

# **Attachment H**

## **REQUEST FOR INFORMATION AND BRIEF SUMMARY OF INDUSTRY INPUT**

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[Commerce Business Daily: Posted in CBDNet on February 5, 2001]  
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[cbdnet.access.gpo.gov]

PART: SPECIAL NOTICES

OFFADD: U.S. Army Corps of Engineers, Jacksonville District,  
P.O. Box 4970, Jacksonville, Florida 32232-0019

SUBJECT: REQUEST FOR INFORMATION - RFI NO. 01-1, MIAMI RIVER  
PROJECT

DESC: The Jacksonville District of the US Army Corps of Engineers is planning a procurement to perform maintenance dredging of the Miami River. Work entails dredging the Miami River to restore the navigation project to its authorized dimensions. The Federal Channel is approximately 5.5 miles long, 15 feet deep and the width varies from 150 feet at lower end to 90 feet at upper end. Approximately 500,000 cubic yards of material will need to be dredged and disposed of. The project was built in the 1930's and has never been maintained. The sediments in the river are contaminated with predominately heavy metals and are not eligible for ocean disposal. Therefore, contaminated sediments must be disposed of in an environmentally acceptable manner. Approximately 8 acres of land are available and can be use as a temporary disposal site. The temporary disposal area is located one block from the north bank of the river near the upstream end. If the available land is used as a disposal site, the contractor will be responsible for development of the site as a disposal area, odor control during use, and for returning the site to pre-existing condition. At this time, the Government sees two contractual alternates: (1) design a temporary disposal area on the site mentioned above and direct the contractor to use the site for temporary storage and find its own permanent disposal site, or (2) leave disposal means and methods entirely up to the contractor. The purpose of this Request for Information (RFI) is to seek industry input regarding these alternatives or other possible alternatives. Request industry submit recommendations concerning means and methods to perform the work in an environmentally acceptable and economically feasible manner. Since information submitted in response to the RFI may be used in the Government's specifications and made available to all competitors, **DO NOT SUBMIT PROPRIETARY AND/OR BUSINESS CONFIDENTIAL DATA.** However, if you believe that, given the opportunity, you could propose an acceptable alternative in response to a Request for Proposals that permitted alternative methods, please let us know. Keep in mind that, depending on the alternative, the Government may have to investigate and confirm acceptability, therefore, in your response please include an estimate (if possible) of the time required for such investigation and confirmation. Please mail or fax your written responses to this RFI to the following address no later than February 20, 2001: (FAX NUMBER 904-232-2748), USAED Jacksonville District, ATTN: CESAJ-CT-C (Griselle Gonzalez), 400 West Bay Street, Jacksonville, Florida 32202-4412. Responses can also be submitted electronically to [Griselle.Gonzalez@usace.army.mil](mailto:Griselle.Gonzalez@usace.army.mil).

LINKURL: <http://www.saj.usace.army.mil>

LINKDESC: Contracts/Business Opps.

EMAILADD: [Griselle.Gonzalez@usace.army.mil](mailto:Griselle.Gonzalez@usace.army.mil)

## MEMORANDUM FOR CESAJ-DP-I, ATTN: JERRY W. SCARBOROUGH

SUBJECT: RFI No. 01-1, Miami River Project

1. Subject Request for Information (RFI) was posted on the CBD and on the District EBS web page on 5 February 2001 with a response date of 20 February 2001. The RFI was also e-mailed to 36 companies that had registered as prime contractor for one of the latest maintenance dredging solicitation advertised by the District. The RFI was also emailed to another 10 environmental/remediation firms whose names were provided by DP-I. In addition, a copy of the RFI was mailed to the Dredging Association and to 12 waste management companies selected from a search of the CCR database. The purpose of the RFI was to seek industry input regarding alternatives to perform the dredging work required by the upcoming Miami River Project in an environmentally and economically feasible manner. The main concern in this project is the disposal of contaminated sediments.

2. A total of 17 firms responded to the RFI. Following is a list of those companies with a brief summary of their input.

**IT Corporation, A Member of The IT Group** - More information exchange is needed to define the project better so risks on the project can be reduced for the government and for the contractor; and so that a fair sharing of the project risks between the government and the contractor can be defined in an RFP. Ultimate disposal of contaminated Miami River sediments will hinge on whether a permanent disposal, or beneficial use, solution can be found and whether that solution can be permitted or approved in a timely manner. While the regulatory and community relations issues are complex, IT Corporation believes that it could submit an acceptable disposal or beneficial use alternative in response to an RFP, once additional information becomes available. Consider a Performance-based Procurement, Two-step Procurement (Pre-Qualifications). For means and methods the following should be considered: Spatial Distribution of Sediments, Dredge Positioning, Control of Barge and Boat Traffic, Reduce the Number of Handling Steps, Minimize Release and Re-entrainment of Sediment in the Water Column, Environmental Compliance and Protection, Permitting Responsibility, Sediment Processing / Stabilization Testing.

**Atlantic Diving & Marine Contractors, Inc.** - Require the contractors provide both a technical proposal and a cost proposal. With respect to the temporary disposal area, the site should be made available for the contractor's use, however, the contractors should establish in their technical proposals how (or if) the temporary site shall be utilized. Geotubes have been utilized in filtration of environmentally sensitive and hazardous materials. Atlantic is confident our close association with the TC Mirafi Corporation, combined with our extensive geotube installation experience, will enable us to develop a technical proposal satisfactory to the Government and the surrounding community.

**EnSen Tach, Inc.** - EnSenTech, Inc. Is core technology is material handling and conveyance systems, which also may be used to perform dredging. Our dredging technology is the most unique in the whole arena of dredging. With standard methods, 10% to 20% of the total amount dredged is solids, with the remaining 80% + water. EnSenTech's dredging technology is the opposite of the above-mentioned methodology. We handle at least 60% solids with just 40% water or less, depending upon specific material characteristics. We can do this with a remarkable savings on total energy used per ton of dredged materials moved. This water content can be further reduced by use of the ART transport technology to below 10% moisture. The ability to dredge at this high solids content could obviate the need for the major staging/dewatering area (specified at 8 acres). We believe it is possible to dredge/convey and load directly in trucks for haulage to disposal sites.

**BEM Systems, INC.** - Suggest a procurement of a single, turnkey contract that integrates dredging, temporary siting, sediment decontamination, and beneficial use of the treated/processed material into one contract. In the absence of a favorable single turnkey contractor and/or joint-venture, BEM recommends the following approach:

- Procurement of the dredging contractors/vendors that utilize innovative and cost effective dredging techniques, that are coupled with or can be integrated with innovative sediment decontamination processes;
- Identification of vendors with innovative and cost effective sediment decontamination and beneficial use technologies or processes;
- Investigation and confirmation of the dredging and decontamination technology vendors for their applicability to Miami River project through pilot studies. The pilot study should not only address the effectiveness of the dredging and decontamination processes, but also its end-product marketability, and economic/commercial viability, for the Miami River project; and
- Identification of a host site (Brownfields site) on the Miami River waterfront allowing for direct barge access, and infrastructure to set up a temporary storage and treatment/processing facility;
- Identification and redevelopment of the other Brownfields sites in the region through beneficial use of the treated sediments onsite (e.g. backfill/capping material, etc.).

BEM has exclusive rights to an innovative environmental process known as Georemediation™, developed and patented by Aleph Group of Ithaca, New York. The Georemediation™ process facilitates the decontamination and beneficial use of sediments, soils, sludges, drilling muds, and other wastes contaminated with wide range of organic and metal contaminants.

**Jack Fowler, Ph.D., PE** - Disposal or beneficial reuse alternatives for the maintenance dredged material and debris will be addressed following dewatering and consolidation of these materials using the low cost Geotube method. The primary purpose of using geotubes for dewatering and consolidation of maintenance dredged materials excavated from Miami River is to reduce the volume and weight prior to rehandling for beneficial reuse or disposal. It is recommended that subsurface acoustical impedance surveys be conducted to determine the type and volume of debris. These surveys can also be used to characterize the types, densities and volumes each type of soils that are require to be dredged.

**RS Infrastructure & Environment, Inc.** - WRS owns and operates a patented dredge technology called the Dry DREdge™ (U. S. Patent No. 5.311.682) that we feel is uniquely applicable for the Miami River Project. The Dry DREdge™ was developed through the U.S. Army Corps of Engineers

(USACE) Construction Productivity Advancement Research (CPAR) Program. We feel that the Dry DREdge TM is ideal for the Miami River Project because it incorporates a specially designed, sealed clamshell mounted on a rigid, extensible boom. This technique provides positive control of the excavation process. The open clamshell is hydraulically driven into the sediments at low speed, minimizing sediment disturbance and resuspension. The clamshell is then hydraulically closed and sealed, excavating a plug of sediment at its in-situ moisture content. Furthermore, The Dry DREdge TMIS intrinsically sound for debris management. WRS is satisfied with the USACE contractual alternatives called-out in the RFI and we believe that it is to the advantage of the USACE to maintain both options during the solicitation process. It is our strong opinion that this will best serve the USACE by fostering an open environment where all options will be considered.

**Weeks Marine, Inc.** - Weeks Marine is prepared to act as Prime Contractor for the project and has extensive experience in mechanical dredging and material transportation. We would request that due to the nature of the contaminated dredge spoil a prebid conference be held to discuss the unique problems associated with this type of dredging project. This meeting would facilitate the transfer of information between dredging contractors, remediation contractors and the USCE designers.

**Sevenson Environmental Services, Inc.** - Sevenson can successfully perform the required services under either of the two contractual alternates described in the RFI. Sevenson owns a propriety chemical fixation process entitled MAECTITE, and is a leader in materials handling and disposal waste.

**Great Lakes Dredge & Dock Company** - GLDD recent experiences include dredging, amending and upland disposal of over 200,000 cys of contaminated dredge spoils on projects in the New York Harbor. These amended spoils were successfully used beneficially as fill material during the construction of a shopping mall. Agree with using an RFP and recommends bidders be given as much time as possible to submit proposal. Additional time will be needed to assess alternative construction methodologies. Favors given the contractor the flexibility to identify an alternative disposal site. Several questions asked to help determine equipment utilization, timing and cost.

**Roy F. Weston, Inc.** - Favors an alternative delivery project approach considering the following items:

- Solicit an integrated dredging/beneficial use/disposal procurement for the complete project
- Allow for "best value" procurement.
- Develop performance based project specs allowing contractors to determine means and methods to implement the project.
- A performance-based specs will give incentive to contractors by holding them accountable for the desired results as opposed to a performing to specified criteria.
- Allow contractor to dredge Miami River at a rate established by the contractor with concurrence from USAED Jacksonville District that will ensure navigational safety while meeting project funding availability.

A 60-day period for contractor proposal preparation is recommended.

**Innovative Technology Associates** - Favors leaving disposal means and methods up to the contractor. Believe the only effective methods to control odor is to process the material and dispose of it as it is excavated, utilizing proven material handling and dewatering techniques. The dewatering, material handling and screening technologies to be employed under this type of program are technologies and equipment that have already been utilized in the same or similar applications. Accordingly, minimal trial procedures will be required. The following points may require advance consultation:

- Permitting - dredging
- Penning - discharge
- Dredging techniques contemplated
- Practical (traffic) limitation on dredging
- Pay survey timeliness and techniques
- Clearance areas and over-dredge criteria; slope considerations
- Debris management
- Community concerns

**Black & Veatch Corporation** - Alternate method No. 1 under "Best Value" method of award would be a competitive and unrestrictive method of contracting this very important project. "Best Value" procedures will provide a means to evaluate proposed technologies for effective methods. If possible, the District should allow on site sampling to be done under the contract for bench scale testing of flocculation of material. Contractor to utilize dredging technology that will be effective in excavating the contaminated material without re-suspending the solids in the waterway. Use methods for separation and classification of sediments in effort to reduce the contaminated material to the smallest fraction economically feasible. Provide separation of sand, and washing of it to provide recovered and beneficial reuse of clean material. If contaminants are untreatable and can not be removed on site, an alternate option for beneficial use of the sand may be found such as use in production of Portland in cement Kilns. Fine grain material, all that passes say, # 200 mesh, to be dewatered to the point that it will pass paint filter spec and stockpiled for removal to acceptable disposal facility following Generally acceptable environmental practice procedures. Water removed is to be monitored and treated to locally acceptable NTS requirements. Site to be restored to the condition in which it was received.

Black & Veatch Special Projects Corp. proposes that technologies considered should have references as well as process flow diagrams, layout and project schedule included. Process technology should be known by WES, and other dredge operations district personnel.

**J.F. Brennan Co., Inc.** - Recommend the technology of "high-speed dewatering. This is a method by which a hydraulic dredge excavates material and places it into a "highspeed

dewatering" process plant. This plant immediately removes and treats the dredge water and creates a dry stackable product. Believes leaving disposal means and methods up to the contractor would bring additional technological innovations to the project such as "high-speed dewatering".

**Cashman Constructors** - Do not see any technical limitations with respect to executing the physical deepening of the Federal Channel. The issue is the contamination of sediments. In order to determine the manner in which these sediments can be handled the following data is required: nature and degree of contamination, and physical nature of the material i.e. gradation and water content. Prefer a performance type contract assuming that there was adequate data for the dredge material. Mentions new products such as Macitite that bind the metals to the soil mass, and under TCLP testing the majority of the metal contaminated soil material would meet the Non-RCRA disposal criteria. After treatment, the subject material for this enquiry may be able to be disposed of at an Ocean disposal site. Recommends give consideration to a pilot scale test. Cashman is performing a Pilot Study Project in cooperation with the State of New Jersey and the US EPA for treatment and dewatering of harbor sediments in the New York/New Jersey Harbor. This project is aimed at beneficial re-use of contaminated sediments by producing lightweight aggregates.

**Branching Out, Inc., Environmental Engineering/Const.** - The proposed "wet dredging" of the Miami River is clearly the most efficient method to remove sediments from the river. However, several issues may point the project toward a less "efficient" method of material handling: river congestion, contaminated sediments, and storage area requirements. A small 1000-yard per day clamshell dredge utilizing water minimization techniques could eliminate the settling pond requirements. The contractor could provide his own material handling area and dredging could begin almost immediately. The smaller equipment would be able to accommodate the high traffic areas with less disruption. This process would be slower, but could still meet the required time line. In addition, the contract could be bid and awarded immediately with no "up-front" costs as with the construction of the settling ponds.

**Atlantic Diving & Marine Contractors, Inc.** - Recommend the solicitation require the contractors provide both a technical proposal and a C03t proposal. Cost proposals could be submitted either concurrent with the technical proposal, or the technical proposals could be utilized to establish a list of pre-qualified bidders for the project. The temporary disposal area should be made available for the contractor's use, however, the contractors should establish in their technical proposals how (or if) the temporary site shall be utilized. Atlantic Diving & Marine Contractors, Inc. has performed extensive geotube installations for the Corps of Engineers and private industry, including an environmental award winning project for USAED Wilmington District at Battery Island. Geotubes have been utilized in filtration of environmentally sensitive and hazardous materials. Atlantic is confident our close association with the TC Mirafi Corporation, combined with our extensive geotube installation experience, will enable us to develop a technical proposal satisfactory to the Government and the surrounding community.

**Foster Wheeler Environmental Corporation** - Believe they can provide the best combination of experience and talent for development of an effective and efficient dredge and disposal plan for the contaminated sediments of the Miami River. Services provided by this company includes waterway planning and engineering, river and lake engineering and

operations, coastal engineering, dredging and disposal planning and design, sediment management, and hydraulics and hydrology.

3. Based on the responses to the RFI, leaving disposal means and methods entirely up to the contractor is the contractual alternate recommended by the industry. Provide contractors the flexibility to identify alternatives for a permanent disposal or beneficial use. It is apparent that there is a variety of dredging technologies, sediment decontamination, and beneficial reuse processes that could be suitable for the Miami River Project and at the same time could be environmentally acceptable and economically feasible.

# **Contracting for Best Value A Best Practices Guide to Source Selection (Revision #8) (See App G)**

**Department of the Army  
USAED JACKSONVILLE, FL**

## **Foreword**

This guide provides techniques and practices for obtaining best value products and services through source selection. Consistent with the spirit of acquisition reform, it introduces new and innovative techniques to simplify the source selection process and produce better value. Its purpose is to provide you with a practical reference tool that will help you implement a new way of doing business that promotes flexibility, streamlining, and simplified procedures.

This guide is designed for use by the entire acquisition workforce to promote a consistent understanding of best value and the various processes and techniques that can be used to achieve it. It explains best practices for planning your source selection, teaming, exchanging information with industry, and conducting efficient and effective source selections.

I encourage you to read and use this guide in your efforts to get the best value for your customers.

## **Acknowledgments**

This guide is lifted almost entirely from AMC Pamphlet 715-3.

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This guide does not create any substantive or procedural right in third parties or impose any specific legal duty or obligation upon any government organization or employee.

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# Overview

Source selection is the process used in competitive, negotiated contracting to select the proposal expected to result in the best value to the Government. The source selection approach must be tailored to the acquisition. You have to consider your evaluation needs; i.e., don't make source selection more complicated and expensive than necessary.

## **What is Best Value?**

In the broadest sense, best value is the outcome of any acquisition that ensures we meet the customer's needs in the most effective, economical, and timely manner. It's the result of the unique circumstances of each acquisition, the acquisition strategy, choice of contracting method, and award decision. Under this concept, best value is the goal of sealed bidding, simplified acquisition, commercial item acquisition, negotiated acquisition, and any other specialized acquisition methods or combination of methods you choose to use.

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**Best Value is the goal  
of every acquisition**

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## **Purpose of This Guide**

This guide provides information on the various processes and techniques that can be used to conduct efficient and effective source selections. We are presenting some of the best and most innovative practices being used. The principles in this guide apply to all source selections, both those that are complex and the majority where the contracting officer is the selection official. During acquisition planning, select the methodology that is most appropriate to the unique circumstances of the acquisition and expected to result in the best value.

Unless you use a lowest price technically acceptable evaluation approach, your source selection will involve some form of tradeoff. This guide's focus is on the tradeoff process and will provide some hints and ideas that will be useful in doing a tradeoff between cost or price and other important factors.

There are two important points to keep in mind as you do your planning and select your evaluation and source selection process:

- Tailor your process to fit your circumstances. There is no magic checklist in this arena. Consider the complexity of the acquisition and resources available. Use a combination of techniques if it will work best for you and if it is fair. Although there is no magic checklist, there is a Contract Specialist's Checklist at the end of this section to assist in ensuring that the process stays on track.
- The same principles apply in selecting and executing a source selection process or technique, whether you are using a formally structured organization for a complex

acquisition or a more streamlined process typical for the majority of source selections.

The Federal Acquisition Regulation (FAR) prescribes the general policies governing source selection.

Appendix A of this guide contains definitions of certain words and terms associated with source selection.

Appendix B contains references along with their Internet addresses to assist you further in contracting for best value and conducting a source selection.

### **Importance of the Source Selection Authority**

The consequences of the selection decision can be far-reaching. In most cases the contracting officer is the selection official. In some acquisitions, or class of acquisitions, the agency head or other official may be the selection official, or will appoint someone else to make the selection. The source selection authority must be at a level that is fully accountable for the results of the decision and knowledgeable of the factors necessary to determine the best value. In addition, successful execution of an acquisition using the tradeoff process requires early involvement of the source selection authority so that person is prepared to make a rational selection decision consistent with the solicitation. The amount of time and effort required obviously needs to be considered when making the appointment.

In a complex source selection, it may be useful to provide a number of briefings to the source selection authority early in the acquisition process and at critical steps throughout the process. This approach will ensure that the source selection authority knows the program and the acquisition process constraints. It also allows the source selection authority to readily express concerns and ideas that are likely to influence the final selection decision.

Examples of where source selection authority involvement is essential include approval of the source selection/evaluation plan and the solicitation.

### **Importance of Procurement Integrity**

There are stringent requirements for maintaining the integrity of the procurement process that ***Must*** be adhered to by all participants involved in the source selection process. This includes both technical and contracting personnel. ***Procurement integrity rules provide for both civil and criminal penalties for violations (see FAR 3.104).*** The guiding principle behind these requirements is that all offerors are treated fairly and no one obtains an unfair advantage.

<b>CONTRACT SPECIALIST'S CHECKLIST</b>			
<u>Item</u>	<u>Question</u>	<u>Yes</u>	<u>No</u>
<b>PRESOLICITATION PHASE</b>			
1	Have you read the Source Selection Guide?		
2	Has the team determined appropriate source selection approach? (Ref pages 6-10)		
3	Has the team limited source selection factors and subfactors to only those discriminators that will disclose real and measurable differences between offers? (Ref pages 12-15)		
4	Has the team determined appropriate weights for factors and subfactors? (Ref pages 15-16)		
5	For each technical merit subfactor, has the team developed an evaluation standard for each adjectival rating (i.e., a standard for Excellent, a standard for Good, a standard for Satisfactory, a standard for Marginal, and a standard for Unsatisfactory)? (Ref pages 16-18)		
<b>EVALUATION PHASE</b>			
6	Has the Evaluator's Workbook been tailored to this acquisition and sufficient copies made? (Ref Appendix C)		
7	Have you done a preliminary review of all offers to ensure each is complete? (Ref paragraph E-5.1 of the evaluation procedures)		
8	Have the technical evaluators been instructed in proper evaluation procedures? (Ref pages 62-71)		
9	Have the technical evaluators been instructed in proper use of Technical Proposal Evaluation Worksheet? (Ref pages C-5 and C-6)		
10	Have the past performance evaluators been instructed in proper evaluation procedures? (Ref Appendix D)		
11	Have the past performance evaluators been instructed in proper use of the Past Performance Evaluation Worksheet? (Ref pages D-10, D-11, C-9, and C-10)		
12	Have the past performance evaluators screened each offeror's PPI and selected the most relevant 5 for review? (Ref page D-5)		
13	Does the team understand that averaging scores is not the same as consensus? (Ref pages 65-66)		
14	Has the team been instructed in how to document consensus on the Overall Evaluation Worksheet? (Ref pages C-11 and C-12)		

# Planning For Source Selection

## Designing an Acquisition Strategy

As soon as possible after a need to acquire products or services has been identified, an acquisition strategy meeting should be held. The attendees should include the person responsible for managing the program or project, acquisition and legal representatives, potential evaluation team members, and others as needed.

