

PART IV — REPRESENTATIONS AND INSTRUCTIONS

SECTION M

EVALUATION FACTORS FOR AWARD

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**M.1 DOE-M-2001 PROPOSAL EVALUATION – GENERAL (OCT 2015) -
ALTERNATE II (OCT 2015)**

- (a) Conduct of acquisition.
- (1) This acquisition will be conducted pursuant to the Federal Acquisition Regulation (FAR), Part 15, Contracting by Negotiation; Department of Energy Acquisition Regulation (DEAR), Part 915, Contracting by Negotiation; and the provisions of this solicitation.
 - (2) DOE has established a Source Evaluation Board to evaluate the proposals submitted by offerors in response to this solicitation. Proposal evaluation is an assessment of the proposal and the offeror's ability to perform the prospective contract successfully. Proposals will be evaluated solely on the factors and subfactors specified in the solicitation by assessing the relative significant strengths, strengths, significant weaknesses, weaknesses, deficiencies, and price and performance risks of each offeror's proposal against the evaluation factors in this Section M to determine the offeror's ability to perform the contract.
 - (3) The designated source selection authority will select an offeror for contract award whose proposal represents the best value to the Government. The source selection authority's decision will be based on a comparative assessment of proposals against all evaluation factors in the solicitation. The source selection authority may reject all proposals received in response to this solicitation, if doing so is in the best interest of the Government.
- (b) Deficiency in proposal.
- (1) A deficiency, as defined at FAR 15.001, Definitions, is a material failure of a proposal to meet a Government requirement or a combination of significant weaknesses in a proposal that increases the risk of unsuccessful contract performance to an unacceptable level. No award will be made to an offeror whose proposal is determined to be deficient.
 - (2) A proposal will be eliminated from further consideration before complete evaluation if the proposal is deficient as to be totally unacceptable on its face. A proposal will be deemed unacceptable if it does not represent a reasonable initial effort to address itself to the essential requirements of the solicitation, or if it does not substantially and materially comply with the proposal preparation instructions of this solicitation. Cursory responses or responses which merely repeat or reformulate the Scope of Work will not be considered responsive to the requirements of the solicitation. In the event that 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.
- (c) Responsibility. In accordance with FAR Subpart 9.1, Responsible Prospective Contractors, and DEAR Subpart 909.1, Responsible Prospective Contractors, the Contracting Officer is required to make an affirmative determination of whether a prospective contractor is responsible. The Contracting Officer may, if necessary, conduct a preaward survey of the prospective contractor as part of the considerations

- in determining responsibility. In the absence of information clearly indicating that the otherwise successful offeror is responsible, the Contracting Officer shall make a determination of nonresponsibility and no award will be made to that offeror; unless, the apparent successful offeror is a small business and the Small Business Administration issues a Certificate of Competency in accordance with FAR Part 19.6, Certificates of Competency and Determinations of Responsibility.
- (d) Award without discussions. In accordance with paragraph (f)(4) of the provision at FAR 52.215-1, Instructions to Offerors – Competitive Acquisition, the Government intends to evaluate proposals and award a contract without conducting discussions with Offerors. Therefore, the Offeror's initial proposal shall contain the Offeror's best terms from a cost or price and technical standpoint. The Government, however, reserves the right to conduct discussions if the Contracting Officer later determines them to be necessary and may limit the competitive range for purposes of efficiency.
 - (e) Organizational conflicts of interest. The Offeror is required by the provision at Section K.4, Organizational Conflicts of Interest Disclosure, to provide a statement of any past, present, or currently planned interests related to the performance of the work and a statement that an actual or potential conflict of interest or unfair competitive advantage does or does not exist in connection with the instant contract. No award will be made to the apparent successful offeror, if the Contracting Officer determines that a conflict of interest exists that cannot be avoided, neutralized, or mitigated.

