SAMPLE SECTIONS L & M

Generally, Sections L & M will be developed prior to insertion into PD2 for inclusion in the RFP. The following provides a generalized idea of the type of information that must be provided in Section L and in Section M. The details of what is included will be driven by what is being procured and the approved acquisition strategy. Each of the parts shown below should be inserted into PD2 on a paragraph by paragraph basis so that they can be individually amended if required.

Section L - Instructions, Conditions and Notices to Bidders

52.252-1 SOLICITATION PROVISIONS INCORPORATED BY REFERENCE (FEB 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es):

http://farsite.hill.af.mil
http://www.arnet.gov/far/

PROVISIONS INCORPORATED BY REFERENCE

52.204-6 Data Universal Numbering System (DUNS) Number OCT 2003
52.214-34 Submission Of Offers In The English Language APR 1991
52.214-35 Submission Of Offers In U.S. Currency APR 1991
52.215-1 Instructions to Offerors--Competitive Acquisition MAY 2001
52.215-20 Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data OCT 1997
52.222-46 Evaluation Of Compensation For Professional Employees FEB 1993
252.227-7017 Identification and Assertion of Use, Release, or Disclosure Restrictions JUN 1995

PROVISIONS INCORPORATED BY FULL TEXT

52.216-1 TYPE OF CONTRACT (APR 1984)

The Government contemplates award of a [Insert the appropriate contract type] contract resulting from this solicitation.

52.233-2 SERVICE OF PROTEST (AUG 1996)
(a) Protests, as defined in section 33.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the General Accounting Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from

{Insert the Contracting Officer’s name and address}

(b) The copy of any protest shall be received in the office designated above within one day of filing a protest with the GAO.

52.252-5 AUTHORIZED DEVIATIONS IN PROVISIONS (APR 1984)

(a) The use in this solicitation of any Federal Acquisition Regulation (48 CFR Chapter 1) provision with an authorized deviation is indicated by the addition of "(DEVIATION)" after the date of the provision.

(b) The use in this solicitation of any Defense Federal Acquisition Regulation (48 CFR Chapter 2) provision with an authorized deviation is indicated by the addition of "(DEVIATION)" after the name of the regulation.

L-1 OMBUDSMAN

An Ombudsman has been established for this procurement. The role of the Ombudsman is to provide contractors and other interested parties a conduit to address issues of impropriety on the part of Government officials and other concerns not suitable for a more open forum. Offerors may contact the Ombudsman directly at the number below:

{Insert the Ombudsman’s name}
Phone: {Insert the Ombudsman’s phone number}
E-mail: {Insert the Ombudsman’s email address}

L-2 SPECIAL NOTICE TO OFFERORS

{This paragraph should be used to convey any special information about this solicitation or the evaluation to the offerors. If non-government personnel are involved in the evaluation, this paragraph should be used to notify the offerors.}

L-2.1 Failure to submit any of the information requested by this solicitation may be cause for unfavorable consideration.

L-2.2 Offerors are advised that the Government will utilize {Insert the company names of any non-government personnel who are participating the evaluation of proposals}, and their subcontractors and consultants, to assist during the source selection. The exclusive responsibility for source selection will reside with the Government. Proprietary information submitted in response to this solicitation will be protected from unauthorized disclosure as required by Subsection 27 of the Office of Procurement Policy Act as amended (41 U.S.C. 423) (hereinafter
referred to as "the Act") as implemented in the FAR. These companies are bound contractually by Organizational Conflict of Interest and disclosure clauses with respect to proprietary information. Contractor personnel assisting in the proposal evaluation are procurement officials within the meaning of the Act, and will take all necessary action to preclude unauthorized use or disclosure of a competing Contractor's proprietary data.

L-2.3 Upon receipt, all proposals become Government property. After contract award, the unsuccessful offerors will be required to return to the Government all information, data, drawings, specifications, etc., provided to the offerors by the Government.

L-2.4 (If the RFP is for Phase II of a two-phase evaluation, identify which offerors are eligible to respond to this RFP with a paragraph such as:) This competition is limited to {Company Name}, {Company Name}, and {Company Name}, who were selected during Phase I of this source selection for participation in Phase II.