The strategy meeting should be used to determine the acquisition approach including the source selection process and techniques that will be most appropriate. The group should use the meeting to discuss the results of market research, potential evaluation factors, information that may be needed from offerors to support those factors, and other appropriate planning issues such as the timetables for the acquisition and who should be members of the evaluation team. The group should design a strategy that best reflects the specific requirement, the results of market research, and the risks associated with the acquisition. The information obtained in the strategy meeting will be used as a basis for developing the source selection/evaluation plan.

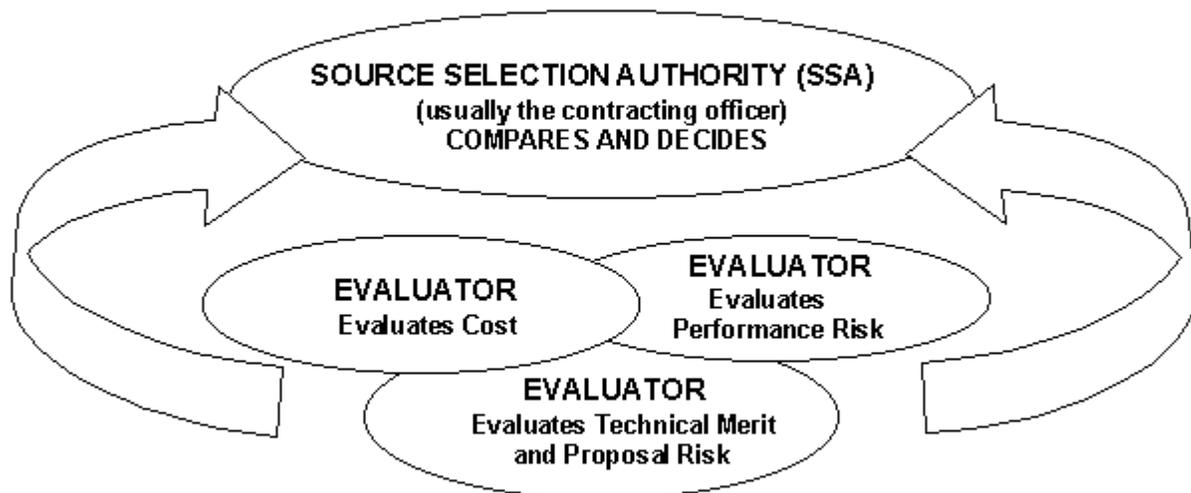
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**Source selection  
is a team effort**

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**Forming a Team**

## Source Selection “Blueprint” Typical Non-Complex Source Selection Team



**Evaluators evaluate proposals against RFP factors and subfactors. Assist the SSA in comparative analysis, if requested**

Source selection should be a multi-disciplined team effort from the earliest planning stages. The size and composition of the team should be tailored specifically to the acquisition. In complex source selections you may have a larger team (e.g., 8 to 10 people) from various functional disciplines. In streamlined source selections, however, the team may consist of one or more technical evaluators and the contracting officer, who is also the source selection authority. Whether the team is large or small, it should be established to ensure continuity and active ongoing involvement of appropriate contracting, technical, logistics, legal, user, contract administrators, and other experts to ensure a comprehensive evaluation of each proposal. It is extremely important that team members understand their responsibilities and agree to give these responsibilities their full attention. To ensure this understanding send the memorandum located at the end of this section to each person nominated to serve on the evaluation team.

### **Researching the Market**

Market research is the first step in any acquisition and an essential part of designing every acquisition strategy. The acquisition team uses market research to obtain information on products and services available in the commercial marketplace. Market research is key in determining whether a need can be met by a commercial item or nondevelopmental item and in identifying commercial practices associated with such items or services. It also has a key impact

on your choice of appropriate evaluation factors, contracting method, and the amount and type of information to be included in proposals.

A thorough research of the market should be done as soon as needs are forecast and as part of acquisition planning. Sometimes it might be a one-person effort. Other times a team effort. A variety of techniques may be used to conduct market research and may include:

- Contacting knowledgeable individuals regarding market capabilities;
- Reviewing the results of recent market research;
- Querying government or commercial data bases;
- Participating in interactive, on-line communication;
- Reviewing catalogs and product literature.

### **Determining the Source Selection Approach**

One of the first steps in designing an acquisition strategy is to determine the source selection approach or combination of approaches that you will use to obtain the best value. At either end of the best value continuum, are the tradeoff process and the lowest price technically acceptable process.

Other source selection processes can be designed to fit particular circumstances. You could tailor the process to combine elements of these two approaches. You could also use oral presentations as part of the proposal submission. The point is that the source selection processes or techniques must be appropriate to the acquisition.

### **The Tradeoff Process**

Cost or price is always an evaluation factor in any source selection. However, many times you may have other factors that you also want to consider. You may need technical capabilities, qualifications, or experience that a low cost/price offeror may not possess. These factors may or may not be more important than cost/price, but they do have a strong bearing on the source selection decision. The source selection authority needs flexibility to select the best value that may not be the lowest price or the highest technically rated offeror. The decision will involve a comparison of the combination of non-cost strengths, weaknesses, and risks and cost/price offered in each proposal and judgment as to which provides the best combination. The source selection authority will have to document the decision and why the selected source represents the best value to the government. This is the essence of the tradeoff process.

### **When to Use the Tradeoff Process: Strengths and Potential Pitfalls**

*Use the tradeoff process when it is essential to evaluate and compare factors in addition to cost or price in order to select the most advantageous proposal and obtain the best value.*

The tradeoff process is particularly appropriate if:

- The Government's requirements are difficult to define, complex, or historically troublesome;
- You expect measurable differences in the design, performance, quality, reliability, or supportability;
- Services are not clearly defined or highly skilled personnel are required;
- You are willing to pay extra for capability, skills, reduced risk, or other non-cost factors, if the added benefits are worth the premium;

Always consider the strengths and potential pitfalls of using a tradeoff process to ensure that it is consistent with your overall acquisition strategy.

### **Strengths**

- Allows greater flexibility to subjectively compare technical and cost factors to determine the value of the relative strengths, weaknesses, and risks of the proposals.
- Enables selection of the best approach among a range of solutions and increases the likelihood of selecting suppliers who are most likely to provide quality products and services, on time, and at reasonable cost/price.
- Takes advantage of the experience and independent judgment of the source selection official.

### **Potential Pitfalls**

- Using evaluation factors and subfactors that are not derived from the market place and do not accurately reflect the Government's requirements. This may result in award to an offeror that may not be the best value.
- Using too many evaluation factors and subfactors. A large number of factors and subfactors dilutes consideration of those that are truly important.
- Failure to make the appropriate investment in resources needed for a competent and defensible value analysis.
- An inherently subjective process, and thus more difficult to evaluate and document.

### **Major Steps in the Tradeoff Process**

The tradeoff process generally consists of the following steps:

- Designing a strategy that best reflects the results of market research and the specific circumstances of the acquisition.
- Establishing and documenting a source selection or technical evaluation plan. This plan includes the acquisition goals and objectives, identification and relative

importance of evaluation factors and subfactors, the evaluation standards, and the selection process.

- Structuring the solicitation to effectively communicate the Government's requirements, mission objectives, the factors and subfactors, their relative importance, the information offerors must submit for evaluation against the stated factors and subfactors and the methodology for evaluating the proposals.
- Evaluating the offers on the basis of the source selection plan and the evaluation factors and subfactors in the solicitation and having discussions as needed.
- Comparing the strengths, weaknesses, risks, and cost/price or most probable costs of the proposals and deciding which combination, in accordance with the solicitation factors and subfactors, represents the best value.
- Documenting the source selection decision including the tradeoffs and rationale used.
- Awarding the contract, notifying offerors and debriefing them upon their request.
- Documenting the lessons learned that may benefit future source selections.

### **The Lowest Price Technically Acceptable Process**

In some situations, simply comparing the cost or price of proposals meeting or exceeding the solicitation's requirements for acceptability can be expected to result in the best value. In such cases, cost/price is the overriding consideration. While there may be a need for discussions there is no need to make tradeoffs.

The lowest price technically acceptable process is similar to a sealed bid approach in that award is made to the acceptable offeror with the lowest evaluated cost or price. The major difference is that discussions can be held with offerors prior to source selection to ensure offerors understand the requirements and to determine acceptability. Tradeoffs are not permitted and no additional credit is given for exceeding acceptability. However, proposals are evaluated to determine whether they meet the acceptability levels established in the solicitation for each non-cost evaluation factor and subfactor.

The lowest price technically acceptable process may be appropriate where the requirement is not complex and the technical and performance risks are minimal, such as acquisitions where service, supply, or equipment requirements are well defined but where discussions may be necessary.

### **Major Steps in the Lowest Price Technically Acceptable Process**

The lowest price technically acceptable process generally consists of the following steps:

- Designing a strategy that best reflects the results of market research and the specific circumstances of the acquisition.

- Establishing and documenting a source selection or technical evaluation plan. This plan includes the acquisition goals and objectives, identification of acceptability requirements for each non-cost evaluation factor and subfactor, and procedures for evaluating proposals and making award.
- Structuring the solicitation to effectively communicate the Government's requirements, the factors and subfactors with associated acceptability standards, the information offerors must submit for evaluation of acceptability against the stated factors and subfactors, and the basis for award (i.e., the lowest priced proposal meeting or exceeding the standards.)
- Evaluating and rating proposals on a pass/fail basis against the acceptability requirements in the solicitation.
- Conducting discussions or other exchanges as needed. Comparing the cost or prices of acceptable proposals and awarding the contract to the offeror with the lowest evaluated price meeting the acceptability requirements.

#### **Past Performance and the Lowest Price Technically Acceptable Process**

- If you determine that past performance is a discriminator under this approach, then you must state in the solicitation the criteria that you will use to evaluate it on a pass/fail basis. For small businesses, an unacceptable rating in this area is a matter of responsibility. Therefore, in your acquisition planning, you should anticipate a possible need to obtain a Certificate of Competency from the Small Business Administration if a small business otherwise eligible for award has unacceptable past performance.
- A Certificate of Competency determination is not required however, if you select a hybrid strategy that combines the lowest price technically acceptable and tradeoff processes. Under such a strategy, you could still evaluate technical proposals on a pass/fail basis while basing the final selection decision on a tradeoff between past performance and price.

#### **Conducting a Presolicitation Dialogue with Industry**

*Foster a presolicitation dialogue with industry to:*

- *Ensure a mutual understanding of the government's need and industry's capabilities*
- *Minimize inclusion of non-value added requirements, and*
- *Promote a more effective source selection.*
- An effective dialogue with industry even before a solicitation is written or released can pay dividends during later phases of the process. The earlier and more effective you are in keeping up to date on the market and new technology, and ensuring the

market knows what your requirements are, the better for both parties. The growing trend is to provide more information, not less, to potential offerors. With more information, they can make informed decisions about whether to compete, they can offer better proposals, the evaluation and selection process will be quicker and smoother, and there is less chance of miscommunication and a protest. There are a variety of mechanisms to maintain contact with potential offerors including the following:

- Advanced Planning Briefings for Industry to provide a forecast of future direction and requirements;
- Market research to stay abreast of innovation, advances, and capabilities;
- Information centers to provide access information to documents relevant to the acquisition;
- Requests for Information and Draft Requests for Proposals to obtain information from industry on such things as price and availability and comments on the proposed solicitation;
- Meetings and conferences, including one-on-one meetings with potential offerors and Presolicitation Conferences.
- In conducting a presolicitation dialogue with industry, always make sure that you:
  - Release information to all potential offerors on a fair and equitable basis consistent with regulatory and legal restrictions.
  - Establish clear ground rules for the conduct, timing, and documentation of any one-on-one meetings to ensure potential offerors are given equal access to information needed to prepare proposals.
  - Protect any proprietary information that you are given access to during this process.
  - Request contracting and legal counsel advice if any questions arise about presolicitation exchanges.

### **Drafting a Source Selection/Evaluation Plan**

A thoroughly contemplated plan for selecting a best value source is vital to any source selection process. In all source selections, the plan is tailored to reflect the complexity of the acquisition. In more complex source selections, this plan is called the Source Selection Plan and should be prepared for the source selection authority's approval. In less complex acquisitions the plan is often referred to as the Technical Evaluation Plan. The plan is developed prior to or concurrently with preparation of the solicitation. It states your intentions for organizing and conducting the evaluation and analysis of proposals and the source selection. It contains

acquisition sensitive information and is not released outside the contracting activity's source selection organization.

Acquisitions using a tradeoff process are often subject to dynamic internal and external influences. Examples of such influences include:

- The differing missions or functions to be supported. Such situations influence how the agency specifies its requirements, which in turn influence offerors' solutions.
- The rate at which technology and market factors are changing. Between the time the agency identifies a requirement and the offerors submit proposals, technology may have developed efficiency and productivity benefits unanticipated by the agency. Accordingly, you should structure the selection plan and the solicitation to consider these influences and assure that the proposal selected provides the best value to the government.

### **Purpose of the Source Selection Plan**

The source selection plan serves several purposes, including --

- Defining a specific approach for soliciting and evaluating proposals.
- Describing the evaluation factors and subfactors, their relative importance, and the methodology used to evaluate proposals.
- Providing essential guidance to the solicitation developers, especially for putting together the solicitation sections dealing with proposal preparation and evaluation.
- Serving as a charter and guide for the source selection team on the roles of the members and the conduct of the entire source selection from proposal evaluation, through the cost/price/technical tradeoff, award decision, and debriefing.

### **Guidelines for a Source Selection Plan**

Although there isn't a specific format for the source selection plan, its size and detail should reflect the complexity of the acquisition. You should include, at a minimum, a discussion of the following:

- A description of what you are buying. This description should be stated in functional terms to the maximum extent possible and use a minimum of technical language.
- A description of the evaluation organization structure. It may be helpful to include --
  - An organization chart, showing the evaluation team's structure, or a brief description of how the team is organized.
  - The duties and responsibilities of each element of the source selection team.
  - The evaluation team's agenda and schedule.

- Information on the need for preparation and training of the evaluation team.
- Security procedures to be used by the evaluation team to protect classified, proprietary, or source selection information.
- Plans for presolicitation activities such as issuing a draft solicitation and holding a presolicitation and/or preproposal conference or Advance Planning Briefing for Industry.
- An acquisition strategy summary that includes an explanation of the contract type to be used (e.g., firm fixed price).
- The proposed evaluation factors and subfactors, their relative importance, and associated evaluation standards.
- A description of the evaluation process you are using (i.e., lowest price technically acceptable, tradeoff, or hybrid) and any innovative techniques such as multiple phases or oral presentations, or tailoring. See Appendix E for details on oral presentations. Include a description of the rating system you are using.
- A schedule of significant milestones that should cover, at a minimum, the period beginning with the designation of the source selection authority and continuing through the period from receipt of proposals through the signing of the contract, during which evaluation, negotiation, and selection take place.

### **Selecting Evaluation Factors and Subfactors**

You must clearly state in the solicitation and source selection plan all the evaluation factors and subfactors that you will consider in making the source selection and their relative importance. These factors and subfactors inform offerors of all the significant considerations in selecting the best value source and the relative importance the Government attaches to each of these considerations. Offerors should understand the basis upon which their proposals will be evaluated and how they can best prepare their proposals.

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**Evaluation factors help offerors  
understand the evaluation process**

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*Structure evaluation factors and subfactors and their relative order of importance to clearly reflect the Government's need and facilitate preparation of proposals that best satisfy that need.*

A multi-disciplined team chooses the evaluation factors and subfactors based on user requirements, acquisition objectives, perceived risks, and thorough market research. Thorough research of the market helps the team identify the capabilities of different industry sectors and where those capabilities are most likely to differ among potential offerors. The team then selects

only those factors that will help differentiate among offerors and surface the most advantageous proposal.

*Limit evaluation factors and subfactors to those areas that will reveal substantive differences or risk levels among competing proposals.*

---

**Limit evaluation factors  
to true discriminators**

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**Cost Factors**

The Competition in Contracting Act (CICA), as implemented in the FAR, requires that price or cost to the Government be included as an evaluation factor in every source selection. This is because affordability must always be a consideration when spending taxpayer dollars.

---

**Always include cost or price  
as an evaluation factor**

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The relative importance between cost or price and the non-cost factors must also be reflected in both the solicitation and the weights or priority statements in the source selection plan. However, cost/price is not numerically scored in the evaluation of proposals, because of possible distortions that can result when arbitrary methods are used to convert cost/price into scores.

Cost-related factors and considerations will vary depending on the type of contract. Regardless of contract type, reasonableness must always be a consideration, as the FAR requires that contracts be awarded only at prices or costs that are fair and reasonable.

Cost realism plays an important role in many source selections. A cost realism analysis is an independent review of each offeror's cost proposal to determine if specific estimated proposed cost elements are realistic for the work to be performed; reflect a clear understanding of the requirements; and are consistent with the unique methods of performance and materials in the offeror's technical proposal.

Cost realism must be considered when a cost reimbursement contract is anticipated. Under a cost type contract, the proposed cost estimates may not be valid indicators of final actual costs that the Government will be obligated to pay. For this type of contract, a cost realism analysis is performed and used to determine the probable cost of performance for each offeror. Selection decisions should be based on these probable cost estimates. Significant differences between proposed and most probable costs may signal increased performance risks.

Cost realism may also be considered for fixed price incentive contracts or, in exceptional cases, for other fixed price type contracts especially when there are concerns that offerors may try to "buy in" or where other complexities of the acquisition could result in misunderstanding the requirements. In such cases, a cost realism analysis may be useful for determining if there is a

significant risk of future performance because of unrealistically high or low prices. However, proposed fixed prices are not adjusted for cost realism during the evaluation.

The solicitation must clearly state what costs will be evaluated. These costs may include costs for the basic effort only, basic plus all options, or costs incurred as a result of acquiring or owning an item (e.g., transportation, life cycle costs). The solicitation should also clearly indicate to offerors how the cost factor will be assessed for the acquisition.

### **Past Performance**

The caliber of a contractor's performance on previous contracts shall be included as an evaluation factor in competitively negotiated acquisitions unless the contracting officer documents why it would not be appropriate for the specific circumstances of the acquisition. A thorough evaluation of past performance, to include information that is outside of the offerors' proposals, serves to ensure that awards are made to good performers rather than to just good proposal writers. See Appendix D for details on evaluating past performance.

### **Technical Factors**

Technical evaluation factors address the proposal's technical and performance efficiency. These factors may include such considerations as technical approach and capabilities, management approach and capabilities, experience and personnel qualifications relative to satisfying critical aspects of the government's requirements. Technical factors must be developed specifically for each acquisition, taking into consideration the particular objectives and requirements of the acquisition. These factors should be those discriminators that are determined after thorough market research as most likely to reveal substantive differences in technical approaches or risk levels among competing proposals.

The source selection team has broad discretion in determining the technical evaluation factors and subfactors, their relative importance, and the way in which they will be applied.

However, too many factors and subfactors can lead to a leveling of ratings, in which the final result may be a number of closely rated proposals with little discrimination among competitors.

It is not the number of non-cost factors that is critical, but having the right factors.

Basic requirements for non-cost evaluation factors are:

- A reasonable expectation of variance among proposals in that area.
- A variance that you can measure either quantitatively or qualitatively.
- The factor must be a true discriminator.

An evaluation factor should be chosen only if your requirements warrant a comparative evaluation of that area. The simplest way to assess a potential evaluation factor is to ask: "Will superiority in this factor provide value to the Government and is the Government willing to pay more for that superiority?"

### **Best Practices**

Selecting the right evaluation factors is one of the most important decisions you will make in designing your evaluation process. We are often faced with the triple problems of less time, less funds, and fewer available personnel to devote to source selections. If you don't concentrate on what's important in selecting the best value offeror you could end up with the evaluation team wasting a lot of time and effort looking at issues that don't differentiate between offerors. This can also result in a weak evaluation that doesn't give the source selection authority the information needed to make a good selection.

There are certain factors that you must consider in any competitive source selection. Price/cost is an automatic factor that you always have to consider. You also have to consider past performance in your evaluation process unless the contracting officer documents why it is not appropriate for the specific circumstances of the acquisition. In addition, you may have to add factors that are required by regulation for specific acquisitions, such as any applicable preferences for small entities. From here, you add other factors and subfactors that are important to deciding which is the most advantageous proposal. Remember, not everything that the offeror has to do under the contract is really a discriminator that will help you decide which proposal will result in the best value. Consider what you are buying and what will really discriminate.

How to select the additional factors/subfactors? Consider the following methodology:

- Research the market for what you are buying and your probable universe of offerors.
- Form an Integrated Product Team (IPT) and brainstorm critical factors and subfactors.
- Select only those factors and subfactors likely to surface the most advantageous proposals.
- Define the key discriminators and prioritize the list.
- Get source selection authority approval of the list of factors/subfactors.
- Clearly and concisely tell offerors in the solicitation what the factors/subfactors are and their relative importance.
- Listen carefully to industry feedback from presolicitation exchanges to see if your choices are right. If necessary, change the factors/subfactors before solicitation.

### **Weighting the Factors and Subfactors**

After determining the evaluation factors and subfactors, their relative importance to each other must be established. The relative importance of factors and subfactors must be consistent with the stated solicitation requirements. If their relative importance does not accurately reflect the Government's requirements and objectives, the source selection authority may later award to an offeror whose proposal may not be the best value. As a general rule, the higher the technical or performance risk, the greater the emphasis on non-cost factors. The relative importance between all non-cost factors combined and cost or price must also be described using the terms, "significantly more important," "approximately equal," or "significantly less important." This

relative ranking must be reflected in both the solicitation and the weights or priority statements in the source selection plan.

The relative importance of evaluation factors and subfactors is usually established by priority statements, numerical weighting, or a combination of these.

- Priority or tradeoff statements, numerical weighting, or a combination of these usually establishes the relative importance of evaluation factors and subfactors.
- Priority or tradeoff statements would relate one factor to others. For example, in a priority statement, the cost/price factor may be said to be slightly more important than a non-cost factor called “performance risk” but slightly less important than a non-cost factor called “technical merit.”
- Numerical weighting would involve assigning relative importance to the factors and subfactors using points or percentages. Although numerical weights may be used in making the tradeoff analysis and decision, the weights themselves may, but need not be disclosed in the solicitation. If you don’t disclose the numerical weights themselves in the solicitation, they must be described in terms of priority or tradeoff statements.

Cost/price as an evaluation factor is never scored or rated as part of the evaluation. But, just like all the other factors and subfactors, cost/price has to be weighted to indicate its importance relative to the other evaluation factors and subfactors and the overall evaluation. The weight given to cost/price reflects its relative importance in selecting the best proposal for award. The circumstances of your particular acquisition will indicate how important cost/price is in satisfying your requirement.

