SECTION L

INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS OR RESPONDENTS

1.0. GENERAL

The Government intends to award multiple firm-fixed price, Indefinite Quantity contracts. The Hardware Acquisition Recompete DLA Direct (HARDD) contract will include a five-year (5) year base period and one five-year (5) option period. The contract will provide material support for hardware and abrasive products in Federal Supply Classes (FSCs):

FSC 5301 | Historical FSC
FSC 5305 | Screws
FSC 5306 | Bolts
FSC 5307 | Studs
FSC 5310 | Nuts and Washers
FSC 5315 | Nails, Machine Keys, and Pins
FSC 5320 | Rivets
FSC 5325 | Fastening Devices
FSC 5330 | Packing and Gasket Materials
FSC 5331 | O-Ring
FSC 5335 | Metal Screening
FSC 5341 | Brackets
FSC 5342 | Hardware, Weapon System
FSC 5345 | Disks and Stones, Abrasive
FSC 5346 | Historical FSC
FSC 5350 | Abrasive Materials
FSC 5355 | Knobs and Pointers
FSC 5360 | Coil, Flat, Leaf, and Wire Springs
FSC 5361 | Historical FSC
FSC 5365 | Bushings, Rings, Shims, and Spacers
FSC 5390 | Historical FSC
FSC 5395 | Historical FSC

1.1. Performance requirements are detailed in the Statement of Work (SOW).

1.2. The following Instructions to Offerors (ITO) cover the preparation and submittal of the Offeror's proposal for this solicitation. Offerors must follow the instructions contained herein. The Offeror's proposal must include all data and information requested by this ITO and must be submitted In Accordance With (IAW) these instructions. The Government reserves the right to award this effort based on the initial proposal, as received, without discussion. Therefore, the Offeror's initial proposal submission should contain the Offeror's best terms from a price and technical standpoint.

1.3. Offerors are reminded that they are required to meet all solicitation requirements, including terms and conditions, representations and certifications, and technical requirements, in addition to those identified as evaluation Factors or Subfactors (SFs). Offerors are cautioned that any noncompliance with the terms and conditions of the Request for Proposal (RFP) may cause their proposal to be determined to be unacceptable and therefore

not considered eligible for award. Offerors must clearly identify any exception to the solicitation terms and conditions and provide complete accompanying rationale.

1.4. Point of Contact:

The Acquisition Specialist is the primary Point of Contact (POC) for this acquisition. The Offeror shall address any questions, concerns, or requests for clarification to Ms. Christina Richardson (Acquisition Specialist) at christina.richardson@dla.mil. The secondary contract is Ms. Amanda Parker, (Contracting Officer or KO) at Amanda.Parker@dla.mil.

1.5. Communications

1.5.1. Exchanges of Source Selection (SS) information between Government and Offerors will be controlled by the KO. All inquiries must be submitted electronically to the KO. Questions, if appropriate as determined by the Government, will be answered as quickly as possible, during the proposal preparation period. When appropriate, answers to questions and concerns will be made available to all Offerors.

1.5.2. Request(s) for clarification and/or information concerning this solicitation shall include the appropriate solicitation reference (i.e., section, page, and/or paragraph), contractor question, and contractor POC information.

1.6. Discrepancies

If an Offeror believes the requirements in these instructions contain an error, omission, or are otherwise unsound, the Offeror shall immediately notify the KO in writing with supporting rationale, as well as the remedies the Offeror is asking the KO to consider as related to the omission or error. When appropriate, Government responses will be provided to all Offerors.

1.7. Amendments to Solicitation

If this RFP is amended, all terms and conditions that are not amended remain unchanged. If the RFP is amended prior to proposal delivery, Offerors shall acknowledge each amendment by signing and returning the front page of each amendment with the proposal submission. If the RFP is amended after proposal submission, Offerors shall respond by the date and time specified in the amendment to include a signed front page of the amended RFP.

1.8. Alternate Proposals

Offerors shall submit only one proposal for HARDD as the Government will review only one proposal per Offeror. Alternate proposals will not be considered.

