COMMERCIAL SOLUTIONS OPENING (CSO)
FOR
338 ENTERPRISE SOURCING SQUADRON (ESS)
HUMAN CAPITAL

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1. INTRODUCTION

1.1. The 338th Enterprise Sourcing Squadron (338 ESS), Joint Base San Antonio (JBSA) Randolph, Texas, issues this Commercial Solutions Opening (CSO) under DFARS 212.70 to seek innovative commercial solutions for Human Capital (HC) services (training, education, and human resources) supporting the Air Education and Training Command (AETC).

1.2. The Government is inviting offerors to submit White Papers with strategic sourcing solutions for HC services, as specified in individual Area(s) of Interest (AOIs). See individual AOIs for submission deadlines. The Government intends to post AOIs as needs or capability gaps are identified. Vendors are encouraged to monitor SAM.gov for all future AOIs.

1.3. While the following NAICS codes are anticipated for this CSO, the Government may consider others as applicable to specific AOIs. See individual AOIs for applicable NAICS codes.

Flight Training (611512)	Professional and Management Development Training (611430)
Other Technical and Trade Schools (611519)	Educational Support Services (611710)
Computer Training (611420)	All Other Professional, Scientific, and Technical Services (541990)
Engineering Services (541330)	Language Schools (611630)
Research and Development in the Physical, Engineering, and Life Sciences (Except Nano- and Biotechnology) (541715)	Administration Mgmt and General Consulting Services (541611)
Advertising Agencies (541810)	

2. PURPOSE

2.1. This CSO seeks innovative commercial solutions for training, education, and human resource services to meet 338 ESS mission needs. The Government wants solutions that:

- Fulfill requirements
- Close capability gaps
- Offer technological advancements

2.2. "Innovative" means:

- A new technology, process, or method, including research and development that is new as of the submission date.

- A new application of an existing technology, process, or method as of the submission date.
- A new adaptation of an existing technology, process, or method as of the submission date.

2.3. Non-traditional defense contractors and small businesses are encouraged to participate in this CSO.

3. APPROACH

3.1. This CSO is always open. The Government seeks commercial solutions to meet various 338 ESS objectives. AOIs will define specific needs and provide a Point of Contact (POC).

3.2. *Contract:* If appropriate and with available funds, the 338 ESS anticipates awarding Firm-Fixed Price type contracts in accordance with FAR Part 12.

3.3. *Other Transactions (OTs):* If appropriate and with available funds, the 338 ESS anticipates awarding OTs for Prototype, and/or Production in accordance with 10 U.S.C §4021 and 10 U.S.C §4022. Successful prototypes under an OT may lead to a follow-on production contract without further competition as authorized by 10 U.S.C. § 4022(f).

3.4. Awards are based on a two- or three-phased process (Section 5). The Government may fund all, some, one, or none of the proposals, and may provide partial or incremental funding. All awards are subject to the availability of funds.

3.5. All coordination and communication between Offerors and the Government will be conducted using www.sam.gov and the CSO POC (Section 4).

4. INFORMATION

4.1. *POCs:* The Contracting/Agreements Officer and Contract Specialist are the primary POCs for this CSO. Specific POCs for each individual AOI will be identified within the respective AOI documentation.

4.1.1. *General CSO Questions:* Email CSO Contracting Team at AFICC.338ESS.CSO@us.af.mil. Due to anticipated interest, this is the only email address for general questions. Please include **"338 ESS HC CSO General Question(s)"** in the subject line.

4.1.2. *AOI-Specific Questions:* Please email the AOI Contracting Team's Points of Contact (POCs) listed in the individual AOI documentation. Include **"338 ESS HC CSO AOI [AOI Number]"** (e.g., "338 ESS HC CSO AOI 01") in the subject line.

4.2. *Classified Information:* Phase I submissions (including White Papers) must be unclassified. If Offerors believe classified information is essential, *contact the Contracting/Agreements Officer listed in the AOI before submitting.*

Offerors must possess all required personnel security, facility clearance, and other infrastructure requirements necessary to perform any proposed classified work, without Government assistance. Compliance with the Contract Security Classification Specification (DD Form 254) may be required.

