SECTION III

CRITERIA AND FACTORS FOR EVALUATION, BASIS OF AWARD, EVALUATION CRITERIA, RATING SYSTEM AND DEFINITION

SECTION 00 22 10 – SELECTION PROCEDURES AND BASIS OF AWARD

BEST VALUE TRADE OFF

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1.0 OVERVIEW

This is a "Best Value Trade Off" solicitation in accordance with Federal Acquisition Regulation (FAR) 15.101-1 for the Construction of the ERCIP Well Field Expansion project at Fort Drum, NY. The Government will evaluate the proposals in accordance with the criteria described herein, and award a firm fixed price contract to the responsible firm, whose proposal conforms to all the terms and conditions of the solicitation, is fair and reasonable, and offers the best overall value to the Government.

2.0 BASIS OF AWARD

This is a Best Value Trade Off procurement where the Contracting Officer will award a firm fixed price contract to the responsible Offeror whose proposal the Source Selection Authority has determined conforms to the solicitation, is fair and reasonable, and offers the best overall value to the Government, considering all non-price factors described herein, and price. All non-price factors when combined are approximately equal in importance to price. The intent of this solicitation is to obtain the best value proposal within funds available. After the Government individually evaluates and rates each proposal, the Source Selection Authority will compare proposals to determine which proposal represents the overall best value to the Government. The Government reserves the right to accept other than the lowest priced offer or to reject all offers. The Government will not award a contract to an Offeror whose proposal contains a deficiency, as defined in FAR 15.001. If there is a lower priced, conforming offer(s), the Source Selection Authority must determine that the added value of a more expensive proposal (within funds available) would justify award to that Offeror. The magnitude of construction is between $10,000,000 and $25,000,000

3.0 GENERAL INSTRUCTIONS AND PROPOSAL SUBMISSION REQUIREMENTS

3.1 GENERAL INSTRUCTIONS

3.1.1 Who May Submit:

a. Competition will be unrestricted (i.e., open to all businesses regardless of Small Business status). Any legally organized Offeror may submit a proposal.

3.1.2 Inquiries about this solicitation:

a. Prospective Offerors should submit inquiries related to this solicitation only by e-mail to the Contract Specialist –Brian Winters (Brian.H.Winters@usace.army.mil)and Contracting Officer – Nicholas Emanuel (Nicholas.P.Emanuel@usace.army.mil).

b. Include the solicitation number and project title with any questions/clarifications. Written questions must be received by this office not later than 14 calendar days prior to the date set for receipt of offers. TELEPHONE INQUIRIES WILL NOT BE ACCEPTED.

Oral explanations or instructions are not binding. Any information given to an Offeror which impacts the solicitation and/or offer will be given in the form of a written amendment to the solicitation.

As this is a competitive negotiated acquisition, there is no public proposal opening and no information will be given out as to the number of Offerors or the results of the competition until award is made.

3.1.3 Page Limit and Size of Electronic Materials should be submitted in the following volumes:

Volume	Tab	Title	Maximum Pages
1	A	Factor 1: Past Performance	No Page Limit
2	A	Factor 2: Small Business Participation Plan	No page limit
2	B	Factor 2: Past Utilization of Small Business	No page limit
3	A	Factor 3: Price (Standard Form 1442 & Contract Line Item Schedule)	No page limit
3	B	Factor 3: Bid Guarantee	No page limit
3	C	Factor 3: Self-Performed Work	No page limit
3	D	Factor 3: Pre-Award Information	No page limit
3	E	Factor 3: REPRESENTATIONS & CERTIFICATIONS	No page limit

In order to evaluate all proposals effectively and equitably, the Contracting Officer must receive information sufficiently detailed to clearly address submission requirements as outlined below. Pages containing text should be submitted electronically on standard 8-1/2 x 11-inch size paper. Use of 'TAB' pages are encouraged to identify each section of the proposal and shall not count against proposal's total page count. Each page of text should be minimally single spaced with a minimum 12-point font and one-inch margins all around. Any sheet with printed material (text or graphics) should be considered a page, excluding dividers, cover sheets, letters of commitment, team agreements, and/or Joint Venture agreements.

3.1.4 Joint Ventures

a. When an Offeror is submitting a proposal as a joint venture, all members of the joint venture must sign the SF 1442 and any financial surety instrument that is required, unless a written agreement by all members of the joint venture is furnished with the proposal designating one firm with the legal authority to bind the other member(s) of the joint venture. Signatures on the written agreement designating one member of the joint venture as having legal authority to bind all other members of the joint venture must be executed by the duly authorized representatives of the respective joint venture members. All joint venture members will remain jointly and severally liable for all actions, representations, and other activities by the joint venture and by other joint venture members in connection with this solicitation and subsequent contract. A copy of the joint venture agreement and agreement providing evidence of the authority to legally bind all other members of the joint venture must be submitted with the Offeror's proposal. Failure to comply with the foregoing requirements may eliminate the proposal from further consideration.

b. If submitting a proposal as a joint venture, the experience, past performance, and other information about each of the joint venture partners can be submitted for the joint venture. The experience, past performance, and other information about each joint venture partner will be considered the experience, etc. of the joint venture entity. Joint ventures must also submit the following additional documentation:

3.1.4.b.1 A copy of the Joint Venture Agreement.