1.9. Oral Presentations

Oral presentations will not be allowed.

1.10. Debriefings

1.10.1. Pre-Award: The KO will promptly notify Offerors of any decision to exclude them from the competitive range, whereupon they may request and receive a debriefing IAW Federal Acquisition Regulation (FAR) 15.505, *Pre-Award Debriefing of Offerors*. Offerors excluded from the competitive range may request a pre-award debriefing or, at the Offeror's request, this debriefing may be delayed until after award. However, Offerors excluded from the competitive range are entitled to no more than one debriefing.

1.10.2. Post-Award: After award, the KO will notify unsuccessful Offerors in the competitive range of the source selection decision IAW FAR 15.506, *Post-Award Debriefing of Offerors*. Upon such notification, successful/unsuccessful Offerors may request and receive a debriefing. Offerors desiring a debriefing must make their request IAW the requirements of FAR 15.505 or 15.506, as applicable.

2.0. FAR 52.212.1, INSTRUCTIONS TO OFFERORS (ADDENDA)

This section L is intended to supplement the provision at FAR 52.212-1, *Instructions to Offerors-Commercial Products and Commercial Services*. In the event of a conflict, this Section L will take precedence.

2.1 North American Industry Classification System (NAICS) code and small business size standard. The HARDD will be a contract for supplies corresponding NAICS code 332722. This United States (U.S.) Industry comprises establishments primarily engaged in manufacturing hardware and abrasive products. The size standard in number of employees associated with NAICS code 332722 is 500 employees.

2.2 Submission of offers. Submit signed and dated offers to the office specified in this solicitation at or before the exact time specified in this solicitation.

2.3 The Offeror agrees to hold the prices in its offer for 180 calendar days from the date specified in the receipt of offers.

3.0. PROPOSAL SUBMISSION

3.1. Proposals must be received by the KO in the Procurement Integrated Enterprise Environment (PIEE) No Later Than (NLT) the date and time specified in Block 8, Section A of the SF 1449 Solicitation.

3.2. Attachment 11 contains instructions for PIEE access.

3.3. Offerors that include in their proposals data that they do not want disclosed to the public for any purpose, or used by the Government except for evaluation purposes, shall-

3.3.1. Mark the title page with the following legend:
This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed -- in whole or in part -- for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this Offeror as a result of--or in connection with-- the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit the Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets [insert numbers or other identification of sheets]; and

3.3.2. Mark each sheet of data it wishes to restrict with the following legend:
Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this proposal.

3.4 Proposals may be withdrawn by written notice received at any time before award.

4.0. PROPOSAL PREPARATION INSTRUCTIONS

4.1. General Instructions

4.1.1. Proposals shall be in the English language and all monies shall be proposed in United States dollars.

4.1.2. The proposal must be complete, self-sufficient, and respond directly to the requirements of this solicitation. The proposal shall be clear, concise, and shall include sufficient detail for effective evaluation and for substantiating the validity of stated claims. The proposal should not simply rephrase or restate the Government's requirements.

4.1.3. The Offeror's proposal shall address how the Offeror intends to meet the Government's requirements and evidence of the effectiveness and ability to execute the proposed methodology. The proposed approach must clearly demonstrate the full capability and experience the Offeror possesses for performing activities to meet contract requirements. The Offeror shall demonstrate how the capabilities will apply to HARDD.

4.1.4. Offerors shall assume that the Government has no prior knowledge of the Offeror's facilities and experience. The Government will base its evaluation solely on the information presented in the Offeror's proposal.

4.1.5. Elaborate brochures or documentation, binding, detailed art work, or other embellishments are unnecessary and are not desired.

4.1.6. For purposes of this proposal, "team" includes all partners, teammates, Joint Venture members, Subcontractors, universities, technical institutions, and any other similar entities, unless otherwise specified.