L-2.5 (Funding may not be immediately available for execution of the contract resulting from the RFP. If so a paragraph may be inserted to so advise the offerors, such as:) Funds are not presently available for this contract. The Government's obligation under this contract is contingent upon the availability of funds from which payment for contract purposes can be made. No legal liability on the part of the Government for any payment may arise until funds are made available to the Contracting Officer for this contract and until the Contractor receives notice of such availability, to be confirmed in writing by the Contracting Officer. The Government reserves the right to phase the project based upon funds available. The phases will be based on the successful offeror's cost proposal submitted in accordance with Section L herein.

L-3 CONFIDENTIAL INFORMATION

The Freedom of Information Act (FOIA) and its amendments have resulted in an increasing number of requests from outside the Government for copies of contract qualifications and proposals submitted to federal agencies. If an Offeror’s submissions contain information that he/she believes should be withheld from such requestors under FOIA on the grounds that they contain “trade secrets and commercial or financial information” [5 USC§552(b)(4)], the Offeror should mark its submissions in the following manner:

- The following notice should be placed on the title page: “Some parts of this document, as identified on individual pages, are considered by the submitter to be privileged or confidential trade secrets or commercial or financial information not subject to mandatory disclosure under the Freedom of Information Act. Material considered privileged or confidential on such grounds is contained on page(s) _______."

- Each individual item considered privileged or confidential under FOIA should be marked with the following notice: “The data or information is considered confidential or privileged, and is not subject to mandatory disclosure under the Freedom of Information Act.”
L-4 NON-RELEASABILITY OF RFP DOCUMENTS

The documents contained in the RFP contain sensitive information; therefore the Offeror may not release the RFP documents, including attachments and any other documents or drawings provided, to the general public without prior permission from the Contracting Officer. After contract award, the unsuccessful offeror will be required to return to the Government all information, data, drawings, specifications, etc., provided to the offeror by the Government, including copies of those documents made by the offeror.

L-5 SOLICITATION RESPONSE REQUIREMENTS

L-5.1 GENERAL

The Offeror shall submit documentation illustrating their approach for satisfying the requirements of this solicitation. Proposals must be clear, coherent, and prepared in sufficient detail for effective evaluation of the offeror’s proposal against the evaluation criteria. Also, this documentation shall cover all aspects of this solicitation and include the Offeror’s approach for integration and program management activities. Proposals must clearly demonstrate how the Offeror intends to accomplish the project and must include convincing rationale and substantiation of all claims. Unnecessarily elaborate brochures or other presentations beyond those sufficient to present a complete effective response to the solicitation are not desired.

The Offeror shall describe its proposal, through the use of graphs, charts, diagrams and narrative, in sufficient detail for the Government to understand and evaluate the nature of the approach. In its evaluation and confidence assessment, the Government will consider the degree of substantiation of the proposed approaches in the proposal volumes and in response to any discussions. Nonetheless, the Government is seeking substance, not gloss.

All correspondence in conjunction with this solicitation should be directed to the Government’s Point of Contact (POC) identified below:

{POC Name}
Phone: {POC phone number}
Fax: {POC fax number}
E-mail: {POC email address}

L-5.2 PROPOSAL VOLUMES REQUIREMENTS

The proposal shall be accompanied by a cover letter (letter of transmittal) prepared on the company’s letterhead stationery. The cover letter (letter of transmittal) shall identify all enclosures being transmitted and shall be used only to transmit the proposal and shall include no other information. The first or title page shall be in accordance with FAR 52.215-1, paragraph (c)(2).
The following are further descriptions of the information that shall be provided with the proposal.