The Government will provide award-specific security details as needed. A draft DD Form 254 will be included with Phase II Requests for Proposals (RFPs), if applicable

5. SUBMISSION

5.1. *Overview:* This CSO will remain open, with updates occurring as needed. Unsolicited proposals that do not aligned to an AOI will not be accepted. See AOIs for deadlines.

5.1.1. The Government will not reimburse offerors for proposal/submission costs.

5.1.2. Please email submissions to the AOI Contracting Team **and** AFICC.338ESS.CSO@us.af.mil. Confirm receipt with a separate email (not containing attachments).

5.1.3. Offerors shall mark each page of the Phase I and Phase II submissions that contain proprietary information.

5.2. *Process:* Two or three phases:

5.2.1. *Phase I – White Paper:* Phase I solutions will be solicited and evaluated on an AOI-specific basis. Interested offerors must submit a succinct yet descriptive White Paper in accordance with Attachment 1 instructions. Phase I White Paper due dates and times will be listed in the respective AOIs.

5.2.2. *Phase II – Pitch Session:* If a Phase II process is used, the requirements will be outlined in the individual AOI. General instructions for Phase II are provided in Attachment 2.

5.2.3. *Phase III – Request for Proposal (RFP):* Only offerors who submitted White Papers in Phase I or participated in a Phase II Pitch Session will be eligible to submit Phase III proposals. Refer to Attachment 2 for instructions on Phase III proposal format and content.

5.2.4. *Review:* The Government will evaluate each Phase (White Paper, Pitch, or Proposal) in accordance with the evaluation process outlined in Attachment 4.

5.2.5. *Notification:* If Offeror's Phase I solution is selected, the Government will:

- **Funded:** Request Phase II (pitch) or Phase III (proposal) from the Offeror by their respective due date and time.
- **Unfunded:** Will keep the offeror's solution on file for up to one year.

An Offeror being selected in Phase I or being requested to submit a Phase II or Phase proposal does not guarantee award of any potential subsequent contract or OT. The Government will notify unsuccessful offerors via email.

5.2.6. *Phase III - Technical, SOW, and Price Proposal:* Phase III submissions/Requests for Proposals will only be solicited from offerors who submitted White Papers in Phase I or participated in the Phase II Pitch Session. The Government reserves the right to select or award to all, some, one, or none of the proposals received.

5.2.6.1. *Phase III Proposal Submission:* After receiving a RFP from the Contracting Officer, offerors will typically have 30-45 calendar days to prepare and submit a proposal following the format and instructions in Attachment 2. The specific due date will be stated in the Phase III RFP.

5.2.6.2. *Proposal Review, Evaluation, and Selection Process:* The Government will evaluate each proposal based on its individual technical merit. Failure to meet all CSO and RFP requirements may result in ineligibility for award.

5.2.6.3. *Award:* Awards may be made to offerors whose proposals are accepted based on the evaluation criteria outlined in Attachment 4.

6. ADDITIONAL INFORMATION

6.1. *Data Rights:* The Government intends to acquire only the data rights necessary to satisfy its needs, and these rights will be negotiated at the contract or agreement level. *Intellectual Property (IP):* The Government reserves the right to negotiate all intellectual property, including data rights, created in response to the AOIs and subsequent contracts. IP rights will be outlined in the AOIs and negotiated at the contract or agreement level.

6.2. *Foreign Participation:* Participation at the prime level is prohibited. Subcontracting arrangements will be handled in accordance with the International Traffic and Arms Regulation. In addition, foreign national participation will be limited to public domain information only.

6.3. *Non-Government Advisors:* Proprietary information may be shared with advisors, but only under a NDA.

6.4. Procurement Integrity, Standards of Conduct, Ethical Considerations, and Conflicts of Interest: To avoid Organizational Conflicts of Interest (OCIs), proposals in response to any AOIs under this CSO from companies providing A&AS, SETA, SE&I, or FFRDC support to 338 ESS, including any related LLCs, subsidiaries, partnerships, or affiliations that could create the appearance of an OCI, maybe discharge without evaluation, if, IAW FAR 9.5, the CO determines an OCI exists.

