuant to this solicitation.

## APPLICABLE JUDICIARY TERMS AND CONDITIONS

1. Clause B-5, Clauses Incorporated by Reference (SEP 2010)

This contract incorporates one or more 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: <http://www.uscourts.gov/procurement.aspx>

(end)

2. The contractor shall comply with the clauses in this paragraph that the contracting officer has indicated as being incorporated in this contract: [*Contracting officer check as appropriate.*]

Clause 2-35 F.o.b. Destination, Within Judiciary's Premises (JAN 2003)

Clause 2-130 Energy Efficiency in Energy-Consuming Products (APR 2013)

Clause 2-135 IEEE Standard for Environmental Assessment of Personal Computer Products (APR 2013)

Clause 3-3 Provisions, Clauses, Terms and Conditions - Small Purchases (APR 2013)

Clause 6-85 Commercial Computer Software License (APR 2013)

Clause 6-105 California E-Waste Fee (APR 2013)

Clause 7-115 Availability of Funds (JAN 2003)

## SUBMISSION OF QUOTE AND EVALUATION OF OFFERS

1. The following judiciary provisions, that the contracting officer has indicated are applicable, are incorporated in this solicitation: [*Contracting officer check as appropriate.*]

Provision B-1, Solicitation Provisions Incorporated by Reference (SEP 2010)

This solicitation incorporates one or more solicitation provisions 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. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this address: <http://www.uscourts.gov/procurement.aspx>.

(end)

### Solicitation Provisions Incorporated by Reference

Provision 2-100, Brand Name or Equal (APR 2013)

Provision 3-135, Single or Multiple Awards (JAN 2003)

Provision 2-85C, Evaluation of Options Exercised at Time of Contract Award (JAN 2003)

### Additional Solicitation Provisions

Provision 4-1, Type of Contract (JAN 2003)

The judiciary plans to award a \_\_\_\_\_ type of contract under this solicitation, and all offers shall be submitted on this basis. Alternate offers based on other contract types will not be considered.

(end)

Provision 3-5, Taxpayer Identification and Other Offeror Information (APR 2011)

(a) *Definitions.*

“Taxpayer Identification (TIN),” as used in this provision, means the number required by the Internal Revenue Service (IRS) to be used by the offeror in reporting income tax and other returns. The TIN may be either a social security number or an employer identification number.

(b) All offerors shall submit the information required in paragraphs (d) and (e) of this provision to comply with debt collection requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A, and implementing regulations issued by the IRS. If the resulting contract is subject to the payment reporting requirements, the failure or refusal by the offeror to furnish the information may result in a 31 percent reduction of payments otherwise due under the contract.

(c) The TIN may be used by the government to collect and report on any delinquent amounts arising out of the offeror’s relationship with the government (31 U.S.C. 7701(c)(3)). If the resulting contract is subject to payment recording requirements, the TIN provided hereunder may be matched with IRS records to verify the accuracy of the offeror’s TIN.

(d) *Taxpayer Identification Number (TIN):* \_\_\_\_\_

- TIN has been applied for.
- TIN is not required, because:
  - Offeror is a nonresident alien, foreign corporation or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the United States and does not have an office or place of business or a fiscal paying agent in the United States;
  - Offeror is an agency or instrumentality of a foreign government;
  - Offeror is an agency or instrumentality of the federal government.

(e) *Type of organization:*

- sole proprietorship;
- partnership;
- corporate entity (not tax-exempt);
- corporate entity (tax-exempt);
- government entity (federal, state or local);
- foreign government;
- international organization per 26 CFR 1.6049-4;
- other \_\_\_\_\_.

(f) *Contractor representations.*

The offeror represents as part of its offer that it is , is not,  51% owned and the management and daily operations are controlled by one or more members of the selected socio-economic group(s) below:

- Women Owned Business
- Minority Owned Business (if selected, then one sub-type is required)
  - Black American
  - Hispanic American
  - Native American (American Indians, Eskimos, Aleuts, or Native Hawaiians)
  - Asian-Pacific American (persons with origins from Burma, Thailand, Malaysia, Indonesia, Korea, The Philippines, U.S. Trust Territory of the Pacific Islands (Republic of Palau), Republic of the Marshall Islands, Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, Guam, Samoa, Macao, Hong Kong, Fiji, Tonga, Kiribati, Tuvalu, or Nauru)
  - Subcontinent Asian (Asian-Indian) American (persons with origins from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands, or Nepal)
  - Individual/concern, other than one of the preceding.

(end)

*(The contracting officer may incorporate additional clauses – by reference or in full text – or provisions in the above template. Refer to the Guide to Judiciary Policy, Vol 14, Chapter 1, [Appx 1B](#) to determine, if the provision or clause can be included by reference or must be included in full text. If any provisions are incorporated by reference, Provision B-1 also must be marked as applicable. Use of certain clauses/provisions may require a one-time delegation of procurement authority.)*