SECTION M
EVALUATION FACTORS FOR AWARD

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M.1 INTRODUCTION/EVALUATION OF PROPOSALS

This acquisition will be conducted pursuant to the policies and procedures in FAR Part 15, and DEAR Part 915. DOE has established a Source Evaluation Board (SEB) to evaluate the proposals submitted for this acquisition. Proposals will be evaluated by the SEB members in accordance with the procedures contained in FAR Part 15, DEAR Part 915, and the Evaluation Factors hereinafter described. The Source Selection Official (SSO) will select an Offeror for contract award using the best value analysis described in this section.

The instructions set forth in Section L, Instructions, Conditions, and Notices to Offerors, are designed to provide guidance to the Offeror concerning the documentation that must be provided in the Offeror's proposal. The Offeror must furnish adequate and specific information in its proposal response. Cursory proposal responses that merely repeat or reformulate the Performance Work Statement are not acceptable. Further, a proposal will be eliminated from further consideration before the evaluation if the proposal is so grossly and obviously deficient as to be totally unacceptable on its face value. For example, a proposal will be deemed unacceptable if it does not represent a reasonable effort to address itself to the essential requirements of the Request for Proposal (RFP), or if it clearly demonstrates the Offeror does not understand the requirements of the RFP. A proposal will also be eliminated from further consideration before the evaluation if the Offeror is not able to certify that they do not exceed the small business size standard of $38.5M under NAICS code 561210, Facilities Support Services, at the time proposals are due. In the event a proposal is rejected, a notice will be sent to the Offeror stating the reason(s) that the proposal will not be considered for further evaluation under this solicitation.

The Government intends to evaluate proposals and award one contract without discussions or exchanges with Offerors (except clarifications as described in FAR 15.306(a)). If a competitive range is established pursuant to FAR 15.306(c), Offerors are hereby advised that only the most highly rated proposals deemed to have a reasonable chance for award of a contract may be included in the competitive range. Offerors that are not included in the competitive range will be promptly notified. Therefore, the Offeror's proposal shall contain the Offeror's best terms from a cost or price and technical standpoint. The Government reserves the right to conduct discussions if the Contracting Officer (CO) later determines them to be necessary.

Prior to award, a determination will be made regarding whether any possible Organizational Conflicts of Interest (OCI) exist with respect to the apparent successful Offeror or whether there is little or no likelihood that such conflict exists. In making this determination, the CO will consider the representation required by Section K of this RFP. An award will be made if there is no OCI or if any potential OCI can be appropriately avoided or mitigated.

Failure of Offerors to respond or follow the instructions regarding the organization and content of any of the proposal volumes may result in the Offeror's entire proposal,

consisting of volumes I through III, being eliminated from the initial evaluation; if such an offer becomes eliminated from initial evaluation, revisions to any of the proposal volumes will not be considered for evaluation.

Any exceptions or deviations to the terms and conditions of the RFP may make the offer unacceptable for award without discussions. If a Offeror proposes exceptions to the terms and conditions of the RFP, the Government may make an award without discussions to another Offeror that did not take exception to the terms and conditions of the RFP.

M.2 BASIS FOR AWARD

(a) The Government reserves the right to eliminate from consideration for award any or all offers at any time prior to award of the Contract; to negotiate with offerors in the competitive range; and to award the Contract to the Offeror submitting the proposal determined to represent the best value – the proposal most advantageous to the Government, price and other factors considered.

(b) The tradeoff process is selected as appropriate for this acquisition. The Government considers it to be in its best interest to allow consideration of award to other than the lowest priced Offeror or other than the highest technically rated Offeror.

(c) In determining the best value to the Government, the Technical Evaluation Criteria, when combined, are slightly more important than evaluated price. Evaluated price is the Offeror's "Total Proposed Price" as defined in Section M.4 below. The closer or more similar in merit the Offerors' technical proposals and relevant past performance information are evaluated to be, the more likely the evaluated price may be the determining factor in selection for award. However, the Government may select for award the Offeror whose price is not necessarily the lowest, but whose technical proposal is more advantageous to the Government and warrants the additional cost.