6.5. *Debriefings:* The Government will conduct written, post-award debriefings for Phase I, Phase II and/or Phase III proposals, upon request, and only in accordance with FAR 52.212-1(l). Debriefings will address the evaluation factors contained herein only. It will not include a comparison of submissions against a common PWS or SOW as the CSO provides no common PWS or SOW that interested parties must respond to and instead represents opportunity for submission of a variety of commercial items, technologies, and/or services that represent meaningful submissions of diverse scope and price.

6.6. *Government Furnished Property (GFP) Availability:* GFP is not anticipated to be made available under any resulting contract or agreement, but a determination regarding GFP will be made for each award. In accordance with FAR 45.201(b), the contractor is responsible for all costs related to making the property available for use, such as payment of all transportation, installation, or rehabilitation costs.

6.7. *Base Support/Network Access:* Base support will be determined for each award for testing, validation, and demonstration.

ATTACHMENT 1. WHITE PAPER FORMAT

A1.1. The white paper should include a discussion of the nature and scope of the effort and the offeror's proposed technical approach. The Government will review the white papers in accordance with the evaluation criteria set forth in this announcement.

A1.2. The white paper will have page limits provided within the AOI and will be prepared using a word processor and submitted in Portable Document Format (PDF). Font shall be standard 12-pt business font Times New Roman. Character spacing must be "normal" and not condensed in any manner. Pages shall be double-spaced, 8.5 x 11 inches paper, with one-inch margins on both sides, top and bottom. All text, including text in tables and charts, must adhere to all font size and line spacing requirements listed herein. Illustrations, flowcharts, drawings, and diagrams are part of the page count, therefore if adding such items, be mindful of the page limitation. All pages, excluding the cover page, shall be numbered starting with the executive summary page being page 1. White papers must not exceed a file size of 25 MB.

A1.3. The white paper will be formatted as follows:

A1.3.1. Cover Sheet: The following information shall be contained in a cover sheet submitted with the proposal:

(a) CSO number, AOI number, and AOI name
(b) Full company name and address
(c) CAGE code, Dunn & Bradstreet (D&B) and Data Universal Numbering System (DUNS) number
(d) Unique Entity ID number
(e) Business Size Classification (large, small, or other)
(f) Offeror's socioeconomic status
(g) Point of contact, name, title, phone number, and email address
(h) If the proposed work to be performed is classified, add the following information: Classified level at which company is cleared, contract address for forwarding classified material (name, address, zip code), cognizant security office (name, address, zip code), and offeror's security officer's name and telephone number).

A1.3.2. **Executive Summary.** Provide a one-page executive summary of the technology.

A1.3.3. **Technical Concept.** Describe the unique aspects of the technology and the proposed work as it relates to the AOI. Identify whether the effort includes the pilot or demonstration of existing commercial technology (identified as commercially ready and viable technology), or the development of technology for potential defense application. If development or adaptation is proposed, identify a suggested path to mature the technology. Identify aspects which may be considered proprietary. The technical portion of the solution shall include a discussion of the nature and scope of the effort and the offeror's proposed technical approach/solution. It may also include any proposed deliverables. Resumes, descriptions of facilities and equipment, and a proposed SOW are not required to be submitted with the white paper.

A1.3.4. Anticipated Price/Offeror Viability. Provide an overview of business establishment and operations, a rough order of magnitude cost estimate, and a time-phased cost breakdown over the proposed period of performance.

A1.3.5. Period of Performance: Please include a Period of Performance and Task Objectives

ATTACHMENT 2. PITCH SESSION FORMAT

During this step, offerors are invited to pitch and further discuss the proposed concept/technology/solution in person or virtually. The Government will provide the offeror 30 minutes for the offerors' pitch and additional time if needed for follow up questions/discussion.

Pitch Content: Offerors shall provide an in-person or virtual pitch to demonstrate and provide further details on the technical and business viability of the proposed solution. In addition to the pitch, the government, at its discretion, may request an additional written submission to further supplement the information provided in Phase I solution brief.

