14 FAH-2 H-360

TECHNICAL EVALUATION CRITERIA AND PLAN

(CT: COR-42; 10-30-2015)

(Office of Origin: A/OPE)

14 FAH-2 H-361 SCOPE OF SOURCE SELECTION

(CT: COR-42; 10-30-2015)

a. Federal acquisition statutes and regulations require that both negotiated and sealed bid contracts be competitively awarded to the maximum extent practicable, with the objective of obtaining the contracts most advantageous to the U.S. Government. The Office of Acquisition Management (A/LM/AQM) has implemented guidance that will be used as the standard for source selection. The A/LM/AQM source selection guidance is included as this subchapter.

b. The guidance in this document applies to all competitive, negotiated best-value acquisitions except:

(1) Architect–engineer contracting, which is governed by Code of Federal Regulation (CFR) Federal Acquisition Regulation (FAR) 48 CFR 36.000;

(2) Acquisitions using simplified acquisition procedures, which are handled in accordance with FAR 48 CFR 13.000 including acquisition of commercial items 48 CFR 12.000 using FAR 48 CFR 13.000 procedures);

(3) Acquisitions processed under Federal Supply Schedules FAR 48 CFR 8.402; and

(4) Fair opportunity procedures in accordance with orders under multiple award contracts (FAR 48 CFR 16.505(b)(1)).

c. The extent to which the processes and techniques described in this subchapter will be used will depend upon the complexity and dollar value of each acquisition and your available resources.

d. Waivers or deviations from any of the requirements in this subchapter must be approved by the cognizant A/LM/AQM division director.

14 FAH-2 H-362 SOURCE SELECTION INTRODUCTION
14 FAH-2 H-362.1 Source Selection Purpose and Objectives  
(CT:COR-42; 10-30-2015)

This subchapter provides the Department of State (DOS) Office of Acquisition Management (A/LM/AQM) procedures for conducting competitively negotiated source selections and outlines a common set of principles and procedures for conducting them. The goal of these procedures is to ensure the A/LM/AQM source selection process delivers quality, timely products and services to the customer at the best value for the taxpayer. It is designed to provide flexibility within a given framework so that contracting officers can best design and execute the source selection process to provide the optimum solution to meet the needs of their customers. The Code of Federal Regulation (CFR) contains the Federal Acquisition Regulation (FAR 48 CFR), and the Department of State Acquisition Regulation (DOSAR) 48 CFR 601.000 prescribes the general policies and requirements governing acquisition.

14 FAH-2 H-362.2 Best-Value Continuum  
(CT:COR-42; 10-30-2015)

a. This subchapter describes two of the best-value acquisition processes and techniques that may be used to design competitive acquisition strategies suitable for the specific circumstances of the acquisition: Tradeoff source-selection process and lowest-price technically acceptable source-selection process:

(1) **Tradeoff source-selection process** (see FAR 48 CFR 15.101-1): This process allows for a tradeoff between noncost factors and cost/price and allows the U.S. Government to select other than the lowest priced proposal or other than the highest technically rated proposal. Further, it describes various rating approaches to evaluating proposals when using a tradeoff process. The application of this process, as well as general source selection principles, are addressed in this subchapter; and

(2) **Lowest-price technically acceptable (LPTA) source-selection process**: See FAR 48 CFR 15.101-2. The LPTA process is appropriate when best value is expected to result from selection of a technically acceptable proposal with the lowest evaluated price. The application of LPTA is discussed specifically in 14 FAH-2 H-367. The general principles outlined in the rest of this document also apply to LPTA, but see 14 FAH-2 H-367.1 for exceptions.

b. In the best-value continuum described in FAR 48 CFR 15.101, an agency can obtain best value in negotiated acquisitions by using any one or a combination of source-selection approaches. However, regardless of the source-selection approach taken, activities are required to utilize the standardized rating tables.
as detailed in this subchapter. For all factors and subfactors evaluated on other than an “acceptable/unacceptable” basis, one of the rating schemes in 14 FAH-2 H-366.1 must be utilized. For all factors and subfactors evaluated on an “acceptable/unacceptable” basis, the ratings at 14 FAH-2 H-367.2-1 example technical acceptable/unacceptable ratings and 14 FAH-2 H-367.2-2 example performance evaluation ratings must be utilized.

14 FAH-2 H-362.3 Procurement Integrity

(CT:COR-42; 10-30-2015)

a. All personnel involved in the source selection process are responsible for maintaining the integrity of the procurement. Personnel who are involved in a source selection are subject to the requirements of the 41 U.S.C. 2102 restriction on obtaining and disclosing certain information (see implementation at FAR 48 CFR 3.104). This law and other similar statutes and regulations impose stringent requirements related to safeguarding of source-selection information, contractor bid or proposal information and other integrity issues. Violation of these requirements could result in civil and/or criminal penalties. Become familiar with the prohibitions and certification requirements in the statutes and regulations that may pertain to your specific acquisition. Direct questions and/or issues regarding procurement integrity policy and regulations to the legal counsel assigned to the source selection.

b. See 14 FAH-2 H-369 for safeguards that you should consider taking to ensure the integrity of your source selection.

14 FAH-2 H-362.4 Process Summary for Source Selection

(CT:COR-42; 10-30-2015)

a. The source selection process is depicted graphically in the example on the following page, and described briefly on the page after.
Example: Source Selection Process

b. The example of the source selection process portrays at a high level the U.S.
Government acquisition process as prescribed in FAR 48 CFR 15 and further elaborated upon in this subchapter. The example includes steps preceding the actual proposal evaluation because those steps are essential prerequisites to the evaluation and help ensure a successful source selection. The following discussion will address only those aspects of the process that are most closely associated with the source selection phase of an acquisition.

c. It is important that the source selection plan (SSP) (see 14 FAH-2 H-365) be finalized prior to issuance of the solicitation and imperative that this be done before receipt of proposals. Otherwise, the acquisition office might be accused of tailoring the plan to favor a particular offeror. The SSP should clearly describe how the source selection will be made, including the process, the schedule, the participants (14 FAH-2 H-363), the evaluation criteria (evaluation factors and subfactors -- 14 FAH-1 H-365.2) that will be utilized to select the successful offeror(s) and security (14 FAH-2 H-365.5 and 14 FAH-2 H-369). The evaluation criteria will be restated in the solicitation and will be considered when evaluating their proposals and selecting the contractor(s).