Complete the following table to summarize the organization of the proposal, page limits, authorized page sizes, and number of copies required for hard copy and electronic copy:

<table>
<thead>
<tr>
<th>Volume</th>
<th>Section Title (Subfactor)</th>
<th>Section L Reference</th>
<th>Elec. Copies</th>
<th>Paper Copies</th>
<th>Page Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>I Executive Summary</td>
<td></td>
<td>L-.x.x</td>
<td>1</td>
<td>Original plus X copies</td>
<td>XX</td>
</tr>
<tr>
<td>II Factor Title</td>
<td>Sub-factor title</td>
<td>L-.x.x</td>
<td>1</td>
<td>Original plus X copies</td>
<td>XX</td>
</tr>
<tr>
<td></td>
<td>Sub-factor title</td>
<td>L-.x.x</td>
<td>1</td>
<td>Original plus X copies</td>
<td>XX</td>
</tr>
<tr>
<td></td>
<td>Sub-factor title</td>
<td>L-.x.x</td>
<td>1</td>
<td>Original plus X copies</td>
<td>XX</td>
</tr>
<tr>
<td>III Factor Title</td>
<td>Sub-factor title</td>
<td>L-.x.x</td>
<td>1</td>
<td>Original plus X copies</td>
<td>No limit</td>
</tr>
<tr>
<td></td>
<td>Sub-factor title</td>
<td>L-.x.x</td>
<td>1</td>
<td>Original plus X copies</td>
<td>XX</td>
</tr>
<tr>
<td></td>
<td>Sub-factor title</td>
<td>L-.x.x</td>
<td>1</td>
<td>Original plus X copies</td>
<td>No limit</td>
</tr>
<tr>
<td></td>
<td>Sub-factor title</td>
<td>L-.x.x</td>
<td>1</td>
<td>Original plus X copies</td>
<td>XX + supporting documents</td>
</tr>
<tr>
<td>IV Cost</td>
<td></td>
<td>L-.x.x</td>
<td>2</td>
<td>Original plus X copies</td>
<td>No limit</td>
</tr>
<tr>
<td>V Contract Information</td>
<td></td>
<td>L-.x.x</td>
<td>1</td>
<td>Original plus X copies</td>
<td>No limit</td>
</tr>
</tbody>
</table>

L-5.2.1 Page Limitations. The cover letter, title page, table of contents, table of figures, list of tables and glossary of abbreviations & acronyms do not count against page count limitations. Proposal contents that exceed the stated page limitations will be removed from the proposal by the Contracting Officer, prior to turning the proposal over to the Government evaluation teams, and will not be considered in the evaluation.

L-5.2.2 Format. Identify the required physical format requirements for the proposals to include paper size, font size, etc., such as: Text shall be single-spaced, on 8 1/2 x 11 inch paper (except as specifically noted), with a minimum one-inch margin all around. Pages shall be numbered consecutively. A page printed on both sides shall be counted as two pages. Submission as double-sided printing/copying on recycled paper is encouraged. 11” x 17” sized fold-out pages may be used for tables, charts, graphs, or pictures that cannot be legibly presented on 8 ½” x 11” paper. An 11” x 17” is a two sheet equivalent (with regards to the page count limitations). Print shall be of a minimum 12-point font size or a maximum 10 characters per inch (10-pitch, pica) spacing. Bolding, underlining, and italics may be used to identify topic demarcations or
points of emphasis. Graphic presentations, including tables, while not subject to the same font size and spacing requirements, shall have spacing and text that is easily readable.

Each volume in the proposal shall include a copy of the cover letter (letter of transmittal), title page and table of contents. The table of contents shall list sections, subsections and page numbers. Each volume shall contain a glossary of all abbreviations and acronyms used. Each acronym used shall be spelled out in the text the first time it appears in each proposal volume.

In addition to the paper copies identified above, the Offeror shall submit all proposal information in electronic format on a CD. Text and graphics portions of the electronic copies shall be in a format readable by {Insert the electronic format requirement, such as:} Microsoft (MS) Office 2000, MS Word 2000. Data submitted in spreadsheet format shall be readable by MS Office 2000, MS Excel 2000. Oral presentation (if conducted) material shall be readable by MS Office 2000, MS PowerPoint 2000. In case of conflict between the paper copy and the electronic copy of the proposals submitted, the paper copy shall take precedence.

Each volume shall be bound separately in hard side three-ring binders (e.g., Section L-5.4 Executive Summary in a binder, L-5.5.1 Factor Title in a binder, etc.). CDs shall be “read-only” CDs formatted for Microsoft Windows NT with one exception. One of the Volume IV Cost disks shall be in read-or-write format with spreadsheets unlinked to any other spreadsheets or other files. The other copy may contain links, but only to documents/ spreadsheets that have been submitted as part of the proposal.