3.1.4.b.2 A detailed statement outlining the following in terms of percentages, where appropriate:

3.1.4.b.3 The relationship of the joint venture parties in terms of business ownership, capital contribution, and profit distribution or loss sharing.

3.1.4.b.4 The structure of the joint venture and decision-making responsibilities of the joint venture parties in terms of who will control the manner and method of performance of the work under the contract.

3.1.4.b.5 Identification of key personnel having the authority to bind the joint venture to any and all agreements, including any subcontracts, executed by the joint venture.

3.1.4.b.6 Identification of party or parties maintaining the joint venture bank accounts for the payment of all expenses and the deposit of all receipts, keeping the books and records of the joint venture, and paying applicable taxes for the joint venture.

3.1.4.b.7 Identification of party or parties having overall control of the joint venture.

c. Other sections of the proposal should identify, where appropriate, whether key personnel are employees of the individual joint venture entities and identify the entity, or whether they are hired directly as employees of the joint venture.

d. A complete and legally binding document with all information required under this section titled "Joint Venture" shall be included in Volume I of the proposal.

3.2 PROPOSAL SUBMISSION REQUIREMENTS

3.2.1 Proposal Requirements and Submission

Proposals should be submitted initially on the most favorable terms. Do not assume that Offerors will be contacted or afforded an opportunity to clarify, discuss or revise their proposals.

Do not submit any material not required by this solicitation (such as company or system brochures). Offerors should meet all technical portions (construction criteria) of the RFP. The fact that the technical specifications and the drawings are not evaluated factors during solicitation does not relieve the Offerors from meeting all technical, or other, requirements of the RFP.

The Government will not make assumptions concerning the intent, capabilities, or experiences of the Offerors. Clear identification of proposal details shall rest as sole responsibility of the Offeror. Therefore, the proposal should meet the following basic requirements:

a. Proposals should be typed and easy to read. Margins (1-inch) should be clean and clear.

b. Must contain a Proposal Cover Sheet, to include the Offeror's e-mail address, cell phone number, Name, Address, UEI, and CAGE code. The proposal cover sheet is required by Provision "FAR 52.215-1, Instructions to Offerors—Competitive Acquisition."

c. Proposals should be organized, concise, and submitted in the volumes and in the order

indicated herein. Volumes should be clearly identified and tabbed. Each factor should be described in a separate tabbed section.

d. Proposals should contain a Table of Contents and include at the bottom left side of each page the volume and page number.

e. Offerors should submit a signed dated Standard Form 1442, Solicitation, Offer, and Award. Any and all amendments must be acknowledged by the Offeror in accordance with the instructions on the Standard Form 30, Amendment of Solicitation.

f. Offerors are reminded that elaborate corporate marketing information, formatting, special reproduction techniques, and the like are not necessary. However, proposals should completely and adequately address the requirements of this solicitation.

g. Failing to submit attachments or failing to properly complete the proposal, may result in rejection of the Offer without further evaluation. Therefore, Offerors are urged to follow instructions and contact the Contract Specialist if instructions are not understood.

3.2.2 Where to Submit:
The Offeror's proposal should be submitted electronically, as described below. The RFP will provide the Government address and receipt date for proposal submittal. The Offeror's proposal shall not contain classified data. The use of hyperlinks in proposals is prohibited.

NOTE: The only authorized transmission method for proposals in response to this solicitation is electronically via EMAIL. NO OTHER TRANSMISSION METHODS (FACSIMILE, REGULAR MAIL, HAND CARRIED, ETC.) WILL BE ACCEPTED.

The Offeror's proposal must be received by the Government by the date/time specified in the solicitation. Offerors shall email their proposals.

Please send proposals to Contract Specialist Jordan Moran at Brian.H.Winters@usace.army.mil and to Contracting Officer Nicholas Emanuel at nicholas.p.emanuel@usace.army.mil.

INSTRUCTIONS FOR SUBMITTING ELECTRONIC PROPOSALS:
In an effort to reduce paperwork and cost, all proposals shall be submitted electronically through email. Submission shall be in Adobe PDF format. If you have a large number of files, recommend that you combine or ZIP your files before uploading in email (total size cannot exceed 5MB). Offerors may use compression utility software such as WinZip or PKZip to reduce file size and facilitate transmission.

FILE DESCRIPTION: Include a "File Description" for each file(s) you upload. The "File Description" will be included in the email notice to each of the recipients you choose to have access your file(s). NOTE: Do NOT enter Privacy Act Data (Personally Identifiable Information (PII)) in the File Description.) Submission shall be in Adobe PDF format.

EMAIL FILE SIZE IS LIMITED TO 25 MB. The Government will NOT accept links.

RECEIPT OF SUBMISSIONS:

For the purposes of establishing whether a proposal submission is considered timely, the government considers the date and time the submission is received by the government.

The government will not be responsible for submissions delivered to any location or to anyone other than those designated to receive proposals. Offerors are responsible for ensuring that proposals are submitted so as to reach the designated recipients. Offerors are responsible for allowing sufficient time for the proposal to be received in accordance with the instructions provided.

