Statement of Work

West Publishing Clear Software or EQUAL

1. **Background:**

The Office of Criminal Investigations (OCI) is the Food & Drug Administration's law enforcement arm responsible for investigating suspected criminal violations of the Federal Food, Drug, and Cosmetic Act, the Federal Anti-Tampering Act, and other related federal statutes. OCI's Investigative Analysis Branch (IAB) is tasked with the responsibility of supporting criminal investigations through researching resources to validate and corroborate data obtained during criminal investigations.

2. **Objective:**

OCI's IAB needs a secure, aggregate, web-portal resource for access to public and commercial telephone directories and law enforcement records.

3. **Summarized Scope of Work**:

FDA/OCI requires access to a secure database (West Publishing Clear OR EQUAL) to access public, commercial and law enforcement records for all city, county, state, and federal records in the United States. The database shall have the following salient functional characteristics:

- Secure Access to this resource shall be via a hypertext transfer protocol secure web-based interface from public access and limited to only authorized end users.

- Queries submitted by FDA/OCI end users shall be cloaked from the Contractor due to the sensitivity of OCI's investigations. Neither the Contractor nor any third parties may have access to the actual query and results for any internal review purposes.

- The reports obtained from this database shall be collected, collated, and collaborated to provide an overview of the entities of interest to OCI.

- Telephone numbers: Search for/Provide
    - Reverse residential and commercial landline telephone numbers;
    - Reverse cell phone numbers;
    - Reverse voice over internet protocol (VoIP) phone numbers in the United States and Canada
    - Address (street number, street name, city, state, ZIP code) for all telephone queries
    - Carrier contact information

- Person Search: Search for a person based on combinations of first name, middle name, last name, SSN, age range, date of birth, address, city, state, zip.

- Credit Reporting: The database shall provide current credit header information from Trans Union, Equifax and Experian. This information shall provide the most current, up-to-date

address information as well as high-risk address alerts such as mail drops, known fraudulent site activity and non-existent addresses.

- People at Work Search: Search for people based on possible business relationships and places of employment.
- Workplace Locator: Search for a subject's possible workplaces.
- People in the News: Search for news articles based on a person.
- Batch Person Search: Search for current "best" information on a limited list of subjects
- Advanced Person Search: Search for a person using advanced criteria such as previous city and state, relatives' names, and previous last name.
- Death Records Search: Search death records nationwide.
- Email Search: Search Email records (including reverse search)
- Virtual Identity Search: Search for Virtual Identities
- Social Media Monitor: Searches must include the ability to query social networking sites, blogs, chat rooms, RSS feeds, and avatars. The social networking sites must, at a minimum, include Facebook, Twitter, YouTube, Google + and Instagram. The results of these searches shall contain available names, e-mail addresses, user names, photos, hashtags and telephone numbers.
- Power search: Search using people, business, and proper ties using Boolean logic.
- Business search: Search for businesses based on combinations of company name, individual names, TIN, FEIN, address, city, state, zip, or telephone.
- Corporate Filings Search: Search for corporate filings based on combinations of company name, officer names, address, city, state, zip. This information shall also include any fictitious business names/doing business as ("dba") listings.
- UCC Filings Search: Search by company name or address to find UCC (commercial lien) filings.
- Automated Valuation Models: Provides a composite report of residential property information, including three valuation models, to provide the best estimate of the current market value of the property interest.
- Internet Domains Search: Search by company name, contact name, address or domain name to find internet domain registrations.
- FAA Aircraft Search: Search for aircraft registrations based on combinations of names, address, or aircraft number.

