M.1 CONTRACT AWARD – SOURCE SELECTION PROCEDURES

(a) The Architect of the Capitol (AOC) intends to make an award to the responsible Offeror whose offer, conforming to the solicitation, are the most advantageous to the AOC, commission rate, price and other factors specified in the solicitation considered.

(b) The AOC may–

(1) Reject any or all offers if such action is in the public interest;
(2) Accept other than the lowest offer; and
(3) Waive informalities and minor irregularities in offers received.

(c) The AOC may accept any item or combination of items, unless doing so is precluded by a restrictive limitation in the solicitation or the offer.

(d) A written award or acceptance of offer emailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer shall result in a binding contract without further action by either party. Before the offer's specified expiration time, the AOC may accept an offer (or part of an offer as provided in Paragraph (c) of this provision), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award. Negotiations conducted after receipt of an offer do not constitute a rejection or counteroffer by the Government.

(e) Neither financial data submitted with an offer, nor representations concerning facilities or financing, will form a part of the resulting contract. However, if the resulting contract contains a clause providing for price reduction for defective cost or pricing data, the contract price will be subject to reduction if cost or pricing data furnished is incomplete, inaccurate, or not current.

M.2 EVALUATION OVERVIEW

The AOC 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 AOC reserves the right to conduct discussions if the Contracting Officer (CO) later determines them to be necessary. If the CO 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 CO 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.

M.3 EVALUATION PROCESS

(a) The AOC will conduct a preliminary evaluation of all proposals submitted on a timely basis to determine compliance with RFP requirements and mandatory document submissions.
(b) After the above review, the AOC reserves the right to ask Offerors for additional information to clarify a proposal submission.
(c) The AOC will evaluate proposals per the rating schedules in Section M.4 below.
(d) The AOC will award in accordance with Section M.5 below.
(e) Based on the proposal evaluations, Offerors still determined to be in the competitive range may be invited to orally present their proposals and have a question-and-answer session. Questions may be submitted to Offerors before the meeting. At the sole discretion of the AOC, the requirement for oral presentations may be waived.
(f) As part of the evaluation process, the AOC also intends, but is not required, to conduct unannounced site visits of Offeror's localities. Site visits are intended to evaluate firsthand all aspects of the Offeror's typical operation, including but not limited to food quality, appearance, customer service, cleanliness, and overall management.
(g) Offerors should pay close attention to the submission requirements set forth in Section L to ensure that documentation is sufficient to evaluate the Offeror's technical and financial capability is provided. If an Offeror's response omits a venue, the entire proposal will be deemed non-responsive.
(h) A number of factors will be considered in the evaluation of each proposal to determine which proposal, if any, is the "Best Value." The factors include:

(1) **Factor 1: Operational Plans and Proposed Services**

(a) The Offeror will be evaluated on the perceived strengths and weaknesses of the proposal and the extent the proposal demonstrates a clear and thorough understanding of the objectives and unique needs of the AOC as identified in the RFP and the Offeror's commitment to implement the components of the plan in a comprehensive and effective manner to ensure the successful delivery of consistent high-quality service.
(b)The Government will evaluate the extent to which the offeror's approach, plan, menus/products and associated prices, and services will satisfy the Government's requirements in the RFP.

(2) **Factor 2: Organizational Capabilities and Personnel Plan**

The Offeror will be evaluated on the perceived strengths and weaknesses of the Offeror and the extent the proposal demonstrates the resources, infrastructure, staffing, controls, and capability to provide the required services as identified in the RFP.

(3) **Factor 3: Past Performance**

(a) The Offeror will be evaluated on verified years of experience, the quality of such experience, and demonstrated ability to perform in a similar type of business. Experience in a similar type food service, for the purposes of this RFP, is defined as, an individual or entity that has been an owner or operator of a multi-unit business/industry food service

operation, a multi-unit high volume restaurant group or a multi-unit food service operation in an educational or governmental institution.
(b) The Offeror will be evaluated on the extent of successful completion of similar services, taking into consideration the degree of client satisfaction. Higher ratings/scores will be given to Offerors whose performance on similar services has exhibited the most success and client satisfaction.

(4) **Factor 4: Oral Presentations and Site Visits**

(a) Oral Presentation and Site Visit expectations may be given at the time the competitive range is determined.