3.3 VOLUME 1– MINIMUM SUBMISSION CRITERIA (TECHNICAL PROPOSAL): For purposes of this RFP, an "Offeror" may include a group of two (2) or more entities that have formed a "contractor team arrangement," as that term is defined in the Federal Acquisition Regulation, Part 9.6. In the case of entities that have formed a contractor team arrangement, the experience and performance history of any member of the team, whether or not gained while working with the other member(s) of the currently-proposed contractor team arrangement, will be considered as a part of the evaluation of the Offeror's proposal, if the Offeror provides a firm, unequivocal Letter of Commitment signed by the subcontractor..

In the case of affiliates, past performance of an Offeror's "affiliate," as that term is defined in FAR 2.101, will be evaluated (as described within this section) if the Offeror demonstrates a firm, unequivocal commitment that the affiliate will participate meaningfully (e.g., roles, responsibilities, etc.) in the performance of the contract. This commitment, nature of each entity's relationship and meaningful participation shall be described in a document signed by authorized representatives of both the Offeror and its affiliate.

If a teaming agreement or Letter of Commitment is not provided, the projects and experience of any team members outside of the Prime Offeror will not be considered.

The contractor team agreement/commitment should be provided at the beginning of the Offeror's technical proposal, prior to Factor 1, and will not be included in the overall page count.

The following are to be used in determining the status of the Offeror's team for the evaluation of project submissions under Factor 1:

3.3.1 In the case of contractor team arrangements involving a Prime Contractor and Subcontractor(s), where the Prime Contractor submits the proposal in response to this RFP, the Prime Contractor is considered the "Prime Offeror."

3.3.2 In the case of joint ventures, the "Prime Offeror" experience and past performance is limited to entities with signed agreements.

3.3.3 In the case of mentor/protégé relationships, the relationship must be established by the two Offerors and approved by the chosen Government Agency prior to proposal submission. The "Prime Offeror" experience and past performance is limited to entities with signed agreements. The approved mentor/protégé document from the Government Agency must be submitted along with the teaming agreement.

3.3.4 In the case of additional projects submitted by subcontractors, the subcontractor must submit the final cost of their portion of the project along with total project cost and all other required information.

3.3.5 In the case of Offerors that are large, multi-function firms (consisting of subsidiaries), experience and past performance should be limited to the segment of the firm (e.g., division, group, and unit) that is submitting a proposal in response to this RFP.

3.3.6 In the case of affiliates, past performance of an Offeror's "affiliate," as that term is defined in FAR 2.101, will be evaluated (as described within this section) if the Offeror demonstrates a firm commitment that the affiliate will participate meaningfully in the performance of the

contract. This commitment and meaningful participation shall be described in a document signed by authorized representatives of both the Offeror and its affiliate.

3.3.7 If a teaming agreement or commitment is not provided, the projects of any team members outside of the Prime Offeror will not be considered. If the Joint Venture/Mentor Protégé is a Small and Large Business, the Small Business will be evaluated as the Prime Offeror.

4.0 PROPOSAL INFORMATION AND RELATED EVALUATION FACTORS, RATINGS AND ELEMENTS

The SSEB will evaluate the proposals and assign a consensus rating for the non-price evaluation factors.

Offerors are cautioned to put forth their best efforts, and to furnish all information clearly to allow the Government to evaluate proposals. Offerors should not assume that they will have an opportunity to clarify or correct anything in their proposal after submission. However, the Government reserves the right to hold discussions if it determines that discussions are necessary. Therefore, proposals should be submitted on the most favorable terms that the Offeror can submit to the Government. If discussions are necessary, the Contracting Officer reserves the right to 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.

Determination of Competitive Range refers to the range of proposals that are identified as the most highly rated, unless the range is further reduced for the purposes of efficiency. Competitive Range will be determined on the basis of the ratings of each proposal against all evaluation factors. The Government must then indicate to, or discuss with, each Offeror still being considered for award, deficiencies, significant weaknesses, and adverse past performance information to which the offeror has not yet had an opportunity to respond. The Contracting Officer will notify all contractors eliminated from the Competitive Range.

If discussions are held, the Government may engage in a broad give and take with those firms in the Competitive Range, in accordance with FAR 15.306(d). The Government will provide the Firm an advance agenda for the discussions. During discussions, the Government may ask the Offeror to further explain its proposal and to answer questions about it.

Upon conclusion of discussions, those Offerors still considered within the Competitive Range, will be afforded an opportunity to submit their proposal revisions for final evaluation and selection.

4.1 VOLUME 1 – PERFORMANCE CAPABILITY

LOCATION	FACTOR NUMBER	DESCRIPTION	RELATIVE IMPORTANCE
Volume 1 Tab A	Factor 1	Past Performance	Non-price Factor 1 is the most important non-price factor.