d. It is advantageous to identify as many members of the SST as practicable early in the process. They can then be involved in the development of the requirements, evaluation criteria and solicitation, thus reducing their learning curve when questions from potential offerors need to be answered and when the evaluation begins. This also helps ensure buy-in to the acquisition approach and evaluation.

e. Once proposals are received, the contracting personnel and evaluators need to focus exclusively, if possible, on the evaluation. Many agencies sequester their evaluation teams, although that may not be practical. Evaluators should be provided with dedicated space and workstations or laptops pre-loaded with the evaluation forms and copies of other relevant documents, such as the solicitation and source selection plan. If during consensus meetings team members can share or view all of the evaluations, including the evaluators’ comments and assessments, it can greatly facilitate the chairman’s drafting of the consensus reports (14 FAH-2 H-366.3 and 14 FAH-2 H-366.7). Many have found the contemporaneous drafting of the consensus report by electronically cutting and pasting from the evaluators’ forms, supplemented by documentations of the consensus discussions, to be an efficient way to approach the task.

f. If the initial evaluations do not lead to award without discussions (14 FAH-2 H-366.4), then questions will need to be developed for offerors determined to be within the competitive range (i.e., eligible for further consideration), revised proposals requested, and evaluations of the proposal revisions conducted. This cycle continues until the determination is made to request final proposal revisions (14 FAH-2 H-366.6). Hopefully, if initial discussions are thorough and conscientious, and the offerors responsive, only one round of revised proposals, or only the final proposal revision, will be required. It is imperative that all offerors are treated equally and all deficiencies, significant weaknesses and
adverse past performance information to which the offeror has not yet had an opportunity to respond be addressed (See FAR 48 CFR 15.306(d)(3)). Otherwise, in the event of a protest, the Government Accountability Office (GAO) might instruct the Department to redo the process.

g. It cannot be overly stressed how important the documentation of the evaluators’ analysis and conclusions are to the success of an acquisition (see 14 FAH-2 H-366.3 and 14 FAH-2 H-366.7). The technical evaluation team (TET) consensus report should clearly and thoroughly explain how and why the ratings were developed. Adjectival ratings and/or color coding, if used, no matter how much they favor a particular offeror, do not substitute for an analytical narrative that explains why the panel reached the conclusions and awarded the ratings that it did. It is this analysis that the source selection authority will rely upon to make his or her best value decision and that will be carefully reviewed in any official proceeding that may follow a complaint lodged by a disappointed offeror.

h. The same standard applies to the best value decision (14 FAH-2 H-366.9) and source selection decision document (14 FAH-2 H-366.10); each documented analysis in the process builds upon and is dependent upon the preceding analyses.

i. Post award deb briefings covered in 14 FAH-2 H-366.11 are intended to provide offerors, typically those that did not receive an award, with information that will assist them in preparing proposals for future acquisitions. FAR 48 CFR 15.506 requires that significant weaknesses and deficiencies, if any, in an offeror’s proposal be discussed, along with other matters. It can also be helpful to describe strengths in the proposal. Debriefings can be written or oral, but in either case should be conducted with care so as to not inadvertently create a concern that could lead to a protest. The Office of the Legal Adviser (L/BA) should be consulted as necessary when preparing deb briefings.

j. The development of “lessons learned” is an area often ignored, and any insights gained on a project thus lost. During each acquisition, individuals involved probably realize that something could have been done better or differently to produce a better result. For example, the evaluators might conclude that an evaluation factor was of little value in discriminating among the proposals received. Such information should be noted and provided to the contracting officials who will be preparing similar solicitations in the future so that the factor can be improved, weighted less heavily or deleted, as appropriate. Also, forms or samples might be developed that prove useful, and these should be shared with others. Lessons learned documents need not be extensive, but should be developed when appropriate and submitted to the Business Operations Division (A/LM/AQM/BD) for retention and dissemination as appropriate.

**14 FAH-2 H-363 ROLES AND RESPONSIBILITIES**

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14 FAH-2 H-363.1 Source Selection Team (SST) Roles and Responsibilities

(CT:COR-42; 10-30-2015)

Source selection is accomplished by a team that is tailored to the unique acquisition. Composition of the team generally consists of the source selection authority (SSA), contracting officer (CO) (if different from the SSA), source selection advisory council (SSAC), technical evaluation team (TET), price evaluation team (PET), advisors, L/BA, small business specialists, and other subject-matter experts. Team members may include personnel from other U.S. Government agencies or nongovernmental organizations, when necessary to obtain expert technical advice. All members of the team must be designated early in the source selection process, and any needed training must be provided in time to be ready to participate in the source selection.

14 FAH-2 H-363.2 Source Selection Authority (SSA)

(CT:COR-42; 10-30-2015)

The SSA is the individual designated to make the source selection decision.

14 FAH-2 H-363.2-1 Appointment of the SSA

(CT:COR-42; 10-30-2015)

The appointment of the individual to serve as the SSA must be commensurate with the complexity and dollar value of the acquisition. For acquisitions of significance due to their high dollar value, technical complexity or programmatic importance, the contracting officer should consult with the designated heads of the contracting activities (HCA) (see 48 CFR 601.601.70 and 48 CFR 2.101) to determine the appropriate level to serve as the SSA. For all other acquisitions, the contracting officer will serve as the SSA in accordance with FAR 48 CFR 15.303.