### **Developing Evaluation Standards**

Evaluators must be able to determine the relative merit of each proposal with respect to the evaluation factors. Evaluation standards provide guides to help evaluators measure how well a proposal addresses each factor and subfactor identified in the solicitation. Standards permit the evaluation of proposals against a uniform objective baseline rather than against each other. The use of evaluation standards minimizes bias that can result from an initial direct comparison of proposals. Standards also promote consistency in the evaluation by ensuring that the evaluators evaluate each proposal against the same baseline. In developing standards for each evaluation factor and subfactor, you should consider the following:

- As you develop your evaluation factors, concurrently draft a standard for each factor and subfactor.
- Define the standard by a narrative description that specifies a target performance level that the proposal must achieve in order to meet the standard for the factor or subfactor consistent with the requirements of the solicitation.
- Describe guidelines for higher or lower ratings compared to the standard “target.”

- Overly general standards should be avoided because they make consensus among evaluators more difficult to obtain and may obscure the differences between proposals. A standard should be worded so that mere inclusion of a topic in an offeror’s proposal will not result in a determination that the proposal meets the standard.
- While it is sometimes easier to develop quantitative standards because of their definitive nature, qualitative standards are commonly used in source selections. Standards, as part of the source selection methodology, should be included in the source selection plan.

**Establishing a Rating Method**

**Ratings and Descriptors Used in Jacksonville’s Solicitations**

Each rating must have a definition.

TECHNICAL MERIT ratings reflect (1) the Government’s confidence in each offeror’s ability, as demonstrated in its proposal, to perform the requirements stated in the RFP, and (2) the Government’s assessment of performance risk associated with the proposal.

<u>ADJECTIVE</u>	<u>DEFINITION</u>
Outstanding	Excellent in all respects; offers one or more significant advantages not offset by disadvantages; very good probability of success with overall low degree of risk in meeting the Government’s requirements.
Above Average	High quality in most respects; offers one or more advantages not offset by disadvantages; good probability of success with overall low to moderate degree of risk in meeting the Government’s requirements.
Satisfactory	Adequate quality; any advantages are offset by disadvantages; fair probability of success with overall moderate to high degree of risk in meeting the Government’s requirements.
Marginal	Overall quality cannot be determined because of errors, omissions or deficiencies that are capable of being corrected without a major rewrite or revision of the proposal.
Unsatisfactory	A proposal that contains major errors, omissions or deficiencies, or an unacceptably high degree of risk in meeting the Government’s requirements; and these conditions cannot be corrected without a major rewrite or revision of the proposal.

PERFORMANCE RISK (Past Performance) ratings assess the risks associated with each offeror’s likelihood of success in performing the requirements stated in the RFP based on that offeror’s demonstrated performance on recent, relevant contracts.

<u>ADJECTIVE</u>	<u>DESCRIPTION</u>
Outstanding	Very low risk. Offeror’s past performance record provides essentially no doubt that the offeror will successfully perform the required effort.
Above Average	Low risk. Offeror’s past performance record provides little doubt that the offeror will successfully perform the required effort.

	successfully perform the required effort.
Satisfactory	Moderate risk. Offeror's past performance record provides some doubt that the offeror will successfully perform the required effort.
Marginal	High risk. Offeror's past performance record provides substantial doubt that the offeror will successfully perform the required effort.
Unsatisfactory	Very high risk. Offeror's past performance record provides extreme doubt that the offeror will successfully perform the required effort.
Unknown Risk	The offeror has no relevant performance record. A thorough search was unable to identify any past performance information.
COST/PRICE - NOT "RATED." Reflects the evaluated cost/price. RFP must describe method by which cost/price will be evaluated (e.g., how probable cost or life cycle cost will be evaluated.)	

Our rating system uses a scale of words to denote the degree to which proposals meet the standards for the non-cost evaluation factors. The system helps evaluators assess a proposal's merit with respect to the evaluation factors and subfactors in the solicitation.

Rating systems that use adjectives are usually the most successful because they allow maximum flexibility in making the tradeoffs among the evaluation factors. A narrative definition must accompany each rating in the system so that evaluators have a common understanding of how to apply the rating. For example, a rating of excellent could be defined as meaning an outstanding approach to specified performance with a high probability of satisfying the requirement. What is key in using a rating system in proposal evaluations, is not the method or combination of methods used, but rather the consistency with which the selected method is applied to all competing proposals and the adequacy of the narrative used to support the rating.

### **Adjectival**

Adjectives (such as excellent, good, satisfactory, marginal, and unsatisfactory) are used to indicate the degree to which the offeror's proposal has met the standard for each factor evaluated. Adjectival systems may be employed independently or in connection with other rating systems.

### **Narrative**

Narrative is used in conjunction with a rating system to indicate a proposal's strengths, weaknesses, and risks. Adjectival ratings must be supported with narrative statements. Narrative statements can describe the proposals' relative strengths, weaknesses, and risks to the source selection authority in a way that adjectives alone cannot. A narrative is required when evaluation standards are being applied, when a comparison of proposals is being made, and when a cost/technical tradeoff is conducted. The narrative provides a reasonable and rational basis for the selection decision.

**Memorandum to Evaluation Team Nominee**

CESAJ-CT

[DATE]

MEMORANDUM FOR [NAME]

SUBJECT: Nomination To Serve On Source Selection Evaluation Team For [NAME OF PROJECT]

1. You have been nominated to serve on the source selection evaluation team (SSET) for subject project. As a member of the SSET, you will be subject to standards of conduct and prohibitions described at FAR subpart 3.1. You must acknowledge your understanding of these requirements by signing, dating and returning the enclosed disclosure form.

2. Serving on an SSET is an extremely important responsibility. Each team member must thoroughly and impartially evaluate each proposal in strict accordance with the evaluation criteria given in the solicitation and must prepare a complete written record documenting the strengths, weaknesses, deficiencies, and risks associated with each proposal. If for any reason whatsoever you believe you will not be able to give this task your complete and undivided attention, please notify me immediately.

Encl

[CONTRACTING OFFICER'S NAME]

Contracting Officer

CERTIFICATE FOR PERSONNEL PARTICIPATING IN SOURCE SELECTION CONCERNING  
NONDISCLOSURE, CONFLICTS OF INTEREST,  
AND RULES OF CONDUCT

Name: \_\_\_\_\_

Organization: \_\_\_\_\_

Title: \_\_\_\_\_

Project: \_\_\_\_\_

1. I acknowledge that I have been selected to participate in the source selection for the project identified above. I certify that I will not knowingly disclose any contractor bid or proposal or source selection information directly or indirectly to any person other than a person authorized by the head of the agency or the contracting officer to receive such information. I understand that unauthorized disclosure of such information may subject me to substantial administrative, civil and criminal penalties, including fines, imprisonment, and loss of employment under the Procurement Integrity Law or other applicable laws and regulations.

2. To the best of my knowledge, I certify that neither I nor my spouse nor my dependent children, nor members of my household, nor personnel with whom I am seeking employment have any direct or indirect financial interest in any of the firms submitting proposals, or their proposed subcontractors or have any other beneficial interest in such firm except as fully disclosed on an attachment to this certification.

3. I certify that I will observe the following rules of conduct:

a. Until a contract is awarded, the solicitation is cancelled, or I am relieved of duties associated with the acquisition:

(1) I will not solicit or accept, directly or indirectly, any promise of future employment or business opportunity from, or engage, directly or indirectly, in any discussion of future employment or business opportunity with, any officer, employee, representative, agent, or consultant of a competing contractor.

(2) I will not ask for, demand, exact, solicit, seek, accept, receive, or agree to receive, directly or indirectly, any money, gratuity, or other thing of value from any officer, employee, representative, agent, or consultant of any competing offeror for this acquisition. I will advise my family that the acceptance of any such gratuity may be imputed to me as a violation, and must therefore be avoided.

(3) I will not discuss evaluation of source selection matters with any unauthorized individuals (including Government personnel), even after contract award, without specific prior approval from proper authority.

(4) If at any time during the source selection process, I receive a contact from a competing contractor concerning employment or other business opportunity, the offer of a gift from a competing contractor, or I encounter circumstances where my participation might result in a real, apparent, or potential conflict of interest, I will immediately seek the advice of an Ethics Counselor and report the circumstances to the Source Selection Authority.

b. In accordance with FAR 3.104-4(d), for one year from the date a contract is awarded, I will not accept compensation from the successful contractor as an employee, officer, director, or consultant if the value of the contract resulting from this source selection is in excess of \$10,000,000. In accordance with FAR 3.104-7, I will consult with my Ethics Counselor if I do not know whether this preclusion applies to me.

I understand that making a false, fictitious, or fraudulent certification may subject me to prosecution under Title 18, United States Code, Section 1001.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Source Selection/Evaluation Plan

### Section I. Summary Description

**A. Item/Service to be Acquired:**

**B. Proposed Contract Type:** *(Choose one)*

- FFP
- FP with Incentives
- Cost
- Cost with Incentives
- Hybrid (Explain)

**C. Source Selection Process:** *(Choose one)*

- Trade-off
- Trade-off After Determining Technical Acceptability

**D. Special Evaluation Techniques:** (explain, if applicable) e.g., oral presentations, multi-step techniques

### Section II. Source Selection Team

**A. Members:** List the evaluation team members by name and functional area (including advisors, if applicable).

**B. Team Member Acknowledgement/Certification:** Verify/attach by reference each team member's acknowledgement of responsibilities and non-disclosure certificate.

### Section III. Evaluation Factors and Subfactors/Description of Evaluation Procedures

**Proposal Evaluation Information/Proposal Submission Information/Rating System/Evaluation Standards:**  
Insert Section 00100 here. If using UCF, tailor language from one of the models to fit sections L and M and insert here.

### Section IV. Rationale for the Evaluation Scheme

**A. Factors and Subfactors.** Explain how the selected factors and subfactors reflect the circumstances of your particular acquisition and the results of market research and other presolicitation exchanges with industry.

**B. Weights.** Explain how the relative importance of the factors and subfactors reflect the acquisition's primary objective. Explain why the most heavily weighted factors are the "drivers" of the source selection.

# The Solicitation

*Ensure consistency among the objectives of the acquisition, the contracting strategy, the evaluation plan, the solicitation, the evaluation and selection.*

All the parts of the solicitation work together to communicate government requirements to potential offerors. The solicitation provides all the information the offeror needs to understand what you are buying, how you are buying it, and how you will select who to buy it from. This information includes: the work requirements; the terms and conditions; evaluation factors and significant subfactors; the relative importance of the factors and subfactors; instructions to offerors, including whether award might be made without discussions; and other exhibits and attachments. When read as a whole, the solicitation should convey to the offerors a clear understanding of what you are buying and the areas where technical and cost tradeoffs can be made in their proposals to best satisfy the Government requirements.

Industry frequently complains that solicitations have major conflicts. Particularly troublesome are conflicts among the descriptions of what we're buying, instructions on how to prepare a proposal, and guidance on important factors/subfactors and the ground rules for the evaluation. An inconsistent solicitation may result when different groups of people develop the different sections without proper coordination. Such a solicitation can defeat our objectives, cause unnecessary delays, or lead to litigation.

Coordination within a multi-disciplined acquisition team, whose members are stakeholders in the acquisition and have a commitment to work together, is the best way to ensure consistency. You may also find it beneficial to develop a matrix that correlates the solicitation sections and content to ensure solicitation consistency. You may want to provide industry with a copy of the matrix as a reference tool to aid in proposal preparation. This approach promotes understanding of the linkage within the solicitation and explains how all parts of the proposal will be used in the evaluation process.

Four models of language to be used in Section 00100 of construction solicitations are included at the end of this section. The models can be modified for use in sections L and M of the UCF.

Another way to promote understanding of the solicitation is to foster a presolicitation dialogue with industry.

This can be accomplished through use of various communication forums such as Commerce Business Daily notices, advance planning briefings for industry, draft solicitations, and/or presolicitation/preproposal conferences.

## **Performance Requirements -- (Specifications, Work Statement, or Equivalent)**

The way you present the Government's requirements in the solicitation can have a significant impact upon a source selection using the tradeoff approach. For example, use of a work breakdown structure (WBS) in the work statement for the most complex cost type contracts can

help ensure offerors' pricing breakdowns are consistent and comparable. Some additional areas to consider when preparing the work requirements for the solicitation include:

### **Functional or Performance Requirements**

Use functional or performance requirements to the maximum extent possible. In some cases, it may be more difficult to develop evaluation standards and conduct the evaluation process itself; however, there are benefits to using functional or performance requirements. These benefits include:

- Increased competition.
- Access to the best commercial technology.
- Better technical solutions for better prices as a result of offeror innovation.
- Functional or performance requirements can usually be developed faster than design requirements.
- Fewer situations may exist for protests.

---

**Using performance requirements  
can lead to offeror innovation**

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### **Design Requirements**

You should limit the number of design requirements to those essential to meet mission needs. Design requirements may:

- Limit competition.
- Limit situations where potential offerors can propose innovative solutions.
- Slow the specification development process.
- Provide more situations for an offeror to protest (e.g., because of the belief that the winning proposal did not meet all the minimum requirements or that the requirements were unnecessarily restrictive of competition).

### **Proposal Submission Information**

The instructions for preparing and submitting proposals are critical to an acquisition using the tradeoff approach. There has to be a linkage between solicitation requirements, each evaluation factor and subfactor and the proposal preparation instructions.

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**Each evaluation factor and subfactor  
must correlate directly with the  
proposal preparation instructions**

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If you cannot cross-walk the solicitation requirements, factors/subfactors and the proposal instructions, you have a conflict that you need to correct.

***Request only the information needed to evaluate proposals  
against the evaluation factors and subfactors. Never ask  
for information you do not intend to evaluate.***

The information requested from offerors must correlate with the evaluation factors and subfactors. However, instructions that require voluminous information can cause potential offerors to forego responding to the solicitation in favor of a less costly business opportunity. Furthermore, excessive size of proposals may increase the Government's costs to perform the evaluation and length of the evaluation period. In order to simplify the preparation of proposals and to make the evaluation easier, you may wish to consider imposing a realistic limit on the number of pages and foldouts to be submitted.

The instructions on the preparation and submission of proposals must:

- Be clearly and precisely stated.
- Be keyed to the evaluation factors and subfactors.
- Describe the type, scope, content, and format of the information to be submitted.
- Describe the order in which proposal responses and materials are to appear.
- Be limited to the information needed to do the evaluation.
- Properly written proposal preparation instructions simplify the evaluators' job. That is, evaluators do not have to learn a new format for each proposal; they can evaluate the same requirements in each proposal in the same way. With a sufficient degree of structure in the proposal preparation requirements, you may be able to accept proposals in electronic form and use some automation in the evaluation process.

**Proposal Evaluation Information**

***Clearly state in the solicitation the basis upon which the  
Government will make the source selection decision.***

The information from the Source Selection/Evaluation Plan that you provide in the solicitation on evaluation factors and subfactors and their relative importance forms the basis for evaluating

offerors' proposals and making the cost/technical tradeoff. The solicitation is the official vehicle for you to communicate to offerors which factors and subfactors or ground rules the Government will use to select the most advantageous proposal for award.

Consider the following points in designing the solicitation:

- Provide the evaluation factors and subfactors verbatim from the source selection plan.
- Provide the actual numerical weights at the factor level.
- Provide an estimate of what you've identified as an affordable target price range for the acquisition, based on your market research or other reviews.

This information can help offerors to better focus on those aspects of the mission objectives where additional value can be important and to better respond to the Government's needs by giving emphasis to those things most important to the Government. To reap the benefits of better proposals you need to include and adequately describe all the factors and subfactors (as reflected in the source selection plan) that will be considered in making the selection.

The solicitation must also inform offerors of any minimum requirements that apply to particular evaluation factors and subfactors that have to be met. You need to distinguish between minimum acceptable requirements and desirable objectives or features that you would be willing to pay extra for. If you elect to include desirable objectives or features in addition to minimum requirements, the solicitation must clearly explain how you will evaluate them and whether or not credit will be given in the evaluation for exceeding such desirables.

### **Model Language for Solicitation (5 models)**

Note: The following models include alternate paragraphs and instructional notes for completing certain portions of the models. In the case of alternate paragraphs, use only one of the alternates and delete the alternates that do not apply. In the case of instructional notes (which are highlighted in yellow in the Word document), follow the instructions then delete the highlighted text. Also, to distinguish between proposal submission instructions and evaluation instructions, each model has 2 parts (Part I and Part II). Paragraph numbers in Part I have a P prefix and paragraph numbers in Part II have an E prefix. When adapting these models to the UCF format, use Part I (P) paragraphs in Section L and Part II (E) paragraphs in Section M.

SECTION 00100A  
INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS  
  
(TRADE-OFF)  
(AWARD WITHOUT DISCUSSIONS)

**PROPOSAL SUBMISSION REQUIREMENTS**

A-1 Notice. The Government intends to make award without holding discussions with offerors. Therefore, offerors are encouraged to include their best terms and conditions (both price and technical) in the initial offer. By submitting an offer in response to this solicitation, offerors are agreeing to comply with all terms and conditions contained in the solicitation. (See item 17, Standard Form 1442.) Unless the solicitation specifically invites the offeror to submit exceptions, the Contracting Officer may reject any offer that contains exceptions. If, despite the warning given in this paragraph, the offeror elects to include exceptions, the exceptions must be specifically and clearly identified on a separate page. In this solicitation, the words "offer" and "proposal" are used interchangeably. (See definition of "offer" at FAR 2.101.) Except for any portions of the offeror's proposal incorporated into the resulting contract by specific reference, the terms and conditions included in the solicitation, including any amendments, shall take precedence over the offeror's proposal.

A-1.1 **[USE THIS PARAGRAPH WHEN APPROPRIATE]** Certain positions and/or items of work are considered particularly critical to successful completion of the project. The Government will consider the qualifications of these persons/subcontractors during its evaluation of the offeror's proposal. In accordance with the Limitations On Substitutions For Certain Positions And/Or Subcontractors paragraph of Section 00800 of this solicitation, if the offeror is awarded a contract the offeror will not be permitted to make substitutions without the approval of the Contracting Officer or Administrative Contracting Officer. If the offeror does not name a subcontractor for any identified item of work, the Government will assume the offeror intends to perform the work with its own forces and, if the offeror receives the contract, no substitutions will be allowed without prior approval of the Contracting Officer or Administrative Contracting Officer. Limitations apply to the following positions and/or items of work; therefore, the offeror shall name in its proposal the persons/subcontractors it proposes to use for these positions and/or items of work: **[List positions/subcontractors considered to be significant enough to warrant evaluation of their qualifications during the proposal evaluation process. Examples include: project manager, QC manager, mechanical subcontractors, electrical subcontractors, all subcontracts valued at \$500,000 or more. The list placed in this paragraph must match the list placed in the LIMITATIONS ON SUBSTITUTIONS FOR CERTAIN POSITIONS AND/OR SUBCONTRACTORS paragraph which must be placed in Section 00800.]**

A-2 The Proposal. Each offeror shall submit a written proposal consisting of the following documents:

A-2.1 Completed SF 1442 with price schedule.

A-2.2 Offer guarantee (or bid bond) if required by item 13B, Standard Form 1442.

A-2.3 Completed representations & certifications (Section 00600 of this solicitation).

A-2.4 Past performance information for all relevant contracts and subcontracts started or completed within the past 3 years (measured from the date of this solicitation). Submit a separate Past Performance Information Collection Sheet for each project. (A copy of the sheet is attached to the solicitation.) Include past performance information regarding predecessor companies, key personnel who have relevant experience, and subcontractors that will perform major or critical aspects of the work. (For proposed subcontractors, clearly identify the work each will perform.) For each project submitted, explain why it is relevant to this project, and provide information on problems encountered and the actions taken to correct such problems. (Relevancy is defined in the DOD guide to collection and use of past performance as "information that has a logical connection with the matter under consideration and applicable time span.")

A-2.4.1 **[USE THIS PARAGRAPH IF THE SOLICITATION IS FOR DREDGING. IF NOT DREDGING, DELETE.]**In addition to past performance information required by paragraph A-2.4 above, the offeror shall provide a listing of all current contracts and a listing of all U.S. Army Corps of Engineers contracts completed within the past two years. For each of these contracts the offeror shall provide: the plant involved; responsible individual's name (project manager); QC and safety professional's names; and accident rates, descriptions, and causes. The offeror shall describe corrective actions taken in response to previous accidents and shall address the specific actions planned for this project to preclude similar accidents.

A-2.5 A technical proposal consisting of:

SUBFACTOR	SUBMISSION REQUIREMENT (Note: To ensure the proposal adequately addresses areas the Government considers important, the offeror should review paragraph B.3 in Section 00100B prior to preparing the proposal.)
<b>[LIST SUBFACTORS IN ORDER OF IMPORTANCE. MAKE SURE THE LIST AGREES WITH LIST SHOWN IN THE SOURCE SELECTION PROCESS SEGMENT OF THIS SECTION.]</b>	<b>[ENTER INFORMATION THE OFFEROR IS REQUIRED TO SUBMIT FOR EACH SUBFACTOR. ADD A SEPARATE ROW TO THE TABLE FOR EACH SUBFACTOR.]</b>
Subcontracting Plan	If the offeror is not a small business firm, a subcontracting plan. (See the Army's Subcontracting Plan Evaluation Guide (AFARS Appendix DD) at <a href="http://acqnet.saalt.army.mil/library/afar/apcc.htm">http://acqnet.saalt.army.mil/library/afar/apcc.htm</a> for guidance for preparing an acceptable plan.)

A-2.6 Packaging the Proposal. The proposal shall be divided as indicated in the following table and each division shall be submitted in a separate sealed package. Each package shall be marked with the offeror's name, the solicitation number, and the package number.

Package	No. of Copies	Items
1	2	Price proposal, bond, representations & certifications (Paragraphs A-2.1, A-2.2, and A-2.3). If required, subcontracting plan. Each copy shall be separately bound.
2	2	Past performance information (Paragraph A-2.4). Each copy shall be separately bound.
3	<b>[ENTER]</b>	Technical proposal (without subcontracting plan) (Paragraph A-2.5). Each copy shall be placed in a separate 3-ring binder. <b>DO NOT INCLUDE PRICING INFORMATION IN THE TECHNICAL PROPOSAL.</b>

A-2.7 **[USE THIS PARAGRAPH IF CONTRACTOR EMPLOYEES WILL SERVE ON SOURCE SELECTION TEAM]**Agreement to Protect Proprietary Information.

