**SECTION M**

**EVALUATION FACTORS FOR AWARD**

**FOR**

**COMPREHENSIVE CONSTRUCTION AND ENGINEERING (C2E)**

**FOR**

**FACILITES, SUSTAINMENT, RESTORATION, AND MODERNIZATION (FSRM)**

**WORLDWIDE**

**10 Jul 2024**

1. **GENERAL INFORMATION**

**1.1 Basis of Contract Award.** This is a best value source selection conducted in accordance with Federal Acquisition Regulation (FAR) 15.3 as supplemented. In this procurement, the Government will select the best overall offers that, based upon the results of an integrated assessment of the proposals, offer the Government a combination of the Highest Technically Rated Offeror (HTRO) Past Experience ratings, Acceptable Small Business Participation (Full & Open Only), and complete, balanced, and reasonable pricing. Although this source selection includes an integrated assessment, the evaluation methodology is not a Tradeoff.

**1.1.1** The Government will only award a contract to an Offeror who is determined responsible in accordance with FAR 9.104-1 and whose proposal conforms to the solicitation’s requirements (to include all stated terms, conditions, representations, certifications, and all other information required by this solicitation).

**1.1.2** Best value to the Government is represented by the combination of HTRO Past Experience (based on validated self-scoring), Acceptable Small Business Participation (F&O Only), and Complete, Balanced and Reasonable pricing. For the F&O, other-than small businesses must also have an acceptable Small Business Subcontracting Plan.

If an Offeror receives an award under both the SBSA and the F&O, the Government reserves the right to award additional contracts under each to ensure maximum competition.

**1.1.3** The Source Selection Authority (SSA) will base the source selection decision on an integrated assessment of all sourcrespe selection evaluation criteria in this Section M (described below). While the Government source selection evaluation team and the SSA will strive for maximum objectivity, the source selection process, by its nature, is subjective; therefore, professional judgment is implicit throughout the entire process.

* 1. **Number of Contracts to be Awarded.** To establish the Indefinite Delivery Indefinite Quantity (IDIQ) Multiple Award Task Order Contract (MATOC), the Government contemplates the following:
     1. Small Business Set Aside (SBSA) Awards – The Government intends to make award to the 15 highest technically rated offerors with complete, balanced and reasonable pricing.. The Government will include the following small business socio-economic reserves: three (3) HTRO firms with an 8(a) designation, two (2) HTRO firms with the Woman Owned Small Business (WOSB) designation, one (1) HTRO firm with the Service-Disabled Veteran Owned Small Business (SDVOSB) designation, and one (1) HTRO firm with the Historical Underutilized Small Business Zone (HUBZone) designation.
        1. If the three (3) HTRO 8(a), the two (2) HTRO WOSB, one (1) HTRO SDVOSB, or one (1) HTRO HUBZone proposals fall outside of the top 15 HTRO proposals, the Government intends to award to the next HTRO firms in the associated sowocio-economic categories to meet the reserves identified in 1.2.1.
        2. If the number of awardable proposals for the socio-economic category is less than the number of small business socio-economic reserves for that category, the category will remain partially unfilled. The Government will not solicit additional proposals to fill these categories.
        3. The term “SBSA Awards” will be used hereafter to refer to the numbers and socio-economic categories of awards specified in paragraphs 1.2.1 and 1.2.1.1, 1.2.1.2.
     2. Full and Open (F&O) Awards – The Government intends to make twelve (12) awards to the firms comprising the HTROs. In addition, the Government intends to award to one (1) firm with the 8(a) designation.
        1. If the one (1) 8(a) proposal is within the top twelve (12) proposals, no additional awards will be made. If the 8(a) proposal falls outside the top twelve proposals, the Government reserves the right to award to an additional firm to fulfill the 8(a) category.
        2. If the 8(a) proposal is determined un-awardable, no award will be made to that firm. If no 8(a) proposals are awardable in the F&O competition, the 8(a) category will be unfulfilled.
        3. The term “F&O Awards” will be used to describe the number and types of awards specified in paragraphs 1.2.2, 1.2.2.1, and 1.2.2.2.