- Motor Vehicle Search: Search for motor vehicle registrations based on combinations of first name, middle name, last name, VIN, driver's license number, license plate, company name, SSN, address, city, state, county, zip.
- Real-Time Motor Vehicle Registrations Search: Search for current and historical motor vehicle registrations.
- Property Search: Search by name, company, address, or parcel number for property tax assessment and/or property deed records.
- Watercraft Search: Search commercial and personal craft by name, company, address, hull ID, or vessel name.
- Driver's License Search: Search driver's license registrations based on combinations of first name, middle name, last name, driver's license number, SSN, date of birth, address, city, state, zip.
- Driver's License Wildcard: Search the DL Wildcard search window allows you to query combinations of Driver's License data. Wildcard Search accesses DL data to run matches on partial license numbers.
- Professional Licenses: Search by name, social security number, address, or professional license number to find individuals that have or have had a professional license.
- Utility Records: Search for utility records (electricity, water, cable, telephone) for businesses and individuals.
- FAA Certifications Search: Search by name or address to find individuals that have or have had pilot, mechanic, trainer, or other FAA certifications.
- Hunting and Fishing Licenses: Search by name, address, or SSN to find individuals that have or have had hunting or fishing licenses.
- Federal Firearms & Explosives: Search by name, address, or license number to find individuals or businesses that have or have had ATF firearms and explosives licenses.
- Concealed Weapon Permit: Search by name or address to find individuals that have or have had a permit to carry a concealed weapon.
- DEA Controlled Substances Search: Search by name, address, or SSN to find individuals or businesses that have or have had DEA controlled substances licenses.
- Voter Registration Search: Search for Voter Registration records
- Phones Plus: Search for phone numbers not found in traditional Directory Assistance searches.

- Directory Assistance: Search listed phone numbers based on combinations of first name, middle initial, last name, phone number, address, city, state, zip.
- Civil Court Records: Search by name or address to find civil court records.
- Bankruptcy & Liens and Judgments Search: Search for individuals or businesses that have filed for bankruptcy and/or tax liens or judgments.
- Official Records Search: Search by name and location for miscellaneous official court filings and other documents.
- Marriages & Divorces: Search marriage and divorce records by name and location.
- Sexual Offenders Search: Search by name, social security number or address to find records in an integrated database of public sexual offenders.
- Advanced Sexual Offender Search: Search by name, social security number, date of birth, address, or radius, including unregistered, historical, and associated addresses in addition to registered addresses.
- Global Watch List Search: Search government lists provided by several organizations, including the Office of Foreign Assets Control (OFAC), the United Nations Named Terrorist lists and the US Bureau of Industry and Security Denied Entity and Person list.
- Criminal Records Search: Search Criminal records based on combinations of first name, middle name, last name, SSN, DOC#, address, city, state, and county. Criminal records searches must include any incarceration records and photo images of criminal suspects.
- Foreclosures Search: Search foreclosure records by name, company, or address.
- National Motor Vehicle Accidents: Search accident reports by name, company, address, accident number, license number, VIN, or tag number.
- Wildcard Search: Provides “wildcard” searching of motor vehicle data to generate matches on partial license plate tags or VINs, as well as car makes, models, colors.
- Relationship Analysis: Graphically presents relationships between individuals, addresses, vehicles, and corporations.
- Custom Comprehensive Reports: Creates a combined, customized, comprehensive report compiled from all datasets for either a company or a person.
- Comprehensive Reports: Creates a comprehensive report compiled from all datasets for either a company or a person.

- Business Reports: Creates a combined, customized, comprehensive report for a company, including address, contact information, phone, and TIN.
- Alerts and Notifications: Establish automatic alerts and receive notifications.
- Web-based User Guide
- Dynamic Chain: Searching Select individual or groups of records from the results of one search and use them as input records for another query.
- Query History: When enabled, records all queries run along with their results. Allows user to organize queries, full or partial results, and other files into cases.
- Query List: Lists queries run in current session and provides the capability to rerun them.
- Results and Reports: Print and/or save results and report.
- Unified searching capability. The unified searching would allow OCI to search the Contractor's database as well as other affiliated third-party databases which include credit bureaus and telephone service providers.
- All query results must be provided to the end user within five (5) minutes.
- All reports must be in Microsoft Excel, Rich Text, or Adobe Acrobat format.
- The Contractor shall provide a means of searching its web-portal resource via a CPU, laptop and Blackberry device. Any information requested and generated via the Blackberry device shall be retained for a minimum of a week by the Contractor and available to OCI end users for later viewing.
- The Contractor shall provide a toll-free helpdesk support phone number or e-mail. Helpdesk support must be available to end users at a minimum of 360 days of the year. The web-portal resource shall be made available to end users at any location with an internet connection.