14 FAH-2 H-363.2-2 SSA Responsibilities

(CT:COR-42; 10-30-2015)

The SSA must:

(1) Be responsible for the proper and efficient conduct of the source selection process in accordance with this procedure and all applicable laws and regulations;

(2) Appoint the chairpersons for the TET and, when used, the SSAC and PET;

(3) Ensure that personnel appointed to the SST are knowledgeable of policy and procedures for properly and efficiently conducting the source selection. Ensure the SST members have the requisite acquisition experience, skills, and training necessary to execute the source selection, and ensure the
highest level of team membership consistency for the duration of the selection process;

(4) Ensure that realistic source selection schedules are established and source selection events are conducted efficiently and effectively in meeting overall program schedules. The schedules should support proper and full compliance with source selection procedures outlined in this document and the established Source Selection Plan (SSP) for the acquisition;

(5) Ensure all involved in the source selection are briefed and knowledgeable of 41 U.S.C. 2101 through 41 U.S.C. 2107, and FAR 48 CFR 3.104 regarding proper restrictions on obtaining and disclosing procurement information including proper marking of contractor bid and proposal information, as well as source selection information. Ensure that all persons receiving source selection information are instructed to comply with applicable standards of conduct (including procedures to prevent the improper disclosure of information) and sign a Non-Disclosure Agreement and a conflict of interest statement. Ensure conflict of interest statements (from both government and nongovernment members) are appropriately reviewed and actual or potential conflict of interest issues are resolved prior to granting access to any source selection information. See 5 CFR 2635, and particularly 5 CFR 2635.401 concerning conflicting financial interests;

(6) Ensure that proposals are evaluated based solely on the factors and subfactors contained in the solicitation as required by 41 U.S.C. 3703(c);

(7) Make a determination to award without discussions or enter into discussions;

(8) Select the source or sources whose proposal offers the best value to the U.S. Government in accordance with evaluation criteria established in the solicitation; and

(9) Document the rationale in the source selection decision document (SSDD) as detailed in 14 FAH-2 H-366.10.

14 FAH-2 H-363.3 Contracting Officer (CO)

(CT:COR-42; 10-30-2015)

The contracting officer will manage the source selection process and serve as the primary business advisor and principal guidance source for the entire source selection.
14 FAH-2 H-363.3-1 Selection of Contracting Officer (CO)

Contracting elements have discretion in the selection of the individual to serve as the contracting officer. However, the contracting officer, as the principal guidance source, should have experience in the source selection process, as appropriate for the dollar value and complexity involved.

14 FAH-2 H-363.3-2 Contracting Officer (CO) Responsibilities

a. Manage all business aspects of the acquisition, advise and assist the SSA in the execution of the responsibilities as outlined in 14 FAH-2 H-363.2, and work with the TET to ensure the evaluation is conducted in accordance with the evaluation criteria specified in the solicitation. This includes consulting with and advising the TET at all stages, facilitating TET consensus meetings, and reviewing all TET and PET reports.

b. Ensure that required approvals are obtained and the “Use of Non-Government Personnel” provision is included in the solicitation before nongovernment personnel are allowed to provide source selection support (see FAR 48 CFR 7.503(c)(12) and 48 CFR 37.205).

c. In accordance with FAR 48 CFR 3.104 and DOSAR 48 CFR 603.104, ensure that procedures exist to safeguard source selection information and contractor bid or proposal information. Approve access to or release of source selection information and contractor bid or proposal information after consulting the Office of the Legal Adviser (L/BA) before and after contract award.

d. Maintain as a minimum, the documents and source selection evaluation records as detailed in 14 FAH-2 H-368.

e. Release the final solicitation only after obtaining all required approvals including the SSA approval of the SSP.

f. Serve as the single point of contact for all solicitation-related inquiries from actual or prospective offerors.

g. After receipt of proposals, control exchanges with offerors in accordance with FAR 48 CFR 15.306.

h. With the approval of the SSA to enter discussions, establish the competitive range and enter into discussions.

i. Obtain past performance information from the Past Performance Information Retrieval System (PPIRS) and provide it to the TET for use in completing the past performance evaluation.

j. Make, in conjunction with the SSAC, if applicable, a best value recommendation to the SSA.
k. Support the TET, SSAC and SSA in any briefings required.

l. Ensure offerors are debriefed, if requested, in accordance with FAR 48 CFR 15.505 and FAR 48 CFR 15.506, as applicable.

m. It is critically important that the contracting office coordinate closely with the program office throughout the acquisition process. Contracting officials must understand the needs of the program office in order to be able to select the appropriate acquisition methodology and contract type. They should work closely with the program office to develop appropriate evaluation factors and criteria, i.e., what will be evaluated and how that will be accomplished. The contracting officer or contract specialist should be available and responsive to inquiries from the cognizant program officials and TET:

   (1) Contracting personnel typically have more experience with source selection plan preparation, evaluation factor development, proposal evaluation and, if applicable, SSAC operation, than representatives from the program office. This knowledge, when properly applied, can prevent inadvertent deviations from proper procedures and the time consuming corrective action that can result;

   (2) While the evaluation is taking place, an ongoing dialogue between the contracting office and the TET will help ensure that the source selection plan, applicable regulations and solicitation requirements will be accurately interpreted and followed and a fair and thorough evaluation will be conducted and properly documented; and

   (3) Routine and regular communication will improve the likelihood of a favorable outcome and help minimize the likelihood of a protest.

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14 FAH-2 H-363.4  Source Selection Advisory Council

14 FAH-2 H-363.4-1  Establishment and Role of SSAC

(CT:COR-42; 10-30-2015)

a. The SSA establishes an SSAC to gain access to functional area expertise to provide the support the SSA requires throughout the source selection process.

b. Organizations are encouraged to establish an SSAC for acquisitions with a total estimated value of $100 million or more. An SSAC is optional for acquisitions with a total estimated value of less than $100 million.

c. The primary role of the SSAC is to provide a written comparative analysis and recommendation to the SSA. When an SSAC is established, it will provide oversight to the TET.

d. The SSA may convene the SSAC at any stage in the evaluation process as needed.
14 FAH-2 H-363.4-2 Composition of SSAC

(CT:COR-42; 10-30-2015)

a. The SSAC is comprised of an SSAC Chairperson and SSAC members.
b. SSAC members should represent the specific functional areas from which the SSA may require expertise.