4.2 VOLUME 2 – SMALL BUSINESS

LOCATION	FACTOR NUMBER	DESCRIPTION	RELATIVE IMPORTANCE
Volume 2 TAB A	Factor 2	Small Business Participation Plan	Non-price Factor 2 is the least important non-price factor.
Volume 2 TAB B	Factor 2	Past Utilization of Small Business	

4.3 VOLUME 3 – PRICE

LOCATION	FACTOR NUMBER	DESCRIPTION	RELATIVE IMPORTANCE
Volume 3	Factor 3	Price	All non-price factors (1-2) when combined are approximately equal in importance to price.

5.0 VOLUME 1 – PERFORMANCE CAPABILITY

GENERAL: The non-price factors consist of examples of Past Performance that meet the relevant scope, complexity, and magnitude described below.

DEFINITIONS:

- Deficiency: A material failure of a response or 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.
- Weakness: A flaw in the response or proposal that increases the risk of unsuccessful contract performance.
- Significant Weakness: A flaw in the response or proposal that appreciably increases the risk of unsuccessful contract performance. Denoted with an (S).
- Strength: Any aspect of an offeror's proposal with merit or will exceed specified performance or capability requirements to the advantage of the Government during contract performance.
- Significant Strength: An aspect of an Offeror's proposal with appreciable merit or will exceed specified performance or capability requirements to the considerable advantage of the Government during contract performance. Denoted with an (S).
- Deviation: Proposal implies or specifically offers a deviation below the specified criteria. The Offeror may or may not have called the deviation to the Government's attention. A deviation is a deficiency. The proposal must conform to the solicitation requirements for award.
- Uncertainty: Any aspect of a non-cost/price factor response or proposal for which the intent of the offer is unclear (e.g. more than one way to interpret the offer or inconsistencies in the response or proposal indicating that there may have been an error, omission, or mistake).

EVALUATION RATING SYSTEM

- General: The Government will review the proposals and rate the quality of each evaluation factor. The SSEB will rate each proposal against the specified evaluation criteria in the solicitation requirements. They will not compare proposals at this time. After all proposals are rated, the Government will compare the ratings and relative advantages and disadvantages of proposals against each other.

- Review Write-up: The Government will support each rating with a narrative, separately listing all strengths or advantages, weaknesses or disadvantages, deficiencies, and uncertainties.

- Rating System: After listing proposal strengths, weaknesses and deficiencies, the SSEB will assign an adjective rating of "Outstanding," "Good," "Acceptable," "Marginal," or "Unacceptable" to each factor except the Past Performance Factor, which will reflect the Government's confidence in each Offeror's ability, as demonstrated in its proposal, to perform the requirements stated in the RFP. The adjectival ratings shall be assigned, using the evaluation criteria, which incorporate a proposal risk assessment:

The Offeror will provide Past Performance information on relevant projects. For each project, submit a Specialized Experience Form (Attachment 3) and a Past Performance Questionnaire (PPQ) (Attachment 2). Contractor Performance Assessment Reporting System (CPARS) shall be submitted for projects, when available. The offeror may omit the PPQ when complete CPARS data is submitted. When using the PAST PERFORMANCE QUESTIONNAIRE (PPQ), send form to the customer with items 1 through 4 completed and the "Note" that appears on its reverse side as well as the "Adjective Rating and Definitions" that are used for the ratings in the form. Ensure correct phone numbers and email addresses are provided for the client point of contact. If the Offeror is unable to obtain a completed PPQ from a client for a project(s) before the proposal closing date, the Offeror should complete and submit with the proposal the first page of the PPQ form, which will provide contract and client information for the respective project(s). Offerors should follow-up with clients/references to ensure timely submittal of questionnaires. If the client requests, questionnaires may be submitted directly to the Government's points of contact, the Contract Specialist and Contracting Officer, prior to proposal closing date. Offerors shall not incorporate by reference into their proposal PPQs previously submitted for other RFPs. However, this does not preclude the Government from utilizing previously submitted PPQ information in the past performance evaluation.

Also include performance recognition documents received within the last seven (7) years from the date of issuance of the solicitation such as award fee determinations, customer letters of commendation, and any other forms of performance recognition.

The Government reserves the right to verify the Past Performance by reviewing the Construction Contractor (or Architect-Engineer) Performance Assessment Reporting System (CPARS), other DoD or Government appraisal systems or to interview commercial owners or references. The Government may check any or all cited references to verify supplied information. The relevant experience of key personnel proposed for this project will not be evaluated or considered under this factor.

While the Government may elect to consider data from other sources, the burden of providing detailed, current, accurate and complete past performance information rests with the Offeror.

The source selection evaluation team will review this past performance information and determine the quality and usefulness as it applies to a performance competence assessment as described in the guidelines, below.

Less than satisfactory performance information includes the issuance of cure notices, terminations for default, or the requirement for excessive oversight in order to achieve satisfactory completion. A single example of less than satisfactory performance, if significant enough, may lead to a less than satisfactory rating for this factor. Likewise, multiple examples of less significant less than satisfactory performance may lead to a less than satisfactory rating for this factor.

In conducting the performance competence assessment, the Government will consider the relevancy of the past performance information available. Highly relevant projects are those that are similar in scope, complexity, and magnitude to the current solicitation, although the past performance may still be considered if the projects do not fully meet the criteria for Factor 1.