L-5.2.3 Submission Address. The proposals all copies shall be sent or hand-carried to:

{Insert Organization Name }  
ATTN {Insert POC Name}  
RFP: {Insert RFP Number}  
{Insert address proposals are to be delivered to}

{If electronic proposals are to be submitted in lieu of paper copies, a paragraph such as the following may be included:} Offerors shall submit electronic proposals for Volume III for the Ability to Succeed Volume (L-7.6) to {POC Name} at {POC email}. Offerors must identify the RFP number in the Subject Line of the email and should include “# of #” if multiple emails are required for submission of entire proposal. Offerors are advised to submit electronic documents early and confirm successful transmission/receipt. Offerors also may want to consider sending more than one email to ensure size limitations will not hinder transmission. The Government POC will provide a return response signifying receipt of the transmissions.

L-5.2.4 Submission Due Dates. {This paragraph should specifically identify the time and date that proposal are due. If submission of different parts of the proposal at different times is being required, which part is due at which time must be specified} The {Factor name} Volume referenced in Section L-X.X must be received prior to 12:00 Noon EST, {Date}. All other volumes must be received prior to 12:00 Noon EST, {Date}. The Government POC will provide a receipt showing the time and date of delivery. Late submissions will not be accepted.
L-5.2.5 Restriction Of Disclosure/Proprietary Information. If the Offeror wishes to restrict the disclosure or use of its proposal, use the legend permitted by FAR 52.215-1(e). Individual subcontractor/vendor proprietary information may be submitted via separate binders/CDs. The information contained in these binders/CDs must be referenced (by binder title, page and section number as appropriate) within the main proposal where the information would have been included if it were not subcontractor/vendor proprietary. The information in these separate binders/CDs is subject to all other requirements of the RFP and must be well marked to clearly indicate any special handling instructions.

L-5.2.6 Cross Referencing. Each volume, other than the Cost volume, shall be written to the greatest extent possible on a stand-alone basis so that its content may be evaluated with a minimum of cross-referencing to other volumes of the proposal. Cross-referencing within a proposal volume is permitted where its use would conserve space without impairing clarity. Hyperlinking of cross-references is permissible. Information required for proposal evaluation, which is not found in its designated volume or cross-referenced, is assumed omitted from the proposal.

L-5.2.7 Oral Presentations. If oral presentations or proposals are going to be used as part of the evaluation, the “rules for the oral presentation should be stated, such as:

a. Time Limit - The Offeror’s oral presentation shall not exceed {time limit (#)} hours. The Contracting Officer reserves the right to terminate the presentation if it overruns the XX hour limit. During the presentation, the Source Selection Evaluation Board (SSEB) members will not interrupt the offeror to ask questions (except to request the repetition of inaudible words or statements or the explanation of terms that are unknown to them) or otherwise engage the offeror in any dialogue. A question and answer period will follow and may cover the entire proposal. These questions will not constitute “discussions” as defined in FAR 15.306.

b. Offeror Attendees - A maximum of {Insert number} presenters will be allowed into the presentation room at any one time.

c. Topics - The offeror’s oral presentation will address the following:

<table>
<thead>
<tr>
<th>Topic</th>
<th>Applicable Sub-Factor</th>
<th>Specific Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Topic</td>
<td>Sub-factor Title</td>
<td>L-x.x</td>
</tr>
<tr>
<td>Topic</td>
<td>Sub-factor Title</td>
<td>L-x.x</td>
</tr>
<tr>
<td>Topic</td>
<td>Sub-factor Title</td>
<td>L-x.x</td>
</tr>
<tr>
<td>Topic</td>
<td>Sub-factor Title</td>
<td>L-x.x</td>
</tr>
</tbody>
</table>

d. Presentation Media - Offerors are free to structure their oral presentations using 8-1/2” x 11” vu-graphs (slides, transparencies) or computer-generated media. If the Offeror chooses to utilize an electronic projection, they must provide their own equipment. An overhead projector will be available at the oral presentation site. The number of vu-graphs (or other media) should
be reasonable for the stated time limits for presentation. Use of these visual aids is at the offeror’s discretion.