14 FAH-2 H-363.4-3 Responsibilities of SSAC

(CT:COR-42; 10-30-2015)

a. The SSAC chairperson must appoint SSAC members, subject to SSA approval.
b. The SSAC members must:
   (1) Review the evaluation results of the TET and PET, if applicable, to ensure the evaluation process followed the evaluation criteria and the ratings are appropriately and consistently applied;
   (2) Consolidate the advice and recommendations of the SSAC into a written comparative analysis and recommendation for use by the SSA in making the best-value decision; and
   (3) Ensure that minority opinions within the SSAC are documented and included within the comparative analysis.

14 FAH-2 H-363.5 Technical Evaluation Team (TET)

14 FAH-2 H-363.5-1 Composition of the TET

(CT:COR-42; 10-30-2015)

a. The TET is comprised of a chairperson and evaluators (also known as TET members). On occasion, the TET members will be organized into functional teams corresponding to the specific evaluation criteria (e.g., technical team or past performance team). In those instances, a functional team lead may be utilized to consolidate the evaluation findings of the team and serve as the primary team representative to the TET chairperson. Although the FAR 48 CFR indicates that contractors may be utilized as members of “evaluation boards” (FAR 48 CFR 7.503(d)(14), e.g., technical evaluation teams or panels (TET/TEP), subsequent guidance from OMB/OFPP establishes an express prohibition against contractors participating as voting members of a "selection board" (e.g., SSAC), and an implied prohibition against participating as voting members of an "evaluation board" (e.g., TET). When it is necessary for nongovernment personnel to serve on TETs, ensure that a written determination is made that government personnel with adequate training and capabilities to perform the required proposal evaluation are not readily available (see FAR 48 CFR 37.203(d) and FAR 48 CFR 37.204). For further information...
on the OFPP policy, see 76 FR 56227.

b. U.S. Government personnel assigned to the TET must consider this duty as their primary responsibility. Their source selection assignment must take priority over other work assignments. Supervisors are responsible for ensuring that other work assignments do not adversely impact the source selection process.

c. Nongovernment personnel assigned to the TET must sign the non-disclosure agreement required to be signed by U.S. Government employees who are participating in the source selection.

14 FAH-2 H-363.5-2 Responsibilities of the TET

(CT:COR-42; 10-30-2015)

a. The TET chairperson must:

(1) Be responsible for the overall management of the TET and act as the TET’s interface to the SSA;

(2) Establish functional evaluation teams, as appropriate, to support an efficient source selection evaluation. Appoint chairpersons and members to the functional evaluation teams, subject to approval of the SSA;

(3) Ensure the skills of the personnel, the available resources, and time assigned are commensurate with the scope and complexity of the acquisition;

(4) Ensure members of the TET are trained and knowledgeable on how an evaluation is conducted prior to reviewing any proposals;

(5) Ensure the evaluation process follows the evaluation criteria and ratings are being consistently applied;

(6) Chair consensus meetings and prepare the final consensus report;

(7) Provide consolidated evaluation results to the SSAC, or SSA if there is no SSAC;

(8) Reconvene the technical evaluation team to reevaluate revised proposals, conduct consensus meetings and prepare the necessary reports, as described above, if revised proposals are received; and

(9) Support any post source selection activities such as debriefings and post-award reviews/meetings, as required.

b. TET members must:

(1) Conduct a comprehensive review and evaluation of proposals against the solicitation requirements and the approved evaluation criteria;

(2) Ensure the evaluation is based solely on the evaluation criteria outlined in the RFP;
(3) Assist the TET chairperson in documenting the TET evaluation results; and
(4) Support any post source selection activities, such as debriefings and post-award reviews or meetings, as required.

c. Neither the TET chairperson nor the TET members must perform comparative analysis of proposals or make source selection recommendations unless requested by the SSA.

14 FAH-2 H-363.6 Price/Cost Evaluation Team (PET)

(CT:COR-42; 10-30-2015)

To the extent the contracting officer needs additional assistance evaluating cost/price, a PET may be established, with responsibilities as follows:

(1) Ensure that the RFP requests the cost/price data necessary to meaningfully evaluate proposals, but does not request more data than is needed;

(2) Ensure that offerors’ cost/price proposals and cost data are safeguarded and kept separate from the technical data;

(3) Evaluate the proposed cost or prices in accordance with the RFP and SSP guidelines;

(4) Prepare a cost/price report that documents the reasonableness of proposed price and/or cost, and the basis of any conclusions or adjustments made to proposed prices and costs. Price or cost realism is rarely evaluated for competitive fixed price contracts and should be considered only under the circumstances described in FAR 48 CFR 15.305(a)(1). Also, see 14 FAH-2 H-366.1-1;

(5) Provide such briefings and consultations concerning the evaluation as may be required by the SSA; and

(6) Participate in debriefing of unsuccessful offerors as requested by the CO.

14 FAH-2 H-363.7 Program Management Requirements Office Roles and Responsibilities

(CT:COR-42; 10-30-2015)

The requirements community is vital to the success of the overall source selection process. The leadership of the program management/requirements office must:

(1) Ensure the technical requirements are consistent with the cognizant requirements document. Establish realistic technical specifications that are stable and have been approved, and develop a statement of work (SOW), statement of objectives (SOO) or performance work statement (PWS);

(2) Allocate the necessary resources including personnel, funding and facilities to support the source selection process;
(3) Assist in the establishment of the SST to include serving as an advisor or member to the TET, PET and/or the SSAC, as needed;

(4) Assist in the development of the evaluation criteria consistent with the technical requirements or risk factors; and

(5) Provide input to the contracting office to support the independent U.S. Government cost estimate (IGCE) of contract price required by FAR 48 CFR 4.803(a)(7) and that may be required for the evaluation of proposals (see FAR 48 CFR 15.404-1(c)(2)(iii)(D)).

14 FAH-2 H-363.8 Initial Team Briefing Requirements

(CT:COR-42; 10-30-2015)

As stated in 14 FAH-2 H-366.1, all members of the SST must be briefed on the basic rules and tenets of the source selection process prior to commencement of evaluation activities. The briefing will be conducted jointly by the contracting officer and legal adviser (from L/BA).