A-2.7.1 Offerors are advised that employees of the firms identified below may serve as technical advisors or source selection evaluation team members during the source selection process. They will not participate as voting members of the evaluation team (FAR 7.503(c)(12)). These individuals will be authorized access to only those portions of the proposal data and discussions that are necessary to

enable them to perform their respective duties. These firms are expressly prohibited from competing for the contract.

FIRMS UNDER CONTRACT TO PROVIDE SUPPORT TO EVALUATORS		
FIRM'S NAME	FIRM'S ADDRESS	FIRM'S TELEPHONE
[INSERT]	[INSERT]	[INSERT]

A-2.7.2 In accomplishing their duties related to the source selection process, employees of the firms named above may require access to proprietary information contained in proposals. Therefore, pursuant to FAR 9.505-4, the firms must execute an agreement with each offeror wherein they agree to (1) protect the offeror's information from unauthorized use or disclosure for as long as it remains proprietary and (2) refrain from using the information for any purpose other than that for which it was furnished. To expedite the evaluation process, each offeror must contact the named firms, execute the required agreement with each firm, and submit a copy of each agreement with the offeror's proposal.

SECTION 00100B  
EVALUATION FACTORS FOR AWARD  
  
(TRADE-OFF)  
(AWARD WITHOUT DISCUSSIONS)

B-1 Applicable Regulatory Guidance. This source selection will be conducted in accordance with procedures prescribed in FAR Part 15.

B-2 Determining Best Value. The Contracting Officer will use a trade-off process to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the highest technically rated offer. All evaluation factors other than price, when combined, are slightly more important than price.

**OR**

B-2 Determining Best Value. The Contracting Officer will use a trade-off process to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the highest technically rated offer. All evaluation factors other than price, when combined, are significantly more important than price.

**OR**

B-2 Determining Best Value. The Contracting Officer will use a trade-off process to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the highest technically rated offer. All evaluation factors other than price, when combined, are approximately equal to price.

**OR**

B-2 Determining Best Value. The Contracting Officer will use a trade-off process to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the highest technically rated offer. All evaluation factors other than price, when combined, are slightly less important than price.

**OR**

B-2 Determining Best Value. The Contracting Officer will use a trade-off process to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the highest technically rated offer. All evaluation factors other than price, when combined, are significantly less important than price.

B-3 Evaluation Factors. The following factors and significant subfactors will be used to determine best value. The relative importance of non-price factors/subfactors is as indicated.

**[NOTE: IN THE TABLE BELOW, LIST FACTORS AND SUBFACTORS AND RELATIVE IMPORTANCE OF NON-PRICE FACTORS. THE FOLLOWING FACTORS MUST BE INCLUDED:**

- 1. PRICE;**
- 2. QUALITY (MUST BE INCORPORATED INTO ONE OR MORE OF THE NON-PRICE FACTORS),**
- 3. PAST PERFORMANCE, AND**
- 4. IF A SUBCONTRACTING PLAN IS REQUIRED, EXTENT OF PARTICIPATION OF SB, SDB, HBCU/MI, WOSB, HUBZONE FIRMS.]**

EVALUATION FACTORS (TRADE-OFF)		
FACTOR	SUBFACTOR	RELATIVE IMPORTANCE/OTHER INFORMATION

Price	N/A	See paragraph B-2 above.
Past Performance	N/A	[State relevance of the entire factor in terms of relevance to the Technical Merit factor.]
	Generally, the Government will evaluate timely completion of work; quality of work; customer satisfaction; cost controls for additional work; compliance with subcontracting requirements; and safety. However, the Government reserves the right to evaluate other areas and reserves the right to determine, on a case-by-case basis, how much emphasis to place on any given area.	
Technical Merit	N/A	[State relevance of the entire factor in terms of relevance to the Past Performance factor.]
	[Subfactor 1]	Relevance: [State relevance of this subfactor in terms of relevance to other subfactors within the Technical Merit factor. Per AFARS 5115.304(b)(2)(iv), relevance cannot be stated in terms of points or percentage.]
	[Subfactor 2]	Relevance: [State relevance of this subfactor in terms of relevance to other subfactors within the Technical Merit factor. Per AFARS 5115.304(b)(2)(iv), relevance cannot be stated in terms of points or percentage.]
	Subcontracting	Relevance: [State relevance of this subfactor in terms of relevance to other subfactors within the Technical Merit factor. Per AFARS 5115.304(b)(2)(iv), relevance cannot be stated in terms of points or percentage.]

B-4 Rating Definitions. Following table shows ratings for each type of evaluation and gives definitions for the ratings.

<b>PRICE/COST</b> is not rated. It is evaluated for reasonableness.	
<b>PERFORMANCE RISK</b> (Past Performance) ratings assess the risks associated with each offeror's likelihood of success in performing the requirements stated in the RFP based on that offeror's demonstrated performance on recent, relevant contracts.	
<b>RATING</b>	<b>DEFINITION</b>
Outstanding	Very low risk. Offeror's past performance record provides essentially no doubt that the offeror will successfully perform the required effort.
Above Average	Low risk. Offeror's past performance record provides little doubt that the offeror will successfully perform the required effort.
Satisfactory	Moderate risk. Offeror's past performance record provides some doubt that the offeror will successfully perform the required effort.
Marginal	High Risk. Offeror's past performance record provides substantial doubt that the offeror will successfully perform the required effort.
Unsatisfactory	Very high risk. Offeror's past performance record provides extreme doubt that the offeror will successfully perform the required effort.
Unknown Risk	The offeror has no relevant performance record. A thorough search was unable to identify any past performance information.
<b>TECHNICAL MERIT</b> ratings reflect (1) the Government's confidence in each offeror's ability, as demonstrated in its proposal, to perform the requirements stated in the RFP, and (2) the Government's assessment of performance risk associated with the proposal.	
<b>ADJECTIVE</b>	<b>DEFINITION</b>

Outstanding	Excellent in all respects; offers one or more significant advantages not offset by disadvantages; very good probability of success with overall low degree of risk in meeting the Government's requirements.
Above Average	High quality in most respects; offers one or more advantages not offset by disadvantages; good probability of success with overall low to moderate degree of risk in meeting the Government's requirements.
Satisfactory	Adequate quality; any advantages are offset by disadvantages; fair probability of success with overall moderate to high degree of risk in meeting the Government's requirements.
Marginal	Overall quality cannot be determined because of errors, omissions or deficiencies that are capable of being corrected without a major rewrite or revision of the proposal.
Unsatisfactory	A proposal that contains major errors, omissions or deficiencies, or an unacceptably high degree of risk in meeting the Government's requirements; and these conditions cannot be corrected without a major rewrite or revision of the proposal.

B-5 Proposal Evaluation. In accordance with the Instructions to Offerors--Competitive Acquisition provision of this solicitation (FAR 52.215-1), the Government intends to evaluate proposals and award a contract without discussions with offerors (except clarifications as described in FAR 15.306(a)). Therefore, the offeror's initial proposal should contain the offeror's best terms from a price and technical standpoint. The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary. Further, if the Contracting Officer determines that discussions are necessary and if the Contracting Officer determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals. The following table synthesizes the evaluation methodology:

ELEMENT	METHOD
General Review	Review of entire proposal to ascertain completeness and offeror's eligibility for award.
Price	Price will not be given a score. It will be reviewed for possible mistakes and eligibility for award, and evaluated for reasonableness.
Past Performance	Will be evaluated for risks associated with the proposal. Possible ratings are: Outstanding, Above Average, Satisfactory, Marginal, Unsatisfactory, and Unknown Risk. An "unknown risk" rating will have neither a favorable nor an unfavorable impact on the overall evaluation of the proposal.
Technical Merit	Will be evaluated for merit and proposal risk. Possible ratings are: Outstanding, Above Average, Satisfactory, Marginal, and Unsatisfactory. Proposals will be ranked. (Note: Subcontracting [which is a subfactor of Technical Merit] will be evaluated in accordance with AFARS Appendix DD, Subcontracting Plan Evaluation Guide, which may be viewed at <a href="http://acqnet.saalt.army.mil/library/default.htm">http://acqnet.saalt.army.mil/library/default.htm</a> .)
Source Selection Decision	Evaluators will provide results of evaluations to the Contracting Officer who will, through a trade-off process involving all evaluation factors, determine which proposal represents the best overall value to the Government.

### B-5.1 General Review.

B-5.1.1 Offerors will be checked against the *List of Parties Excluded From Federal Procurement and Nonprocurement Programs*. Any offeror who is listed will be eliminated without further consideration.

B-5.1.2 **[USE THIS SUBPARAGRAPH IF BID BOND IS REQUIRED. IF THE PARAGRAPH ISN'T USED, DELETE AND ENTER "NOT USED" BESIDE THIS PARAGRAPH NUMBER.]** Bid bonds will be reviewed for acceptability. Any offeror whose bid bond is unacceptable, will be eliminated without further consideration unless the Contracting Officer later determines that discussions are necessary and decides that the offeror's proposal should be included in the competitive range.

B-5.1.3 Proposals will be checked for minor informalities or irregularities. The Contracting Officer will follow guidance at FAR 14.405 when resolving minor informalities or irregularities. The Contracting Officer either will give the offeror an opportunity to cure any defect resulting from a minor informality or irregularity or waive the defect, whichever is to the advantage of the Government.

### B-5.2 Price Evaluation.

B-5.2.1 Prices will be reviewed for minor or clerical errors. If necessary, offerors will be afforded an opportunity to resolve any such errors. Any exchange with offerors under this subparagraph shall be for the purpose of clarification (FAR 15.306(a)) and shall not constitute negotiations as defined at FAR 15.306(d). In the event of discrepancy between a unit price and the extended amount, the unit price shall be controlling.

B-5.2.2 Prices will be reviewed for apparent mistakes. Should this review reveal any prices that seem unreasonably low, the Contracting Officer will contact the offeror and ask the offeror to confirm the questioned price. If the offeror confirms the price, no further action will be taken under this subparagraph. If, however, the offeror alleges a mistake, the offeror may withdraw the proposal (FAR 52.215-1) or elect to continue with the proposal as originally submitted. The offeror will not be allowed to revise the proposal unless the Contracting Officer later determines that discussions are necessary and decides that the offeror's proposal should be included in the competitive range.

B-5.2.3 After resolution of minor or clerical errors and/or mistakes, prices will be reviewed for reasonableness.

### B-5.3 Technical Merit Evaluation.

B-5.3.1 Using the Technical Merit factor and subfactors listed in paragraph B-3 above, each evaluator will conduct an independent evaluation of each proposal documenting the strengths, deficiencies, significant weaknesses, and risks associated with each proposal. Upon completion of individual evaluations, the entire evaluation team will form a consensus opinion of each offeror's ability to accomplish the project work and prepare a narrative supporting the team's conclusions. In the event the team is unable to form a consensus, the team will prepare majority and minority opinions for the Contracting Officer's consideration.

B-5.4 Past Performance Evaluation. The Government will consider currency and relevance of the information, source of the information, context of the data, and general trends in the offeror's performance. Information will be weighted in accordance with its relevance. The Government may use information supplied by the offeror and information obtained from other sources. The evaluation will be conducted by telephone. If, during the course of the evaluation, the Government obtains adverse information that the offeror has not previously been made aware of, the Government will afford the offeror an opportunity to respond to the information. The Government will not disclose the names of persons who provide performance information. The evaluation will take into account past performance information regarding predecessor companies, key personnel who have relevant experience, and subcontractors that will perform major or critical aspects of the work. (Note: Although the Government may obtain past

performance information from other sources, it is the offeror's responsibility to provide past performance information and explain how the information is relevant to this acquisition.)

B-5.5 Source Selection Decision. The Contracting Officer, independently exercising prudent business judgment, will make the source selection decision based on the proposal that represents the best value to the Government. The Contracting Officer will not receive a recommendation from any individual or body as to which offeror should receive the award and additionally will not receive a rank order or order of merit list pertaining to the offers being evaluated.

SECTION 00100A  
INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS  
(TRADE-OFF AFTER DETERMINING TECHNICAL ACCEPTABILITY)  
(AWARD WITHOUT DISCUSSIONS)

**PROPOSAL SUBMISSION REQUIREMENTS**

A-1 Notice. The Government intends to make award without holding discussions with offerors. Therefore, offerors are encouraged to include their best terms and conditions (both price and technical) in the initial offer. By submitting an offer in response to this solicitation, offerors are agreeing to comply with all terms and conditions contained in the solicitation. (See item 17, Standard Form 1442.) Unless the solicitation specifically invites the offeror to submit exceptions, the Contracting Officer may reject any offer that contains exceptions. If, despite the warning given in this paragraph, the offeror elects to include exceptions, the exceptions must be specifically and clearly identified on a separate page. In this solicitation, the words “offer” and “proposal” are used interchangeably. (See definition of “offer” at FAR 2.101.) Except for any portions of the offeror’s proposal incorporated into the resulting contract by specific reference, the terms and conditions included in the solicitation, including any amendments, shall take precedence over the offeror’s proposal.

A-1.1 **[USE THIS PARAGRAPH WHEN APPROPRIATE]** Certain positions and/or items of work are considered particularly critical to successful completion of the project. The Government will consider the qualifications of these persons/subcontractors during its evaluation of the offeror’s proposal. In accordance with the Limitations On Substitutions For Certain Positions And/Or Subcontractors paragraph of Section 00800 of this solicitation, if the offeror is awarded a contract the offeror will not be permitted to make substitutions without the approval of the Contracting Officer or Administrative Contracting Officer. If the offeror does not name a subcontractor for any identified item of work, the Government will assume the offeror intends to perform the work with its own forces and, if the offeror receives the contract, no substitutions will be allowed without prior approval of the Contracting Officer or Administrative Contracting Officer. Limitations apply to the following positions and/or items of work; therefore, the offeror shall name in its proposal the persons/subcontractors it proposes to use for these positions and/or items of work: **[List positions/subcontractors considered to be significant enough to warrant evaluation of their qualifications during the proposal evaluation process. Examples include: project manager, QC manager, mechanical subcontractors, electrical subcontractors, all subcontracts valued at \$500,000 or more. The list placed in this paragraph must match the list placed in the LIMITATIONS ON SUBSTITUTIONS FOR CERTAIN POSITIONS AND/OR SUBCONTRACTORS paragraph which must be placed in Section 00800.]**

A-2 The Proposal. Each offeror shall submit a written proposal consisting of the following documents:

A-2.1 Completed SF 1442 with price schedule (2 copies).

A-2.2 Offer guarantee (or bid bond) if required by item 13B, Standard Form 1442.

A-2.3 Completed representations & certifications (Section 00600 of this solicitation).

A-2.4 Past performance information for all relevant contracts and subcontracts started or completed within the past 3 years (measured from the date of this solicitation). Submit a separate Past Performance Information Collection Sheet for each project. (A copy of the sheet is attached to the solicitation.) Include past performance information regarding predecessor companies, key personnel who have relevant experience, and subcontractors that will perform major or critical aspects of the work. (For proposed subcontractors, clearly identify the work each will perform.) For each project submitted, explain why it is relevant to this project, and provide information on problems encountered and the actions taken to correct such problems. (Relevancy is defined in the DOD guide to collection and use of past performance as “information that has a logical connection with the matter under consideration and applicable time span.”)

A-2.4.1 **[USE THIS PARAGRAPH IF THE SOLICITATION IS FOR DREDGING. IF NOT DREDGING, DELETE.]**In addition to past performance information required by paragraph A-2.4 above, the offeror shall provide a listing of all current contracts and a listing of all U.S. Army Corps of Engineers contracts completed within the past two years. For each of these contracts the offeror shall provide: the plant involved; responsible individual's name (project manager); QC and safety professional's names; and accident rates, descriptions, and causes. The offeror shall describe corrective actions taken in response to previous accidents and shall address the specific actions planned for this project to preclude similar accidents.

A-2.5 A technical proposal consisting of:

SUBFACTOR	SUBMISSION REQUIREMENT (See paragraph B-3 in Section 00100B for standards the proposal must meet.)
<b>[LIST SUBFACTORS IN ORDER OF IMPORTANCE. MAKE SURE THE LIST AGREES WITH LIST SHOWN IN THE SOURCE SELECTION PROCESS SEGMENT OF THIS SECTION.]</b>	<b>[ENTER INFORMATION THE OFFEROR IS REQUIRED TO SUBMIT FOR EACH SUBFACTOR. ADD A SEPARATE ROW TO THE TABLE FOR EACH SUBFACTOR.]</b>
Subcontracting Plan	If the offeror is not a small business firm, a subcontracting plan. (See the Army's Subcontracting Plan Evaluation Guide (AFARS Appendix DD) at <a href="http://acqnet.saalt.army.mil/library/afar/apcc.htm">http://acqnet.saalt.army.mil/library/afar/apcc.htm</a> for guidance for preparing an acceptable plan.)

A-2.6 Packaging the Proposal. The proposal shall be divided as indicated in the following table and each division shall be submitted in a separate sealed package. Each package shall be marked with the offeror's name, the solicitation number, and the package number.

Package	No. of Copies	Items
1	2	Price proposal, bond, representations & certifications (Paragraphs A-2.1, A-2.2, and A-2.3). If required, subcontracting plan. Each copy shall be separately bound.
2	2	Past performance information (Paragraph A-2.4). Each copy shall be separately bound.
3	<b>[ENTER]</b>	Technical proposal (without subcontracting plan)(Paragraph A-2.5). Each copy shall be placed in a separate 3-ring binder. <b>DO NOT INCLUDE PRICING INFORMATION IN THE TECHNICAL PROPOSAL.</b>

A-2.7 **[USE THIS PARAGRAPH IF CONTRACTOR EMPLOYEES WILL SERVE ON SOURCE SELECTION TEAM]**Agreement to Protect Proprietary Information.

A-2.7.1 Offerors are advised that employees of the firms identified below may serve as technical advisors or source selection evaluation team members during the source selection process. They will not participate as voting members of the evaluation team (FAR 7.503(c)(12)). These individuals will be authorized access to only those portions of the proposal data and discussions that are necessary to

enable them to perform their respective duties. These firms are expressly prohibited from competing for the contract.

FIRMS UNDER CONTRACT TO PROVIDE SUPPORT TO EVALUATORS		
FIRM'S NAME	FIRM'S ADDRESS	FIRM'S TELEPHONE
[INSERT]	[INSERT]	[INSERT]

A-2.7.2 In accomplishing their duties related to the source selection process, employees of the firms named above may require access to proprietary information contained in proposals. Therefore, pursuant to FAR 9.505-4, the firms must execute an agreement with each offeror wherein they agree to (1) protect the offeror's information from unauthorized use or disclosure for as long as it remains proprietary and (2) refrain from using the information for any purpose other than that for which it was furnished. To expedite the evaluation process, each offeror must contact the named firms, execute the required agreement with each firm, and submit a copy of each agreement with the offeror's proposal.

SECTION 00100B  
EVALUATION FACTORS FOR AWARD

(TRADE-OFF AFTER DETERMINING TECHNICAL ACCEPTABILITY)  
(AWARD WITHOUT DISCUSSIONS)

B-1 Applicable Regulatory Guidance. This source selection will be conducted in accordance with procedures prescribed in FAR Part 15.

B-2 Determining Best Value. After eliminating any proposal that does not meet standards of acceptability for the Technical Merit factor, the Contracting Officer will use a trade-off process (considering past performance and price) to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the least risky (from a past performance point of view) offer. Past performance risk is slightly less important than price.

OR

B-2 Determining Best Value. After eliminating any proposal that does not meet standards of acceptability for the Technical Merit factor, the Contracting Officer will use a trade-off process (considering past performance and price) to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the least risky (from a past performance point of view) offer. Past performance risk is significantly less important than price.

OR

B-2 Determining Best Value. After eliminating any proposal that does not meet standards of acceptability for the Technical Merit factor, the Contracting Officer will use a trade-off process (considering past performance and price) to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the least risky (from a past performance point of view) offer. Past performance risk is approximately equal to price.

OR

B-2 Determining Best Value. After eliminating any proposal that does not meet standards of acceptability for the Technical Merit factor, the Contracting Officer will use a trade-off process (considering past performance and price) to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the least risky (from a past performance point of view) offer. Past performance risk is slightly more important than price.

OR

B-2 Determining Best Value. After eliminating any proposal that does not meet standards of acceptability for the Technical Merit factor, the Contracting Officer will use a trade-off process (considering past performance and price) to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the least risky (from a past performance point of view) offer. Past performance risk is significantly more important than price.

B-3 Evaluation Factors. The following factors and significant subfactors will be used to determine best value. Proposals will be evaluated for acceptability but will not be ranked by non-price factors.

[NOTE: IN THE TABLE BELOW, LIST EACH FACTOR/SUBFACTOR AND, FOR THE TECHNICAL MERIT FACTOR, LIST THE STANDARD FOR ACCEPTABILITY FOR EACH. THESE STANDARDS MUST BE AS OBJECTIVE AS POSSIBLE. EVALUATORS MUST BE ABLE TO DOCUMENT ACCEPTABILITY/NON-ACCEPTABILITY. REMEMBER, IF WE SAY THE PROPOSAL MUST MEET A CERTAIN STANDARD, WE MUST REJECT ANY PROPOSAL THAT DOES NOT MEET THE STANDARD. WE CANNOT AWARD A CONTRACT BASED ON A PROPOSAL THAT FAILS TO MEET A REQUIRED STANDARD. THE FOLLOWING FACTORS MUST BE INCLUDED:

1. PRICE;
2. PRICE RELATED FACTORS, IF ANY,
3. QUALITY (MUST BE INCORPORATED INTO ONE OR MORE OF THE NON-PRICE FACTORS),
4. PAST PERFORMANCE, AND
5. IF A SUBCONTRACTING PLAN IS REQUIRED, EXTENT OF PARTICIPATION OF SB, SDB, HBCU/MI, WOSB, HUBZONE FIRMS.]

EVALUATION FACTORS (TRADE-OFF AFTER DETERMINING TECHNICAL ACCEPTABILITY)		
FACTOR	SUBFACTOR	STANDARD OR RELATIVE IMPORTANCE
Technical Merit	N/A	Standard - In order to receive an acceptable rating for the Technical Merit factor, all subfactors of the Technical Merit factor must be rated acceptable.
	[Subfactor 1]	Standard - [State the standard that must be met.]
	[Subfactor 2]	Standard - [State the standard that must be met.]
	Subcontracting	Standard - [State the standard that must be met.] (See AFARS Appendix DD, Subcontracting Plan Evaluation Guide, which may be viewed at <a href="http://acqnet.saalt.army.mil/library/default.htm">http://acqnet.saalt.army.mil/library/default.htm</a> .)
Price	N/A	See paragraph B-2 above for relative importance.
Past Performance	N/A	See paragraph B-2 above for relative importance.
		Generally, the Government will evaluate timely completion of work; quality of work; customer satisfaction; cost controls for additional work; compliance with subcontracting requirements; and safety. However, the Government reserves the right to evaluate other areas and reserves the right to determine, on a case-by-case basis, how much emphasis to place on any given area.