Table

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Figure – Awards and Evaluations Factors Under SBSA and F&O Competitions

* + 1. **Choice of Competition.** The Government will review Appendix L-02, Choice of Competition, to validate how an individual contractor (to include teaming partners) has chosen to compete. If an individual contractor (to include teaming partners) competes more than once under the SBSA or the F&O portion, the Government may reach out to clarify which proposal that individual contractor (to include teaming partners) wants the Government to consider. If the contractor does not respond within the designated time, they will be removed from the competition. All clarifications regarding competition will be communicated through the (prime) Offeror.

If an Offeror is a Small Business company competing under both the SBSA and the F&O competition, and is evaluated as a successful Offeror under both competitions, the Government reserves the right to award either one contract to be used for both the SBSA task orders and the F&O task orders or separate contracts, one under each (SBSA and F&O).

* + 1. **On Ramps.** The Government reserves the right to exercise “on-ramps” as described in Attachment 5, On/Off Ramping, of this solicitation to award additional contracts at any point within the ordering period, to include the five (5) one (1) year ordering period options. Should the Government elect to exercise “on-ramps”, the Government may exceed the number of contracts contemplated above.
  1. **IDIQ Ceiling.** The overall ceiling of the IDIQ is estimated at $15B for 10 years if all options are exercised (five-year base ordering period plus five one-year options). The total value of all task orders awarded under the IDIQ will not exceed this amount. Funding will be determined at the individual task order level.
  2. **Minimum Guaranteed Task Order.** A Post-Award Conference will be awarded to each IDIQ awardee. The task order for the Post-Award Conference is $3,000.00 and will satisfy the minimum order requirement. A Contractor that is awarded an IDIQ contract is not guaranteed any task order beyond the Post-Award Conference. The Cost/Price of the Post-Award Conference will not be evaluated.
  3. **Proposals Substantiation.** Unsubstantiated and/or misleading claims, for even a single Past Experience evaluation criterion, could result in the Government determining that the Offeror’s proposed self-score is disingenuous and/or artificially inflated and the proposal would be disqualified and not awardable.
  4. **Discussions.** The Government reserves the right to evaluate proposals and award the contracts without discussions if the Procuring Contracting Officer (PCO) determines them not to be necessary. In the event discussions are conducted, they will be conducted in accordance with FAR 15.306 and will be limited to those Offerors determined to be a part of the competitive range.

1. **PROPOSAL COMPLIANCE AND RESPONSIBILITY** 
   1. **Proposal Compliance.** Offerors shall meet all solicitation requirements, such as terms and conditions, representations and certifications, and other instructions identified within the solicitation. Offerors shall comply with content required within each of the proposal volumes and sections. Failure to comply with any requirement of the solicitation may result in the Offeror being non-responsive and ineligible for award.

The Government will review the proposal documentation to ensure all required documentation was provided in response to the solicitation. The Government will rely on the provided documentation to facilitate the PCO’s determination of Contractor responsiveness.

* 1. **Responsibility.** No award shall be made to an Offeror unless the PCO determines them to be responsible. To be determined responsible, an Offeror shall meet the general standards described in FAR 9.104-1.
     1. **Financial/Other Resources.** Additionally, the Government will reach out to the Financial Institution identified in Appendix L-01, Offeror Company Information, to request a Banking Status Inquiry. The Banking Status Inquiry will not be evaluated as part of the technical and price proposal; however, it’s evaluation is required to determine contractor responsibility prior to award.
     2. **Accounting System.** The Government will evaluate the information provided IAW Section L, paragraph 2.3.4.2, to determine whether an Offeror proposing under the F&O has an adequate accounting system.
  2. **Construction Bonding.** The Government will evaluate the information provided IAW Section L, paragraph 2.3.4.3., to determine whether an Offeror has the bonding capacity to perform under the SBSA, if proposing under the SBSA, or under the F&O, if proposing under the F&O. Offerors who cannot comply with the requirements set forth in Section L paragraph 2.3.4.3 will not be considered for award and will be removed from the competition.
  3. **Organizational Conflict of Interest (OCI).** Organizational Conflict of Interest issues are treated in a manner similar to responsibility determinations. An Offeror’s actual or potential OCI concerns must be avoided, mitigated, or neutralized before that Offeror may receive an award of this contract.