14 FAH-2 H-363.8-1 Source Selection Objective

(CT:COR-42; 10-30-2015)

The objective of source selection is to select the proposal that represents the best value to the U.S. Government (reference FAR 48 CFR 15.302). Prior to receipt of proposals, each evaluator should become familiar with all pertinent documents; e.g., the acquisition strategy/plan, SSP and RFP, especially Section C, the Statement of Work, Section H, Special Contract Requirements, Section L, which provides instructions to the offerors as to how to prepare their proposals, and Section M, which describes how the proposals will be evaluated and the award decision will be made.

14 FAH-2 H-363.8-2 Security, Non-Disclosure and Conflict of Interest

(CT:COR-42; 10-30-2015)

a. See 14 FAH-2 H-369, security considerations. Discuss procurement integrity, conflict(s) of interest and associated matters. Ensure everyone understands what “source selection information” consists of and restrictions related to disclosure thereof, both current and continuing. Discuss importance of avoiding even the appearance of a conflict of interest.

b. Evaluation of the proposals submitted must be conducted and the award decision made as described in the solicitation. All offerors must be treated fairly and equally.

c. No one outside of the technical evaluation team and contracting officials can be given information concerning the evaluation without the permission of the
contracting officer. If anyone asks about the status of the evaluation, who the competitors are, how the pricing looks, etc., refer the questioner to the contracting officer. There are civil, and in some cases criminal, penalties for release of source selection information, which includes the offerors’ proposals and the work products of the evaluation. If you believe that source selection information has been released, inadvertently or otherwise, inform the contracting staff immediately so that steps can be taken to mitigate any damage to the process.

14 FAH-2 H-363.8-3 Source Selection Organization

Review the roles and responsibilities of the various organizational components of the SST (TET, PET, SSAC and SSA and contracting officer).

14 FAH-2 H-363.8-4 Administrative Requirements

Review the planned schedule for completing the evaluation, including reporting, participating in discussions, if appropriate, evaluating and rating final proposal revisions, and supporting briefings to the SSA and debriefings of unsuccessful offerors. Emphasize the commitment required. Review the following guidelines:

1. Do not discuss the proposals, evaluation criteria or any other aspect of the procurement with any vendor or anyone inside or outside the government who has not been specifically authorized by the contracting officer;

2. Sign all evaluation sheets;

3. Secure all proposal and evaluation materials;

4. Ensure that discussions with other persons involved in the evaluation process take place in a secure area – i.e., where it cannot be easily overheard;

5. Direct any questions to the chair of your evaluation team;

6. Report any security violation or unauthorized disclosure to the contracting officer immediately;

7. Make sure that you write legibly and in complete sentences on the evaluation sheets;

8. Make sure you provide strengths and weaknesses to support your rating in each category. These comments may be used to support debriefing with unsuccessful offerors;

9. Provide questions and requests for clarification as needed for each offeror; and

10. Base your evaluation only on the information available within the proposal.
Do not use personal knowledge as a basis for your rating.


(CT:COR-42; 10-30-2015)

a. While the specific evaluation processes and tasks will vary between source selections, the basic objective is always to provide the SSA with information to make an informed and reasoned selection and to document the evaluation adequately.

b. Towards this end, the evaluators will identify deficiencies, strengths, weaknesses, and any issues requiring clarification applicable to each proposal. If discussions are held, the contracting officer must discuss with each offeror deficiencies, significant weaknesses and adverse past performance information to which the offeror has not yet had an opportunity to respond (reference FAR 48 CFR 15.306(d)(3)):

(1) Rating – The evaluators’ conclusions as supported by narrative write-ups identifying the strengths, weaknesses, and deficiencies of an evaluation factor or subfactor. The ratings for the technical factor and each of its subfactors will be expressed as an adjective;

(2) Deficiency – A material failure of a proposal to meet a U.S. Government requirement or a combination of significant weaknesses in a proposal that increases the risk of unsuccessful contract performance to an unacceptable level;

(3) Strength – Any aspect of a proposal that, when judged against a stated evaluation criterion, enhances the merit of the proposal or increases the probability of successful performance of the contract;

(4) Weakness – A flaw in a proposal that increases the risk of unsuccessful contract performance; and

(5) Significant Weakness – A flaw that appreciably increases the risk of unsuccessful contract performance.

c. In addition to the SSA using this information to make a source selection decision, the contracting officer will use it to establish a competitive range when discussions are necessary and, as appropriate, will provide the information to the respective offeror during clarifications, communications, and/or discussions.

d. Thoroughly evaluating proposals is not an easy task. Furthermore, the file must be documented thoroughly to demonstrate clearly that the proposals were fully and fairly evaluated as provided in the solicitation and that the judgments of the evaluators were reasoned and reasonable. Evaluation forms are provided to facilitate the documentation, but it is the evaluators’ work product and narrative conclusions that will influence, if not determine, the award.
decision and which the Department will rely upon to support and defend the award decision in the event of litigation.

e. The evaluation process is described in great detail in the source selection plan, but in simple terms, evaluators will read or skim all of the proposals, then individually evaluate in detail each proposal and document conclusions on the evaluation forms. Then the team will meet to discuss and reach a consensus on each proposal, may conduct reference checks, and generate a conclusive report. Although skimming through all of the proposals before beginning individual evaluations may appear to be redundant, it has been found to dramatically improve the consistency of evaluations. Evaluators should not discuss a proposal prior to the consensus meeting on that proposal, and it is typically more efficient, although not necessary, that the consensus meetings be held sequentially as the individual evaluations are completed. It is critically important that assessments of the proposals be made against the evaluation criteria stated in Section M of the solicitation and that proposals are not compared to each other.

f. Review and enumerate each factor and subfactor that will be evaluated and scored. Discuss/explain the relative importance of each factor and subfactor.

g. Using evaluation format and automated evaluation tools can ease the administrative burden associated with these tasks. Example Individual Factor Evaluation; Example Risk Factor Evaluation Format and Example Past Performance Evaluation Format are sample formats that may be tailored and used for evaluation when you are not using an automated tool. The formats may be loaded onto a computer for the convenience of the evaluator. This also facilitates production of the consensus reports, since narratives can be readily transferred to the consensus forms. **Whatever method is used, it is important that the evaluation findings are supported with narrative statements.** All evaluations must be documented. Ratings alone are not conclusive data upon which to make a source selection decision.