**M.2 DOE-M-2003 EVALUATION FACTOR –ORGANIZATION AND STAFFING
(OCT 2015)**

- (a) Organization. DOE will evaluate the Offeror's organizational chart and its depiction of the major functional areas of the proposed organization that the Offeror considers essential for the management and performance of the work. DOE will evaluate the rationale for the proposed organizational structure in relation to the work to be performed and how the organizational structure will contribute to the successful accomplishment of the work. DOE will evaluate how the organizational structure correlates to the Scope of Work.
- (b) Staffing. DOE will evaluate the Offeror's approach for ensuring an adequate workforce is available with the appropriate skills and qualifications necessary to effectively accomplish the work simultaneously across multiple task orders over the term of the contract. The evaluation will consider the Offeror's approach to recruit, train, and maintain its workforce, and the source of personnel, e.g., current incumbent contractor employees, Offeror's existing employees, named subcontractors' existing employees, new hires, other sources, etc.
- (c) Key Personnel. DOE will evaluate the proposed Program Manager, Quality Assurance Manager, and other proposed key personnel along with the Offeror's rationale for selecting the proposed non-required key personnel positions and why the positions are essential to the successful performance of the entire IDIQ PWS and the optimal team for execution of the Master IDIQ PWS. DOE will evaluate the key personnel team make-up that demonstrates the elements in paragraph (c) below. DOE

will evaluate the proposed key personnel authority level. DOE's evaluation of the Program Manager will be the most important aspect of the evaluation of key personnel.

- (1) Failure of the Offeror to propose the required key personnel positions, or to confirm the availability of all key personnel as being assigned to the contract full-time and that their permanent duty station is located in the local surrounding area will adversely affect the Government's evaluation of the proposal and may make the proposal ineligible for award. Additionally, failure of the Offeror to provide a letter of commitment for each key personnel will adversely affect the Government's evaluation of the proposal.

Note: DOE will evaluate all proposed key personnel. However, a higher number of proposed key persons will not be inherently evaluated more favorably than a lesser number of proposed key persons, as the proposed key personnel and the key personnel team will be evaluated based on the evaluation criteria in this factor.

- (2) Resume. The individuals proposed as key personnel will be evaluated on the degree to which they are qualified and suitable for the proposed position in relation to the work for which they are proposed to perform and areas of responsibility. The qualifications and suitability of the individual key personnel will be evaluated on the following:
 - (i) Experience. The key personnel individually will be evaluated on their relevant experience in performing work similar to the work to be performed in their proposed position, including leadership and other accomplishments.
 - (ii) Education. The key personnel will be evaluated on their education, specialized training, certifications, and licenses that support the suitability for the proposed position.
 - (iii) DOE may contact any or all of the references, previous employers, or clients to verify the accuracy of the information contained in the resume and to further assess the qualifications and suitability of proposed key personnel.
- (3) Key Personnel Team. The evaluation will include an assessment of the depth and breadth of the following elements for the key personnel team:
 - (i) Demonstrated professional career growth or progression within the last (5) years;
 - (ii) Experience managing and motivating successful team performance;
 - (iii) Experience at partnering with client(s) that achieved measurable performance improvements;
 - (iv) Experience in developing innovative approaches and their implementation;
 - (v) Mixture of experience in commercial and public projects; and
 - (vi) Experience in successful regulatory interactions and reform with demonstrated positive benefit to the Government.

M.3 DOE-M-2008 EVALUATION FACTOR – PAST PERFORMANCE (OCT 2015)

- (a) Offeror. The offeror will be evaluated on the currency, relevancy, and quality of its past performance, in performing work similar in scope, size, and complexity to that described in the Scope of Work to assess the offeror's potential success in performing the work required by the contract. Similar scope, size, and complexity are defined as follows: scope – type of work (e.g., work as identified in the SOW); size – dollar value and contract duration; and complexity – performance challenges and risk.

The higher the degree of relevance of the work, the greater the consideration that may be given.

DOE will evaluate recent past performance information for contracts that are currently being performed or have been completed within the last five (5) years from the original solicitation issuance date. More recent past performance information may be given greater consideration.

The Government will not apportion the favorability of past performance differently amongst the members of a Contractor's Teaming Arrangement, as defined in FAR 9.601(1), on a past performance contract, as each entity is considered to be responsible for overall performance of the ongoing or prior contract. All partner companies on past performance contracts will be equally credited (positively and negatively) for past performance with regard to favorability. However, relevancy determinations on a past performance contract may differ depending upon what scope each entity is proposed to perform.