B-4 Rating Definitions. Following table shows ratings for each type of evaluation and gives definitions for the ratings.

<b>TECHNICAL MERIT</b> ratings reflect the Government's assessment of whether the proposal meets the technical standards included in the RFP.	
RATING	DEFINITION
Acceptable	Proposal demonstrates acceptable understanding of requirements and approach that meets performance or capability standards. Acceptable solution. No instances of failure to meet a required standard.
Unacceptable	Fails to meet performance or capability standards. Requirements can only

	be met with major changes to the proposal.
<b>PRICE/COST</b> is not rated. It is evaluated for reasonableness.	
<b>PERFORMANCE RISK</b> (Past Performance) ratings assess the risks associated with each offeror's likelihood of success in performing the requirements stated in the RFP based on that offeror's demonstrated performance on recent, relevant contracts.	
<b>RATING</b>	<b>DEFINITION</b>
Outstanding	Very low risk. Offeror's past performance record provides essentially no doubt that the offeror will successfully perform the required effort.
Above Average	Low risk. Offeror's past performance record provides little doubt that the offeror will successfully perform the required effort.
Satisfactory	Moderate risk. Offeror's past performance record provides some doubt that the offeror will successfully perform the required effort.
Marginal	High Risk. Offeror's past performance record provides substantial doubt that the offeror will successfully perform the required effort.
Unsatisfactory	Very high risk. Offeror's past performance record provides extreme doubt that the offeror will successfully perform the required effort.
Unknown Risk	The offeror has no relevant performance record. A thorough search was unable to identify any past performance information.

B-5 Proposal Evaluation. In accordance with the Instructions to Offerors--Competitive Acquisition provision of this solicitation (FAR 52.215-1), the Government intends to evaluate proposals and award a contract without discussions with offerors (except clarifications as described in FAR 15.306(a)). Therefore, the offeror's initial proposal should contain the offeror's best terms from a price and technical standpoint. The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary. Further, if the Contracting Officer determines that discussions are necessary and if the Contracting Officer determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals. The following table synthesizes the evaluation methodology:

ELEMENT	METHOD
General Review	Review of entire proposal to ascertain completeness and offeror's eligibility for award.
Price	Price will not be given a score. It will be reviewed for possible mistakes and eligibility for award, and evaluated for reasonableness.
Technical Merit	Will be evaluated for acceptability. Possible ratings are: Acceptable and Not Acceptable. In order to receive an acceptable rating for this factor, a proposal must be rated acceptable in every subfactor. No award will be made to any offeror whose proposal receives a not acceptable rating for this factor. (Note: Subcontracting [which is a subfactor of Technical Merit] will be evaluated in accordance with AFARS Appendix DD, Subcontracting Plan Evaluation Guide, which may be viewed at <a href="http://acqnet.saalt.army.mil/library/default.htm">http://acqnet.saalt.army.mil/library/default.htm</a> .)
Past Performance	Will be evaluated for risks associated with the proposal. Possible ratings are: Outstanding, Above Average, Satisfactory, Marginal, Unsatisfactory, and Unknown Risk. An "unknown risk" rating will have neither a favorable nor an unfavorable impact on the overall evaluation of the proposal.
Source Selection Decision	Evaluators will provide results of evaluations to the Contracting Officer who will select the lowest-priced, technically acceptable proposal.

B-5.1 General Review.

B-5.1.1 Offerors will be checked against the *List of Parties Excluded From Federal Procurement and Nonprocurement Programs*. Any offeror who is listed will be eliminated without further consideration.

B-5.1.2 [USE THIS SUBPARAGRAPH IF BID BOND IS REQUIRED. IF THE PARAGRAPH ISN'T USED, DELETE AND ENTER "NOT USED" BESIDE THIS PARAGRAPH NUMBER.] Bid bonds will be reviewed for acceptability. Any offeror whose bid bond is unacceptable, will be eliminated without further consideration unless the Contracting Officer later determines that discussions are necessary and decides that the offeror's proposal should be included in the competitive range.

B-5.1.3 Proposals will be checked for minor informalities or irregularities. The Contracting Officer will follow guidance at FAR 14.405 when resolving minor informalities or irregularities. The Contracting Officer either will give the offeror an opportunity to cure any defect resulting from a minor informality or irregularity or waive the defect, whichever is to the advantage of the Government.

#### B-5.2 Price Evaluation.

B-5.2.1 Prices will be reviewed for minor or clerical errors. If necessary, offerors will be afforded an opportunity to resolve any such errors. Any exchange with offerors under this subparagraph shall be for the purpose of clarification (FAR 15.306(a)) and shall not constitute negotiations as defined at FAR 15.306(d). In the event of discrepancy between a unit price and the extended amount, the unit price shall be controlling.

B-5.2.2 Prices will be reviewed for apparent mistakes. Should this review reveal any prices that seem unreasonably low, the Contracting Officer will contact the offeror and ask the offeror to confirm the questioned price. If the offeror confirms the price, no further action will be taken under this subparagraph. If, however, the offeror alleges a mistake, the offeror may withdraw the proposal (FAR 52.215-1) or elect to continue with the proposal as originally submitted. The offeror will not be allowed to revise the proposal unless the Contracting Officer later determines that discussions are necessary and decides that the offeror's proposal should be included in the competitive range.

B-5.2.3 After resolution of minor or clerical errors and/or mistakes, prices will be reviewed for reasonableness.

#### B-5.3 Technical Merit Evaluation.

B-5.3.1 Using the Technical Merit factor and subfactors listed in paragraph B-3 above, each evaluator will conduct an independent evaluation of each proposal documenting the strengths, deficiencies, significant weaknesses, and risks associated with each proposal. Upon completion of individual evaluations, the entire evaluation team will form a consensus opinion of each proposal's technical acceptability and prepare a narrative supporting the team's conclusions. In the event the team is unable to form a consensus, the team will prepare majority and minority opinions for the Contracting Officer's consideration. Technical acceptability shall be based on the standards cited in paragraph B-3 above.

B-5.4 Past Performance Evaluation. The Government will consider currency and relevance of the information, source of the information, context of the data, and general trends in the offeror's performance. Information will be weighted in accordance with its relevance. The Government may use information supplied by the offeror and information obtained from other sources. The evaluation will be conducted by telephone. If, during the course of the evaluation, the Government obtains adverse information that the offeror has not previously been made aware of, the Government will afford the offeror an opportunity to respond to the information. The Government will not disclose the names of persons who provide performance information. The evaluation will take into account past performance information regarding predecessor companies, key personnel who have relevant experience, and subcontractors that will perform major or critical aspects of the work. (Note: Although the Government may obtain past performance information from other sources, it is the offeror's responsibility to provide past performance information and explain how the information is relevant to this acquisition.)

B-5.5 Source Selection Decision. The Contracting Officer, independently exercising prudent business judgment, will make the source selection decision based on the proposal that represents the best value to the Government. The Contracting Officer will not receive a recommendation from any individual or body as to which offeror should receive the award and additionally will not receive a rank order or order of merit list pertaining to the offers being evaluated.

SECTION 00100A  
INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS  
  
(TRADE-OFF)  
(AWARD AFTER DISCUSSIONS)

**PROPOSAL SUBMISSION REQUIREMENTS**

A-1 Notice. The Government intends to make award after discussions. However, in order to enhance the likelihood of being included in the competitive range, offerors are encouraged to include their best terms and conditions (both price and technical) in the initial offer. By submitting an offer in response to this solicitation, offerors are agreeing to comply with all terms and conditions contained in the solicitation. (See item 17, Standard Form 1442.) Any exception to the terms and conditions must be specifically identified in a manner that will call the Contracting Officer's attention to the exception. Unless the solicitation specifically invites the offeror to submit exceptions, the Contracting Officer may exclude from the competitive range any offer that contains exceptions. If, despite the warning given in this paragraph, the offeror elects to include exceptions, the exceptions must be specifically and clearly identified on a separate page. In this solicitation, the words "offer" and "proposal" are used interchangeably. (See definition of "offer" at FAR 2.101.) Except for any portions of the offeror's proposal incorporated into the resulting contract by specific reference, the terms and conditions included in the solicitation, including any amendments, shall take precedence over the offeror's proposal.

A-1.1 [USE THIS PARAGRAPH WHEN APPROPRIATE] Certain positions and/or items of work are considered particularly critical to successful completion of the project. The Government will consider the qualifications of these persons/subcontractors during its evaluation of the offeror's proposal. In accordance with the Limitations On Substitutions For Certain Positions And/Or Subcontractors paragraph of Section 00800 of this solicitation, if the offeror is awarded a contract the offeror will not be permitted to make substitutions without the approval of the Contracting Officer or Administrative Contracting Officer. If the offeror does not name a subcontractor for any identified item of work, the Government will assume the offeror intends to perform the work with its own forces and, if the offeror receives the contract, no substitutions will be allowed without prior approval of the Contracting Officer or Administrative Contracting Officer. Limitations apply to the following positions and/or items of work; therefore, the offeror shall name in its proposal the persons/subcontractors it proposes to use for these positions and/or items of work: [List positions/subcontractors considered to be significant enough to warrant evaluation of their qualifications during the proposal evaluation process. Examples include: project manager, QC manager, mechanical subcontractors, electrical subcontractors, all subcontracts valued at \$500,000 or more. The list placed in this paragraph must match the list placed in the LIMITATIONS ON SUBSTITUTIONS FOR CERTAIN POSITIONS AND/OR SUBCONTRACTORS paragraph which must be placed in Section 00800.]

A-2 The Proposal. Each offeror shall submit a written proposal consisting of the following documents:

A-2.1 Completed SF 1442 with price schedule (2 copies).

A-2.2 Offer guarantee (or bid bond) if required by item 13B, Standard Form 1442.

A-2.3 Completed representations & certifications (Section 00600 of this solicitation).

A-2.4 Past performance information for all relevant contracts and subcontracts started or completed within the past 3 years (measured from the date of this solicitation). Submit a separate Past Performance Information Collection Sheet for each project. (A copy of the sheet is attached to the solicitation.) Include past performance information regarding predecessor companies, key personnel who have relevant experience, and subcontractors that will perform major or critical aspects of the work. (For proposed subcontractors, clearly identify the work each will perform.) For each project submitted, explain why it is relevant to this project, and provide information on problems encountered and the actions taken to correct

such problems. (Relevancy is defined in the DOD guide to collection and use of past performance as “information that has a logical connection with the matter under consideration and applicable time span.”)

A-2.4.1 **[USE THIS PARAGRAPH IF THE SOLICITATION IS FOR DREDGING. IF NOT DREDGING, DELETE.]** In addition to past performance information required by paragraph A-2.4 above, the offeror shall provide a listing of all current contracts and a listing of all U.S. Army Corps of Engineers contracts completed within the past two years. For each of these contracts the offeror shall provide: the plant involved; responsible individual's name (project manager); QC and safety professional's names; and accident rates, descriptions, and causes. The offeror shall describe corrective actions taken in response to previous accidents and shall address the specific actions planned for this project to preclude similar accidents.

A-2.5 A technical proposal consisting of:

SUBFACTOR	SUBMISSION REQUIREMENT (Note: To ensure the proposal adequately addresses areas the Government considers important, the offeror should review paragraph B-3 in Section 00100B prior to preparing the proposal.)
<b>[LIST SUBFACTORS IN ORDER OF IMPORTANCE. MAKE SURE THE LIST AGREES WITH LIST SHOWN IN THE TABLE IN PARA. B-3 OF THIS SECTION.]</b>	<b>[ENTER INFORMATION THE OFFEROR IS REQUIRED TO SUBMIT FOR EACH SUBFACTOR. ADD A SEPARATE ROW TO THE TABLE FOR EACH SUBFACTOR.]</b>
Subcontracting Plan	If the offeror is not a small business firm, a subcontracting plan. (See the Army's Subcontracting Plan Evaluation Guide (AFARS Appendix DD) at <a href="http://acqnet.saalt.army.mil/library/afar/apcc.htm">http://acqnet.saalt.army.mil/library/afar/apcc.htm</a> for guidance for preparing an acceptable plan.)

A-2.6 Packaging the Proposal. The proposal shall be divided as indicated in the following table and each division shall be submitted in a separate sealed package. Each package shall be marked with the offeror's name, the solicitation number, and the package number.

Package	No. of Copies	Items
1	2	Price proposal, bond, representations & certifications (Paragraphs A-2.1, A-2.2, and A-2.3). If required, subcontracting plan. Each copy shall be separately bound.
2	2	Past performance information (Paragraph A-2.4). Each copy shall be separately bound.
3	<b>[ENTER]</b>	Technical proposal (without subcontracting plan)(Paragraph A-2.5). Each copy shall be placed in a separate 3-ring binder. <b>DO NOT INCLUDE PRICING INFORMATION IN THE TECHNICAL PROPOSAL.</b>

A-2.7 **[USE THIS PARAGRAPH IF CONTRACTOR EMPLOYEES WILL SERVE ON SOURCE SELECTION TEAM]** Agreement to Protect Proprietary Information.

A-2.7.1 Offerors are advised that employees of the firms identified below may serve as technical advisors or source selection evaluation team members during the source selection process. They will not participate as voting members of the evaluation team (FAR 7.503(c)(12)). These individuals will be

authorized access to only those portions of the proposal data and discussions that are necessary to enable them to perform their respective duties. These firms are expressly prohibited from competing for the contract.

FIRMS UNDER CONTRACT TO PROVIDE SUPPORT TO EVALUATORS		
FIRM'S NAME	FIRM'S ADDRESS	FIRM'S TELEPHONE
[INSERT]	[INSERT]	[INSERT]

A-2.7.2 In accomplishing their duties related to the source selection process, employees of the firms named above may require access to proprietary information contained in proposals. Therefore, pursuant to FAR 9.505-4, the firms must execute an agreement with each offeror wherein they agree to (1) protect the offeror's information from unauthorized use or disclosure for as long as it remains proprietary and (2) refrain from using the information for any purpose other than that for which it was furnished. To expedite the evaluation process, each offeror must contact the named firms, execute the required agreement with each firm, and submit a copy of each agreement with the offeror's proposal.

A-3 **[USE THIS PARAGRAPH IF AN ORAL PRESENTATION WILL BE REQUIRED.]** Oral Presentation. All offerors within the competitive range will be required to make an oral presentation (FAR 15.102). (The competitive range determination will be based on the Government's evaluation of the written proposals.) The purpose of the oral presentation is to give the offeror an opportunity to enhance the Government's understanding of the offeror's capabilities. Oral presentations will commence approximately 10 working days after the date offerors are notified of the competitive range determination. Each oral presentation shall be supported by a slide presentation. Each slide shall be numbered. The offeror may include one page (8.5" x 11") of clarifying notes for each slide. If the offeror elects to include notes, each note page must be cross-referenced to the appropriate slide. Ten paper copies (8.5" x 11") of the slides and note pages and resumes of presenters shall be submitted to the Contracting Officer no later than 4 working days after receipt of the competitive range notification. (If note pages are included, they must be collated with the slides.) The oral presentation shall follow this outline:

- Presenters - Identify all presenters by name, position assignment for this project, and employer.
- **[IDENTIFY AND DESCRIBE AREAS TO BE COVERED. DO NOT USE PAST PERFORMANCE.]**

Rules for the oral presentation:

- Status of the presentation - The presentation will be used by the Government in its proposal evaluation process. The presentation will be considered a component of the offeror's proposal. The Government will videotape the presentation (including the Q&A session) and the videotape will become a part of the official file. (If requested, the Government will provide a copy of the videotape to the offeror.)
- Presentation aids - The offeror will be limited to the slides (and notes) submitted in advance. The Government will not accept additional materials, nor will the offeror be allowed to use additional materials, during or after the presentation.
- Limitations on Government-offeror interaction during and after the presentation - The Government's representatives will not interrupt the presentation (except to ask for a repeat of a passage that may not have been heard the first time). During the Q&A session, the Government's representatives will ask questions to obtain clarification of any information presented by the offeror. These exchanges may include negotiations as defined at FAR 15.306(d). Price will not be discussed at any time during the oral presentation process. The Government will not provide feedback regarding the quality of the offeror's presentation. (In accordance with FAR subpart 15.5, offerors may request a debriefing at the appropriate time.)

- Order of presentation - The Government will attempt to work out mutually agreeable presentation times with all offerors; however, the Contracting Officer reserves the right to unilaterally determine the order of presentation and the time of presentation. The offeror will not be allowed to change the date or time of the presentation. If deemed necessary by the Contracting Officer, the Government may change the date or time of the presentation.
- **[ADJUST TIMES TO FIT SPECIFIC REQUIREMENTS]**Time - The offeror will be allowed 2 hours for the presentation. The presentation will proceed as follows:
  - One hour uninterrupted presentation by offeror. (First half of presentation.)
  - 15-minute Government discussion period to review presentation and develop questions.
  - 30-minute Q&A period.
  - 15-minute break.
  - One hour uninterrupted presentation by offeror. (Second half of presentation.)
  - 15-minute Government discussion period to review presentation and develop questions.
  - 30-minute Q&A period.
  - 30-minute wrap-up period.
- Presenters - The offeror may use no more than four presenters. **[IF SOME PART(S) OF THE PRESENTATION MUST BE PRESENTED BY A SPECIFIC PERSON, E.G., PROJECT MANAGER, INCLUDE THESE SENTENCES: The Government desires assurance that the offeror's (e.g., project manager) fully understands the work required by this project; therefore, the \_\_\_\_\_ and \_\_\_\_\_ portions of the oral presentation must be presented by the offeror's (e.g., project manager). Failure to comply with this requirement will be cause for downgrading the offeror's proposal.]**
- Government participants - The Government will be represented by approximately 10 persons (including the contracting officer, design engineers, construction engineers, and other knowledgeable persons).
- Location - The Government will receive oral presentations in Jacksonville, Florida. The specific location will be provided at a later date.
- Equipment - The Government will provide a 30-mm slide projector and an LCD projector for computer generated graphics.

SECTION 00100B  
EVALUATION FACTORS FOR AWARD  
  
(TRADE-OFF)  
(AWARD AFTER DISCUSSIONS)

B-1 Applicable Regulatory Guidance. This source selection will be conducted in accordance with procedures prescribed in FAR Part 15.

B-2 Determining Best Value. The Contracting Officer will use a trade-off process to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the highest technically rated offer. All evaluation factors other than price, when combined, are slightly more important than price.

**OR**

B-2 Determining Best Value. The Contracting Officer will use a trade-off process to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the highest technically rated offer. All evaluation factors other than price, when combined, are significantly more important than price.

**OR**

B-2 Determining Best Value. The Contracting Officer will use a trade-off process to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the highest technically rated offer. All evaluation factors other than price, when combined, are approximately equal to price.

**OR**

B-2 Determining Best Value. The Contracting Officer will use a trade-off process to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the highest technically rated offer. All evaluation factors other than price, when combined, are slightly less important than price.

**OR**

B-2 Determining Best Value. The Contracting Officer will use a trade-off process to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the highest technically rated offer. All evaluation factors other than price, when combined, are significantly less important than price.

B-3 Evaluation Factors. The following factors and significant subfactors will be used to determine best value. The relative importance of non-price factors/subfactors is as indicated.

**[NOTE: IN THE TABLE BELOW, LIST FACTORS AND SUBFACTORS AND RELATIVE IMPORTANCE OF NON-PRICE FACTORS. THE FOLLOWING FACTORS MUST BE INCLUDED:**

- 1. PRICE;**
- 2. QUALITY (MUST BE INCORPORATED INTO ONE OR MORE OF THE NON-PRICE FACTORS),**
- 3. PAST PERFORMANCE, AND**
- 4. IF A SUBCONTRACTING PLAN IS REQUIRED, EXTENT OF PARTICIPATION OF SB, SDB, HBCU/MI, WOSB, HUBZONE FIRMS.]**

EVALUATION FACTORS (TRADE-OFF)		
FACTOR	SUBFACTOR	RELATIVE IMPORTANCE/OTHER

		INFORMATION
Price	N/A	See paragraph B-2 above.
Past Performance	N/A	[State relevance of the entire factor in terms of relevance to the Technical Merit factor.]
		Generally, the Government will evaluate timely completion of work; quality of work; customer satisfaction; cost controls for additional work; compliance with subcontracting requirements; and safety. However, the Government reserves the right to evaluate other areas and reserves the right to determine, on a case-by-case basis, how much emphasis to place on any given area.
Technical Merit	N/A	[State relevance of the entire factor in terms of relevance to the Past Performance factor.]
	[Subfactor 1]	Relevance: [State relevance of this subfactor in terms of relevance to other subfactors within the Technical Merit factor. Per AFARS 5115.304(b)(2)(iv), relevance cannot be stated in terms of points or percentage.]
	[Subfactor 2]	Relevance: [State relevance of this subfactor in terms of relevance to other subfactors within the Technical Merit factor. Per AFARS 5115.304(b)(2)(iv), relevance cannot be stated in terms of points or percentage.]
	Subcontracting	Relevance: [State relevance of this subfactor in terms of relevance to other subfactors within the Technical Merit factor. Per AFARS 5115.304(b)(2)(iv), relevance cannot be stated in terms of points or percentage.]

B-4 Rating Definitions. Following table shows ratings for each type of evaluation and gives definitions for the ratings.

<b>PRICE/COST</b> is not rated. It is evaluated for reasonableness.	
<b>PERFORMANCE RISK</b> (Past Performance) ratings assess the risks associated with each offeror's likelihood of success in performing the requirements stated in the RFP based on that offeror's demonstrated performance on recent, relevant contracts.	
<b>RATING</b>	<b>DEFINITION</b>
Outstanding	Very low risk. Offeror's past performance record provides essentially no doubt that the offeror will successfully perform the required effort.
Above Average	Low risk. Offeror's past performance record provides little doubt that the offeror will successfully perform the required effort.
Satisfactory	Moderate risk. Offeror's past performance record provides some doubt that the offeror will successfully perform the required effort.
Marginal	High Risk. Offeror's past performance record provides substantial doubt that the offeror will successfully perform the required effort.
Unsatisfactory	Very high risk. Offeror's past performance record provides extreme doubt that the offeror will successfully perform the required effort.
Unknown Risk	The offeror has no relevant performance record. A thorough search was unable to identify any past performance information.
<b>TECHNICAL MERIT</b> ratings reflect (1) the Government's confidence in each offeror's ability, as demonstrated in its proposal, to perform the requirements stated in the RFP, and (2) the Government's assessment of performance risk associated with the proposal.	