e. Paper and Electronic Copies – The Offeror shall submit a preliminary version of their planned Oral Presentation materials as part of their written submission. {Insert number} printed color copies of the final presentation shall be provided to the Government when the Offeror begins their presentation. The Offeror shall also provide an electronic copy of the final presentation.

f. Recording the Presentation - The Oral Presentation will be videotaped by the Government, be available to the SSEB for their review during the source selection, and be maintained as part of the source selection record.

g. Scheduling - The Oral Presentation will be scheduled as soon as practicable after proposal receipt, as arranged with the offerors by the Contracting Officer. The Government reserves the right to reschedule presentations at the sole discretion of the Contracting Officer.

h. Location - The Oral Presentation site will be arranged “conference style” with an overhead projector and screen provided. The location will be {Insert location} or other announced location.

A visit to the presentation room may be arranged when the Contracting Officer schedules each Offeror’s time for their oral presentation.

The Government reserves the right to change the Oral Presentation site at the sole discretion of the Contracting Officer.

L-5.2.8 Electronic Submission Of Proposal. (a) By submission of a proposal on electronic media, the Offeror must ensure that the submission is readable, in the format specified in the solicitation, and has been verified as free of computer viruses. Prior to any evaluation, the Government will check all files for viruses and ensure that all information is readable. In the event that any files are defective (unreadable), the Government may only evaluate the readable electronic files. However, if the defective (unreadable) media renders a significant deficiency in the Offeror's proposal, the government may consider the proposal incomplete and not further consider such proposals for evaluation.

(b) The Offeror must ensure that:

(1) The electronic and paper copies of its proposal submitted in response to the solicitation are identical;

(2) It has verified that its electronic proposal is readable on the hardware and software operating system format specified below:

{Specify format}

(3) It has verified that the electronic proposals are free of computer viruses using standard commercial anti-virus software.
(c) A proposal that fails to conform to the requirements of paragraphs (a) and (b) above may be subject to interception or delay at Governmental electronic communications portals. This interception or delay may result in the proposal being lost, deleted, destroyed, or forwarded in such a manner that the proposal arrives at the target destination past the time and date of the deadline for submission established in the solicitation. In the event that a proposal is lost, deleted, or destroyed due to the Offeror's failure to conform to the requirements of paragraphs (a) and (b) above, such proposal will be considered to have never been delivered to the Government. In the event that a proposal is delayed due to the Offeror's failure to conform to the requirements of paragraphs (a) and (b) above, the proposal will be treated as late in accordance with the provision of this solicitation entitled Late Submissions, Modifications, and Withdrawals of Proposals.

L-5.3 COMMUNICATION WITH THE CONTRACTING OFFICE

Solicitation information and amendments will be posted to the Federal Business Opportunities website at [www.eps.gov](http://www.eps.gov). Offerors may e-mail written questions requesting clarification of the RFP to the Government via the Contract Specialist, {POC Name}, at: {POC email address}. The Government will answer questions received up to {Insert date}. Questions received after this date may not be answered. Only proposals submitted in accordance with Section L-x.x entitled “Proposal Volume Requirements” of this solicitation will be accepted.

L-5.4 EXECUTIVE SUMMARY FACTOR VOLUME REQUIREMENTS (VOLUME I)

{If an Executive Summary is to be included as part of the proposal, insert limitations, topics, and other requirements for submission.}

L-5.5 {FACTOR NAME} (VOLUME II)

The {Factor Name} Volume shall be organized in the following format:

- Sub-Factor 1 {Sub-factor name} (Section 1)
- Sub-Factor 2 {Sub-factor name} (Section 2)
- Sub-Factor 3 {Sub-factor name} (Section 3)

L-5.5.1 Sub-Factor 1 - {Sub-factor name} (Section 1). The Offeror shall {insert submission requirements. The submission requirements should match those included in the Source Selection Plan}.