In addition, the Offeror is required to provide any information on past projects (within the past five (5) years from the date of issuance of the solicitation) that were terminated (for any reason) or in which they have been issued a CURE NOTICE and provide accompanying information as to the details for such action(s) with an explanation of why they were terminated or issued a cure notice.

5.1.1 SUBMISSION REQUIREMENTS

The SSEB will evaluate the risks associated with an Offeror's likelihood of success in performing the requirements stated in the RFP based on the Offeror's demonstrated performance on recent,

relevant contracts. A performance confidence assessment rating will be assigned to each past performance.

Rating Guidelines for Factor 1: Refer to the Table in section 5.1.3

NOTE: In the case of an Offeror without a record of relevant past performance or for whom information on past performance is not available or so sparse that no meaningful past performance rating can be reasonably assigned, the Offeror may not be evaluated favorably or unfavorably on past performance (see FAR 15.305 (a)(2)(iv)). Therefore, the Offeror shall be determined to have unknown (or "neutral confidence") past performance.

5.1.2 RELEVANT PAST PERFORMANCE

The Offeror will be evaluated on the recency and relevancy of the past performance demonstrated in the submitted form, ATTACHMENT 3 - SPECIALIZED EXPERIENCE. The Offeror should list their construction past performance of similar project scope, complexity, and magnitude as defined below. Additionally, the Offeror should list their designer's past performance in designing projects of similar scope, complexity, and magnitude. Design Bid Build projects may be considered.

For the construction contractor past performance - submit at least two (2) and not more than three (3) projects. A minimum of two (2) projects should be completed and turned over to the customer and the other projects should be at least substantially complete. Substantially complete is defined as 75% construction complete as of the date of issuance of the solicitation. All submitted projects should be recent construction past performance which means that completion should be no more than seven (7) years preceding the date of issuance of this solicitation. The projects should meet the descriptions of scope, complexity and magnitude as outlined below.

For the design firm on the team – submit a minimum of one (1) project, but no more than two (2) previously designed projects. A minimum of one (1) project should be construction complete and turned over to the customer, any further projects should be at least 100% design complete, and construction should be at least 30% physical work complete. At least one (1) project should include the design of water transmission line. All submitted projects should be recent design past performance which means that design completion should be no more than seven (7) years preceding the date of issuance of this solicitation. The projects should meet the description of similar scope, complexity, and magnitude as outlined below.

If any firm has multi-function firms, project examples should be limited to those performed by the division submitting the offer.

Firm, unequivocal letters of commitment (Signed by both the Subcontractor and Offeror) are required in order for the Government to consider Subcontractor past performance in the proposal evaluation. Only unequivocal letters matching the format shown in Attachment 5 will be acceptable. Other divisions within the Offer's company may be considered as subcontractors for the submitting division.

The projects submitted should include the following criteria. Projects do not have to include all of the criteria; however, projects that meet many or all of the criteria may be given a higher degree of relevancy. Projects should demonstrate a similar scope, similar complexity, and similar magnitude.

i. Similar projects are defined as:
   a. Scope: Similar scope is defined as design and/or

construction of water systems.

b. Complexity: Similar complexity is defined as projects demonstrating successful design and/or construction of water systems, including telemetry and controls, that are at least 2,500 linear feet.
c. Magnitude: Similar magnitude is defined as projects with a construction cost greater than $5,000,000. Offerors should provide construction cost of each project submitted, for both the design and construction projects submitted for consideration.

The Government will consider the past performance demonstrated by the projects in its evaluation. Proposals may be highly rated when the Offeror demonstrates extensive past performance in all or nearly all of the aspects defining relevance and listed below. Where this past performance includes the following, the proposal may be given additional consideration (the following list does not encompass all possible items for which additional consideration may be given):

i. Projects demonstrating experience with design build projects.
ii. Projects that included NYS regulatory permitting.
iii. Projects designed in accordance with AWWA standards.
iv. Water transmission systems 5,000ft or longer.
v. Projects that included the installation of water wells.
vi. Projects demonstrating experience working with USACE.
vii. Projects demonstrating the prime contractor and anticipated subcontractor(s) have worked together on previous projects.
viii. Projects demonstrating self-performance by the prime contractor.

Where this past performance includes the following, the proposal may be given weaknesses (the following list does not encompass all possible weaknesses):

i. Few or no projects are provided where the Offeror acted as Prime contractor.
ii. Few or no projects that involve working with USACE.
iii. Few or no projects that involve working on DoD installations.
iv. Few or no projects that involve design in accordance with AWWA standards.
v. Water systems less than 2,500ft long.
vi. Example experiences are from proposed subcontractors in lieu of the Offeror.

EVALUATION CRITERIA

5.1.3 RATING GUIDELINES FOR FACTOR 1

PAST PERFORMANCE RELEVANCY RATINGS	
RATINGS	DESCRIPTION
Very Relevant	Present/past performance effort involved essentially the same scope and magnitude of effort and complexities this solicitation requires.
Relevant	Present/past performance effort involved similar scope and magnitude of effort and complexities this solicitation requires.
Somewhat Relevant	Present/past performance effort involved some of the scope and magnitude of effort and complexities this solicitation requires.
Not Relevant	Present/past performance effort involved little or none of the scope and magnitude of effort and complexities this solicitation requires.