(5) **Factor 5: Completed Section B Pricing Schedules and Financial Projections**

The Government will evaluate the price and financial proposals of all offerors receiving an Acceptable rating or above for Factors 1 - 4 . Price and financial criterion will measure not only actual dollars but reasonableness of the offeror's proposal and its position in the range of all offerors' financial submissions.

Additionally, the Government may utilize one or more of the following methods to evaluate price:

- Comparison to other proposals received;
- Comparison and/or analysis based on the Independent Government Cost Estimate; or
- Comparison/analysis to marketplace or historical data.

As part of the price evaluation, the Government will evaluate the Federal Acquisition Regulation (FAR) clause 52.217-9, Option to Extend the Term of the Contract. FAR clause 52.217-8 will be evaluated evaluating whether or not the option period financial submissions are reasonable and realistic.

(a) If Capital Investments are being proposed, the Offeror must verify its ability and commitment to provide adequate funding. A prospective Offeror will be required to demonstrate its financial capacity to fund its proposed capital investment plus all transition and pre and post opening costs including proposed remodeling/renovation and/or capital investment required for any of the facilities if part of the Offeror's proposal. Funds may be available from the Offeror's private capital (verifiable documents submitted with Offeror's proposal) and/or from a commercial lender or third party with an unconditional, formal and binding letter of commitment included with Offeror's proposal. Funds not currently on hand, but which are confirmed in writing with Offeror's proposal to be available at commencement of contract term, may be acceptable. The Offeror must provide documentation that the necessary funding will be available. In the case of a public corporation, an original, notarized letter signed by an officer of the company that represents that company's finance committee or whatever entity (executive committee, board of directors, etc.) that has the authority to authorize this expenditure will satisfy this requirement.

(b) The Offeror will be evaluated on the plan and methodology for calculating and paying commissions, based on Gross Receipts as defined in the RFP in addition to the amount of commissions offered. The plan should be specific to the revenue source (restaurant, vending machines, etc.) and clearly indicate the percentage of Gross Receipts for each source. The plan should indicate that commissions are paid monthly and if a minimum guarantee is offered.
(c) The Offeror will be evaluated on its pro forma income statements on financial projections (customer counts, average check/transactions, and revenue projections in all areas). Higher consideration will be given to those Offerors whose financial projections are determined to be realistic and achievable. These financial projections will be the basis of negotiations for the annual loss reimbursement of allowable and allocable costs.
(d)

M.4 RATING AND DEFINITIONS

The Government will evaluate non-price Factors 1, 2 and 4 of Volume 1 using the following adjectival ratings and definitions scale:

Rating	Description
Outstanding	The proposal provides a very clear, comprehensive and detailed response which exceeds all requirements and includes significant strengths and strengths with no weaknesses, significant weaknesses, or deficiencies. The risk of unsuccessful performance is very low as the proposal demonstrates a clear understanding of the requirements and can be expected to result in outstanding performance.
Good	The proposal provides a sound response which meets all requirements and includes significant strengths and strengths with few weaknesses, no significant weaknesses, and no deficiencies. The risk of unsuccessful performance is low as the Proposal demonstrates an understanding of the requirements and can be expected to result in satisfactory performance.
Acceptable	The proposal provides a response which is capable of meeting all requirements and may include both strengths (may include some significant strengths) and weaknesses with no significant weaknesses or deficiencies where the strengths outweigh the weaknesses or weaknesses do not outweigh the capability to meet the requirement. The risk of unsuccessful performance is moderate as the proposal demonstrates a general understanding of the requirements and can be expected to result in satisfactory performance.

Marginal	The proposal provides a response which does not meet all requirements and includes strengths, weaknesses, significant weaknesses and/or deficiencies where the strengths are outweighed by the weaknesses and/or deficiencies. The risk of unsuccessful performance is high as the Proposal does not demonstrate an understanding of requirements and can be expected to result in unsatisfactory performance.
Unacceptable	The proposal provides a response that does not meet all requirements and includes significant weaknesses and/or deficiencies which far outweigh any strengths noted. The risk of unsuccessful performance is very high as the Proposal does not demonstrate an understanding of the requirements and will result in unsatisfactory performance.