4. <u>Deliverables</u>

Schedule of Deliverables	
Deliverables	Timeframe (after contract award)
Deliver twenty (20) West Publishing Clear OR EQUAL licenses with the capacity to increase up to twenty West Publishing Clear Licenses OR EQUAL over five (5) years.	Deliver Twenty (20) concurrent licenses: 10 days after award **<u>Optional</u>** Line Item: Deliver up to an additional 20 concurrent licenses a year within over the

	five-year potential period of the contract
Helpdesk Support	As required

5. Technical Environment Constraints

The web-portal database shall be accessible via the internet and accessible to the ender user through Microsoft Explorer, Google Chrome and Mozilla Firefox browsers.

6. Section 508

If any of the work performed in this SOW impact the accessibility of the product as defined under Section 508 of the Rehabilitation Act (29 U.S.C. '794 d), the FDA will require an updated Voluntary Product Accessibility Template (VPAT) or HHS Section 508 Evaluation Template Product Accessibility Template (PAT) for TeamPage (see http://www.hhs.gov/od/vendors/index.html).

Pursuant to Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d) as amended by Public Law 105–220 under Title IV (Rehabilitation Act Amendments of 1998), all Electronic and Information Technology (EIT) developed, procured, maintained, and/or used under this contract shall be in compliance with the ''Electronic and Information Technology Accessibility Standards'' set forth by the Architectural and Transportation Barriers Compliance Board (also referred to as the ''Access Board'') in 36 CFR part 1194. The complete text of Section 508 Final Standards can be accessed at http://www.access-board.gov/sec508/standards.htm.

The standards applicable to this requirement are:

Subpart B, 1194.21 Software applications and operating systems

(a) When software is designed to run on a system that has a keyboard, product functions shall be executable from a keyboard where the function itself or the result of performing a function can be discerned textually.

(b) Applications shall not disrupt or disable activated features of other products that are identified as accessibility features, where those features are developed and documented according to industry standards. Applications also shall not disrupt or disable activated features of any operating system that are identified as accessibility features where the application programming interface for those accessibility features has been documented by the manufacturer of the operating system and is available to the product developer.

(c) A well-defined on-screen indication of the current focus shall be provided that moves among interactive interface elements as the input focus changes. The focus shall be programmatically exposed so that assistive technology can track focus and focus changes.

(d) Sufficient information about a user interface element including the identity, operation and state of the element shall be available to assistive technology. When an image represents a program element, the information conveyed by the image must also be available in text.

(e) When bitmap images are used to identify controls, status indicators, or other programmatic elements, the meaning assigned to those images shall be consistent throughout an application's performance.

(f) Textual information shall be provided through operating system functions for displaying text. The minimum information that shall be made available is text content, text input caret location, and text attributes.

(g) Applications shall not override user selected contrast and color selections and other individual display attributes.

(h) When animation is displayed, the information shall be displayable in at least one non-animated presentation mode at the option of the user.

(i) Color coding shall not be used as the only means of conveying information, indicating an action, prompting a response, or distinguishing a visual element.

(j) When a product permits a user to adjust color and contrast settings, a variety of color selections capable of producing a range of contrast levels shall be provided.

(k) Software shall not use flashing or blinking text, objects, or other elements having a flash or blink frequency greater than 2 Hz and lower than 55 Hz.

(l) When electronic forms are used, the form shall allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

Subpart B, 1194.22 Web-based intranet and internet information and applications.

(a) A text equivalent for every non-text element shall be provided (e.g., via "alt", "longdesc", or in element content).

(b) Equivalent alternatives for any multimedia presentation shall be synchronized with the presentation.

(c) Web pages shall be designed so that all information conveyed with color is also available without color, for example from context or markup.

(d) Documents shall be organized so they are readable without requiring an associated style sheet.

(e) Redundant text links shall be provided for each active region of a server-side image map.

(f) Client-side image maps shall be provided instead of server-side image maps except where the regions cannot be defined with an available geometric shape.

(g) Row and column headers shall be identified for data tables.