h. The information the offerors are supposed to submit for evaluation for each factor and subfactor is usually spelled out on the technical evaluation format that will be used. The test or standard of acceptability for each subfactor is restated (from Section M) on each subfactor evaluation format and this should be kept in mind as the evaluation takes place.

i. The evaluation formats must be annotated to show where in the proposal the information being evaluated was found (section, paragraph, page number etc.). This is particularly helpful during the consensus deliberations. **Do not write in the proposals; use Post-it Notes, if necessary, as these can be removed at the completion of evaluations.** Notes in the proposal would be discoverable in the event of litigation and could create confusion if there is a conflict with the final evaluation conclusions.

j. Evaluators must document the analysis and rationale for their assessment of the proposal. These comments do not need to be exhaustive, but should...
explain why the rating was assigned. Every comment block in the consensus evaluation format should have some information in it, even if it is just the location in the proposal (e.g., section, paragraph or page) where the information was found. Strengths, weaknesses, significant weaknesses and deficiencies should be identified as such. The definitions of these terms, included in 14 FAH-2 H-364, should be reviewed. If negotiations are held, all significant weaknesses and deficiencies in the proposals must be identified to offerors in the competitive range, so they have the opportunity to correct them. We may identify weaknesses but are not required to unless the combined effect of a number of weaknesses creates a significant weakness or deficiency.

k. If negotiations are held, specific questions are posed to the offerors in which the weaknesses or deficiencies are pointed out and correction is requested. It can be helpful for the offerors, and certainly for the individuals representing the U.S. Government in negotiations, if the impact of the weakness or deficiency is described. These questions should be generated and recorded during the consensus meetings.

l. It may be desirable to contact other entities concerning the past performance of an offeror. If so, the information obtained through these reference checks will be included in the evaluation of past performance.

m. Typically, consensus meetings are held and the consensus reports are generated as the evaluation of each proposal is completed. Evaluators sometimes discover during consensus meetings that offerors have been given different ratings for similar proposals in a particular area. In such cases, the team should review the proposals and conform the evaluations to the standards in the solicitation Section M. If different offerors had similar problems in a particular area, the language summarizing the team’s conclusions should be similar, if not the same. Evaluators should try to reach consensus on the ratings for an offeror. Minority reports are rare. The consensus format are typically reflections or duplicates of the individual rating format.

n. Once the technical evaluation has been completed, the TET may be asked for input on information in the price proposal, for example, on the compensation plan. Pricing information is not provided to the technical evaluators, if at all, until after the technical evaluation is completed in order to avoid any allegation from a disappointed offeror that the pricing could have affected the technical evaluation. Pricing information may sometimes be provided to the TET chairperson following the technical evaluations if it is necessary to crosswalk the technical proposal with price.

o. The final work product of the TET is the chairperson’s report. It summarizes the findings and conclusions of the team and may make recommendations to the contracting officer/SSA concerning negotiations and/or award. If negotiations are determined by the contracting officer to be appropriate, the team will need to prepare questions for the offerors identifying, at a minimum, significant weaknesses and deficiencies that would need to be corrected in
order for the proposal to be eligible for award. If the evaluations are thoroughly prepared, the information therein can be carried forward to the consensus forms and then to the Chairperson’s Report. It is critical that the only considerations used in the evaluation/selection process are those set forth in the SSP and the solicitation.

p. The source selection official, normally the contracting officer, will consider the technical evaluation and prices proposed and determine whether to establish a competitive range of firms with which to hold discussions/negotiations. At times, clarifications may be requested that do not constitute discussions, for example, with regard to past performance or to resolve minor or clerical errors. If discussions are held, all offerors within the competitive range will be informed of the significant weaknesses and deficiencies discovered in their proposals and items requiring clarification will be discussed. Offerors will be permitted to submit proposal revisions to address these issues. The revised proposal sections will then be evaluated by the team following the procedures above and a second report produced.

14 FAH-2 H-363.8-6 Performance in Source Selection

(CT: COR-42; 10-30-2015)

Review 14 FAH-2 H-366.2 and ensure everyone understands the “neutral” rating based on FAR 48 CFR 15.305(a)(2)(iv) requirements involving an offeror without a record of relevant past performance or for whom information on past performance is not available.

14 FAH-2 H-363.8-7 Cost or Price Analysis

(CT: COR-42; 10-30-2015)

Review how cost/price will be evaluated. Explain how it factors into the competitive range determination and the final source selection.

14 FAH-2 H-363.8-8 Summary

(CT: COR-42; 10-30-2015)

Ensure everyone understands the overall objective and their role in the process. Provide an opportunity for the team to ask questions.
Example: Individual Factor Evaluation Format

| Solicitation #: ________________________________ | Date: ___________
| Offeror: ___________________________ | Evaluator: ___________________________
| Evaluation Factor [#]: ___________________________ | Page: ___ of ___

| RFP References: | Offeror References: |

Identify all comments and questions below as follows: Initial Rating (IR), Result of Discussion (RD) or Final Rating (FR). Use continuation sheets or a database as needed and a separate sheet for every factor or subfactor.

**Evaluation Rating:** (Circle One)

| Technical: | Superior | Acceptable | Marginal | Unsatisfactory |

Evaluation standards:

[Include the standards from the solicitation against which the proposal will be evaluated.]