Selection of the best value to the Government will be achieved through the following:

(1) The Government will assign adjectival ratings for each of the Technical Evaluation Criterion specified in Section M.4, *Technical Evaluation Criteria*, in accordance with Table M-1 and Table M-2. The assigned adjectival rating for Criterion 1 will be based on the favorability of each Offeror's relevant past performance information. The assigned adjectival ratings for Criteria 2, 3 and 4 will be based on any evaluated significant strengths, strengths, significant weaknesses, weaknesses and deficiencies identified in each Offeror's proposal for Criteria 2, 3 and 4.

(2) The Government will not make an award at an evaluated total proposed price premium it considers disproportionate to the benefits associated with the evaluated superiority of one Offeror's technical proposal and relevant past performance

information over another.

(3) The Government will assess whether the strengths and weaknesses and relevant past performance information between or among competing technical proposals indicates a superiority from the standpoint of: (1) what the difference might mean in terms of anticipated performance; and (2) what the evaluated price to the Government would be to take advantage of the difference.

M.3 OVERALL RELATIVE IMPORTANCE OF EVALUATION CRITERIA

The proposals will be adjectivally rated using information submitted by the Offerors on the four technical evaluation criteria below. DOE may evaluate any other information obtained for Criteria 1 through the available Federal Government electronic databases, readily available Government records, and sources other than those identified by the Contractor. All evaluation criteria other than price, when combined, are slightly more important than price.

(a) Technical Evaluation Criteria:

Criterion 1 - Relevant Past Performance
Criterion 2 - Relevant Experience
Criterion 3 - Technical and Management Approach and Understanding
Criterion 4 - Key Personnel and Organizational Structure

The criteria (Criteria 1, 2, 3 and 4) are in descending order of importance. Criterion 1 Criterion 2, and Criterion 3 are equal in importance. Criterion 1, Criterion 2, and Criterion 3 are each slightly more important than Criterion 4.

Areas within an evaluation criterion are not sub-criteria and will not be individually rated, but will be considered in the overall evaluation for that particular evaluation criterion.

The adjectival ratings to be assigned for each of the Technical Evaluation Criteria are shown in Tables M-1 and M-2 below:

Table M-1: Adjectival Ratings Criterion 1

Substantial Confidence
Satisfactory Confidence
Limited Confidence
No Confidence
Unknown Confidence (Neutral)

Table M-2: Adjectival Ratings Criteria 2, 3 and 4

Outstanding
Good
Satisfactory
Marginal
Unsatisfactory

(b) Price:

In determining best value to the Government, the Technical Evaluation Criteria, when combined, will be considered slightly more important than Evaluated Price.

M.4 TECHNICAL EVALUATION CRITERIA

Criterion 1, Relevant Past Performance

(a) For purposes of the past performance evaluation, DOE will evaluate the recent and relevant past performance of the Offeror, each entity comprising the teaming arrangement thereof, as defined in FAR 9.601, and major subcontracts proposed for relevant contracts, or projects which are currently on-going or completed within the last five (5) years from the date of the solicitation, and that encompasses work similar in size, scope and complexity to the work described in the PWS.

Size, scope and complexity are defined as follows:

1. **Size:** Dollar value and contract duration
2. **Scope:** Type of work (e.g., work as identified in the PWS)
3. **Complexity:** Performance challenges and risks (e.g. performing in compliance with an NRC license (including physical security, security force, safety and quality assurance requirements), performing under a firm-fixed-price environment, interfaces with DOE and other government Offerors, budget fluctuations, etc.)

(b) The past performance will be evaluated on the basis of information furnished in the Attachment L-4, *Past Performance and Relevant Experience Reference Information Form*, and the information submitted by the Offeror's references on Attachment L-5, *Past Performance Questionnaires* (where applicable for non-DOE EM work and where a PPIRS record is not available). In addition, DOE may evaluate any other information obtained through the available Federal Government electronic databases, readily available Government records, and sources other than those identified by the Offeror.

(c) During its evaluation, DOE may contact some or all of the references provided by the Offeror on Attachment L-4 and Attachment L-5, and those not identified by the Offeror, but listed in E-government databases, for information to be used in the past performance evaluation.