(h) Markup shall be used to associate data cells and header cells for data tables that have two or more logical levels of row or column headers.

(i) Frames shall be titled with text that facilitates frame identification and navigation.

(j) Pages shall be designed to avoid causing the screen to flicker with a frequency greater than 2 Hz and lower than 55 Hz.

(k) A text-only page, with equivalent information or functionality, shall be provided to make a web site comply with the provisions of this part, when compliance cannot be accomplished in any other way. The content of the text-only page shall be updated whenever the primary page changes.

(l) When pages utilize scripting languages to display content, or to create interface elements, the information provided by the script shall be identified with functional text that can be read by assistive technology.

(m) When a web page requires that an applet, plug-in or other application be present on the client system to interpret page content, the page must provide a link to a plug-in or applet that complies with §1194.21(a) through (l).

(n) When electronic forms are designed to be completed on-line, the form shall allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

(o) A method shall be provided that permits users to skip repetitive navigation links.

(p) When a timed response is required, the user shall be alerted and given sufficient time to indicate more time is required.

Subpart C, 1194.31 Functional Performance Criteria

(a) At least one mode of operation and information retrieval that does not require user vision shall be provided, or support for assistive technology used by people who are blind or visually impaired shall be provided.

(b) At least one mode of operation and information retrieval that does not require visual acuity greater than 20/70 shall be provided in audio and enlarged print output working together or independently, or support for assistive technology used by people who are visually impaired shall be provided.

(c) At least one mode of operation and information retrieval that does not require user hearing shall be provided, or support for assistive technology used by people who are deaf or hard of hearing shall be provided.

(d) Where audio information is important for the use of a product, at least one mode of operation and information retrieval shall be provided in an enhanced auditory fashion, or support for assistive hearing devices shall be provided.

(e) At least one mode of operation and information retrieval that does not require user speech shall be provided, or support for assistive technology used by people with disabilities shall be provided.

(f) At least one mode of operation and information retrieval that does not require fine motor control or simultaneous actions and that is operable with limited reach and strength shall be provided.

Subpart D, 1194.41 Information, Documentation, and Support

(a) Product support documentation provided to end-users shall be made available in alternate formats upon request, at no additional charge.

(b) End-users shall have access to a description of the accessibility and compatibility features of products in alternate formats or alternate methods upon request, at no additional charge.

(c) Support services for products shall accommodate the communication needs of end-users with disabilities

7. **FDA Points of Contact**

   Contracting Officer

   TBD

   Project Officer/COR

   TBD

8. **Period of Performance**

FDA anticipates awarding a one (1) year base award with four (4) option periods.

9. <u>Place of Performance</u>

FDA-OCI
10903 New Hampshire Ave
Silver Springs, MD 20993

10. <u>FAR CLAUSES</u>

52.211-6 Brand Name or Equal (Aug 1999)

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

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

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

(2) Clearly identify the item by—

(i) Brand name, if any; and

(ii) Make or model number;

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

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

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

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

(End of provision)

11. **<u>HHSAR CLAUSES</u>**

352.202-1 Definitions (January 2006)

''(a) The term ''Secretary'' or ''Head of the Agency'' (also called ''Agency Head'') means the Secretary, Deputy Secretary, or any Assistant Secretary, Administrator or Commissioner of the Department of Health and Human Services; and the term ''his/her duly authorized representative'' means any person, persons, or board authorized to act for the Secretary.''

''(h) The term ''Contracting Officer's Technical Representative" means the person who monitors the technical aspects of contract performance. The Contracting Officer's Technical Representative is not authorized to issue any instructions or directions which cause any increase or decrease in the Statement of Work/Performance Work Statement/Specifications which would result in the increase or decrease in the price of this contract, or changes in the delivery schedule or period of performance of this contract. If applicable, the Contracting Officer's Technical Representative is not authorized to receive or act upon any notification or revised cost estimate provided by the Contractor in accordance with the Limitation of Cost or Limitation of Funds clauses of this contract.''