**3.0 EVALUATION METHODOLOGY AND FACTORS**

**3.1 Evaluation Methodology.** The Government will utilize a Highest Technically Rated Offeror (HTRO) methodology. The HTRO method requires the Offeror to score itself based on the objective criteria described in Section L – Instructions, Conditions, and Notices to Offerors or Respondents.

The Offerors’ proposals will be ranked based on initial self-scoring in the Offeror completed Section L, Appendix L-05, which includes weighting for each factor. The Government will sort all proposals from the highest self-rated Offeror to the lowest self-rated Offeror. The Government will validate the highest proposed self-scores to fulfill the SBSA awards and the F&O awards. If an Offeror’s self-score is downward adjusted because of Government validation, and the Offeror is no longer among the highest rated Offerors, then the Government will validate the next highest self-rated Offeror, until the SBSA awards and the F&O awards are fulfilled with the highest Government-validated scores (see paragraph 4.0 of this Section M). The Government will evaluate for Small Business Participation Acceptability (F&O Only) (see paragraph 5.0 of this Section M)) and Price reasonableness, completeness, and balance (see paragraph 6.0 of this Section M). If an offeror is found unacceptable in small business participation or is found to have an unreasonable, incomplete or unbalanced price, the Government will validate the next highest self-rated Offeror and then evaluate that offeror for Small Business Participation Acceptability and Price reasonableness, completeness, and balance.

The Government, either without discussions or after discussions occur, will award basic contracts as follows:

In accordance with the number of awards in paragraph 1.2, the SBSA Offerors with a combination of the HTRO, Past Experience ratings and a Complete, Balanced, and Reasonable Price will represent the best value to the Government. In accordance with the number of awards in paragraph 1.2, the F&O Offerors with a combination of the HTRO, Past Experience ratings and a Complete, Balanced, and Reasonable Price will represent the best value to the Government.

**3.2 Evaluation Factors.** The following evaluation factors will be used to evaluate each proposal:

Factor 1: Past Experience

Factor 2: Small Business Participation (F&O Only)

Factor 3: Price

**4.0 Factor 1 – Past Experience (Volume II).**

**4.1 Past Experience Evaluation.** The Offerors proposals will be ranked based on initial self-scoring provided in Appendix L-05.

1. **Small Business Set-Aside:** Offeror’s self-scores will be validated using the work samples provided. The Government will review the section of the work sample that is listed within the Cross Reference Matrix (Appendix L-04) and any provided statement of facts. If the substantiating information cannot be found within the referenced page, paragraph, table, etc. the Government will not search for the substantiating information. If the Offeror’s score cannot be validated based on the work samples and Cross Reference Matrix, the Government will unilaterally downward adjust the score, potentially all the way down to zero (0) points. The Government will ONLY adjust the Offeror’s self-score downward, not upward. Adjustments are within the sole discretion of the Government.
2. **Full & Open:** Offeror’s self-scores will be validated using the work samples provided. The Government will review the section of the work sample that is listed within the Cross Reference Matrix (Appendix L-04) and any provided statement of facts. If the substantiating information cannot be found within the referenced page, paragraph, table, etc. the Government will not search for the substantiating information. If the Offeror’s score cannot be validated based on the work samples and Cross Reference Matrix, the Government will unilaterally downward adjust the score, potentially all the way down to zero (0) points. The Government will ONLY adjust the Offeror’s self-score downward, not upward. Adjustments are within the sole discretion of the Government.

**4.2 Ties and Tie Breakers.**  Tie (definition): When more than one HTRO proposals have the same validated score. If ties exist within either the SBSA or the F&O group at the planned maximum number of awards (15 and 12, respectively), the Government will award contracts to all of the tied HTRO proposals increasing the number of awards.