4.2. Volume Organization

The response shall consist of four (4) volumes:

-Volume I- Factor 1: Technical/Management: Gated factor; rated pass/fail

- Subfactor 1: Quality Assurance (ISO Cert)
- Subfactor 2: Small Business Management

-Volume II- Factor 2: Past Performance (SPRS)

-Volume III- Factor 3: Price

-Volume IV: Contract

The Technical/Management factor will be evaluated on a Pass/Fail basis; any offer who fails Technical/Management will not be eligible for award and will not be considered in the tradeoff decision.

4.2.1. The Offeror shall prepare the proposal as set forth in Table 1, *Proposal*

Organization, below. The titles and contents of the volumes shall be as defined in the table.

4.2.2. Each volume shall be marked with the RFP number, the Offeror's name and address, and the number of the volume.

4.2.3. Each page containing proprietary information should be so marked. The following must be stamped at the bottom, or in the footer, of each page.

4.2.4. All volumes shall be within the required page limits specified in Table 1.

Volume	Volume Title	Page Limit	Format	Description
I	Factor 1: Technical/ Management	10	PDF or Microsoft Word	Subfactor 1: Quality Assurance Subfactor 2: Small Business Management
II	Factor 2: Past Performance	25	PDF or Microsoft Word	
III	Factor 3: Cost/Price	N/A	Microsoft Excel	
IV	Contract Documentation	N/A	PDF or Microsoft Word	• Executive Summary • Request for Proposal • Representations and Certifications • Other Information

4.3. Page Limitations

4.3.1. All volumes shall be within the required page limits specified in Table 1.

4.3.2. Individual page limitations shall be treated as maximums. If exceeded, excess pages will be removed from the back of the proposal section and not be read nor considered in the evaluation of the proposal.

4.3.3. Each page shall be counted except for the following: blank pages, title pages, tables of contents, lists of tables and drawings, cross-reference matrices, tabs, listing of abbreviations and acronyms, and glossaries.

4.3.4. If Evaluation Notices (ENs) are issued, page limitations may be placed on responses. The specified page limits for EN responses will be identified in the communications forwarded with the ENs to the Offerors.

4.4. Page Size and Format

4.4.1. A page is defined as each face of a sheet of paper containing information. When both sides of a sheet display printed material, it shall be counted as two pages.

4.4.2. Page size shall be 8.5 x 11 inches. The only exception will be foldout pages (up to 11 x 17) for detailed foldout graphics.

4.4.3. Text shall be Times New Roman, 12-point font (text in tables shall be no smaller than 10 point font).

4.4.3.1. For charts, graphs, and figures, alternate fonts will be accepted, however text shall be legible and no smaller than 8-point.

4.4.3.2. The Offeror must ensure that if printed, all text is readable.

4.4.4. Pages shall be numbered within each volume.

4.4.5. Smaller, but readable fonts may be used for headers and footers.

4.5. Cross-Referencing

4.5.1. Each volume shall be written on a stand-alone basis so that its contents may be evaluated without cross-referencing to other volumes of the proposal.

4.5.2. Information required for proposal evaluation which is not found in its designated volume will be assumed to have been omitted from the proposal.

4.6. Glossary of Abbreviations and Acronyms

4.6.1. Each volume shall contain a glossary of all abbreviations and acronyms used, and an explanation for each.

4.6.2. Glossaries do not count against the page limitations for the respective volumes.

5.0 VOLUME I - FACTOR 1: TECHNICAL/MANAGEMENT

Subfactor 1: Quality Assurance: Provide evidence of Higher-Level Quality Certification in accordance with ISO 9001 or equivalent. The certification shows the Offeror has a higher level quality system; the capabilities of the quality system to ensure the Government receives an item from an approved source in

the item description every time; the capabilities of the quality system to ensure counterfeit material does not enter the supply chain; outline the Record Retention System to be put in place for this program; describe in detail the ability to control, read and interpret Government technical data packages as well as the ability to recognize and communicate necessary deviations to specifications; describe how interaction with the Government and manufacturing source will take place on technical / quality related issues, and explain in detail all actions that will be taken to satisfy the inspection / quality / testing requirements imposed for each item identified on the contract.