(d) DOE will evaluate information provided on problems encountered on the contracts and the written discussion of corrective actions taken by the Offeror to resolve these problems. DOE will evaluate the information provided in Attachment L-6, *List of Contracts Terminated for Convenience or Default*, and the explanations provided for any terminations related to the Offeror, other teaming participants, and major subcontractors. In addition, DOE will evaluate the information provided in Attachment L-7, *List of Contracts Where Performance Resulted in a Notice of Violation or Order to Show Cause*, and the explanations provided for the violations related to the Offeror, other teaming participants, and major subcontractor(s).

(e) The higher the degree of relevance of the work described to the PWS, the greater the consideration that may be given. Additionally, more recent relevant past performance information may also be given greater consideration. It is the Offeror's responsibility to provide sufficient information to demonstrate the relevancy and similarity to the functions that each entity is proposed to perform of the information provided for the Past Performance evaluation in Attachment L-4. In evaluating relevancy, DOE may consider work performed on fixed-price contracts to be more relevant than work performed on other contract types.

(f) Except in unusual circumstances, work performed for DOE's Office of Environmental Management will be considered to be at least Somewhat Relevant. In the case of an Offeror without a record of relevant past performance, or for whom information on relevant past performance is not available, the Offeror will be evaluated neither favorably nor unfavorably.

Criterion 2 – Relevant Experience

DOE will evaluate the relevant experience of the Offeror, each entity comprising the teaming arrangement thereof, as defined in FAR 9.601, and each major subcontractor in performing work similar in size, scope, and complexity to the functions each entity is proposed to perform. DOE will evaluate the relevant experience of the Offeror, including any entity comprising the teaming arrangement thereof, as defined by FAR 9.601, and the Offeror's major subcontractor(s) for the same contracts or projects referenced for past performance information on Attachment L-4, *Past Performance and Relevant Experience Reference Information Form*. DOE will evaluate the demonstrated relevancy of the work performed to the PWS requirements including any improvements implemented in the performance of the work.

Criterion 3 – Technical and Management Approach and Understanding

(a) DOE will evaluate the Offeror's proposed approach to transition activities, including the process and planned activities for conducting a safe, orderly transition; minimizing impacts on continuity of operations; identifying key issues that may arise during transition and resolutions; and planned interactions with DOE, the incumbent Offeror, incumbent employees, and other site Offerors.

(b) DOE will evaluate the Offeror's demonstrated understanding of and approach to accomplishing the PWS activities (i.e., FSV Facilities Support (including Physical Security); TMI-2 Facility Support; ISFF Facility License Support; Program Management and Support Functions; and closeout) while maintaining regulatory compliance and considering the anticipated funding profile. DOE will evaluate the feasibility of any technical assumptions made. DOE will evaluate the proposed resources to be used.

(c) DOE will evaluate the Offeror's approach to planning and integrating the PWS requirements, including the Offeror's technical understanding of working in an NRC and DOE regulated environment (maintaining compliant systems, operations, and licensed documents) and proposed approach for interfacing with any outside entities that relate to, or affect, the Offeror's performance of the work, including the DOE, other DOE prime Offerors, regulatory agencies, state and local government, and other entities.

(d) DOE will evaluate the Offeror's technical approach and understanding of the PWS activities to meet performance expectations of Section C within the existing regulatory framework and considering the anticipated funding profile.

(e) DOE will evaluate the demonstrate ability of the Offeror's staffing to obtain, retain, and maintain the breadth and depth of qualified staff, including the Offeror's approach for ensuring that an adequate workforce is available with the appropriate skills and qualifications necessary to safely and effectively accomplish the work over the term of the contract. DOE will evaluate any ramp-up or ramp-down of employment and the associated impacts to productivity during transition and throughout the contract period.

(f) DOE will evaluate the Offeror's understanding of and ability to perform the firm-fixed-price elements of the PWS, to include management and administration functions, in a fixed price environment.

(g) DOE will evaluate the Offeror's approach to providing and maintaining the Offeror's proposed pension and welfare (including PRB and severance) benefit plans. DOE will evaluate the Offeror's demonstration that it has (or its approach) to obtaining the expertise to manage and administer complicated benefit plans. DOE will evaluate in particular the Offeror's approach regarding how it has or will obtain access to expertise regarding compliance with IRS qualification requirements for multi-employer defined benefit pension plans (such as the Idaho

National Laboratory Employee Retirement Plan (INLERP)) and any other plans being proposed by the Offeror for which DOE reimburses costs.