- (b) Subcontractors. In addition to evaluation of the offeror's relevant past performance, the offeror's proposed major subcontractors (A "major subcontractor" is a subcontractor, at any tier, with an estimated value of \$2 million or more over the life of the contract, will be evaluated on the quality of their recent respective past performance in performing work similar in scope, size, and complexity to that proposed to be performed by that individual entity.
- (c) Newly formed entity and predecessor companies. If the Offeror is a newly formed entity with no record of relevant past performance, the evaluation of past performance may be based on the past performance member organizations in a joint venture, LLC, or other similar entity consistent with the evaluation described in paragraph (a) above. Past performance of predecessor companies that existed prior to any mergers and acquisitions may also be considered.
- (d) No record of past performance. If the Offeror, major subcontractors, or other performing entities do not have a record of relevant past performance or if information is not available, the Offeror will be evaluated neither favorably nor unfavorably.
- (e) Degree of relevance. The Offeror will be evaluated on the record of past performance provided for the Offeror, to include named subcontractors, related to work performed that is similar to the work that is proposed to be performed by that individual entity.

The higher the degree of relevance of the work described to that proposed to be performed by the entity, the greater the consideration that may be given. Additionally, more recent relevant past performance information may also be given greater consideration.

- (f) Terminated contracts. The Offeror will be evaluated on any contracts of the Offeror, major subcontractors, or other performing entities that were terminated, including the reasons therefore, over the preceding five years from the due date for proposals.
- (g) Sources of past performance information. The Government will evaluate past performance information provided by the Offeror and other available information. The Government may contact any or all of the references provided by the Offeror and will consider such information obtained in its evaluation. The Government may also consider past performance information from sources other than those provided by the Offeror, including databases such as the Government's Contractor Performance Assessment Reporting System (CPARS). The Government may contact any or all of the references provided by the Offeror and will consider such information obtained in its evaluation.

Note: DOE contracts are not necessarily evaluated with more relevance than non-DOE contracts, based on the sole fact that it was work for DOE. The evaluation of relevancy is based on the factors listed above. In addition, the Government may consider any other information determined to be reasonably predictive of the quality of the Offeror's performance under this proposed contract, such as information bearing on the Offeror's integrity and business ethics. This other information is not limited to contracts found relevant to this procurement in terms of scope, size, and complexity.

M.4 EVALUATION FACTOR – PRICE

The Offeror's price proposal will not be point scored or adjectivally rated, but will be evaluated for price reasonableness and mathematical accuracy. The Government may use any or all price analysis techniques and procedures described in FAR 15.404-1(b) to determine price reasonableness.

The total evaluated price shall be based on the arithmetic sum of the total costs proposed, the DOE-provided amounts for Materials, Travel, and Other Direct Costs, and the specific application of the proposed indirect cost rate(s), if any, to the DOE-provided amounts for Materials, Travel, and Other Direct Costs in each Offeror's L-xx Price Proposal Worksheet. For each proposed labor category, the proposed fully burdened labor rate will be multiplied by the estimated quantity of DPLH to determine the total proposed price. In the event of a conflict between the proposed labor category price and the extended price specified by the Offeror, the labor rate will be used to determine the total proposed price for that labor category.

M.5 DOE-M-2011 RELATIVE IMPORTANCE OF EVALUATION FACTORS (OCT 2015)

- (a) The evaluation factors for the Technical and Management Proposal are as follows.

Factor 1: Organization and Staffing (*including Key Personnel*)

Factor 2: Past Performance

Factor 1, Organization and Staffing is considered **greater** in importance to Factor 2, Past Performance. The descriptive elements of each evaluation factor will be considered collectively in arriving at the evaluated rating of the offeror's proposal for that evaluation factor. Areas within an evaluation factor are not sub-factors and will not be individually rated, but will be considered in the overall evaluation for that particular evaluation factor.

- (b) The evaluation factors for the Technical and Management Proposal, when combined, are more important than the evaluated price.

M.6 DOE-M-2012 BASIS FOR AWARD (OCT 2015)

The Government intends to select an Offeror for award of a contract that represents the best value to the Government. In determining the best value to the Government, the evaluation factors for the Technical and Management Proposal, when combined, are more important than the evaluated price. The Government is more concerned with obtaining a superior technical and management proposal than making award at the lowest evaluated price. However, the Government will not make an award at a price premium it considers disproportionate to the benefits associated with the evaluated superiority of one Offeror's technical and management proposal over another. The Government will assess what the strengths and weaknesses and the relevant Past Performance information between or among competing technical and management proposals indicate 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. The closer or more similar in merit that Offerors' technical and management proposals are evaluated to be, the more likely the evaluated price may be the determining factor in selection for award.

(End of Solicitation)