During the pitch session, the offeror must detail/address:

1. Estimated Price/Schedule: Provide a ROM price and notional schedule for how this concept could be implemented within the DoD;
2. Data Rights Assertions: The solution brief will identify any Intellectual Property (IP) involved in the effort and associated restrictions on the government's use of that IP;
3. Data rights will be negotiated at the contract level; and
4. Technical Approach to the AOI.

*Note: The Government reserves the right to forgo Phase II and go directly to Phase III.

ATTACHMENT 3. TECHNICAL, SOW, AND PRICE PROPOSAL

The Phase III proposal submission shall conform to the following:

Cover Sheet: The following information shall be contained in a cover sheet submitted with the proposal:

(a) CSO number, AOI number, and AOI name

(b) Full company name and address

(c) CAGE code, Dunn & Bradstreet (D&B) and Data Universal Numbering System (DUNS) number

(d) Unique Entity ID number

(e) Business Size Classification (large, small, or other)

(f) Offeror's socioeconomic status

(g) Point of contact, name, title, phone number, and email address

(h) If the proposed work to be performed is classified, add the following information: Classified level at which company is cleared, contract address for forwarding classified material (name, address, zip code), cognizant security office (name, address, zip code), and offeror's security officer's name and telephone number).

Technical Approach: The following describes the technical approach requirements:

(a) The Technical Approach shall describe the background and objectives of the proposed work, the approach, deliverables, the resources needed to execute, and additional details of Intellectual Property and any data rights assertions. Include the nature and extent of the capability and how it addresses the AOI, the aspect of the solution, the intended results, and address possible integration or testing needs. Include ancillary and operational considerations such as certifications, algorithms, and any engineering/software development methodologies to be used. Provide a graphic display of major program milestones. Measurable milestones should capture key activity points and should be clearly articulated and defined in time relative to the start of the effort. You may refer to previous submitted information from Phase I, but do not duplicate it.

(b) Government Support Required: Identify the type of support, if any, the Offeror requests of the Government in general, such as facilities, equipment, data, and information or materials.

(c) The Government reserves the right to ask for additional technical information in the Phase II request for proposal.

(d) Due to the varying AOIs and potential solutions, Technical Proposal page limitations and formatting will be identified in the Phase III request for proposal.

Statement of Work (SOW) or Performance Work Statement (PWS): This proposal must include a Statement of Proposed Work (SOPW) identifying the work to be performed, anticipated work-breakdown structure and expected deliverables. Provide a project schedule that outlines the major milestones and deliverables within the proposed period of performance. The following describes the SOW requirements:

(a) The SOW/PWS must be a separate and distinct document suitable for incorporation into the contract or agreement. Pages should be numbered, and the initial page should have a date (document date) shown under the title. DO NOT INCLUDE ANY PROPRIETARY INFORMATION IN THE SOW.

(b) The proposed SOW/PWS must accurately describe the work to be performed by the Offeror. The SOW must also contain a summary description of the technical methodology as well as the task descriptions, but not in so much detail as to make the SOW inflexible. The SOW/PWS should include the following sections:

1. OBJECTIVE: This section is intended to give a brief overview of the project and should describe why the work is being pursued and what the Offeror intends to accomplish.

2. SCOPE: This section includes a statement of what the SOW/PWS covers. This should describe the AOI to be investigated, goals, and milestones for the effort. Provide a graphic display of major program milestones.

3. BACKGROUND: The Offeror must identify appropriate documents that are applicable to the effort to be performed. This section includes any information, explanations, or constraints that are necessary to understand the project tasks and requirements. This section should describe the effort's relationship to previous and ongoing efforts, if applicable.

4. TASKS AND TECHNICAL REQUIREMENTS: This section contains the detailed description of tasks that are necessary for the Offeror to perform the proposed work in the SOW/PWS. These tasks will represent the work to be performed by the Offeror in any potential contract or agreement award, and, thus, shall be considered contractually binding. This section should be developed in an orderly progression and presented in sufficient detail to establish the feasibility of accomplishing the overall program goals. Note: The Government reserves the right to modify and negotiate the language in the SOW/PWS prior to any potential contract or agreement award.