**5.0 Factor 2 – Small Business Participation (Volume III)**

This factor will be evaluated **for all Offerors** proposing *for the Full & Open portion* of this solicitation. Offerors are advised the proposed Small Business Participation Commitment Document (SBPCD) and Small Business Subcontracting Plans will become attachments to any award resulting from this solicitation.

**5.1** **Small Business Participation Commitment Document (SBPCD).** All Offerors (to include other than Small Businesses and Small Businesses) competing for a F&O award will be evaluated on the extent of proposed participation/commitment to the use of U.S. small businesses in the performance of this acquisition (as Small Business Prime Offerors or Small Business Subcontractors) relative to the objectives and requirements established herein. The Government will evaluate whether the Offeror’s SBPCD meets the following elements:

**5.1.1** The Offeror’s SBPCD demonstrates that all firms as defined in FAR Part 19, are specifically identified.

**5.1.2** The Offeror’s SBPCD demonstrates substantive commitment to small business firms by providing thorough and complete evidence of all binding commitments, such as, letters of commitment, Joint Ventures, mentor/protégé agreements, or other demonstrations of commitment (i.e., binding commitments will become enforceable/contractual requirements).

**5.1.3** The Offeror’s SBPCD identifies the type and variety of the work small firms are to perform.

**5.1.4** The Offeror’s SBPCD is consistent with the Small Business Subcontracting Plan, if applicable.

**5.1.5.** The Offeror’s SBPCD will be evaluated using the following ratings:

**Small Business Participation Commitment Document Ratings**

|  |  |
| --- | --- |
| **Rating** | **Description** |
| Acceptable | Proposal meets all evaluation criteria listed in Section M, Paragraph 5.1. |
| Unacceptable | Proposal does not meet all evaluation criteria listed in Section M, Paragraph 5.1. |

**5.2** **Small Business Subcontracting Plan.**

IAW FAR 19.702 (b)(3), Small Business Subcontracting Plans are not required for work that will be performed entirely outside of the United States and its outlying areas. Otherwise, only other than small business offerors shall provide a Small Business Subcontracting Plan IAW FAR 52.219-9 Alternate II, FAR 52.219-8, Utilization of Small Business Concerns, DFARS 252.219-7003, Small Business Subcontracting Plan (DoD Contracts), and DFARS 252.219-7004, Small Business Subcontracting Plan (Test Program). The Small Business Subcontracting Plan will be assessed and must meet the FAR, DFARS, and DAFFARS requirements prior to award of a contract. If small business subcontract possibilities do not exist or are limited, the Offeror’s plan must state such and provide rationale supporting the assertion.

The following chart provides the statutory goals for small business subcontracting. Note that the small business dollars are calculated using the total awarded dollars, whereas the small business socioeconomic subcategories are calculated using the total awarded dollars to only small business.

|  |  |
| --- | --- |
| - Small Business | 30% of total subcontracted dollars |
| -- Small Disadvantage Small Businesses | 10% of total subcontracted to Small Business dollars |
| -- Woman-Owned Small Businesses | 5% of total subcontracted to Small Business dollars |
| -- HUBZone Small Businesses | 3% of total subcontracted to Small Business dollars |
| -- Veteran-Owned Small Businesses | 3% of total subcontracted to Small Business dollars |
| -- Service-Disabled Veteran-Owned Small Businesses | 5% of total subcontracted to Small Business dollars |

Acceptable subcontracting plans will demonstrate that the Government’s goals are met or exceeded for the following:

* Summary of Base and all Option Periods (using $625,000,000.00)
* Subcontracting Plan for Base period (five years) (using $312,500,000.00)
* Individual subcontracting plans for each of the 5 one-year periods (using $31,250,000.00/year)

**Small Business Subcontracting Plan Ratings**

|  |  |
| --- | --- |
| **Rating** | **Description** |
| Acceptable | Proposal meets all evaluation criteria listed in Section M, Paragraph 5.2. |
| Unacceptable | Proposal does not meet all evaluation criteria listed in Section M, Paragraph 5.2. |

