

52.211-6 Brand Name or Equal.

As prescribed in 11.107(a), insert the following provision:

Brand Name or Equal (Aug 1999)

(a) If an item in this *solicitation* is identified as "brand name or equal," the purchase description reflects the characteristics and level of quality that will satisfy the Government's needs. The salient physical, functional, or performance characteristics that "equal" *products must* meet are specified in the *solicitation*.

(b) To be considered for award, *offers* of "equal" *products*, including "equal" *products* of the brand name manufacturer, *must*-

(1) Meet the salient physical, functional, or performance characteristic specified in this *solicitation*;

(2) Clearly identify the item by-

(i) Brand name, if any; and

(ii) Make or model number;

(3) Include *descriptive literature* such as illustrations, drawings, or a clear reference to previously furnished descriptive data or information available to the *Contracting Officer*; and

(4) Clearly describe any modifications the *offeror* plans to make in a product to make it conform to the *solicitation* requirements. Mark any descriptive material to clearly show the modifications.

(c) The *Contracting Officer* will evaluate "equal" *products* on the basis of information furnished by the *offeror* or identified in the *offer* and reasonably available to the *Contracting Officer*. The *Contracting Officer* is not responsible for locating or obtaining any information not identified in the *offer*.

(d) Unless the *offeror* clearly indicates in its *offer* that the product being offered is an "equal" product, the *offeror shall* provide the brand name product referenced in the *solicitation*.

(End of provision)

Parent topic: 52.211 [Reserved]