PAST PERFORMANCE (CONFIDENCE ASSESSMENT RATING SYSTEM)

Past Performance Risk Ratings assess the risks associated with an Offeror's likelihood of success in performing the requirements stated in the RFP based on the Offeror's demonstrated performance on

recent, relevant contracts. Performance Confidence Assessment (Overall) Rating System:

PERFORMANCE CONFIDENCE ASSESSMENT	
RATINGS	DESCRIPTION
Substantial Confidence	Based on the Offeror's recent/relevant performance record, the Government has a high expectation that the Offeror will successfully perform the required effort.
Satisfactory Confidence	Based on the Offeror's recent/relevant performance record, the Government has a reasonable expectation that the Offeror will successfully perform the required effort.
Neutral Confidence	No recent/relevant performance record is available, or the Offeror's performance record is so sparse that no meaningful confidence assessment rating can be reasonably assigned. The Offeror may not be evaluated favorably or unfavorably on the factor of past performance.
Limited Confidence	Based on the Offeror's recent/relevant performance record, the Government has a low expectation that the Offeror will successfully perform the required effort.
No Confidence	Based on the Offeror's recent/relevant performance record, the Government has no expectation that the Offeror will be able to successfully perform the required effort.

Based on the Offeror's recent relevant performance record, the Government will make a determination as to the expectation that the Offeror will successfully perform the required effort. A performance confidence assessment rating will be assigned.

Where no recent/relevant performance record is available or the Offeror's performance record is so sparse that no meaningful confidence assessment rating can be reasonably assigned, the Offeror will receive a Neutral Confidence (neutral) rating. This rating is neither favorable nor unfavorable.

6.0 VOLUME 2 – FACTOR 2—SMALL BUSINESS PARTICIPATION PLAN & PAST UTILIZATION OF SMALL BUSINESS

The Offeror shall use Attachment 4 as a form to provide the following required information in a clear concise manner.

6.1 VOLUME 2 – FACTOR 2 – TAB A SMALL BUSINESS PARTICIPATION PLAN

In accordance with Defense FAR Supplement (DFARS) 215.304(c)(i), the extent to which Offerors identify and commit to small business performance of the contract shall be evaluated. Offerors shall submit a Small Business Participation Plan (SBPP) which specifies the Offeror's level and degree of commitment to small business utilization/participation in performance of this requirement. An SBPP is required from all Offerors, including companies with commercial plans and comprehensive subcontracting plans.

All Offerors shall identify the extent to which Small Businesses (SBs), Veteran-Owned Small Businesses (VOSBs), Service-Disabled Veteran-Owned Small Businesses (SDVOSBs), HUBZone Small Businesses, Small Disadvantaged Businesses (SDBs), and Woman-Owned Small Businesses (WOSBs) would be utilized in the performance of this proposed contract. For small businesses, as defined by the North American Industry

Classification System (NAICS) Code applicable to this solicitation, the Offerors shall identify their own participation as a SB, VOSB, SDVOSB, HUBZONE SB, SDB, or WOSB and it will be considered in evaluating the Participation of Small Business factor.

Address the following information in detail. Provide the names of SB, VOSB, SDVOSB, HUBZONE SB, SDB, and WOSB who would participate in the proposed contract, identifying specific type of services or supplies to be subcontracted by small businesses, and the estimated total dollars for such work.

Large business contractors may achieve the small business participation goals through subcontracting to small businesses. Small business contractors may achieve small business participation goals through their own performance/participation as a prime and also through a joint venture, teaming arrangement, and subcontracting to other small businesses. A small business prime is not required to subcontract to other small businesses in order to achieve the small business participation goals.

All Offerors (both large and small businesses) will be evaluated on the level of proposed participation of U.S. small businesses in the performance of acquisition (as small business prime Offerors or small business subcontractors) relative to the objectives and goals established herein.

6.1.1 GOAL REGARDING THE PARTICIPATION OF SMALL BUSINESS CONCERNS

6.1.2 Application. This clause applies to all Offerors submitting proposals.

6.1.3 Goals. The U.S. Army Corps of Engineers considers the following goals for Small Business Participation, reasonable and achievable for the performance of the resultant contract:

6.1.3.1 10% of total contract amount with small business concerns (SB).

6.1.4 Socio-Economic Goals: The U.S. Army Corps of Engineers considers the following socio-economic goals for Small Business Participation, reasonable and achievable for the performance of the resultant contract:

6.1.4.1 2% of total contract amount with those small business concerns owned and controlled by socially and economically disadvantaged individuals (SDB, including 8(a)).

6.1.4.2 2% of total contract amount with those small business concerns owned and controlled by women (WOSB).

6.1.4.3 2% of total contract amount with those small business concerns owned and controlled by Service-Disabled Veterans (SDVOSB).

6.1.4.4 1% of total contract amount with those small business concerns owned and controlled by HUBZones.

6.1.4.5 2% of total contract amount with those small business concerns owned and controlled by Veterans (VOSB).