<u>ADJECTIVE</u>	<u>DEFINITION</u>
Outstanding	Excellent in all respects; offers one or more significant advantages not offset by disadvantages; very good probability of success with overall low degree of risk in meeting the Government's requirements.
Above Average	High quality in most respects; offers one or more advantages not offset by disadvantages; good probability of success with overall low to moderate degree of risk in meeting the Government's requirements.
Satisfactory	Adequate quality; any advantages are offset by disadvantages; fair probability of success with overall moderate to high degree of risk in meeting the Government's requirements.
Marginal	Overall quality cannot be determined because of errors, omissions or deficiencies that are capable of being corrected without a major rewrite or revision of the proposal.
Unsatisfactory	A proposal that contains major errors, omissions or deficiencies, or an unacceptably high degree of risk in meeting the Government's requirements; and these conditions cannot be corrected without a major rewrite or revision of the proposal.

B-5 Proposal Evaluation. In accordance with the Instructions to Offerors--Competitive Acquisition provision of this solicitation (FAR 52.215-1), the Government intends to evaluate proposals and award a contract after conducting discussions with offerors whose proposals are determined to be within the competitive range. If the Contracting Officer determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals. The following table synthesizes the evaluation methodology:

<u>ELEMENT</u>	<u>METHOD</u>
General Review	Review of entire proposal to ascertain completeness and offeror's eligibility for award.
Price	Price will not be given a score. It will be reviewed for possible mistakes and eligibility for award, and evaluated for reasonableness.
Past Performance	Will be evaluated for risks associated with the proposal. Possible ratings are: Outstanding, Above Average, Satisfactory, Marginal, Unsatisfactory, and Unknown Risk. An "unknown risk" rating will have neither a favorable nor an unfavorable impact on the overall evaluation of the proposal.
Technical Merit	Will be evaluated for merit and proposal risk. Possible ratings are: Outstanding, Above Average, Satisfactory, Marginal, and Unsatisfactory. Proposals will be ranked. (Note: Subcontracting [which is a subfactor of Technical Merit] will be evaluated in accordance with AFARS Appendix DD, Subcontracting Plan Evaluation Guide, which may be viewed at <a href="http://acqnet.saalt.army.mil/library/default.htm">http://acqnet.saalt.army.mil/library/default.htm</a> .)
Competitive Range Determination	Based on the ratings of each proposal against all evaluation criteria, the Contracting Officer will establish a competitive range comprised of all of the most highly rated proposals, unless the range is further reduced for purposes of efficiency.
Final Revision	Final revisions will be subjected to the same types of evaluations as the

	original proposals.
Source Selection Decision	Evaluators will provide results of evaluations to the Contracting Officer who will, through a trade-off process involving all evaluation factors, determine which proposal represents the best overall value to the Government.

B-5.1 General Review.

B-5.1.1 Offerors will be checked against the *List of Parties Excluded From Federal Procurement and Nonprocurement Programs*. Any offeror who is listed will be eliminated without further consideration.

B-5.1.2 **USE THIS SUBPARAGRAPH IF BID BOND IS REQUIRED. IF THE PARAGRAPH ISN'T USED, DELETE AND ENTER "NOT USED" BESIDE THIS PARAGRAPH NUMBER.** Bid bonds will be reviewed for acceptability.

B-5.1.3 Proposals will be checked for minor informalities or irregularities. The Contracting Officer will follow guidance at FAR 14.405 when resolving minor informalities or irregularities. The Contracting Officer either will give the offeror an opportunity to cure any defect resulting from a minor informality or irregularity or waive the defect, whichever is to the advantage of the Government.

B-5.2 Price Evaluation.

B-5.2.1 Prices will be reviewed for minor or clerical errors. If necessary, offerors will be afforded an opportunity to resolve any such errors. Any exchange with offerors under this subparagraph shall be for the purpose of clarification (FAR 15.306(a)) and shall not constitute negotiations as defined at FAR 15.306(d). In the event of discrepancy between a unit price and the extended amount, the unit price shall be controlling.

B-5.2.2 Prices will be reviewed for apparent mistakes. Should this review reveal any prices that seem unreasonably low, the Contracting Officer will contact the offeror and ask the offeror to confirm the questioned price. If the offeror confirms the price, no further action will be taken under this subparagraph. If, however, the offeror alleges a mistake, the offeror may withdraw the proposal (FAR 52.215-1) or elect to continue with the proposal as originally submitted. The offeror will not be allowed to revise the proposal unless the Contracting Officer later determines that the offeror's proposal should be included in the competitive range.

B-5.2.3 After resolving any minor or clerical errors and/or mistakes, prices will be reviewed for reasonableness.

B-5.3 Technical Merit Evaluation.

B-5.3.1 Using the Technical Merit factor and subfactors listed in paragraph B-3 above, each evaluator will conduct an independent evaluation of each proposal documenting the strengths, deficiencies, significant weaknesses, and risks associated with each proposal. Upon completion of individual evaluations, the entire evaluation team will form a consensus opinion of each offeror's ability to accomplish the project work and prepare a narrative supporting the team's conclusions. The narrative shall document the strengths, deficiencies, significant weaknesses, and risks associated with each proposal. In the event the team is unable to form a consensus, the team will prepare majority and minority opinions for the Contracting Officer's consideration.

B-5.4 Past Performance Evaluation. The Government will consider currency and relevance of the information, source of the information, context of the data, and general trends in the offeror's performance. Information will be weighted in accordance with its relevance. The Government may use information supplied by the offeror and information obtained from other sources. The evaluation will be conducted by telephone. If, during the course of the evaluation, the Government obtains adverse information that the offeror has not previously been made aware of, the Government will afford the offeror

an opportunity to respond to the information. The Government will not disclose the names of persons who provide performance information. The evaluation will take into account past performance information regarding predecessor companies, key personnel who have relevant experience, and subcontractors that will perform major or critical aspects of the work. (Note: Although the Government may obtain past performance information from other sources, it is the offeror's responsibility to provide past performance information and explain how the information is relevant to this acquisition.)

B-5.5 **[USE THIS PARAGRAPH IF NO ORAL PRESENTATION WILL BE REQUIRED.]**Competitive Range Determination. Upon completion of evaluations, the Contracting Officer will determine which proposals to include in the competitive range. Discussions will be held with offerors who are in the competitive range. (Discussion methods may include written inquiries and responses, and telephonic inquiries and responses.)

**OR**

B-5.5 **[USE THIS PARAGRAPH IF AN ORAL PRESENTATION WILL BE REQUIRED.]**Competitive Range Determination. Upon completion of evaluations, the Contracting Officer will determine which proposals to include in the competitive range. Offerors within the competitive range will be allowed to make an oral presentation (as contemplated by FAR 15.102). In addition to the oral presentation, other discussions consisting of written inquiries/responses and/or telephonic inquiries/responses may be held.

B-5.6 Final Revisions. Upon completion of discussions, offerors who remain in the competitive range will be given an opportunity to submit a final proposal revision. If changes are made to technical proposals, the proposals will be re-evaluated and changes in strengths, deficiencies, significant weaknesses, and risks will be documented in a written narrative.

B-5.7 Source Selection Decision. The Contracting Officer, independently exercising prudent business judgment, will make the source selection decision based on the proposal that represents the best value to the Government. The Contracting Officer will not receive a recommendation from any individual or body as to which offeror should receive the award and additionally will not receive a rank order or order of merit list pertaining to the offers being evaluated.

SECTION 00100A  
INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS  
(TRADE-OFF AFTER DETERMINING TECHNICAL ACCEPTABILITY)  
(AWARD AFTER DISCUSSIONS)

**PROPOSAL SUBMISSION REQUIREMENTS**

A-1 Notice. The Government intends to make award after discussions. However, in order to enhance the likelihood of being included in the competitive range, offerors are encouraged to include their best terms and conditions (both price and technical) in the initial offer. By submitting an offer in response to this solicitation, offerors are agreeing to comply with all terms and conditions contained in the solicitation. (See item 17, Standard Form 1442.) Any exception to the terms and conditions must be specifically identified in a manner that will call the Contracting Officer's attention to the exception. Unless the solicitation specifically invites the offeror to submit exceptions, the Contracting Officer may exclude from the competitive range any offer that contains exceptions. If, despite the warning given in this paragraph, the offeror elects to include exceptions, the exceptions must be specifically and clearly identified on a separate page. In this solicitation, the words "offer" and "proposal" are used interchangeably. (See definition of "offer" at FAR 2.101.) Except for any portions of the offeror's proposal incorporated into the resulting contract by specific reference, the terms and conditions included in the solicitation, including any amendments, shall take precedence over the offeror's proposal.

A-1.1 **[USE THIS PARAGRAPH WHEN APPROPRIATE]** Certain positions and/or items of work are considered particularly critical to successful completion of the project. The Government will consider the qualifications of these persons/subcontractors during its evaluation of the offeror's proposal. In accordance with the Limitations On Substitutions For Certain Positions And/Or Subcontractors paragraph of Section 00800 of this solicitation, if the offeror is awarded a contract the offeror will not be permitted to make substitutions without the approval of the Contracting Officer or Administrative Contracting Officer. If the offeror does not name a subcontractor for any identified item of work, the Government will assume the offeror intends to perform the work with its own forces and, if the offeror receives the contract, no substitutions will be allowed without prior approval of the Contracting Officer or Administrative Contracting Officer. Limitations apply to the following positions and/or items of work; therefore, the offeror shall name in its proposal the persons/subcontractors it proposes to use for these positions and/or items of work: **[List positions/subcontractors considered to be significant enough to warrant evaluation of their qualifications during the proposal evaluation process. Examples include: project manager, QC manager, mechanical subcontractors, electrical subcontractors, all subcontracts valued at \$500,000 or more. The list placed in this paragraph must match the list placed in the LIMITATIONS ON SUBSTITUTIONS FOR CERTAIN POSITIONS AND/OR SUBCONTRACTORS paragraph which must be placed in Section 00800.]**

A-2 The Proposal. Each offeror shall submit a written proposal consisting of the following documents:

A-2.1 Completed SF 1442 with price schedule (2 copies).

A-2.2 Offer guarantee (or bid bond) if required by item 13B, Standard Form 1442.

A-2.3 Completed representations & certifications (Section 00600 of this solicitation).

A-2.4 Past performance information for all relevant contracts and subcontracts started or completed within the past 3 years (measured from the date of this solicitation). Submit a separate Past Performance Information Collection Sheet for each project. (A copy of the sheet is attached to the solicitation.) Include past performance information regarding predecessor companies, key personnel who have relevant experience, and subcontractors that will perform major or critical aspects of the work. (For proposed subcontractors, clearly identify the work each will perform.) For each project submitted, explain why it is relevant to this project, and provide information on problems encountered and the actions taken to correct

such problems. (Relevancy is defined in the DOD guide to collection and use of past performance as “information that has a logical connection with the matter under consideration and applicable time span.”)

A-2.4.1 **[USE THIS PARAGRAPH IF THE SOLICITATION IS FOR DREDGING. IF NOT DREDGING, DELETE.]** In addition to past performance information required by paragraph A-2.4 above, the offeror shall provide a listing of all current contracts and a listing of all U.S. Army Corps of Engineers contracts completed within the past two years. For each of these contracts the offeror shall provide: the plant involved; responsible individual's name (project manager); QC and safety professional's names; and accident rates, descriptions, and causes. The offeror shall describe corrective actions taken in response to previous accidents and shall address the specific actions planned for this project to preclude similar accidents.

A-2.5 A technical proposal consisting of:

SUBFACTOR	SUBMISSION REQUIREMENT (See paragraph B-3 in Section 00100B for standards the proposal must meet.)
<b>[LIST SUBFACTORS IN ORDER OF IMPORTANCE. MAKE SURE THE LIST AGREES WITH LIST SHOWN IN THE TABLE IN PARA. B-3 OF THIS SECTION.]</b>	<b>[ENTER INFORMATION THE OFFEROR IS REQUIRED TO SUBMIT FOR EACH SUBFACTOR. ADD A SEPARATE ROW TO THE TABLE FOR EACH SUBFACTOR.]</b>
Subcontracting Plan	If the offeror is not a small business firm, a subcontracting plan. (See the Army's Subcontracting Plan Evaluation Guide (AFARS Appendix DD) at <a href="http://acqnet.saalt.army.mil/library/afar/apcc.htm">http://acqnet.saalt.army.mil/library/afar/apcc.htm</a> for guidance for preparing an acceptable plan.)

A-2.6 Packaging the Proposal. The proposal shall be divided as indicated in the following table and each division shall be submitted in a separate sealed package. Each package shall be marked with the offeror's name, the solicitation number, and the package number.

Package	No. of Copies	Items
1	2	Price proposal, bond, representations & certifications (Paragraphs A-2.1, A-2.2, and A-2.3). If required, subcontracting plan. Each copy shall be separately bound.
2	2	Past performance information (Paragraph A-2.4). Each copy shall be separately bound.
3	<b>[ENTER]</b>	Technical proposal (without subcontracting plan)(Paragraph A-2.5). Each copy shall be placed in a separate 3-ring binder. <b>DO NOT INCLUDE PRICING INFORMATION IN THE TECHNICAL PROPOSAL.</b>

A-2.7 **[USE THIS PARAGRAPH IF CONTRACTOR EMPLOYEES WILL SERVE ON SOURCE SELECTION TEAM]**Agreement to Protect Proprietary Information.

A-2.7.1 Offerors are advised that employees of the firms identified below may serve as technical advisors or source selection evaluation team members during the source selection process. They will not participate as voting members of the evaluation team (FAR 7.503(c)(12)). These individuals will be authorized access to only those portions of the proposal data and discussions that are necessary to

enable them to perform their respective duties. These firms are expressly prohibited from competing for the contract.

FIRMS UNDER CONTRACT TO PROVIDE SUPPORT TO EVALUATORS		
FIRM'S NAME	FIRM'S ADDRESS	FIRM'S TELEPHONE
[INSERT]	[INSERT]	[INSERT]

A-2.7.2 In accomplishing their duties related to the source selection process, employees of the firms named above may require access to proprietary information contained in proposals. Therefore, pursuant to FAR 9.505-4, the firms must execute an agreement with each offeror wherein they agree to (1) protect the offeror's information from unauthorized use or disclosure for as long as it remains proprietary and (2) refrain from using the information for any purpose other than that for which it was furnished. To expedite the evaluation process, each offeror must contact the named firms, execute the required agreement with each firm, and submit a copy of each agreement with the offeror's proposal.

SECTION 00100B  
EVALUATION FACTORS FOR AWARD

(TRADE-OFF AFTER DETERMINING TECHNICAL ACCEPTABILITY)  
(AWARD AFTER DISCUSSIONS)

B-1 Applicable Regulatory Guidance. This source selection will be conducted in accordance with procedures prescribed in FAR Part 15.

B-2 Determining Best Value. After eliminating any proposal that does not meet standards of acceptability for the Technical Merit factor, the Contracting Officer will use a trade-off process (considering past performance and price) to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the least risky (from a past performance point of view) offer. Past performance risk is slightly less important than price.

**OR**

B-2 Determining Best Value. After eliminating any proposal that does not meet standards of acceptability for the Technical Merit factor, the Contracting Officer will use a trade-off process (considering past performance and price) to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the least risky (from a past performance point of view) offer. Past performance risk is significantly less important than price.

**OR**

B-2 Determining Best Value. After eliminating any proposal that does not meet standards of acceptability for the Technical Merit factor, the Contracting Officer will use a trade-off process (considering past performance and price) to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the least risky (from a past performance point of view) offer. Past performance risk is approximately equal to price.

**OR**

B-2 Determining Best Value. After eliminating any proposal that does not meet standards of acceptability for the Technical Merit factor, the Contracting Officer will use a trade-off process (considering past performance and price) to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the least risky (from a past performance point of view) offer. Past performance risk is slightly more important than price.

**OR**

B-2 Determining Best Value. After eliminating any proposal that does not meet standards of acceptability for the Technical Merit factor, the Contracting Officer will use a trade-off process (considering past performance and price) to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the least risky (from a past performance point of view) offer. Past performance risk is significantly more important than price.

B-3 Evaluation Factors. The following factors and significant subfactors will be used to determine best value. Proposals will be evaluated for acceptability but will not be ranked by non-price factors.

[NOTE: IN THE TABLE BELOW, LIST EACH FACTOR/SUBFACTOR AND, FOR THE TECHNICAL MERIT FACTOR, LIST THE STANDARD FOR ACCEPTABILITY FOR EACH. THESE STANDARDS MUST BE AS OBJECTIVE AS POSSIBLE. EVALUATORS MUST BE ABLE TO DOCUMENT ACCEPTABILITY/NON-ACCEPTABILITY. REMEMBER, IF WE SAY THE PROPOSAL MUST MEET A CERTAIN STANDARD, WE MUST REJECT ANY PROPOSAL THAT DOES NOT MEET THE STANDARD. WE CANNOT AWARD A CONTRACT BASED ON A PROPOSAL THAT FAILS TO MEET A REQUIRED STANDARD. THE FOLLOWING FACTORS MUST BE INCLUDED:

1. PRICE;
2. PRICE RELATED FACTORS, IF ANY,
3. QUALITY (MUST BE INCORPORATED INTO ONE OR MORE OF THE NON-PRICE FACTORS),
4. PAST PERFORMANCE, AND
5. IF A SUBCONTRACTING PLAN IS REQUIRED, EXTENT OF PARTICIPATION OF SB, SDB, HBCU/MI, WOSB, HUBZONE FIRMS.]

EVALUATION FACTORS (TRADE-OFF AFTER DETERMINING TECHNICAL ACCEPTABILITY)		
FACTOR	SUBFACTOR	STANDARD OR RELATIVE IMPORTANCE
Technical Merit	N/A	Standard - In order to receive an acceptable rating for the Technical Merit factor, all subfactors of the Technical Merit factor must be rated acceptable.
	[Subfactor 1]	Standard - [State the standard that must be met.]
	[Subfactor 2]	Standard - [State the standard that must be met.]
	Subcontracting	Standard - [State the standard that must be met.] (See AFARS Appendix DD, Subcontracting Plan Evaluation Guide, which may be viewed at <a href="http://acqnet.saalt.army.mil/library/default.htm">http://acqnet.saalt.army.mil/library/default.htm</a> .)
Price	N/A	See paragraph B-2 above for relative importance.
Past Performance	N/A	See paragraph B-2 above for relative importance.
		Generally, the Government will evaluate timely completion of work; quality of work; customer satisfaction; cost controls for additional work; compliance with subcontracting requirements; and safety. However, the Government reserves the right to evaluate other areas and reserves the right to determine, on a case-by-case basis, how much emphasis to place on any given area.

B-4 Rating Definitions. Following table shows ratings for each type of evaluation and gives definitions for the ratings.

<b>TECHNICAL MERIT</b> ratings reflect the Government's assessment of whether the proposal meets the technical standards included in the RFP.	
RATING	DEFINITION
Acceptable	Proposal demonstrates acceptable understanding of requirements and approach that meets performance or capability standards. Acceptable solution. No instances of failure to meet a required standard.

Unacceptable	Fails to meet performance or capability standards. Requirements can only be met with major changes to the proposal.
<b>PRICE/COST</b> is not rated. It is evaluated for reasonableness.	
<b>PERFORMANCE RISK</b> (Past Performance) ratings assess the risks associated with each offeror's likelihood of success in performing the requirements stated in the RFP based on that offeror's demonstrated performance on recent, relevant contracts.	
<b>RATING</b>	<b>DEFINITION</b>
Outstanding	Very low risk. Offeror's past performance record provides essentially no doubt that the offeror will successfully perform the required effort.
Above Average	Low risk. Offeror's past performance record provides little doubt that the offeror will successfully perform the required effort.
Satisfactory	Moderate risk. Offeror's past performance record provides some doubt that the offeror will successfully perform the required effort.
Marginal	High Risk. Offeror's past performance record provides substantial doubt that the offeror will successfully perform the required effort.
Unsatisfactory	Very high risk. Offeror's past performance record provides extreme doubt that the offeror will successfully perform the required effort.
Unknown Risk	The offeror has no relevant performance record. A thorough search was unable to identify any past performance information.

B-5 Proposal Evaluation. In accordance with the Instructions to Offerors--Competitive Acquisition provision of this solicitation (FAR 52.215-1), the Government intends to evaluate proposals and award a contract after conducting discussions with offerors whose proposals are determined to be within the competitive range. If the Contracting Officer determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals. The following table synthesizes the evaluation methodology:

ELEMENT	METHOD
General Review	Review of entire proposal to ascertain completeness and offeror's eligibility for award.
Price	Price will not be given a score. It will be reviewed for possible mistakes and eligibility for award, and evaluated for reasonableness.
Technical Merit	Will be evaluated for acceptability. Possible ratings are: Acceptable and Not Acceptable. In order to receive an acceptable rating for this factor, a proposal must be rated acceptable in every subfactor. No award will be made to any offeror whose proposal receives a not acceptable rating for this factor. (Note: Subcontracting [which is a subfactor of Technical Merit] will be evaluated in accordance with AFARS Appendix DD, Subcontracting Plan Evaluation Guide, which may be viewed at <a href="http://acqnet.saalt.army.mil/library/default.htm">http://acqnet.saalt.army.mil/library/default.htm</a> .)
Past Performance	Will be evaluated for risks associated with the proposal. Possible ratings are: Outstanding, Above Average, Satisfactory, Marginal, Unsatisfactory, and Unknown Risk. An "unknown risk" rating will have neither a favorable nor an unfavorable impact on the overall evaluation of the proposal.
Competitive Range Determination	Based on the ratings of each proposal against all evaluation criteria, the Contracting Officer will establish a competitive range comprised of all of the most highly rated proposals, unless the range is further reduced for purposes of efficiency.
Final Revision	Final revisions will be subjected to the same types of evaluations as the original proposals.
Source Selection Decision	Evaluators will provide results of evaluations to the Contracting Officer who will select the lowest-priced, technically acceptable proposal.

## B-5.1 General Review.

B-5.1.1 Offerors will be checked against the *List of Parties Excluded From Federal Procurement and Nonprocurement Programs*. Any offeror who is listed will be eliminated without further consideration.