4.1. Task descriptions must be definite, realistic, and clearly stated. Use the phrase "the contractor shall" whenever the work statement expresses a provision that is binding. Use "should" or "may" whenever it is necessary to

express a declaration of purpose. Use "will" in cases where no Offeror requirement is involved (e.g., power will be supplied by the Government).

4.2. Do not use acronyms or abbreviations without first defining them. Place abbreviations and acronyms in parentheses following the first usage of the spelled-out phrase.

(c) Due to the varying AOIs and potential solutions, SOW/PWS page limitations will be identified in the Phase III request for proposal

Price: The following describes the Price requirements:

(d) The Price submission must include pricing information sufficiently detailed for meaningful evaluation of the proposal. The Price Proposal does not have a page limit restriction.

(d) Since all proposals are considered commercial items, technologies, or services, the requirements of the Truthful Cost or Pricing Data Act or Truth in Negotiation Act (TINA) are not applicable. However, if the Contracting Officer determines additional information is necessary to support a determination of a fair and reasonable price, other than certified cost and pricing data may be requested.

(d) The responsibility for providing adequate supporting data and attachments lies solely with the Offeror. Further, the Offeror must also bear the burden of proof in establishing reasonableness of proposed prices; therefore, it is in the Offeror's best interest to submit a fully supportable and well-prepared price proposal.

(d) The Offeror shall prepare the Price submission to include an electronic version of the pricing model in a Microsoft (MS) Excel editable format. The electronic pricing model shall include active formulas demonstrating the mathematical calculation of the proposed price. Specific formatting instructions for each price proposal will be specific in each AOI.

Additional Proposal Submission Content:

Small Business Subcontracting Plan: If required, **and not a Small Business**: The offeror shall provide a Small Business Subcontracting Plan IAW FAR 52.219-9 Alternate II, FAR 52.219-8, Utilization of Small Business Concerns, DFARS252.219-7003, Small Business Subcontracting Plan (DoD Contracts), and DFARS 252.219-7004, Small Business Subcontracting Plan (Test Program).

The Small Business Subcontracting Plan shall include all items identified in FAR 19.704(a)(1) through (15) (Subcontracting Plan Requirements), and FAR 52.219-9(d)(1) through (15) (Small Business Subcontracting Plan). The offeror's small business subcontracting plan shall include, but is not limited to, detailing the commitment/targets for each category of Small Business (SB), Veteran-Owned Small Business (VOSB), Service-Disabled Veteran-Owned Small Business (SDVOSB), Small Disadvantaged Business (SDB), Historically Underutilizes Business Zone (HUBZone), and Women-Owned Small Business (WOSB) concerns. The plan shall describe for

each category the **total contract value** subcontracted expressed in dollars and percentage of total subcontracted value if an individual subcontracting plan. The plan shall also state the extent and nature of work to be performed by small business concerns, the method used to develop goals, the method used to locate potential suppliers, if the goals include indirect costs (if so, describe the cost allocation method) and describe the efforts the offeror will make to assure small businesses have an equitable opportunity to compete for subcontracts.

The Small Business Subcontracting Plan will be assessed as part of responsibility and must meet the FAR and DFARS requirements prior to the award of a contract. If the planned goals do not meet or exceed DoD Fiscal Year (FY) 25 subcontracting goals below, substantial explanation/rationale shall be provided.

Small Business Subcontracting: 30% **(Total Contract Value)**

Small Disadvantaged Business: 5% of total small business subcontracting dollars

Service-Disabled Veteran Owned Small Business: 5% of total small business subcontracting dollars

Women Owned Small Business: 5% of total small business subcontracting dollars

HUBZone Small Business: 3% of total small business subcontracting dollars

Subcontracting developmental incentives (Reference: 15 USC 637(d)(4)(E)): Offerors are encouraged to propose and implement a small business development program that has the objective of preparing small business subcontractors for future performance in the Initial Pilot Training Program as prime contractors for future awards, or as subcontractors with increased roles and responsibilities. If the Offeror is other than small, such a program may be included as part of an Offeror's submission of a proposed subcontracting plan. If the Offeror is a small business with a small business teaming arrangement, such program shall be included in the Offeror's submission describing its small business teaming arrangement. Such program should include:

- Structured training, mentoring, or other capacity-building activities designed to enhance the technical, managerial, and compliance capabilities of small business subcontractors.
    - Activities may include, but are not limited to proposal development workshops, compliance training, technical skills transfer, and business systems education.
- The Offeror shall document and report on the progress and outcomes of these activities, including the number of small businesses trained or mentored, their small business categories, the nature of support provided, and the record of increased subcontracting participation.
- Participation in a formal SBA Mentor-Protégé Program or DAF Mentor-Protégé Program administered by the DAF Office of Small Business Programs (SAF/SB) is strongly encouraged, where feasible, to provide developmental assistance to small business

protégés (References: 10 USC 4901, Sec. 856(d), Public Law 117-263, DFARS Appendix I, 13 CFR 125.9). Contact SAF/SB at https://www.airforcesmallbiz.af.mil/.

- The Government intends to assess the effectiveness of the Offeror's small business subcontractor development efforts as part of ongoing contract performance assessments and will incentivize effectiveness with favorable consideration when deciding the rating of their Contractor Performance Assessment Reporting System (CPARS).

Participation by Small Businesses, Other Nontraditionals, and Non-profit Research Institutions: Any Offeror that intends to award of Other Transaction for a prototype project must satisfy at least one of statutory conditions at 10 U.S.C. 4022(d):

(A) there is at least one nontraditional defense contractor [which may be a small business concern] or nonprofit research institution participating to a significant extent in the prototype project; or

(B) all significant participants in the transaction other than the Federal Government are small businesses (including small businesses participating in a program described under section 9 of the Small Business Act (15 U.S.C. 638)) or nontraditional defense contractors; or

(C) At least one third of the total cost of the prototype project is to be paid out of funds provided by sources other than the Federal Government; or

(D) exceptional circumstances justify the use of a transaction that provides for innovative business arrangements or structures that would not be feasible or appropriate under a contract, or would provide an opportunity to expand the defense supply base in a manner that would not be practical or feasible under a contract.

Sub-awardee developmental incentives: In proposing to carry out statutory conditions (A), (B), or (D), the Offeror is encouraged to propose and implement a small business development program that has the objective of preparing small business sub-awardees on the OTA for future performance in the Initial Pilot Training Program as OTA awardees following on-ramping or as prime contractors following on-ramping.

Such program should include:

- Structured training, mentoring, or other capacity-building activities designed to enhance the technical, managerial, and compliance capabilities of small business subcontractors.
    - Activities may include, but are not limited to proposal development workshops, compliance training, technical skills transfer, and business systems education.
- The Offeror shall document and report on the progress and outcomes of these activities, including the number of small businesses trained or mentored, their small business categories, the nature of support provided, and the record of increased subcontracting participation.

- Participation in a formal SBA Mentor-Protégé Program or DAF Mentor-Protégé Program administered by the DAF Office of Small Business Programs (SAF/SB) is strongly encouraged, where feasible, to provide developmental assistance to small business protégés (References: 10 USC 4901, Sec. 856(d), Public Law 117-263, DFARS Appendix I, 13 CFR 125.9). Contact SAF/SB at https://www.airforcesmallbiz.af.mil/.
- The Government intends to assess the effectiveness of the Offeror's small business subawardee development efforts as part of ongoing contract performance assessments and will incentivize effectiveness with favorable consideration when deciding whether to award OTA options or follow-on contracts.

If the Small Business Subcontracting Plan is not initially acceptable, the Contracting Officer may request additional information regarding the Small Business Subcontracting Plan.