(h) DOE will evaluate the Offeror's three most significant identified risks to successful performance of the PWS; the Offeror's rationale for the identified risks and their potential impacts; and the Offeror's approach to eliminating, avoiding, or mitigating the three most significant risks. DOE will evaluate only the first three risks identified by the Offeror.

Criterion 4 - Key Personnel and Organizational Structure

(a) DOE will evaluate the proposed Key Personnel relative to how they will contribute to the effectiveness of the Offeror's organizational structure and the Offeror's ability to perform the PWS.

DOE will evaluate the suitability of the proposed Program Manager, Security Manager, and ESH&Q Manager based on their demonstrated qualifications, education, leadership and experience on work similar in size, scope, and complexity to their proposed positions.

In evaluating the Key Personnel, the Program Manager will be considered more important than the Security Manager and ESH&Q Manager.

Offerors are advised that DOE may contact references and previous employers to verify the accuracy of resume information.

Failure to submit a Letter of Commitment from the Program Manager, Security Manager and the ESH&Q Manager and to provide resumes in the format specified in Attachment L-2 may result in a lower evaluation rating for this criterion or the Offeror's proposal being eliminated from further consideration for award. Failure to propose a Program Manager, Security Manager and an ESH&Q Manager, will result in the Offeror's proposal being eliminated from further consideration for award.

(b) DOE will evaluate the efficiency and effectiveness of the Offeror's proposed organizational structure and approach to accomplish the PWS and the benefits of its use of subcontracting or teaming arrangements (if any), as defined by FAR 9.601

(c) DOE will evaluate the Offeror's rationale for the allocation of Full-time Equivalents (FTEs) by organizational element. DOE will evaluate the Offeror's rationale for proposing specific work to be performed by its named subcontractor(s), and how each subcontractor(s) work will be integrated and controlled within the overall work to be performed.

Price Evaluation

The Offeror's price proposal will not be point scored or adjectivally rated, but will be evaluated to assess reasonableness and completeness.

The price analysis may include the following:

- Comparison of the Offeror's total proposed contract price to other Offerors' total proposed contract price.
- Comparison of the Offeror's total proposed contract price with independent government cost estimates.
- Comparison of the Offeror's total proposed contract price to historical prices for the same or similar services purchased by the Government

The Government will evaluate all options and has included the provision FAR 52.217-5, Evaluation of Options, in Section M of the solicitation. In accordance with FAR 52.217-5, Evaluation of Options, this does not obligate the Government to exercise the option(s).

The total evaluated price will be equal to the sum of the Firm-Fixed-Price CLINs (CLINs 00001 through 00004) and the total estimated cost for the Cost Reimbursable CLINs (CLIN 00005, 00006, 00007, and 00008) as stated in Section B.3. Due to the fact, the solicitation is providing the estimated dollar amount for the cost reimbursable CLINs (CLINs 0005, 0006, 00007, and 00008), a proposed dollar amount other than provided by this solicitation will result in an adjustment to the computed evaluated price reconciling the dollar amount to the one provided in the solicitation.

In accordance with FAR Part 9, the responsibility and financial capability evaluation will take into consideration whether the Offeror, including teaming partners and/or or major subcontractor has adequate financial resources and the minimum insurance liability coverage per Section H.12 to perform the contract or has the ability to obtain them.

Actual funding may be greater or less than the anticipated funding profile. Therefore, the Offeror may propose to perform the PWS activities at a price greater or less than the Government's anticipated funding profile. The Government may determine an offer is unacceptable if offered prices are significantly unbalanced. Offerors are cautioned that to the extent an Offeror's proposed prices appear unreasonable, the Government may infer either a lack of understanding of the requirement or an increased risk of performance.

M.5 FAR 52.217-5 EVALUATION OF OPTIONS (JUL 1990)

Except when it is determined in accordance with FAR 17.206(b) not to be in the Government's best interests, the Government will evaluate offers for award purposes by adding the total price for the option(s) to the total price for the basic requirement. Evaluation of the option(s) will not obligate the Government to exercise the option(s).