**6.0 Factor 3 – Price (Volume IV).**

**6.1** The Government will evaluate Price for completeness, balance, and reasonableness.

**6.2 Total Evaluated Price (TEP)**. For evaluation purposes only, the Government will evaluate the proposed TEP for reasonableness. The TEP is automatically calculated in Appendix L-08 Labor Rates Table when proposed NTE FFP fully burdened labor rates are entered in the applicable cells. Upon entry, the hours provided by the government are multiplied by the proposed NTE FFP fully burdened labor rates for the predetermined mix of labor categories across all years of the ordering periods including pricing for the -8 Extension of Services. The sum of these hours applied to the Offeror’s proposed NTE FFP fully burdened IDIQ-level labor rates for each labor category across all years determines the TEP.

Unless the Government conducts discussions IAW Paragraph 1.6 of this Section M, the rates proposed by the Offeror will become contractually binding NTE FFP fully burdened labor rates should the Offeror be awarded a contract. If discussions are required, any updated rates proposed will become contractually binding NTE FFP fully burdened labor rates should the Offeror be awarded a contract. The NTE FFP fully burdened labor rates are ceiling rates and shall be utilized for future competitive task orders, single-source task orders, and task order modifications that utilize Fixed-Price pricing structure; however, when competing for task orders, discounted or lower rates may be proposed.

**6.3** **Evaluation of FAR 52.217-8, Option to Extend Services.** The solicitation and subsequent award for this acquisition contains the clause at FAR 52.217-8, Option to Extend Services. This option to extend the contract term will be evaluated as part of the initial evaluation, whereby any resultant exercise of this option is within scope of the pending contract. The option provision may be exercised more than once, but the total extension of performance hereunder shall not exceed six (6) months. Offerors are required to price the base and all option CLINs. Offerors shall not submit additional rates for the potential six-month extension of services period. Instead, the Labor Rates Table spreadsheet will automatically pull the rates from the last one-year option period into the columns for the FAR 52.217-8 option (see Appendix L-08 for additional instructions). This means, the price of the FAR 52.217-8 option will be half the price of the final one-year option period and included in the TEP.

The Government will evaluate the proposed pricing for FAR 52.217-8 through its price evaluation. Evaluation of options shall not obligate the Government to exercise the option(s).

6.4 Completeness. The Government will evaluate the price proposals for compliance with Section L. The Offeror shall ensure they have provided all pricing information required by the solicitation. The Government will evaluate the completeness of the Offeror’s IDIQ Labor Rate Pricing. A $0.00 bid in a labor category, an omitted rate, an adjustment to the provided hours or other missing price information may result in the Government determining the price proposal to be incomplete.

If the Government determines a price proposal to be incomplete, the Government may not be able to further evaluate the proposal for reasonableness and balance and may not be able to make award to that Offeror.

**6.5 Balance.** Offerors are cautioned against submitting an unbalanced offer. The Government will analyze offers to determine whether they are unbalanced with respect to Price. Per FAR 52.215-1(f)(8), the Government may determine that a proposal is unacceptable if the prices proposed are materially unbalanced between line items or subline items. Unbalanced pricing exists when, despite an acceptable total evaluated price, the price of one or more contract line items is significantly overstated or understated as indicated by the application of cost or price analysis techniques. The Government may also consider an offer unbalanced if there is a significant difference between proposed prices from year to year, including option years, such that they are above or below what would be considered a reasonable adjustment for inflation. A proposal may be rejected if the Contracting Officer determines that the lack of balance poses an unacceptable risk to the Government.

**6.6 Reasonableness**. The Government will evaluate the proposed Total Evaluated Price for reasonableness using the techniques described in FAR 15.404-1. Generally, the Government may rely upon adequate price competition to establish a fair and reasonable price and may use adequate price competition as the basis for the fair and reasonable price determination at both the IDIQ and TO levels, provided adequate price competition exists. For the Government to determine a TEP to be reasonable, the TEP must represent a price to the Government that does not exceed the price a prudent person would pay in the conduct of competitive business.