Note: Socio-Economic goal percentages listed are to be part of the total percentage submitted to meet or exceed the 12% small business goal identified in 5.5.2(b)(i) (not in addition to).

Note: Offerors should provide both the percentage and total dollars to be performed by small businesses and each subcategory (based on the total contract value). The Small Business Deputy will verify the total proposed price (not individual cost elements), and any subcontracting information with the Cost/Price team to ensure the dollar amounts are consistent with what is being proposed in the SBPP. If an Offeror does not use the value of their total acquisition to base their participation goals on it will result in a Deficiency.

Note: If an Offeror is unable to meet the full RFP participation goals for any of the socioeconomic categories (e.g., HUBZone, WOSB, etc.), the Offeror must provide an explanation as to why the participation goal(s) cannot be met and/or what actions will be taken to increase the participation for any of the socioeconomic participation goal categories the Offeror is unable to meet.

Pursuant to DFARS PGI 215.304(c) the following elements will be considered in evaluating an Offeror's Participation Plan:

i. The extent to which such firms, as defined in FAR Part 19, are specifically identified in plans;
ii. The extent of commitment to use such firms (enforceable commitments will be weighted more heavily than non-enforceable ones);
iii. Identification of the complexity and variety of the work such firms are to perform;
iv. The extent to which the Offeror meets or exceeds the goals, as indicated herein in terms of percentage of the total value of the acquisition;
v. Past performance of the Offerors in complying with requirements of the clauses at FAR 52.219-8, Utilization of Small Business Concerns, and 52.219-9, Small Business Subcontracting Plan.

See Table in Section 6.3.6, for the Small Business ratings criteria.

6.2 VOLUME 2 – FACTOR 2 – TAB B - PAST UTILIZATION OF SMALL BUSINESS

6.2.1 Submission Requirements: Provide a description of the Offeror's performance, over the past seven (7) calendar years, in complying with the requirements of FAR 52.219-8, Utilization of Small Business Concerns, including description and available documentation of the methods employed to promote small business utilization and the internal methods used to monitor such utilization. Factor 4, Small Business Participation Plan (TAB A), also required in the Source Selection phase, and the Subcontracting Plan required prior to award if requested by the Contracting Officer, are both separate and different requirements than Factor 4 (TAB B), Past Utilization of Small Business.

6.2.2 Past performance of the Offeror in complying with the requirements of the clauses at FAR 52.219-8, Utilization of Small Business Concerns, and, for all large business Offerors, FAR 52.219-9, Small Business Subcontracting Plan (JUL 2013), based on the Offeror's presentation of facts, details of efforts and successes in complying with the clause(s) on Federal contracts. Offerors must show documentation of reasonable efforts in complying with the clause for a "Satisfactory" rating.

6.2.3 Offerors who are large, as defined by the North American Industry Classification System (NAICS) Code applicable to this solicitation, shall provide a description of their performance over the past seven (7) calendar years in complying with the requirements of FAR 52.219-8, Utilization of Small Business Concerns, and/or FAR 52.219-9, Small Business Subcontracting Plan, including documentation of their accomplishment on prior contracts with any Federal Agency. For Large Business: Summary Subcontracting Report (SSR) system located at https://www.esrs.gov3. For Large and Small businesses: provide descriptive information for all small business categories. Any information concerning long-term relationships with Small Business subcontractors, such as mentor-protégé relationships, should be provided. Contractors using the Electronic Subcontracting Reporting System (eSRS) with non-DoD agencies may submit a Summary Subcontracting Report (SSR) for plan type individual. The SSR is the former SF-295. USACE is using eSRS effective October 2008.

6.2.4 Large businesses that have never held a contract incorporating FAR 52.219-8 and/or FAR 52.219-9 shall so state. Large Businesses may use company records to document Past Utilization of Small Business.

6.2.5 Small business utilization for each of the projects submitted under Factor 1 should be included in this section. Information to be provided includes:

6.2.5.1 Extent and type of work you subcontracted out.
6.2.5.2 Type of firm subcontracted to (LB, SDVOSB, WOSB, etc.).
6.2.5.3 Company subcontracted to.
6.2.5.4 Subcontracted company's address.
6.2.5.5 Subcontracted company's UEI.
6.2.5.6 Subcontracted company's NAICS.
6.2.5.7 Amount subcontracted to small business.
6.2.5.8 Details of efforts and successes in complying with the clauses(s) of Federal contracts.
6.2.5.9 Explanation for no prior performance information.

6.2.6 RATING GUIDELINES FOR FACTOR 2 – SMALL BUSINESS

RATINGS	DESCRIPTION
Outstanding	Proposal indicates an exceptional approach and understanding of the small business objectives.
Good	Proposal indicates a thorough approach and understanding of small business objectives.
Acceptable	Proposal indicates an adequate approach and understanding of the small business objectives.
Marginal	Proposal has not demonstrated an adequate approach and understanding of the small business objectives.
Unacceptable	Proposal does not meet small business objectives.

The Government will not award to an Offeror that receives an Unacceptable rating in this factor.