352.203-70 Anti-lobbying. (January 2006)

Pursuant to the current HHS annual appropriations act, except for normal and recognized executive-legislative relationships, the Contractor shall not use any HHS contract funds for (i) publicity or propaganda purposes; (ii) the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself; or (iii) payment of salary or expenses of the Contractor, or any agent acting for the Contractor, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

(End of clause)

352.222-70 Contractor Cooperation in Equal Employment Opportunity Investigations (January 2010)

(a) In addition to complying with the clause in **FAR 52.222-26,** Equal Opportunity, the Contractor shall, in good faith, cooperate with the Department of Health and Human Services (Agency) in investigations of Equal Employment Opportunity (EEO) complaints processed pursuant to **29 C.F.R. Part 1614.** For purposes of this clause, the following definitions apply:

(1) "Complaint" means a formal or informal complaint that has been lodged with Agency management, Agency EEO officials, the Equal Employment Opportunity Commission (EEOC), or a court of competent jurisdiction.

(2) “Contractor employee” means all current Contractor employees who work or worked under this contract. The term also includes current employees of subcontractors who work or worked under this contract. In the case of Contractor and subcontractor employees, who worked under this contract, but who are no longer employed by the Contractor or subcontractor, or who have been assigned to another entity within the Contractor’s or subcontractor’s organization, the Contractor shall provide the Agency with that employee’s last known mailing address, e-mail address, and telephone number, if that employee has been identified as a witness in an EEO complaint or investigation.

(3) “Good faith cooperation” cited in paragraph (a) includes, but is not limited to, making Contractor employees available for: (i) formal and informal interviews by EEO counselors or other Agency officials processing EEO complaints; (ii) formal or informal interviews by EEO investigators charged with investigating complaints of unlawful discrimination filed by federal employees; (iii) reviewing and signing appropriate affidavits or declarations summarizing statements provided by such Contractor employees during the course of EEO investigations; (iv) producing documents requested by EEO counselors, EEO investigators, Agency employees, or the EEOC in connection with a pending EEO complaint; and (v) preparing for and providing testimony in hearings before the EEOC and U.S. District Court.

(b) The Contractor shall include the provisions of this clause in all subcontract solicitations and subcontracts awarded at any tier under this contract.

(c) Failure on the part of the Contractor or its subcontractors to comply with the terms of this clause may be grounds for the Contracting Officer to terminate this contract for default.

(End of clause)

352.231-71 Pricing of Adjustments (January 2001)

When costs are a factor in determination of a contract price adjustment pursuant to the "Changes" clause or any provision of this contract, the applicable cost principles and procedures set forth below shall form the basis for determining such costs:

Cost Principles	Types of Organizations
Subpart 31.2 of the Federal Acquisition Regulation	Commercial
Subpart 31.3 of the Federal Acquisition Regulation	Educational
Subpart 31.6 of the Federal Acquisition Regulation	State, local, and federally recognized Indian tribal governments
45 CFR Part 74 Appendix E	Hospitals (performing research and development contracts only)

Subpart 31.7 of the Federal Acquisition Regulation	Other nonprofit organizations

(End of clause)

12. <u>Invoicing:</u>

A. The Contractor shall submit all invoices to all addressees in the manner specified below:

(I) One original and one copy to the approving official:

U.S. Food and Drug Administration

Office of Acquisitions and Grants Services

Attention: TBD

5630 Fishers Lane

Room XXXX, HFA-500

Rockville, MD 20857

Email: TBD

(II) One copy to the Contracting Officer Representative (COR) or other program center/office designee, clearly marked "Courtesy Copy Only."

U.S. Food and Drug Administration

Attn: TBD

7500 Standish Place, Suite N250

Rockville, MD 20855

Email: TBD@fda.hhs.gov

B. Invoices submitted under this contract must comply with the requirements set forth in FAR Clauses 52.232-25 (Prompt Payment) and 52.232-33 (Payment by Electronic Funds Transfer – Central Contractor Registraton) and/or other applicable FAR clauses specified herein. To constitute a proper invoice, the invoice must be submitted on company letterhead and include each of the following:

(I) Name and address of the contractor;
(II) Invoice date and invoice number;
(III) Purchase order/award/number
(IV) Description, quantity, unit of measure, unit price, and extended price supplies delivered or services performed, including:
  i. Period of performance for which costs are claimed;
  ii. Itemized travel costs, including origin and destination;
  iii. Any other supporting information necessary to clarify questionable expenditures;

(V) Shipping number and date of shipment, including the bill of lading number and weight of shipment if shipped on government bill of lading;
(VI) Terms of any discount for prompt payment offered;
(VII) Name and address of official to whom payment is to be sent (must be the same as that in the purchase order/award, or in a proper notice of assignment);
(VIII) Name, title and phone number of person to notifiy in event of defective invoice;
(IX) Taxpayer identification number (TIN);
(X) Electronic funds transfer (EFT) banking information, including routing transit number of the financial institution receiving payment and the number of the account into which funds are to be deposited;
(XI) Name and telephone number of the FDA Contracting Officer Representative (COR) or other program center/office point of contact, as referenced on the purchase order;
(XII) Any other information or documentation required by the purchase order/award
(XIII) Contractor ____ is _x___is not required to attach an invoice log addendum to each invoice which shall include, at a minimum, the following information for contract administration and reconciliation purposes:
  i. List of all invoices submitted to date under the subject award, including the following:
    1. invoice number, amount and date submitted
    2. corresponding payment amount and date received
  ii. total amount of all payments received to date under the subject contract or order
  iii. for definitized contracts or orders only, total estimated amounts yet to be invoiced for the current, active period of performance.

C. ALL INVOICES MUST BE SUBMITTED IN HARD COPY. ELECTRONIC INVOICES ARE NOT ACCEPTABLE. Official invoices may be submitted by U.S. Postal Service, commercial delivery service or via hand delivery. The contractor may submit an electronic invoice as a courtesy copy only. All payment terms will be determined based on the receipt of the hard copy invoice.

D. Questions regarding invoice payments should be directed to the FDA payment office at:

Office of Financial Services
Food and Drug Administration
10903 New Hampshire Ave
WO32 - Second Floor
MAIL HUB 2145
Silver Spring, MD 20993-0002
Attn: Vendor Payments

301.827.3742 or 866.807.3742

fdavendorpaymentsteam@fda.gov

13. Instructions to Vendors:

Vendors shall submit a quote on or before TBD, 2015 at 12:00 p.m., ET for West Publishing Clear OR EQUAL. If OR EQUAL items are proposed, the Vendor shall provide product specifications for those items proposed. All web-portal resources proposed (whether brand name listed or OR EQUAL items proposed) must satisfy the functional requirements/salient characteristics set forth in the "Items Required" section, above. If an vendor proposes an "or equal" product, the vendor must provide an example where the "or equal" solution was successfully deployed in a similar environment and that the "or equal" solution will provide the same tools and information required by OCI IAB's end users.

14. Evaluation Criteria:

FDA is purchasing this software on a "Brand Name or Equal" basis and the salient characteristics have been provided. In order to be considered an "equal" solution, any alternative solution proposed must be compatible with the current FDA environment and satisfy all of the above salient functional characteristics. For the purposes of this RFQ, FDA defines compatible as meaning that there will be no communication, performance, maintainability issues in FDA's environment. A compatible solution is one that will allow for seamless integration in FDA's current environment. Each alternate component proposed shall demonstrate:

- That there will be *no* communication, performance or maintainability issues in FDA-OCI's current environment.
- Seamless (no application change); any solution must be able to be installed with no change in application code or redevelopment. The ability to maintain service support without any changes in FDA environment
- Performance compatibility of the component vs. the brand name provided.

The award will be made to the lowest price vendor that meets the salient functional characteristics detailed in the performance work statement. Failure to meet any requirement may result in a rating of technically unacceptable. In addition to meeting the salient characteristics the FDA reserves the right to review past performance detailed in the Past Performance Information Retrieval System (PPIRS) to evaluate performance risk. Failure to meet the salient characteristics will result in a rating of technically unacceptable. History of negative past performance will result in possible disqualification from award – regardless of meeting the salient characteristics. If a vendor has no record of performance, the absence of a record of performance will not be held against a vendor.