Organizational Conflict of Interest: The Offeror shall perform an Organizational Conflict of Interest (OCI) analysis and submit the results of that analysis as part of the Offeror's Phase III proposal. Specifically, the Offeror shall analyze the planned acquisition for actual or potential OCI situations associated with the Offeror or any of the Offeror's proposed teammate's or subcontractor's performance under any contract or agreement the Offeror or the Offeror's teammates or subcontractors has been or may be awarded by any federal agency or other entity. The Offeror shall describe in detail the methodology used to identify actual or potential OCI issues. If the Offeror identifies any actual or potential OCIs with respect to the performance of the Offeror or the Offeror's subcontractors or teammates, the contractor shall provide an OCI Mitigation Plan to be incorporated as an attachment to any resulting contract or agreement. Any proposed avoidance or mitigation techniques shall be consistent with FAR 9.5 and the most recent decisions of the Government Accountability Office (GAO) and the U.S. Court of Federal Claims.

Responsibility: For Phase III proposal, the Offeror shall provide information that presents a brief verifiable self-assessment in the areas of responsibility as described in FAR 9.104 as supplemented by DFARS and Department of the Air Force Federal Acquisition Regulation Supplement. Elements of responsibility to address include but are not limited to, management of government property, capability, resources, competency, capacity, credit, integrity, perseverance, tenacity, and limitations on subcontracting.

Inability to perform in compliance with the limitations of subcontracting clause FAR 52.219-14 is a matter of responsibility for small businesses. The Contracting Officer will follow the Small Business Administration Certificate of Competency procedure at FAR subpart 19.6 when a small business concern would otherwise be selected for award but is considered not responsible.

Rights in Technical Data, Computer Software, and Computer Software Documentation: An Offeror may provide with its submissions assertions to restrict, use, release, or disclosure of data and/or computer software and computer software documentation that will be provided in the

course of contract or agreement performance. Rules governing these assertions are prescribed in DFARS clauses 252.227-7013, -252.227-7015, 252.227-7017 and 252.227-7037 and may be accessed at www.acquisition.gov.

ATTACHMENT 4. EVALUATION

The Phase I, II and III submissions will be evaluated and selected as follows:

A4.1 **Phase I –White Paper**: The Government will review the Phase I submissions and select the Offerors that have the greatest potential to meet the needs of the 338 ESS HC CSO based upon the specific AOI. The Government will evaluate White Papers in accordance with the following evaluation factors to determine if the effort is of further interest to the Government. The Government will then determine if proposals will be requested. Phase I will be evaluated using the following::

- Technical merit/applicability
- Importance to agency program
- Funds Availability

Relative Importance: All Factors are of equal importance

Method of Evaluation: Scientific, technological, or other subject-matter experts Proposals will be categorized as Recommended, Selectable, or Not Selectable as follows:

The evaluation criteria listed above will be used to evaluate submittals for all phases. Price shall be considered to the extent appropriate, but at a minimum, to determine that the price is fair and reasonable. The Government reserves the right to fund all, some, one, or none of the proposals submitted or may elect to fund only part of a submission under this CSO.

Phases II/III will be categorized as Recommended, Selectable, or Non-selectable as follows:

• **Recommended**: Proposals are recommended for acceptance if sufficient funding is available and normally are displaced only by other Recommended proposals.

• **Selectable**: Proposals are recommended for acceptance if sufficient funding is available, but at a lower priority than Recommended proposals. A Selectable proposal may require additional development. To ensure a diversity of approaches, a Selectable proposal may be prioritized over a Recommended proposal if the Selectable proposal presents a unique approach unlike any of the Recommended proposals.

• **Not Selectable**: Even if funds were available, the proposal should not be funded.

<u>Other Award Considerations</u>

- In order to be considered for award under Phase III, Offerors must be registered in the System for Award Management (SAM) at www.sam.gov, be considered responsible within the meaning of FAR Part 9.1, Responsible Prospective Contractors, have a satisfactory performance record, and otherwise be eligible for award based on federal law and regulation. The Contracting Officer cannot award a contract unless the successful Offeror has updated the FAR 52.204-26 representation in SAM to account for the update to the provision published in October 2020.

- In accordance with DFARS 252.204-7019, the Contracting Officer cannot award a contract unless the successful Offeror has a current NIST SP 800-171 DoD assessment completed and posted in the Supplier Performance Risk System (SPRS) – see DFARS 252.204-7019 and DFARS 252.204-7020 for more information regarding the requirements.