During the course of the evaluation, the source selection evaluation panel will record proposal Significant Strengths, Strengths, Weaknesses, Significant Weaknesses, and Deficiencies. The definitions of these terms are as follows:

- **Significant Strengths:** A strength that appreciably enhances the merit of a proposal or appreciably increases the probability of successful contract performance.
- **Strengths:** Any aspect of a proposal which exceeds a requirement and increases the probability of successful performance of the contract.
- **Weaknesses:** A flaw in the proposal that increases the risk of unsuccessful contract performance.
- **Significant Weaknesses:** A weakness that appreciably increases the risk of unsuccessful contract performance.
- **Deficiencies:** A material failure of a proposal to meet a Government requirement or a combination of significant weaknesses in a proposal that increases the risk of unsuccessful contract performance to an unacceptable level.

Offerors who rate below Acceptable under Factors 1, 2 and 4 will not be eligible for award and their financial submission (Factor 5) will not be evaluated.

The Government will rate Factor 3, Past Performance, using the following adjectival ratings and definitions scale, NLT means “No Later than”:

Rating	**Description**

Substantial Confidence	Based on the offeror's recent (NLT 5 Years) and relevant performance record, the Government has a high expectation that the offeror will successfully perform.
Satisfactory Confidence	Based on the offeror's recent (NLT 5 Years) and relevant performance record, the Government has a reasonable expectation that the offeror will successfully perform.
Limited Confidence	Based on the offeror's recent (NLT 5 Years) and relevant performance record, the Government has a limited expectation that the offeror will successfully perform.
No Confidence	Based on the offeror's recent (NLT 5 Years) and relevant performance record, the Government has a no expectation that the offeror will successfully perform.

Proposals shall be evaluated to determine each Offeror's demonstrated ability to assume and perform the tasks required by Section C of the solicitation. Proposals must be specific in order to be acceptable. General statements such as "the vast resources of our nationwide company will be used to provide the products required by the Statement of Work" are not sufficient. The Offeror shall clearly address each element of the proposal as required by Section L of the solicitation. Any proposal failing to address all the elements of Section L may be considered indicative of the Offeror's lack of understanding of, and response to, the AOC's requirements and may be considered unacceptable.

M.5 CONTRACT AWARD

Factors 1-4 are in descending order of importance and when combined, Factors 1 - 4 are more important than Factor 5. The AOC may evaluate proposals and make an award without discussions. Therefore, each initial offer should contain the Offeror's best terms. However, the Contracting Officer reserves the right to conduct discussions, if necessary. The award will be made to the Contractor with the most advantageously rated proposal.

M.6 STAND-ALONE CONTRACT

Any award made from this RFP will be a stand-alone contract, not a task order or delivery order against another contract (e.g., GSA Schedule, GWAC.) Although the award will be an open-market award, if proposed prices are based in whole or in part on prices that are offered to other federal agencies, the AOC will take those prices into account in conducting its price evaluation.

M.7 EVALUATION OF OPTIONS

The potential contract resulting from this solicitation contain "option" periods. Evaluation of these options will not obligate the Government to exercise the option(s).

J.1 LIST OF ATTACHMENTS

Description Main Contract	Attachment J.X
Historic menu items	J.1
Facility Contractor perimeter of responsibility	J.2
Service Standards	J.3
Traditional Senate Events	J.4
GFP	J.5
Vending Machines	J.6
Key Personnel	J.7
Information on Former Senate Restaurant Employees	J.8
POS Technology Requirements	J.9
Venue	J.10
Deliverables	J.11
SDR Sample Menu	J.12
USCP Off-Site Delivery Center Procedures (March 2022)	J.13
Market Basket and PPG	J.14
Past Performance Questionnaire	J.15
Questions Template	J.16
SCA Wage Determination	J.17
Certificate of Liability Insurance Sample (August 2022)	J.18
USCP Request for Check of Criminal History-Form CP-491 (May 2025)	J.19
EEOC_KnowYourRights Poster (June 2023)	J.20
Employee Right on Government Contracts-Poster WH1313 (March 2022)	J.21
Non-disclosure Agreement for Contract Employees	J.22
Kiteworks Instructions	J.23
Section J - List of Attachments	J.24
Collective Barganning Agreement	J.25

(End of Section M)