Subfactor 2: Small Business Management: The Offeror shall submit a Small Business Commitment Document (SBCD) that will describe the extent of small business commitment. Throughout the life of the contract, on an annual basis, the awardee will report small business participation results and how the results compare to the proposed SBCPD. The required format for the SBCPD is below:
Check the applicable size and categories for the PRIME Offeror only -- Check all applicable boxes:
{ } Large Prime
{ } Historically Black Colleges or Universities and Minority Institutions (HBCU)
or
{ } Small Business Prime; also categorized as a
{ } Small Disadvantaged Business (SDB)
{ } Woman-Owned Small Business (WOSB)
{ } Historically Underutilized Zone (HUB Zone) Small Business
{ } Veteran Owned Small Business (VOSB)
{ } Service-Disabled Veteran Owned Small Business (SDVOSB)

(1) Describe the extent to which such firms are specifically identified in proposals.

- Provide a listing of proposed subcontractors with their specific names, Commercial and Government Entity (CAGE) code(s), and respective socio-economic categories to the extent they are known.

(2) Address the extent of commitment to use such firms (enforceable commitments such as long-term agreements are to be weighted more heavily than non-enforceable ones).

- Describe the extent of commitment to use small businesses. Provide a listing of all small business subcontractors and types of commitments if any are in place for this specific acquisition, such as, written contract, purchase order, exclusivity arrangements, joint venture and mentor-protégé.
- Provide a description of the efforts your company will make and implement to assure that small business concerns and socio-economic categories - VOSB SDVOSB; HUBZone; SDB; Ability One; or a WOSB concern will have equal opportunity to compete for subcontracts under any resulting contract.
- Provide the name and title of the individual principally responsible for ensuring company support to such firms.

(3) Identify the complexity and variety of the work small firms are to perform.

- Describe your current and planned proposed range of services, supplies, and any other support that will be provided to you by small business and socio-economic categories.

- Provide a listing of principle supplies/services to be performed by Small Businesses. Be as specific as possible, reference to SOW paragraphs as applicable to identify the variety and complexity of work small businesses are to perform.

(4) Address the Small Business Realism of the proposal.

- All Offerors shall submit a detailed plan to meet the commitments proposed, along with the supporting business case rationale. Provide adequate justification for lack of small business participation and for any proposed percentages below the Government target small business commitments.
- Justifications must include sufficient discussion of how efficient and effective contracting performance, nature of supplies, availability of small business subcontractors, cost, delivery, any actions taken to increase unmet commitments, and/or any other relevant information supports a sound business case.
- Describe any future your company has for developing additional subcontracting opportunities for all categories of small business concerns during the contract performance.
- Specify what type of performance data you will accumulate and provide to the Defense Logistics Agency (DLA) KO regarding your support of small business and socio-economic categories during the period of contract performance.

(5) Identify the extent of participation of such firms in terms of the value of the total acquisition. Specify what proportion of your proposal, as a percentage of dollars, will be subcontracted to small business and socio-economic categories.

- Provide the total combined percentage of work to be performed by both large and small businesses (include the percentage of work to be performed both by Prime and Subcontractors):

Total Contract Value (TCV): $_____
Dollar Value of your Participation as a Prime Contractor: $_____
Total Percentage planned for Large Business(es) % = $ _____
Total Percentage planned for Small Business(es) % = $ _____
NOTE: When combined, large and small business totals must equal 100%.

Identify the percentage of work performed by small businesses that qualify in multiple socio- economic categories that may be counted in each category (reference the below table). The sum of all percentages need not equal 100%. All percentages shall use TCV as a baseline.

Provide adequate rationale if socio-economic entity commitments are not met. Offerors are cautioned against only acknowledging a commitment is not met, if applicable. Adequate rationale includes specific reasons why a commitment is unmet, and any actions being taken to increase any unmet commitments.

Small Business Type	Percentage of TCV	Dollar Value
SDB		
HUB Zone		
WOSB		
SDVOSB		
VOSB		
HBCU /MI		
AbilityOne		

*Per DFARS 252.219-7003, subcontracts with AbilityOne may also be counted toward the Offeror's small business subcontracting goal.