B-5.1.2 **USE THIS SUBPARAGRAPH IF BID BOND IS REQUIRED. IF THE PARAGRAPH ISN'T USED, DELETE AND ENTER "NOT USED" BESIDE THIS PARAGRAPH NUMBER.** Bid bonds will be reviewed for acceptability.

B-5.1.3 Proposals will be checked for minor informalities or irregularities. The Contracting Officer will follow guidance at FAR 14.405 when resolving minor informalities or irregularities. The Contracting Officer either will give the offeror an opportunity to cure any defect resulting from a minor informality or irregularity or waive the defect, whichever is to the advantage of the Government.

## B-5.2 Price Evaluation.

B-5.2.1 Prices will be reviewed for minor or clerical errors. If necessary, offerors will be afforded an opportunity to resolve any such errors. Any exchange with offerors under this subparagraph shall be for the purpose of clarification (FAR 15.306(a)) and shall not constitute negotiations as defined at FAR 15.306(d). In the event of discrepancy between a unit price and the extended amount, the unit price shall be controlling.

B-5.2.2 Prices will be reviewed for apparent mistakes. Should this review reveal any prices that seem unreasonably low, the Contracting Officer will contact the offeror and ask the offeror to confirm the questioned price. If the offeror confirms the price, no further action will be taken under this subparagraph. If, however, the offeror alleges a mistake, the offeror may withdraw the proposal (FAR 52.215-1) or elect to continue with the proposal as originally submitted. The offeror will not be allowed to revise the proposal unless the Contracting Officer later determines that the offeror's proposal should be included in the competitive range.

B-5.2.3 After resolving any minor or clerical errors and/or mistakes, prices will be reviewed for reasonableness.

## B-5.3 Technical Merit Evaluation.

B-5.3.1 Using the Technical Merit factor and subfactors listed in paragraph B-3 above, each evaluator will conduct an independent evaluation of each proposal documenting the strengths, deficiencies, significant weaknesses, and risks associated with each proposal. Upon completion of individual evaluations, the entire evaluation team will form a consensus opinion of each proposal's technical acceptability and prepare a narrative supporting the team's conclusions. The narrative shall document strengths, deficiencies, significant weaknesses, and risks associated with each proposal. In the event the team is unable to form a consensus, the team will prepare majority and minority opinions for the Contracting Officer's consideration. Technical acceptability shall be based on the standards cited in paragraph B-3 above.

B-5.4 Past Performance Evaluation. The Government will consider currency and relevance of the information, source of the information, context of the data, and general trends in the offeror's performance. Information will be weighted in accordance with its relevance. The Government may use information supplied by the offeror and information obtained from other sources. The evaluation will be conducted by telephone. If, during the course of the evaluation, the Government obtains adverse information that the offeror has not previously been made aware of, the Government will afford the offeror an opportunity to respond to the information. The Government will not disclose the names of persons who provide performance information. The evaluation will take into account past performance information regarding predecessor companies, key personnel who have relevant experience, and subcontractors that will perform major or critical aspects of the work. (Note: Although the Government may obtain past

performance information from other sources, it is the offeror's responsibility to provide past performance information and explain how the information is relevant to this acquisition.)

**B-5.5 Competitive Range Determination.** Upon completion of evaluations, the Contracting Officer will determine which proposals to include in the competitive range. Discussions will be held with offerors who are in the competitive range. (Discussion methods may include written inquiries and responses, and telephonic inquiries and responses.)

**B-5.6 Final Revisions.** Upon completion of discussions, offerors who remain in the competitive range will be given an opportunity to submit a final proposal revision. If changes are made to technical proposals, the proposals will be re-evaluated and changes will be documented in a written narrative.

**B-5.7 Source Selection Decision.** The Contracting Officer, independently exercising prudent business judgment, will make the source selection decision based on the proposal that represents the best value to the Government. The Contracting Officer will not receive a recommendation from any individual or body as to which offeror should receive the award and additionally will not receive a rank order or order of merit list pertaining to the offers being evaluated.

SECTION 00100A  
 INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS  
 (TRADE-OFF BETWEEN PAST PERFORMANCE AND PRICE)  
 (AWARD WITHOUT DISCUSSIONS)

**PROPOSAL SUBMISSION REQUIREMENTS**

A-1 Notice. The Government intends to make award without holding discussions with offerors. Therefore, offerors are encouraged to include their best terms and conditions in the initial offer. By submitting an offer in response to this solicitation, offerors are agreeing to comply with all terms and conditions contained in the solicitation. (See item 17, Standard Form 1442.) Unless the solicitation specifically invites the offeror to submit exceptions, the Contracting Officer may reject any offer that contains exceptions. If, despite the warning given in this paragraph, the offeror elects to include exceptions, the exceptions must be specifically and clearly identified on a separate page. In this solicitation, the words “offer” and “proposal” are used interchangeably. (See definition of “offer” at FAR 2.101.) Except for any portions of the offeror’s proposal incorporated into the resulting contract by specific reference, the terms and conditions included in the solicitation, including any amendments, shall take precedence over the offeror’s proposal.

A-2 The Proposal. Each offeror shall submit a written proposal consisting of the following documents:

A-2.1 Completed SF 1442 with price schedule (2 copies).

A-2.2 Offer guarantee (or bid bond) if required by item 13B, Standard Form 1442.

A-2.3 Completed representations & certifications (Section 00600 of this solicitation).

A-2.4 Past performance information for all relevant contracts and subcontracts started or completed within the past 3 years (measured from the date of this solicitation). Submit a separate Past Performance Information Collection Sheet for each project. (A copy of the sheet is attached to the solicitation.) Include past performance information regarding predecessor companies, key personnel who have relevant experience, and subcontractors that will perform major or critical aspects of the work. (For proposed subcontractors, clearly identify the work each will perform.) For each project submitted, explain why it is relevant to this project, and provide information on problems encountered and the actions taken to correct such problems. (Relevancy is defined in the DOD guide to collection and use of past performance as “information that has a logical connection with the matter under consideration and applicable time span.”)

A-2.4.1 **USE THIS PARAGRAPH IF THE SOLICITATION IS FOR DREDGING. IF NOT DREDGING, DELETE.** In addition to past performance information required by paragraph A-2.4 above, the offeror shall provide a listing of all current contracts and a listing of all U.S. Army Corps of Engineers contracts completed within the past two years. For each of these contracts the offeror shall provide: the plant involved; responsible individual’s name (project manager); QC and safety professional’s names; and accident rates, descriptions, and causes. The offeror shall describe corrective actions taken in response to previous accidents and shall address the specific actions planned for this project to preclude similar accidents.

A-2.5 Not used.

A-2.6 Packaging the Proposal. The proposal shall be divided as indicated in the following table and each division shall be submitted in a separate sealed package. Each package shall be marked with the offeror’s name, the solicitation number, and the package number.

Package	No. of Copies	Items
1	2	Price proposal, bond, representations & certifications (Paragraphs A-2.1, A-2.2, and A-2.3). Each copy shall be separately bound.

2	2	Past performance information (Paragraph A-2.4). Each copy shall be separately bound.
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SECTION 00100B  
EVALUATION FACTORS FOR AWARD

(TRADE-OFF BETWEEN PAST PERFORMANCE AND PRICE)  
(AWARD WITHOUT DISCUSSIONS)

B-1 Applicable Regulatory Guidance. This source selection will be conducted in accordance with procedures prescribed in FAR Part 15.

B-2 Determining Best Value. The Contracting Officer will use a trade-off process (considering past performance and price) to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the least risky (from a past performance point of view) offer. Past performance risk is slightly less important than price.

**OR**

B-2 Determining Best Value. The Contracting Officer will use a trade-off process (considering past performance and price) to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the least risky (from a past performance point of view) offer. Past performance risk is significantly less important than price.

**OR**

B-2 Determining Best Value. The Contracting Officer will use a trade-off process (considering past performance and price) to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the least risky (from a past performance point of view) offer. Past performance risk is approximately equal to price.

**OR**

B-2 Determining Best Value. The Contracting Officer will use a trade-off process (considering past performance and price) to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the least risky (from a past performance point of view) offer. Past performance risk is slightly more important than price.

**OR**

B-2 Determining Best Value. The Contracting Officer will use a trade-off process (considering past performance and price) to determine which offer represents the best value to the Government. This process allows the Contracting Officer to consider making award to other than the lowest priced offer or other than the least risky (from a past performance point of view) offer. Past performance risk is significantly more important than price.

B-3 Evaluation Factors. The following factors will be used to determine best value.

EVALUATION FACTORS (TRADE-OFF BETWEEN PAST PERFORMANCE AND PRICE)	
FACTOR	STANDARD OR RELATIVE IMPORTANCE

Past Performance	See paragraph B-2 above for relative importance. Generally, the Government will evaluate timely completion of work; quality of work; customer satisfaction; cost controls for additional work; compliance with subcontracting requirements; and safety. However, the Government reserves the right to evaluate other areas and reserves the right to determine, on a case-by-case basis, how much emphasis to place on any given area.
Price	See paragraph B-2 above for relative importance.

B-4 Rating Definitions. Following table shows ratings for each type of evaluation and gives definitions for the ratings.

<b>PERFORMANCE RISK</b> (Past Performance) ratings assess the risks associated with each offeror's likelihood of success in performing the requirements stated in the RFP based on that offeror's demonstrated performance on recent, relevant contracts.	
<b>RATING</b>	<b>DEFINITION</b>
Outstanding	Very low risk. Offeror's past performance record provides essentially no doubt that the offeror will successfully perform the required effort.
Above Average	Low risk. Offeror's past performance record provides little doubt that the offeror will successfully perform the required effort.
Satisfactory	Moderate risk. Offeror's past performance record provides some doubt that the offeror will successfully perform the required effort.
Marginal	High Risk. Offeror's past performance record provides substantial doubt that the offeror will successfully perform the required effort.
Unsatisfactory	Very high risk. Offeror's past performance record provides extreme doubt that the offeror will successfully perform the required effort.
Unknown Risk	The offeror has no relevant performance record. A thorough search was unable to identify any past performance information.
<b>PRICE/COST</b> is not rated. It is evaluated for reasonableness.	

B-5 Proposal Evaluation. In accordance with the Instructions to Offerors--Competitive Acquisition provision of this solicitation (FAR 52.215-1), the Government intends to evaluate proposals and award a contract without discussions with offerors (except clarifications as described in FAR 15.306(a)). Therefore, the offeror's initial proposal should contain the offeror's best terms. The Government reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary. Further, if the Contracting Officer determines that discussions are necessary and if the Contracting Officer determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals. The following table synthesizes the evaluation methodology:

<b>ELEMENT</b>	<b>METHOD</b>
General Review	Review of entire proposal to ascertain completeness and offeror's eligibility for award.
Price	Price will not be given a score. It will be reviewed for possible mistakes and eligibility for award, and evaluated for reasonableness.
Past Performance	Will be evaluated for risks associated with the proposal. Possible ratings are: Outstanding, Above Average, Satisfactory, Marginal, Unsatisfactory, and Unknown Risk. An "unknown risk" rating will have neither a favorable nor an unfavorable impact on the overall evaluation of the proposal.
Source Selection Decision	Evaluators will provide results of evaluations to the Contracting Officer who will make the source selection decision.

B-5.1 General Review.

B-5.1.1 Offerors will be checked against the *List of Parties Excluded From Federal Procurement and Nonprocurement Programs*. Any offeror who is listed will be eliminated without further consideration.

B-5.1.2 [USE THIS SUBPARAGRAPH IF BID BOND IS REQUIRED. IF THE PARAGRAPH ISN'T USED, DELETE AND ENTER "NOT USED" BESIDE THIS PARAGRAPH NUMBER.] Bid bonds will be reviewed for acceptability. Any offeror whose bid bond is unacceptable, will be eliminated without further consideration unless the Contracting Officer later determines that discussions are necessary and decides that the offeror's proposal should be included in the competitive range.

B-5.1.3 Proposals will be checked for minor informalities or irregularities. The Contracting Officer will follow guidance at FAR 14.405 when resolving minor informalities or irregularities. The Contracting Officer either will give the offeror an opportunity to cure any defect resulting from a minor informality or irregularity or waive the defect, whichever is to the advantage of the Government.

B-5.2 Price Evaluation.

B-5.2.1 Prices will be reviewed for minor or clerical errors. If necessary, offerors will be afforded an opportunity to resolve any such errors. Any exchange with offerors under this subparagraph shall be for the purpose of clarification (FAR 15.306(a)) and shall not constitute negotiations as defined at FAR 15.306(d). In the event of discrepancy between a unit price and the extended amount, the unit price shall be controlling.

B-5.2.2 Prices will be reviewed for apparent mistakes. Should this review reveal any prices that seem unreasonably low, the Contracting Officer will contact the offeror and ask the offeror to confirm the questioned price. If the offeror confirms the price, no further action will be taken under this subparagraph. If, however, the offeror alleges a mistake, the offeror may withdraw the proposal (FAR 52.215-1) or elect to continue with the proposal as originally submitted. The offeror will not be allowed to revise the proposal unless the Contracting Officer later determines that discussions are necessary and decides that the offeror's proposal should be included in the competitive range.

B-5.2.3 After resolution of minor or clerical errors and/or mistakes, prices will be reviewed for reasonableness.

B-5.3 Not Used.

B-5.4 Past Performance Evaluation. The Government will consider currency and relevance of the information, source of the information, context of the data, and general trends in the offeror's performance. Information will be weighted in accordance with its relevance. The Government may use information supplied by the offeror and information obtained from other sources. The evaluation will be conducted by telephone. If, during the course of the evaluation, the Government obtains adverse information that the offeror has not previously been made aware of, the Government will afford the offeror an opportunity to respond to the information. The Government will not disclose the names of persons who provide performance information. The evaluation will take into account past performance information regarding predecessor companies, key personnel who have relevant experience, and subcontractors that will perform major or critical aspects of the work. (Note: Although the Government may obtain past performance information from other sources, it is the offeror's responsibility to provide past performance information and explain how the information is relevant to this acquisition.)

B-5.5 Source Selection Decision. The Contracting Officer, independently exercising prudent business judgment, will make the source selection decision based on the proposal that represents the best value to the Government. The Contracting Officer will not receive a recommendation from any individual or body as to which offeror should receive the award and additionally will not receive a rank order or order of merit list pertaining to the offers being evaluated.

<b>PAST PERFORMANCE INFORMATION COLLECTION SHEET</b>	
(TO BE COMPLETED BY THE OFFEROR. SUBMIT A SEPARATE SHEET FOR EACH REFERENCE.)	
	1. Your firm's name:
	2. Contract number of referenced project:
	3. Description, location & relevancy of work: <i>(Note: Relevancy is defined as something that has a logical connection with the matter under consideration, e.g., similar project size and type of work. It is the offeror's responsibility to establish relevancy.)</i>
	4. Owner's name and address:
	5. Owner's point of contact (name and telephone number) (NOTE: <u>IT IS YOUR RESPONSIBILITY TO ENSURE POINTS OF CONTACT CAN BE CONTACTED BY THE GOVERNMENT'S EVALUATORS AND THAT THEY WILL COOPERATE.</u> ):
	6. Prime contractor's name and address if you were a subcontractor on this project:
	7. Your role (e.g., Prime, Member of Joint Venture, Subcontractor, etc.) and work performed by your in-house forces:
	8. Contract price:
	9. Extent and type of work you subcontracted to other firms:
	10. Date started _____ and date completed _____. (If not completed, give percentage of completion and expected completion date.)
	11. Did you receive a written performance evaluation for this project? (Yes/No) If yes, what rating did you receive?
	12. Was your contract/subcontract terminated for default? If so, attach an explanation of the circumstances.
	13. Were liquidated damages assessed? If so, attach an explanation of the circumstances.

# Evaluation Considerations

## Overview

The source selection evaluation process includes examining each proposal in detail against the evaluation factors and subfactors and the requirements set forth in the solicitation, and assigning a rating, with a supporting narrative. The proposal evaluation process assesses the proposal and the offeror's ability to perform. At this stage, it does not analyze proposals against each other and it must be conducted in a fair, comprehensive, and impartial manner.

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**Evaluations must be fair,  
thorough, and impartial**

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The evaluation process can be complicated no matter how much planning and tailoring you do. You might find through your market research that you are going to receive many proposals -- good for competition but a situation that could drag out evaluation. You might explore the world of automated source selection tools that can increase your efficiency. There are commercial packages available and some activities have developed packages in house that you could use. Evaluators still have to evaluate each proposal, but these tools might ease the administrative burden that comes with a great number of proposals.

## Reasons for the Evaluation Process

The principal purposes of the process are to:

- Determine which proposals are acceptable and/or within the competitive range.
- Provide a sound basis for the source selection authority to make an informed and reasoned selection by:
  - Presenting a clear picture of the issues considered during evaluation by identifying areas of uncertainty as well as those which provide substantial assurance of a successful outcome.
  - Listing the strengths, weaknesses, and risks of the proposed approaches.

## Evaluation Process Tasks

Evaluation tasks will vary in number and content with each source selection. However, several especially important tasks are discussed below.

## Familiarization

Prior to receipt of proposals, each evaluator should become familiar with the solicitation's requirements, the source selection plan, and the rating system. You should, especially for those evaluators with no prior source selection evaluation experience, conduct training that includes an

overview of the solicitation and of the work expected throughout the source selection process. The training should include how to properly document each proposal's strengths, weaknesses, and risks.

### **Cost Evaluations**

Cost or price must be an evaluation factor in all acquisitions. The cost evaluation will vary depending on the specific circumstances of each acquisition.

For fixed price contracts, the evaluation normally should be as simple as a comparison of the offered prices to ensure the contract price is fair and reasonable. Other techniques of price analysis may also be used. Do not perform a cost analysis unless there is no other way to determine if the price of the otherwise successful offeror is reasonable.

For cost-reimbursement contracts, you must analyze costs for both realism and reasonableness. The cost realism analysis enables you to determine the probable cost of performance for each offeror. This precludes an award decision based on overly optimistic offeror's cost estimates where risks of an overrun may be significant.

A cost realism analysis requires an independent review of specific elements of each offeror's proposed cost estimate to determine whether the estimated proposed cost elements for contract resources (e.g., labor and material) are realistic, show understanding of the work, and are consistent with the demands of the work which will actually be required, given each offeror's unique methods of performance and materials described in their technical proposal.

The probable cost should reflect the Government's best estimate of the cost of any contract, which is most likely to result from the offeror's proposal. This estimate is determined by adjusting each offeror's proposed cost, and fee when appropriate, upwards or downwards to reflect any additions or reductions in personnel, equipment, or materials resulting from the cost realism assessment.

For the cost realism evaluation of an offeror's proposal, you have to decide what information you need. The amount and type of information will vary depending on the circumstances of your acquisition. You may have to get more after you start evaluating the proposals. However, like other proposal requirements, you should only request the minimum amount of information that is necessary. Also, remember that any information you use only for the cost realism analysis is not considered cost or pricing data.

To the extent that differences between proposed costs and probable costs reflect significant risks of future performance or lack of understanding, that risk or lack of understanding should be reflected in the non-cost evaluation. In such cases, you should also seriously consider whether or not the proposed cost and fee or price can be determined fair and reasonable to both parties.

The probable cost estimates developed for each offeror are used to evaluate and compare proposals and ultimately to select the proposal expected to result in the best value.

### **Past Performance Evaluations**

Unless you are using a lowest price technically acceptable approach, the past performance evaluation involves a comparative assessment of performance risk associated with each proposal. It describes the degree of confidence the government has in the offeror's ability to perform based on that offeror's demonstrated record of past and present work similar to the work to be performed. If properly conducted, the past performance evaluation and the pre-award survey will complement each other and provide a more complete picture of an offeror than either one could by itself.

Appendix D contains procedures for evaluating past performance in source selections, including those acquisitions where selection is based solely on cost/price and past performance.

### **Technical Evaluations**

Evaluators must examine each proposal individually in detail to measure it against the evaluation factors and subfactors in the solicitation. Evaluators ask questions such as, "How much?" or "How well?" assign a rating and document the basis for the rating. This is the core of the evaluation process.

Normally, technical evaluations should be conducted independent of the cost/price evaluations so that technical findings and conclusions will not be influenced by knowledge of the offered costs. However, in some instances, it may be appropriate to give the entire evaluation team access to price/cost information to ensure the best possible overall evaluation and enhance the evaluation of cost realism. Such a review can help verify perceived technical strengths, weaknesses or risks and/or ensure consistency between the cost/price and technical segments of the proposals.

All evaluators must have the required functional expertise and training to evaluate the particular area of the proposal to which they are assigned. They should also be thoroughly familiar with the solicitation and the source selection plan.

### **Identifying Proposal Ambiguities and Inadequate Substantiation**

Evaluators should first document problems in evaluating a proposal because its language is ambiguous, its meaning is unclear, or it has failed to respond to the solicitation instructions. Evaluators should also identify, in writing, instances in which an offeror has not provided enough information to evaluate the feasibility and merit of its proposed approach. The Contracting Officer can then seek amplification and additional information to address such issues.

### **Identifying Strengths, Deficiencies, Significant Weaknesses, and Risks**

Evaluators must identify and document the strengths, deficiencies, significant weaknesses, and the accompanying risks of the competing proposals. Proposals that materially fail to meet a Government requirement or that contain a combination of significant weaknesses that increase the risk of unsuccessful performance are considered to be deficient.

Narrative statements must be used to establish a written record. Numerical scores and other rating techniques are not conclusive data to make the source selection decision. Only evaluations and ratings substantiated by specific strengths, weaknesses, and risks can be credible and justifiable. General terms such as "weak," "poor," or "excellent" must be supported with specific reasons as to why the proposal is "weak," "poor," or "excellent" in relation to the standard for the specific factor and subfactor being evaluated.

The strengths, weaknesses, and risks of each proposal form a large part of the basis for the source selection decision.

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**Documenting proposal strengths,  
weaknesses, and risks is critical**

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Generally, the fact that a proposal is deficient as submitted does not necessarily mean that it is excluded from further consideration. The identification of these vital items provides:

- An element for the contracting officer to consider in determining the competitive range.
- The framework for any necessary discussions between the Government and the offeror.
- Specific information on the relative strengths and weaknesses of competing proposals. This is critical to the successful completion of an acquisition using the tradeoff approach because it is an essential element of the evaluation report provided to the source selection authority.
- The basis for tradeoff analysis ultimately performed by the source selection authority to determine if differences in merit between proposals justify any cost/price differential.
- The framework for offeror debriefings.