7.0 **VOLUME 3 – FACTOR 3 – PRICE AND PRO FORMA INFORMATION**

GENERAL: Submit the Pro Forma information in a separate electronic file labeled: "Volume 3 – Pro Forma Requirements."

7.1 VOLUME 3 TAB A – PRICE (STANDARD FORM 1442 AND CONTRACT LINE ITEM SCHEDULE)

Submission Requirements: Submit the Proposal Data Sheet (Attachment 1), properly filled out and executed SF 1442, along with the CLIN Schedule, containing proposed line item and total pricing, as well as the proposed contract duration. The base contract price plus options items prices will be the total evaluated price (TEP). This price will be used for the purposes of tradeoff.

Evaluation Criteria:

7.1.1 Price will not be rated or scored, but will be evaluated for fairness and reasonableness through the use of a price analysis by the Price Evaluation Board (PEB). The PEB will also check for appearance of unbalanced line item prices. Offerors are cautioned to distribute direct costs, such as material, labor, equipment, subcontracts, etc. and to evenly distribute indirect costs, such as job overhead, home office overhead, bond, etc., to the appropriate contract line items. Both parties shall presume that field overhead costs through the proposed contract duration are inclusive in the offered price for the contract.

7.1.2 Supplemental Cost Breakdown. The Government may request a cost breakdown of the Contract Line items in a sealed envelope marked "Cost Breakdown Information", in Excel format. If required, the Government will provide details for the preparation of the cost breakdown. This

information is not an opportunity for an Offeror to revise its non-price or price proposal. If deemed necessary, the supplemental price breakdown information will be used to assist the Government in performing the price evaluations described above.

7.1.3 The Government reserves the right to accept other than the lowest priced offer or to reject all offers. The Government will not award a contract to an Offeror whose proposal contains a Deficiency, as defined in FAR 15.001. If there is a lower priced, conforming offer(s), the Source Selection Authority must determine that the added value of a more expensive proposal (within an acceptable range) would justify award to that Offeror.

7.2 VOLUME 3 – TAB B – BID GUARANTEE

7.2.1 Submission Requirements: Submit the Bid Bond in accordance with the solicitation request for proposals. If the Offeror cannot provide a Bid Guarantee in accordance with FAR 52.228-1, the Offeror's proposal may be rejected as ineligible for award.

7.2.2 Evaluation Criteria: This item is not rated. The Government will review the Bid Bond for legal sufficiency. The Bond must be legally sufficient.

7.3 VOLUME 3 TAB C – SELF-PERFORMED WORK

7.3.1 Submission Requirements: The Firm shall confirm that it understands and that it shall perform the amount of work required to be self-performed, in accordance with the appropriate clause in Section 00 70 00 that applies to the contract performance.

7.3.2 Evaluation Criteria: This item is not rated. In order to assure adequate interest in and supervision of all work, the Contractor shall be required to perform a significant part of the contract with its own forces. This public policy is expressed in various Statutes, as well as in the Federal Acquisition Regulations and in the Small Business Administration Code of Federal Regulations. The Firm must confirm that it understands the amount of work performed, based on the status of the firm, and that it will self-perform the required amount of work with its own forces. For purposes of these clauses, work that is performed off-site, such as factory fabrication or factory assembly of modules, or direct design work, may also be taken into account as self- performed work.

7.4 TAB D - REQUIRED PRE-AWARD INFORMATION

7.4.1 Submission Requirements:

Submit this information for the Contracting Officer's determination of Offeror responsibility, which includes, but is not limited to the following:

(1) A list of present commitments, including the dollar value thereof, and name of the organization under which the work is being performed. For the 10 largest present commitments, include names and telephone numbers of personnel within each organization who are familiar with the prospective contractor's performance.

(2) A certified statement listing; (1) each contract awarded within the preceding three month period exceeding $1,000,000.00 in value with a brief description of the contract; and (2) each contract awarded within the preceding three year period not already physically completed and exceeding $3,500,000.00 in value with a brief description of the contract.

(3) If the prospective contractor is a joint venture, each joint venture member will be required to submit the above defined certification.

One copy of the following information shall be provided:

(4) Proof of Financial Ability (Most recent financial statement covering assets and liabilities)

(5) Number of years the firm has been in business

(6) Name, address and telephone number of firm's bonding company

(7) Information showing Offeror's bond-ability for this project. Include the bond rate.

(8) Name, address and telephone numbers of two credit/trade references.

Evaluation Criteria: In addition to the other proposal information, the Contracting Officer shall use this information in making an affirmative responsibility determination for award to the successful Offeror, in accordance with FAR Part 9.

7.5 TAB E – REPRESENTATIONS & CERTIFICATIONS

SUBMISSION REQUIREMENTS: Confirm that the Offeror's representations and certifications have been completed and are up to date on the SAM.gov website and also include hard copies under this Tab.

EVALUATION CRITERIA: The representations and certifications submitted under this tab and online will be reviewed to ensure the Offeror's representations are consistent, accurate, and in accordance with regulation. It will not be rated.

In addition to the other proposal information, the Contracting Officer shall use this information in making an affirmative responsibility determination for award to the successful Offeror, in accordance with FAR Part 9.