L-5.5.2 Sub-Factor 2 – {Sub-factor name} (Section 2). The Offeror shall {insert submission requirements. The submission requirements should match those included in the Source Selection Plan}.

L-5.5.3 Sub-Factor 3– {Sub-factor name} (Section 3). The Offeror shall {insert submission requirements. The submission requirements should match those included in the Source Selection Plan}.
L-5.6 **FACTOR NAME** FACTOR REQUIREMENTS (VOLUME III)

The **Factor Name** Volume shall be organized in the following format:

- Sub-Factor 1 **Sub-factor name** (Section 1)
- Sub-Factor 2 **Sub-factor name** (Section 2)

L-5.6.1 Sub-Factor 1 – **Sub-factor name** (Section 1).

L-5.6.1.1 Master Project List. Offerors shall submit {insert submission requirements. The submission requirements should match those included in the Source Selection Plan}

L-5.6.2 Sub-Factor 2 – **Sub-factor name** (Section 2). The Offeror shall {insert submission requirements. The submission requirements should match those included in the Source Selection Plan}

L-5.7 COST FACTOR REQUIREMENTS (VOLUME IV)

{Insert submission instructions for the Cost/Price proposal.}

L-5.8 CONTRACT INFORMATION VOLUME REQUIREMENTS (VOLUME V)

This volume will include a completed SF33 {or which form is being used}, and the information required to complete Section B, Section F, Section G, Section H, Section J, Section K and any other information required to complete the contract. {This volume shall also include the Offeror’s Subcontracting Plan, if the sub-contracting plan is not being evaluated as part of another factor}. 
Section M - Evaluation Factors for Award

52.252-1 SOLICITATION PROVISIONS INCORPORATED BY REFERENCE (FEB 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address(es):

http://farsite.hill.af.mil
http://www.arnet.gov/far/

PROVISIONS INCORPORATED BY REFERENCE
{Use PD2 to select the appropriate provisions}
52.217-5 Evaluation Of Options JUL 1990

M-1 AWARD BASED ON BEST VALUE TO THE GOVERNMENT

The Government will award to the Offeror whose proposal offers the best value in terms of Management, Ability to Succeed and Cost as prescribed in Section M.4 of this solicitation. Within the best value continuum, the Government will employ a tradeoff analysis of cost or price and non-cost factors (FAR 15.101-1) in evaluating the proposals submitted.

Proposals will be assessed for how well the Offeror’s proposal meets the solicitation requirements and the risks associated with the Offeror’s approach. Determining how well the Offeror’s proposal meets the solicitation requirements will be accomplished in two steps. First, a determination will be made if the Offeror’s proposal meets the solicitation requirements. Next, the discriminators will be identified for the proposals reflecting the unique strengths, weaknesses, significant weaknesses, and deficiencies of each offer. In addition, the Government will examine the impact of each discriminator and assess its relative value to the Government.

In order to make a sound selection decision, the Government needs to understand the ways in which a given proposal is considered technically strong, as well as the ways in which it is weak or deficient. Hence, a catalog of the strengths, weaknesses, and deficiencies (in terms of the evaluation criteria) facilitates the process of determining which proposal presents the best overall value to the Government.

M-2 ADVISORY DOWN-SELECT
{Insert a paragraph similar to the following when an advisory down selection is going to be used}
Immediately following evaluation of {Insert what was used for the advisory opinion}, the Government will make an advisory down select. In an effort to avoid wasting an Offeror’s time and resources, Offerors will be advised if they are deemed unlikely to receive an award as a
result of this solicitation. The Offeror will not be prohibited from submitting the rest of the proposal volumes, but will be strongly discouraged from doing so.

M-3 BASIS FOR CONTRACT AWARD

Unless all offers are rejected, award will be made to the responsible offeror whose offer, conforming to the solicitation, is determined to be the best overall value, price and other factors considered. In determining the best overall response, the combined non-cost/price factors are more important than the cost/price factor; however, cost/price is a significant factor. 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.

Offerors must satisfy the requirements described in the performance criteria, as well as other RFP requirements. Offers that take exception to any performance criteria are unacceptable.