**Strengths:**
<table>
<thead>
<tr>
<th>Weaknesses:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Risks: [This Block is not used when “Risk” is being evaluated as a separate factor.]</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Rating Narrative and Rationale:</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Provide a narrative summary of the offeror's approach. Include the analysis and rationale for the assessment of the proposal.]</td>
</tr>
</tbody>
</table>
**EVALUATION NOTICES (ENs)** - required for each weakness, significant weakness, deficiency and clarification

Evaluator’s Signature: _____________________________  Date: ______________
<table>
<thead>
<tr>
<th>Tech Evaluation - WORKSHEET CONTINUATION PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offeror: _____________________  Evaluator: _____________________</td>
</tr>
<tr>
<td>Evaluation Factor:                                                         Page: ___ of ___</td>
</tr>
</tbody>
</table>

[Indicate which Block is being continued.]
Example: **Risk Factor Evaluation Format**

<table>
<thead>
<tr>
<th>Solicitation #: __________________________</th>
<th>Date: ____________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offeror: ______________________________</td>
<td>Evaluator: ________</td>
</tr>
<tr>
<td>Evaluation Factor [#]: _<strong><strong><strong>Risk</strong></strong></strong></td>
<td>Page: ___ of ___</td>
</tr>
</tbody>
</table>

**RFP References:**

Offeror References:

*Identify all comments and questions below as follows: Initial Rating (IR), Result of Discussion (RD) or Final Rating (FR). Use continuation sheets or a database as needed.*

**Evaluation Rating:** (Circle One)

<table>
<thead>
<tr>
<th>Risk</th>
<th>Low</th>
<th>Moderate</th>
<th>High</th>
</tr>
</thead>
</table>

**Evaluation standards:**

[Include the standards from the solicitation against which the proposal will be evaluated.]

<table>
<thead>
<tr>
<th>Rating</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Low</strong></td>
<td>Has little potential for disruption of schedule, increased cost or degradation of performance. There is a high level of confidence that normal contractor effort and normal Government monitoring will be able to overcome any difficulties.</td>
</tr>
<tr>
<td><strong>Moderate</strong></td>
<td>Has moderate potential for disruption of schedule, increased cost or degradation of performance. Special contractor emphasis and close Government monitoring will likely be able to overcome difficulties.</td>
</tr>
<tr>
<td><strong>High</strong></td>
<td>Is likely to cause significant disruption of schedule, increased cost or degradation of performance. Is unlikely to overcome any difficulties, even with special contractor emphasis and close Government monitoring.</td>
</tr>
</tbody>
</table>
Strengths:

Weaknesses:
Rating Narrative and Rationale:

[Provide a narrative summary of the risks of the offeror’s approach. Include the analysis and rationale for the rating assigned.]

EVALUATION NOTICES (ENs) - required for each weakness, significant weakness, deficiency and clarification

Evaluator’s Signature: ______________________________  Date: ______________
Risk Evaluation - WORKSHEET CONTINUATION PAGE

<table>
<thead>
<tr>
<th>Offeror: ______________________</th>
<th>Evaluator: ______________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evaluation Factor: Risk</td>
<td>Page: ___ of ___</td>
</tr>
</tbody>
</table>

[Indicate which Block is being continued.]
### Example: Past Performance Factor Evaluation Format

<table>
<thead>
<tr>
<th>Solicitation #: ___________________________</th>
<th>Date: ____________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Offeror: _________________________________</td>
<td>Evaluator: ____________</td>
</tr>
<tr>
<td>Evaluation Factor [#]: Past Performance</td>
<td>Page: ___ of ___</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>RFP References:</th>
<th>Offeror References:</th>
</tr>
</thead>
</table>

Identify all comments and questions below as follows: Initial Rating (IR), Result of Discussion (RD) or Final Rating (FR). Use continuation sheets or a database as needed.

### Past Performance Confidence level: (Circle One)

- **Substantial**
- **Satisfactory**
- **Unknown/Neutral**
- **Limited**
- **No**

**Evaluation standards:**

[Based on the quality and relevance of the offeror’s recent past performance, a performance confidence assessment is made.]

### Relevancy Considerations

**Rating**

- **Definition**

  - **Very Relevant**
    - Present/past performance effort involved comparable scope and magnitude of effort and complexities as this solicitation requires.

  - **Relevant**
    - Present/past performance effort involved much of the magnitude of effort and complexities this solicitation requires.

  - **Somewhat Relevant**
    - Present/past performance effort involved some of the scope and magnitude of effort and complexities this solicitation requires.

  - **Not Relevant**
    - Present/past performance effort involved little or none of the scope and magnitude of effort and complexities this solicitation requires.

### Performance Confidence Assessments

<table>
<thead>
<tr>
<th>Rating</th>
<th>Description</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Substantial Confidence</td>
<td>Based on the offeror’s recent/relevant performance record, the Government has a high expectation that the offeror will</td>
<td></td>
</tr>
<tr>
<td>Confidence</td>
<td>Description</td>
<td></td>
</tr>
<tr>
<td>--------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Satisfactory</td>
<td>Based on the offeror's recent/relevant performance record, the Government has a reasonable expectation that the offeror will successfully perform the required effort. Little Government intervention is expected to be needed in order to obtain the required product/service.</td>
<td></td>
</tr>
<tr>
<td>Unknown Confidence</td>
<td>No recent/relevant performance record is available or the offeror’s performance record is so sparse that no meaningful confidence assessment rating can be reasonably assigned.</td>
<td></td>
</tr>
<tr>
<td>Limited Confidence</td>
<td>Based on the offeror’s recent/relevant performance record, the Government has a low expectation that the offeror will successfully perform the required effort. Some Government intervention is expected to be needed in order to obtain the required product/service.</td>
<td></td>
</tr>
<tr>
<td>No Confidence</td>
<td>Based on the offeror’s recent/relevant performance record, substantial doubt exists that the offeror will be able to successfully perform the required effort.</td>
<td></td>
</tr>
</tbody>
</table>

**Strengths:**

**Weaknesses:**

**Rating Narrative and Rationale:**
[Provide a narrative summary of the relevance and quality of the offeror’s recent past performance and rationale for the assigned confidence assessment.]

EVALUATION NOTICES (ENs) - required for each weakness, significant weakness, deficiency and clarification

Evaluator’s Signature: ____________________________ Date: ____________________

PAST PERFORMANCE - WORKSHEET CONTINUATION PAGE
<table>
<thead>
<tr>
<th>Offeror: ____________________</th>
<th>Evaluator: ____________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evaluation Factor: <strong>Past Performance</strong>__</td>
<td>Page: ___ of ___</td>
</tr>
</tbody>
</table>

[Indicate which Block is being continued.]
**14 FAH-2 H-364 Definitions**

*(CT: COR-42; 10-30-2015)*

**Acquisition plan**: The result of the coordinated and integrated efforts of all personnel responsible for an acquisition working together to develop a comprehensive plan for fulfilling the agency need in a timely manner and at a reasonable cost. Acquisition plans are addressed in detail at FAR 48 CFR 7.1. DOSAR 48 CFR 607.103(d) requires domestic requirements offices to develop formal, written acquisition plans for all acquisitions whose value, including base and all option amounts, exceeds $5 million.