A separate evaluation finding, regardless of the offered cost or price, can be a determination that a proposal is technically unacceptable. This finding is based on failure to meet requirements, or even the basic intent of the acquisition, and that a complete revision of the proposal would be required. In this case, you would be put in the position of leading the offeror to a solution or approach, which is unfair to the other offerors.

**Consensus**

The final rating of each proposal should be assigned by consensus of the evaluators. Simple averaging of individual evaluation results does not constitute consensus. Consensus requires a meeting of the minds on classifications, deficiencies, strengths, weaknesses, and risks. In exceptional cases where the evaluators are unable to reach agreement without unreasonably

delaying the acquisition process, the evaluation report may include the majority conclusion and the dissenting view(s), each with a supporting rationale.

### **Exchanging Information with Offerors**

Dialogue with offerors after receipt of proposals allows us to get information we need to better understand proposals and make best value decisions. While all such dialogue must be conducted in a fair and impartial manner, its nature and extent will vary depending upon when it occurs after receipt of proposals.

### **Who is in Charge?**

The contracting officer remains the focal point for all information exchanges with prospective contractors from release of a solicitation through contract award. Once proposals are received, the contracting officer also controls all exchanges with offerors.

### **Establishing the Ground Rules**

Before exchanging any information with offerors, the contracting officer should ensure that team members who may participate in such exchanges receive instructions not to:

- Favor one offeror over another (i.e., provide the offeror with suggested ways to correct its proposal relative to other offerors);
- Reveal an offeror's solution, technology, or intellectual property to another offeror;
- Reveal an offeror's price without that offeror's permission;
- Reveal the name of individuals providing past performance information; or
- Knowingly furnish source selection information.

### **Award Without Discussions**

Before issuing the solicitation, you must decide whether or not you intend to award without discussions and communicate your intent in the solicitation. In making this decision, consider whether or not you are likely to obtain best value without discussions. An award without discussions is most likely to result in best value when requirements are clear, commodities are known or stable, and the marketplace is extremely competitive.

If your solicitation advised offerors of intent to award without discussions, you may still hold discussions, if appropriate, provided you document the file as to why discussions are necessary.

If, after proposal evaluation, it is clear that the cost of conducting discussions would more than offset the potentially lower prices or increased functionality resulting from discussions, then it may be appropriate to award on initial proposals.

### **Requesting Clarifications When Awarding Without Discussions**

The most limited exchanges are clarifications that occur if award will be made without discussions. Under these circumstances, we may give offerors the opportunity to clarify certain aspects of their proposals such as questions about the relevancy of their past performance or adverse past performance information on which an offeror hasn't yet had an opportunity to comment. These exchanges may be used to resolve minor irregularities, informalities, or clerical errors. Such clarifications provide minor explanations but do not revise or modify the proposal, except to the extent that correction of apparent clerical mistakes results in a modification.

### **Holding Communications**

Before making a competitive range decision, you may need to hold communications with some offerors to determine whether or not to include a proposal in the competitive range. This is like fact-finding. The objective of these pre-competitive range exchanges is to help evaluators understand and evaluate the proposal.

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#### **Communications may be held to help evaluators understand gray areas in the proposal**

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Communications must be held with any offeror who will be excluded from the competitive range because of their adverse past performance information. Otherwise, you may hold communications only with those offerors who are neither clearly in nor clearly out of the competitive range. If you know that you will include an offeror in the competitive range, then wait until you open discussions to address your concerns.

Offerors should ensure that initial proposals are as clear and complete as possible. When holding communications, ask only those questions necessary to understand the proposal and make the competitive range determination. You may use communications to solicit information that will clear up gray areas, such as perceived deficiencies, omissions, and errors, or questions about an offeror's capability or pre-award survey. During communications, you must give offerors an opportunity to address any adverse past performance information to which the offeror has not previously had an opportunity to comment. This ensures that offerors are not excluded from the competitive range on the basis of incorrect past performance information that they had not had a prior opportunity to address.

Information obtained during communications, however, may not be used to revise a proposal, correct any deficiencies or material omissions, or change any technical or cost elements of a proposal, except for correction of mistakes.

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#### **Communications do not permit proposal revisions**

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Once you have enough information to decide how the proposal should be rated, (e.g., decided whether a potential deficiency is, indeed, a deficiency), then STOP. Never accept a revision before opening discussions.

### **Establishing the Competitive Range**

The competitive range consists of all the most highly rated proposals, unless it is further reduced for efficiency. Establishing the competitive range results in greater efficiency by limiting the number of offerors with whom the Government must hold discussions to the finalists or leading contenders for contract award. However, failure to properly establish a competitive range can result in higher costs because of protests or eliminating potentially competitive offerors. When establishing the competitive range, consider the following points:

- Determine the competitive range only after an initial evaluation of each proposal in accordance with all cost and non-cost factors in the solicitation.
- Limit the competitive range to all of the most highly rated proposals, considering the initial evaluation of both cost and non-cost factors. Predetermined "cut-off" ratings cannot be used to exclude a proposal from the competitive range.
- If there are very few highly rated proposals, you may want to include all of them in the competitive range.
- If there are too many highly rated proposals to evaluate efficiently, you may limit the competitive range further, provided you notified offerors of your intent to do so in the solicitation.
- It may not always be necessary or even advisable to further narrow the competitive range for efficiency. You must determine what constitutes an efficient competitive range for each acquisition. When faced with the need to restrict the size of the competitive range, you should consider factors such as the expected dollar value of the award; the complexity of the acquisition and solutions proposed; or the extent of available resources and other relevant matters consistent with the need to obtain the best value.
- When further reducing the competitive range for efficiency, select from among the most highly rated proposals, the largest number that will still permit an efficient competition.
- The contracting officer determines the competitive range. In the case of more complex source selections, the determination is made with the approval of the source selection authority.
- Document the competitive range determination and the supporting rationale in the contract file.
- Maintain an efficient competitive range that doesn't waste resources for either side. The competitive range should be continually reassessed as discussions and

evaluations continue. The contracting officer should remove from the competitive range any proposal that, during or after discussions, is no longer considered to be a leading contender for award. This allows offerors who are not likely to be selected for award to shift their bid and proposal costs to competitions where they have a better chance for success. The objective is an efficient competitive range that doesn't string offerors along wasting their time and money and your resources.

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**Maintain an efficient competitive range that doesn't waste resources**

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- For proposals excluded from the competitive range, the contracting officer shall promptly notify unsuccessful offerors, in writing, of their exclusion. Upon request, you will also have to provide a debriefing that explains the basis for your decision. See Appendix F for more information on debriefings.

**Conducting Discussions**

The most detailed and extensive exchanges are negotiations that are held after establishment of the competitive range. These exchanges are known as discussions. Unless the solicitation informs offerors that award may be made without discussions, you must hold meaningful discussions with each offeror in the competitive range.

The primary purpose of discussions is to maximize our ability to get the best value.

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**Discussions maximize our ability to get the best value**

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During discussions, our objective should be to reach complete agreement between and understanding by the Government and the offeror regarding all the basic requirements in the solicitation. In essence, obtaining a contract that demonstrates the greatest promise of meeting the solicitation's requirements and no surprises after award is the goal of both the Government and the offeror. While the content of discussions is a matter primarily within the discretion of the contracting officer, discussions must meet fundamental requirements to be meaningful and fair.

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**Discussions must be meaningful and fair**

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*Ensure discussions are meaningful by identifying to the offeror all evaluated deficiencies, significant weaknesses, and other proposal aspects that could be altered or explained to enhance materially an offeror's award potential.*

Confine and tailor your discussions exclusively to each offeror's proposal relative to the solicitation requirements and evaluation factors and subfactors. Identify those things in the proposal that could clearly limit an offeror's award potential. Seeking the advice of legal counsel during the discussion process may help avoid protests.

You can facilitate meaningful discussions by addressing the following as a minimum:

- ***Deficiencies*** -- A material failure to meet a requirement. It is a deficiency whenever the offeror specifically says a requirement cannot or will not be met, offers an approach that clearly doesn't meet a requirement, or submits a proposal that contains a combination of significant weaknesses.
- ***Significant Weaknesses*** -- Include non-cost and cost weaknesses that appreciably increase the risk of unsuccessful contract performance. It is a weakness whenever the proposal has a flaw important enough to cause a factor to be rated marginal or poor, or the probability of meeting a requirement to be high risk or moderate to high risk. This includes even relatively minor weaknesses if their cumulative impact is significant. For example, if an approach affects several areas of the evaluation, but makes no individual factor rating marginal or poor, you should include it in discussions if the cumulative impact is significant enough to impact the overall rating.
- ***Past Performance Information*** -- Include any concern about an offeror's past performance, including relevancy and any adverse past performance information on which the offeror has not previously had an opportunity to comment.
- ***Uncertainties or apparent mistakes*** -- Include any suspected errors, any significant omissions, and any uncertainties necessary to understand what is being offered. However, perfect knowledge isn't necessary. We tend to spend too much of our time and effort and that of the offeror, chasing information that has no real bearing on the evaluation. If we need it to draw a conclusion, then we should ask for it.

Identify deficiencies and significant weaknesses in terms of a clear declarative statement. Advising offerors of strengths in their proposals can also give offerors insight into areas to consider in making tradeoffs to correct deficiencies or weaknesses.

### **Obtaining Proposal Revisions**

Confirm all information obtained through discussions by requesting or allowing proposal revisions, as appropriate, from all offerors in the competitive range still eligible for selection. Proposals are rarely alike, nor are the depth and range of discussions, therefore, tailor the number and content of revisions to each offeror's proposal. Ask offerors to submit written changes to their proposals resulting from discussions before requesting final proposal revisions, particularly if a number of significant issues need resolution. This allows further discussions, if necessary before the final cutoff date.

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**Tailor the number and content of  
revisions to each offeror's proposal**

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After you have received responses to all issues raised to the offerors during discussions, you must reevaluate the proposals. Any factor impacted by the responses must be rated again in the same manner as in the initial evaluation. Ensure that all issues are resolved or understood by each offeror and the government prior to concluding discussions.

At the conclusion of discussions, you must give all offerors remaining in the competitive range an opportunity to improve their proposal by submitting a final proposal revision within a common cutoff date and time. If, after receipt of final revised proposals it becomes necessary to subsequently clarify minor irregularities, you can, without any additional request for final proposal revisions from all offerors. However, if you need to negotiate further, a second final revision opportunity must be extended to all offerors.

# Selection Decision

*Ensure the selection decision:*

- *Is based on a comparative analysis of the proposals;*
- *Is consistent with stated evaluation factors and subfactors; and*
- *When tradeoffs are permitted, consider whether or not perceived benefits are worth any price premium.*
- *Make the decision on a rational basis and set it forth in an independent, stand-alone defensible document.*

Consistent with the solicitation, after the team has completed the evaluation of the individual proposals, the source selection authority compares competing proposals to each other.

When using the lowest price technically acceptable process, the source selection authority compares proposals on the basis of cost or price alone and selects the offeror with the lowest evaluated cost/price meeting the acceptability requirements for all factors and subfactors.

When using the tradeoff process, the source selection authority compares proposals on the basis of cost/price, technical or other non-cost ratings, and how its strengths, weaknesses, and risks will impact the specific objectives of the acquisition. The source selection authority may request the evaluators to conduct comparative analyses of proposals and make a recommendation concerning the source selection. The source selection authority will use all the information on the proposals and evaluation to make an independent judgement of the best value.

Consistent with the solicitation, the possible outcomes of this comparison are:

- The proposal with the superior non-cost merit is the lowest cost/price proposal. In this case award should be made to the offeror submitting the proposal with the lowest evaluated price or cost.
- The proposals may be determined to be essentially equal in terms of non-cost factors. In this case also, award should be made to the offeror submitting the proposal with the lowest evaluated price or cost.
- When the proposal with the lowest evaluated price or cost is other than the proposal(s) with higher non-cost merit, the source selection authority must perform a cost/technical tradeoff analysis to decide whether the technical superiority of the other proposal(s) warrants payment of the additional price or cost.

## **Making the Cost/Technical Tradeoff Analysis**

Ratings are merely guides for decision making. The source selection authority is responsible for independently determining whether non-cost advantages are worth the cost/price that might be associated with a higher rated proposal. The decisive element is not the difference in ratings, but

the source selection authority's rational judgement of the significance of that difference, based on an integrated comparative assessment of proposals.

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**There is no magic formula for  
making the cost/technical tradeoff**

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When making the cost/technical tradeoff leading to the selection decision, there is no "magic" formula. The cost/technical tradeoff and the source selection decision, which must be consistent with the solicitation, require that the source selection authority exercise reasonable business judgment in selecting the offeror for contract award. The information considered should include an analysis of the following:

- The proposals' total evaluated price or cost.
- The significance of the differences in the non-cost ratings as indicated by each proposal's strengths, weaknesses, and risks. The strengths, weaknesses, and risks for each factor must be considered in light of the relative importance of each factor stated in the solicitation.

In performing a tradeoff, consider following steps such as these to arrive at a rational decision that can be well documented:

- Compare the proposal differences that surfaced during your evaluations;
- Define these differences and analyze their impact on performance objectives;
- Make paired comparisons, comparing each proposal to each of the others;
- Assess the best mix of cost and non-cost benefits and determine whether the strengths of higher rated proposals are worth the price premium.

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**A price premium must be justified  
regardless of the superiority of the rating**

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It is essential to document cost/technical tradeoff judgments with detailed narrative explaining the relevant facts and supporting rationale. Mere statements of conclusion based on ratings or scores alone are not acceptable. The cost/technical tradeoff documentation must explicitly justify a price premium regardless of the superiority of the selected proposal's technical or non-cost rating. This justification is required even when the solicitation indicates that non-cost factors are more important than cost/price. The justification must clearly state what benefits or advantages the Government is getting for the added cost/price and why it is in the Government's interest to expend the additional funds.

Where it is determined that the non-cost benefits offered by the higher priced, technically superior offeror are not worth the price premium, an explicit justification is also necessary. In this case, the documentation must clearly show why it is reasonable in light of the significance of the differences to pay less money for a proposal of lesser technical merit.

To determine which proposal provides the best value, the source selection authority must analyze the differences between competing proposals. This analysis must be based on the facts and circumstances of each acquisition and must be consistent with the solicitation.

This analysis ensures a disciplined and documented process for an integrated comparison of proposals and a rational basis for the source selection authority's ultimate decision.

### **Documenting the Proposal Comparison**

Documentation explaining the final results of the evaluation should be prepared for the source selection authority to use in making the selection decision. This documentation should include the technical and/or past performance evaluation results, the cost/price evaluation, and the comparative value analysis, if applicable, for each proposal in the competitive range. The documentation should also include other considerations such as the results of negotiations.

For more complex source selections, this is accomplished by means of a formal report that is provided to the source selection authority. For less complex source selections, the documentation may be included as part of the Price Negotiation Memorandum. It should be simple but concise and should cross-reference rather than repeat information in existing documents as much as possible (e.g., the source selection plan, evaluation team consensus report). The analysis and comparisons in this documentation should be used as an aid to the source selection authority's judgment -- not as a substitute for judgment.

The documentation may contain:

- Introductory information such as:
- Data about the source selection plan.
- The basis for award and evaluation factors and subfactors.
- Participants in the evaluation process.
- Solicitation requirements.
- The number of offerors solicited.
- The offerors who responded and those in the competitive range.
- A summary of each proposal within the competitive range

<p>Summary matrix shows how evaluation results for each offeror are <u>integrated</u> at the factor level for use in documenting the proposal comparison. All ratings must be supported with narrative that describes the proposal's strengths, weaknesses, and risks.</p>	
<p>FACTORS</p>	
<p><b><u>TECHNICAL MERIT</u></b>  Summarizes assessment of the offeror's proposal, including risks, as measured against the technical subfactors  <b>Example: Satisfactory</b></p>	<p>Technical Subfactor 1  Technical Subfactor 2  Technical Subfactor 3  Technical Subfactor 4</p>
<p><b><u>PERFORMANCE RISK</u></b>  Summarizes assessment of the offeror's demonstrated performance on recent, relevant contracts relative to the past performance subfactors.  <b>Example: Satisfactory</b></p>	
<p><b><u>COST/PRICE</u></b>  Reflects the total proposed cost or price. Where cost realism is evaluated, the cost also reflects the probable cost resulting from any adjustments made for cost realism.  <b>Example: Proposed Cost \$XXX</b>  <b>Most P Most Probable Cost \$XXX</b></p>	

- Comparative analyses of both cost and non-cost factors of the proposals within the competitive range. The factors and subfactors evaluated should be discussed, first individually and then comparatively. The comparative cost analysis should explain the reasonableness, realism, and rationale of each offeror's price or cost proposal. Each proposal's major strengths, weaknesses, risks, as well as the details and results of the tradeoff analysis should be included.

Matrix shows summary comparative evaluation results for all offerors within the competitive range. The supporting comparative analysis must document the integrated assessment of the technical (merit and risk), performance risk, and evaluated cost of the proposals relative to the factors and subfactors and to each other.

	TECHNICAL		PERFORMANCE	EVALUATED COST
<u>OFFEROR</u>	<u>MERIT/RISK</u>		<u>RISK</u>	<u>(Most Probable Cost)</u>
A	Outstanding		Above Average	\$171,503,971
B	Outstanding		Satisfactory	\$134,983,305
C	Above Average		Satisfactory	\$120,976,836
D	Outstanding		Satisfactory	\$150,840,308
E	Satisfactory		Above Average	\$115,751,933

- A discussion of the overall impact of significant risks associated with each proposal within the competitive range. This discussion may address, for example:
  - Technical risks inherent in the offeror’s proposed approach.
  - Degree of confidence in the realism of the offeror’s cost or price proposal taking into consideration technical and schedule risk.
  - Production risks relating to new technologies and overall production competence.
  - Performance risks relative to the offeror’s record of recent and relevant past performance.
- A summary of the comparative analyses, expressed in brief statements, of the issues considered significant to the source selection authority’s decision. If requested by the source selection authority, a selection recommendation would be included.

## **Documenting the Selection Decision and Awarding the Contract**

Documentation setting forth the decision rationale must be prepared to support the source selection authority's decision. The selection statement must be a stand-alone document that succinctly and accurately provides rationale for the selection. It should explain how the successful proposal measured up against other offerors based on the evaluation factors and subfactors in the solicitation. It should also explain the tradeoff judgments, including benefits associated with additional cost.

This document becomes part of the official contract file and can even be released, provided that any information exempt under the Freedom of Information Act (FOIA) is not released. This can ease the debriefing process by showing offerors who request a debriefing the rationale and logic used by the source selection authority. After the source selection authority has signed the selection decision document, the contracting officer may execute and distribute the contract.

<b>Source Selection Decision Document for (specify product/service &amp; RFP #)</b>
<b>1. Decision Statement.</b>
<b>Example:</b> As Source Selection Authority for this acquisition, I have determined that the XYZ product/service proposed by Offeror C provides the best overall value to satisfy Army needs. This selection was made based upon the factors and subfactors established in the solicitation and my integrated assessment and comparison of the strengths, weaknesses, and risks of the proposals submitted in response to the solicitation. This memorandum documents the basis for my decision.
<b>2. Brief description of the product/service called for in the solicitation.</b>
<b>3. Brief description of the Basis for Award including the major factors against which proposals were measured and their relative order of importance.</b>
<b>4. A list of offerors in the competitive range.</b>
<b>5. Rationale for business judgments and tradeoffs. Include the following:</b>
<ul style="list-style-type: none"> <li>• Succinctly compare each proposal to each of the others, focusing on key proposal differences (strengths, weaknesses, and risks) that surfaced in the evaluation and their impact on the acquisition objectives.</li> </ul>
<ul style="list-style-type: none"> <li>• Clearly explain specific tradeoffs that led to the decision.</li> </ul>
<ul style="list-style-type: none"> <li>• Clearly explain the specific benefits of technically superior offeror(s) and why they are or are not significant enough to warrant any additional cost.</li> </ul>
<b>6. Summary.</b>
<b>Example:</b> In summary, based on my integrated assessment of all proposals in accordance with the specified evaluation factors and subfactors, it is my decision that Offeror C's proposal offers the best overall value.
<b>Signature</b> <b>Source Selection Authority</b>

## **Notification and Debriefing of Unsuccessful Offerors**

When a contract is awarded as the result of a source selection, unsuccessful offerors must be debriefed and furnished the basis for the selection decision and contract award upon their written request. In addition, offerors excluded from the competitive range or otherwise excluded from the competition before award may request either a pre-award or post-award debriefing. A debriefing may also be provided to the successful offeror.

*Debrief offerors promptly, at their request, as to the basis for the selection decision. Candidly explain the results of the Government's evaluation of their proposal without making any point-by-point comparisons with the content of other proposals.*

It is extremely important to promptly notify and debrief an offeror. Since each offeror puts considerable resources into preparing and submitting a proposal, fairness dictates that you explain why a proposal was unsuccessful. Early notification will also permit unsuccessful offerors to release the resources that would have been devoted to the contract effort so they can be used on other work. It is also in the Government's best interest to fully inform the offeror of the proposal's shortcomings so that the same mistakes are not repeated in future acquisitions. These actions reduce the cost of the competitive process and encourage the offeror to view the Government marketplace as a worthwhile area to invest its resources, thereby increasing competition. See Appendix F for guidelines on conducting debriefings.

## **Top Ten Messages**

***1. Use a source selection approach commensurate with the acquisition's evaluation needs.***

- Don't make source selection more complicated and expensive than necessary.***

***2. Invest in command or program resources needed for a competent and well documented best value source selection.***

- Include the source selection authority as an active participant -- this is not a "figure head" position.***
- Train evaluators in best practices.***

***3. Understand the importance of planning.***

- Think through the entire process.***
- Prepare a source selection plan before the solicitation.***

***4. Structure the solicitation to communicate effectively to potential offerors:***

- Government requirements and mission objectives.***
- The information needed to evaluate the proposal.***
- The ground rules the government will use to select the best value proposal.***
- Evaluation factors and subfactors and their relative importance.***

***5. State requirements functionally to the maximum extent possible.***

- Limit use of design requirements.***

***6. Document strengths, weaknesses, risks and associated value of proposals to support the cost/technical tradeoff.***

***7. Justify a price premium with cost/technical tradeoff documentation regardless of the selected proposal's technical superiority.***

***8. Ensure that the source selection decision is consistent with the solicitation.***

***9. Do a proper and timely debriefing.***

***10. Document lessons learned.***