6.0 VOLUME II - FACTOR 2: PAST PERFORMANCE

The Past Performance volume focuses on the Offeror's past performance with similar contract requirements. The Offeror's submission shall include:

6.0.1 The extent of the Offeror's own current and/or past experience that is similar to the proposed contract requirements. If the Offeror's experience is not sufficient to provide enough past performance information, provide the experience of any significant partner, joint venture, critical subcontractor, predecessor entity, etc. The Offeror shall clearly detail how the experience of the significant partner, joint venture, critical subcontractor, predecessor entity, etc. is relevant to the performance under the proposed contract.

6.0.2 A list of no more than three relevant Commercial or Government contracts (commodity, size, scope, complexity, supply chain management, facilities, technology, etc.) performed within the last three calendar years from the date the solicitation is issued. For each contract, the Offeror shall provide a POC, address, current telephone number and email, type of contract, total contract value, average dollar value of the contract per annum, period of performance, and a description of the contractor's responsibilities and performance under the contract. In addition, for each contract cited, the Offeror shall provide the following:

- A listing of the items and/or services provided as an appendix. This appendix does not count towards the page limit listed in Table 1.
- A copy of the contract provided as an appendix. This appendix does not count towards the page limit listed in Table 1.
- The metrics measured during contract performance and the Offeror's performance history against those metrics.
- A list of any problems, discrepancies, or challenges (i.e., late shipments, shortages, overages, damage, defects, mis-shipments, customer dissatisfaction, etc.) experienced for the contracts. Include a brief description of how the Offeror resolved the issue.
- Any awards, distinctions, or certifications received based on performance (may include private sector awards/certifications).

6.0.3 The Offeror should include a narrative for all contracts provided. The narrative shall detail

the Offeror's performance in relation to Factors 1 and 2.

6.0.4 The Government may obtain and use past performance information from sources other than those identified by the Offeror including Government automated systems (e.g., Supplier Performance Risk System (SPRS) and Contractor Performance Assessment Reporting System (CPARS)).

7.0 VOLUME III - FACTOR 3: COST/PRICE

The purpose of this volume is to assist the Offeror in submitting other than certified cost or pricing data that is required to evaluate price reasonableness and balanced pricing. Compliance with these requirements is mandatory and failure to comply may result in rejection of the Offeror's proposal. Additionally, unbalanced pricing may pose an unacceptable risk to the Government and may be a reason to reject the Offeror's proposal. Offers should be sufficiently detailed to demonstrate reasonableness. The burden of proof for credibility of proposed costs/prices rests with the Offeror.

7.1 General

Each Offeror must submit one portable document format (PDF) copy and one copy via digital media (Microsoft Excel File) (HARDD Schedule B does not need to be provided in PDR format).
REMINDER: DO NOT DELETE LINES.

7.1.1 Cost or Pricing Data Requirements: IAW FAR 15.403-1(b) and 15.403-3(a), data other than certified cost or pricing data may be required to support a determination of price reasonableness. Data shall be provided IAW FAR 15.403-5, *Instructions for Submission of Certified Cost or Pricing Data and Data other than Certified Cost or Pricing Data*. If, after receipt of proposals, the KO determines that there is insufficient data available to determine price reasonableness and none of the exceptions in FAR 15.403-1, *Prohibition on Obtaining Certified Cost or Pricing Data* (10 U.S.C. 2306a and 41 U.S.C. 254b) apply, the Offeror shall be required to submit additional cost or pricing data.

7.2 Material Pricing

7.2.1 The Offeror shall submit fixed pricing for a minimum of 45% of the items identified in Attachment 2. Failure to submit a price for 45% of the items shall result in an unacceptable price proposal and shall lead to rejection of the offer.

7.2.2 Any item that requires testing (First Article/Production Lot) will be identified on Attachment 2. A fixed unit price should be submitted.