M-4 EVALUATION FACTORS AND RATING METHODOLOGY

M-4.1 EVALUATION FACTORS

The evaluation will be based on a complete assessment of the Offeror’s proposal. Proposals shall be evaluated on the following three factors, listed in descending order of importance, where factor 1 is more important than factor 2; factor 2 is more important than factor 3.

Factor 1 - {Factor name}
Factor 2 - {Factor name}
Factor 3 - Cost

The evaluation will not take any information contained in the Executive summary submitted in response to L-x.x into consideration in the evaluation of Factors 1, 2, or 3.

M-4.1.1 {Factor name} Factor. The {Factor name} will be evaluated as a measure of merit and the Government’s confidence. The {Factor name} Factor is subdivided into three sub-factors of equal importance:

Sub-factor 1 – {Sub-factor name}
Sub-factor 2 – {Sub-factor name}
Sub-factor 3 – {Sub-factor name}

M-4.1.1.1 {Sub-factor name} Sub-Factor.

M-4.1.1.1.1 {Insert the evaluation criteria for this sub-factor. The evaluation criteria should be the same as what appears in the Source Selection Plan}

M-4.1.1.2 {Sub-factor name} Sub-Factor.

M-4.1.1.2.1 {Insert the evaluation criteria for this sub-factor. The evaluation criteria should be the same as what appears in the Source Selection Plan}
M-4.1.1.3 {Sub-factor name} Sub-Factor

M-4.1.1.3.1 {Insert the evaluation criteria for this sub-factor. The evaluation criteria should be the same as what appears in the Source Selection Plan}

M-4.1.2 {Factor name} Factor. The {Factor name} will be evaluated as a measure of merit and the Government’s confidence. The {Factor name} Factor is subdivided into three sub-factors of equal importance:

Sub-factor 1 – {Sub-factor name}
Sub-factor 2 – {Sub-factor name}
Sub-factor 3 – {Sub-factor name}

M-4.1.2.1 {Sub-factor name} Sub-Factor

M-4.1.2.1.1 {Insert the evaluation criteria for this sub-factor. The evaluation criteria should be the same as what appears in the Source Selection Plan}

M-4.1.2.2 {Sub-factor name} Sub-Factor

M-4.1.2.2.1 {Insert the evaluation criteria for this sub-factor. The evaluation criteria should be the same as what appears in the Source Selection Plan}

M-4.1.2.3 {Sub-factor name} Sub-Factor

M-4.1.2.3.1 {Insert the evaluation criteria for this sub-factor. The evaluation criteria should be the same as what appears in the Source Selection Plan}

M-4.1.3 Cost Factor. Cost/Price, while being an important factor, is not in and of itself the determining factor in the selection of the successful Offeror for award of the contract contemplated by this solicitation. Cost/Price is not scored/weighted; rather, each Offeror's cost will be evaluated for realism, reasonableness, and completeness of the proposed contract cost. The ultimate importance of the Cost/Price factor will be determined after the {Factor name} and {Factor name} merit and confidence in the Offeror's proposal have been established.

M-4.2 RATING METHODS

{Insert the rating methodology and definitions to be used for each factor and sub-factor. Ratings and definitions need not be repeated if the same methodology is going to be used on multiple factors and sub-factors}

M-4.2.1 {Factor name} Factor. Both a merit rating and a confidence rating will be assigned. The merit rating and the confidence rating are of equal importance.

The following adjectival ratings will be used to rate the merit portion of the sub-factors in the {Factor name} factor: {Insert the definitions for the ratings to be used, such as:}
• **Outstanding:** Greatly exceeds the minimum performance or capability requirements in a way beneficial to the Government. There are no significant weaknesses. Those aspects of a factor or sub-factor resulting in an “Outstanding” rating may be incorporated into the resulting contract.

• **Excellent:** Exceeds the minimum performance or capability requirements in a way beneficial to the Government. There are no significant weaknesses. Those aspects of a factor or sub-factor resulting in an “Excellent” rating may be incorporated into the resulting contract.

• **Acceptable:** Meets the minimum performance or capability requirements. There may be minor but correctable weaknesses.

• **Marginal:** May meet the performance or capability requirements. There are apparent or moderate weaknesses that are correctable.