8.0 VOLUME IV - CONTRACT DOCUMENTATION

The purpose of this volume is to provide information to the Government for preparing the contract document and supporting file.

8.1 Executive Summary

The Executive Summary is not evaluated, scored, or used to clarify other discrepant information in other volumes. Do not include cost information in the Executive Summary. Any summary material presented here shall not be considered as meeting the requirements for any portions of

other volumes of the proposal.

8.2 Request for Proposal (RFP) contract/Representations and Certifications

The Offeror's proposal shall include a signed copy of the RFP contract, and Sections A through K of the SF 1449. This includes delivery of all applicable documents.

8.2.1 Section A - Solicitation/Contract Form

Complete Block 17 and sign and date Block 30 of the Standard Form (SF) 1449, Solicitation/Contract. Signature by the Offeror on the SF 1449 constitutes an offer, which the Government may accept.

8.2.2 Section B - Supplies or Services and Costs/Prices

No Offeror input required.

8.2.3 Section F - Deliveries or Performance

The Offeror shall conform to the delivery requirements quoted in Attachment 2.

8.2.4 Section G - Contract Administrative Data

Section G of the RFP contract will include all fund cites and dollar amounts for the contract. The Offeror is not required to fill in this information.

8.2.5 Section H - Special Contract Requirements

The Offeror shall comply with all special provisions/clauses shown under Section H of the RFP Basic contract. Basic contract terms and conditions apply to all task orders.

8.2.6 Section I - Contract Clauses

The Offeror shall comply with the clauses specified within Section I of the RFP contract. Furthermore, any inference of a clause and or provision will be adhered to. All laws, regulations, and statutory authorities will also be applied within the RFP Basic contract and subsequent task orders.

8.2.7 Section J – List of Documents, Exhibits, and Other Attachments

The Offeror shall complete and provide Attachments IAW the applicable instruction paragraphs in this document:

Attachment #	**Title**	**L para**
Attachment 1	*Basic SOW*	*N/A*
Attachment 2	*Section B, Active NSNs*	*N/A*
Attachment 3	*Quality Matrix*	*N/A*
Attachment 4	*PID Data*	*N/A*
Attachment 5	*Section L: Instructions, Conditions, and Notices to Offerors or Respondents*	*N/A*
Attachment 6	*Section M: Evaluation Basis for Award*	*N/A*
Attachment 7	*Special Contract Requirements*	*N/A*
Attachment 8	*PIEE Solicitation Module Instructions*	*3.2*

8.2.8 Section K - Representations, Certifications, and other Statements of Offerors

The Offeror shall provide completed representations, certifications, acknowledgments, and statements.

8.3 Other Information Required

8.3.1 Joint Ventures

If a Joint Venture arrangement exists for this acquisition, the Offeror shall provide a copy of the Joint Venture Operating Agreement that is signed and dated by all Joint Venture members as part of the proposal submission.

8.3.2 Teaming Arrangements/Agreements

8.3.2.1 Provide copies of agreements with proposed team members/partners for this contract in support of HARDD.

8.3.2.2 Provide information on any informal agreements and a timeline for formalization.

8.3.3 Authorized Offeror Personnel

8.3.3.1 Provide the name, title, and telephone number of the company/division point of contact regarding decisions made with respect to the proposal and who can obligate the company contractually.

8.3.3.2 Also, identify those individuals authorized to negotiate with the Government.

8.3.3.3 Additionally, provide the name and telephone number of the CEO, Division President, and/or Vice President.

8.3.4 Company/Division Address, Identifying Codes, and Applicable Designations

8.3.4.1 Provide company/division's street address and facility code; CAGE code; and size of business (large or small).

8.3.4.2 This same information must be provided if the work for this

contract will be performed at any other location(s).

8.3.4.3 List all locations where work is to be performed and indicate whether such facility is a division, affiliate, or Subcontractor, and the percentage of work to be performed at each location.

8.3.5 Surge and Sustainment – Capability Assessment Plan (CAP)

8.3.5.1 The CAP will be submitted within Contract Volume IV using the CAP Template provided in solicitation modification 0001.