• **Unacceptable:** Fails to meet the performance or capability requirements. There are unacceptable weaknesses.

In assessing confidence in {Factor name}, the Government will consider the risks associated with the approaches proposed by the Offeror, as well as the Government's confidence that the Offeror's view of its relationship with the Government will produce behaviors and results necessary to ensure the success of the project. The following confidence ratings will be used to rate the confidence portion of the sub-factors in the Management Approach factor: {Insert the definitions for the ratings to be used, such as:}

• **High Confidence:** Evaluated that virtually no doubt exists that the Offeror will successfully perform the proposed effort. The Offeror’s understanding of the project and soundness of approach are such that virtually no Government intervention is expected to be required in achieving the proposed level of performance.

• **Significant Confidence:** Evaluated with a certainty, that the Offeror will successfully perform the proposed effort. The Offeror’s understanding of the project and soundness of approach are such that little Government intervention is expected to be required in achieving the proposed level of performance.

• **Confidence:** The Offeror should be able to successfully perform the proposed effort. The Offeror’s understanding of the project and soundness of approach are such that some Government intervention is expected to be required to meet the proposed level of performance.

---

1 We have defined the difference between “Merit” ratings and “Confidence” ratings as “Merit” being the assessment of how well the proposal complied with the requirements of the RFP, and “Confidence” being the assessment of how much we believe that the Offeror can do what they have proposed to do. As such, “Confidence” here is evaluated against the ability to achieve the proposed level of performance.
• **Little Confidence**: Substantial doubt exists that the Offeror will successfully perform the proposed effort. The Offeror’s understanding of the project and soundness of approach are such that substantial Government intervention is expected to be required to meet the proposed level of performance. Changes to the Offeror's existing approach may be necessary in order to achieve performance as proposed.

• **No Confidence**: Extreme doubt exists that the Offeror will successfully perform the required effort. The Offeror’s understanding of the project and soundness of approach are such that, regardless of the degree of Government intervention, successful performance as proposed is doubtful.

M-4.2.2 Cost/ Price Factor Evaluation Ratings

M-4.2.2.1 Realism. The Government will evaluate the realism of proposed cost/price by assessing the compatibility of proposed cost/price with proposal scope and effort. For the cost to be realistic, it must reflect what it would cost the Offeror to perform the effort, if performed with reasonable economy and efficiency. Cost realism evaluation includes a review of the overall costs in the Offeror's proposal to determine:

- If costs are realistic for the work proposed;
- If costs reflect a clear understanding of the requirements; and
- If costs are consistent with the various elements of the Offeror's management proposal, (e.g., if the Offeror's proposal identifies 25 staff-years of effort, then the pricing should also reflect 25 staff-years of cost).

M-4.2.2.2 Reasonableness. The Government will evaluate the reasonableness of proposed cost/price and target ceilings for the option periods by assessing the acceptability of the Offeror's methodology used in developing the cost/price estimates. For the cost to be reasonable, in its nature and amount, it should not exceed that which would be incurred by a prudent person in the conduct of a competitive business. This represents a compromise between the seller's and the buyer's opinion of what constitutes a fair price. Reasonableness takes into account the context of a given source selection, including current market conditions and other factors that affect the ability of an Offeror to perform the contract requirements. What is reasonable depends upon a variety of considerations and circumstances, including:

- Whether it is the type of cost generally recognized as ordinary and necessary for the conduct of the Offeror's business or of the contract performance;
- Generally accepted sound business practices, Federal and State laws and regulations, etc.; and
- Any significant deviations from the Offeror's established practices.

M-4.2.2.3 Completeness. Cost/price proposals shall be evaluated for completeness by assessing the responsiveness of the proposed cost/price by assessing the level of detail the Offeror provided cost data for all requirements in the SOO, and assessing the traceability of estimates. For the cost data to be complete, the Offeror, or their subcontractors or vendors, must provide all
the data necessary to support the offer. The amount of data needed may vary depending on the requirements.

M-4.3 NOTICE

The Government will not consider information provided in the Executive Summary in its evaluation of Factors 1, 2, and 3.