**Clarifications**: Limited exchanges between the U.S. Government and offerors that may occur when award without discussions is contemplated (reference FAR 48 CFR 15.306(a)).

**Communications**: Exchanges between the U.S. Government and offerors, after receipt of proposals, leading to establishment of the competitive range (see FAR 48 CFR 15.306(b)).

**Competitive range**: See FAR 48 CFR 15.306(c).

**Deficiency**: 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 (reference FAR 48 CFR 15.001).

**Discussions**: Discussions are negotiations conducted in a competitive acquisition. Discussions take place after establishment of the competitive range (see FAR 48 CFR 15.306(d)).

**Evaluation notice (EN)**: The contracting officer’s written notification to the offeror for purposes of clarifications, communications or in support of discussions.

**Lowest price technically acceptable (LPTA)**: A process used in competitive negotiated contracting where the best value is expected to result from selection of the technically acceptable proposal with the lowest evaluated price (reference FAR 48 CFR 15.101-2).

**Performance confidence assessment**: An evaluation of the likelihood (or U.S. Government’s confidence) that the offeror will successfully perform the solicitation’s requirements; the evaluation is based upon past performance information.

**Price negotiation memorandum (PNM)**: The official record document supporting the source selection and contract award decision, including the principal elements of the negotiated agreement (reference FAR 48 CFR 15.406-3).

**Recency**: As it pertains to past performance information, is a measure of the time that has elapsed since the past performance reference occurred.
is generally expressed as a time period during which past performance references are considered relevant.

**Relevancy:** As it pertains to past performance information, is a measure of the extent of similarity between the service/support effort, complexity, dollar value, contract type, and subcontract/teaming or other comparable attributes of past performance examples and the source solicitation requirements; and a measure of the likelihood that the past performance is an indicator of future performance.

**Requirements documents:** All aspects of the request for proposal (RFP) that convey the needs of the U.S. Government to offerors, including the SOO, SOW, PWS, technical requirement documents, and system requirement documents.

**Requiring office:** The entity (for example, a program management office or other organizational entity) responsible for translating user requirements into the requirements documents within the RFP that communicate those requirements to offerors.

**Risk:** As it pertains to source selection, is the potential for unsuccessful contract performance. The consideration of risk assesses the degree to which an offeror’s proposed approach to achieving the technical factor or subfactor may involve risk of disruption of schedule, increased cost or degradation of performance, the need for increased U.S. Government oversight, and the likelihood of unsuccessful contract performance. For firm fixed-price contracts, the reference to increased cost may be removed from the risk definition.

**Significant weakness:** The proposal has a flaw that appreciably increases the risk of unsuccessful contract performance (reference FAR 48 CFR 15.001).

**Source Selection Advisory Council (SSAC):** A group of senior U.S. Government personnel who provide counsel during the source selection process and must prepare the comparative analysis of the TET's evaluation results with those of the PET, when utilized, and prepare a recommendation for the SSA.

**Source Selection Authority (SSA):** The official designated to make the source selection decision.

**Source selection decision document (SSDD):** The document that reflects the SSA’s independent, integrated, comparative assessment and decision (reference FAR 48 CFR 15.308).

**Source selection plan (SSP):** A plan that describes how the source selection will be organized, how proposals will be evaluated and analyzed, and how source(s) will be selected.

**Source selection team (SST):** A team that is tailored to the unique acquisition, tasked with carrying out a source selection. Composition of the team generally consists of the SSA, contracting officer (if different from the SSA), SSAC, TET, advisors, cost or price experts, L/BA, small business specialists, and other subject matter experts.
Strengthen: An aspect of an offeror's proposal that has merit or exceeds specified performance or capability requirements in a way that will be advantageous to the U.S. Government during contract performance.

Technical evaluation team (TET): A group of U.S. Government and, if needed, approved non-Government personnel representing the various functional disciplines relevant to the acquisition.

Weakness: A flaw in the proposal that increases the risk of unsuccessful contract performance (reference FAR 48 CFR 15.001).

**14 FAH-2 H-365  SOURCE SELECTION PLAN (SSP)**

*(CT:COR-42; 10-30-2015)*

A source selection plan (SSP) is required for all acquisitions over the simplified acquisition threshold pursuant to this subchapter. For those acquisitions where an SSP is required, the SSA must approve the SSP before the official solicitation is issued, per FAR 48 CFR 15.303(b)(2).

**14 FAH-2 H-365.1  Components of Source Selection Plan (SSP)**

*(CT:COR-42; 10-30-2015)*

At a minimum, the source selection plan must include the following components.

**14 FAH-2 H-365.1-1  Background and Objectives - Source Selection Plan (SSP)**

*(CT:COR-42; 10-30-2015)*

Include a brief description of the requirement, a summary of the objectives, and any reference to applicable guidance.

**14 FAH-2 H-365.1-2  Acquisition Strategy - Source Selection Plan (SSP)**

*(CT:COR-42; 10-30-2015)*

Provide a summary of the planned acquisition approach. Reference to an approved acquisition plan (required for all acquisitions over $5 million) is sufficient, if available and current.
14 FAH-2 H-365.1-3 Source Selection Team (SST) - Source Selection Plan (SSP)

(CT:COR-42; 10-30-2015)

a. Describe the organizational structure.

b. List members and advisors by name, position title, organizational affiliation, if applicable, or by functional area.

14 FAH-2 H-365.1-4 Communications - Source Selection Plan (SSP)

(CT:COR-42; 10-30-2015)

a. Describe the process and controls for communication with industry as well as internal government team communication, to include the use of e-mail, during the source selection.

b. Outline the security measures that will be utilized to ensure the information is protected as source selection information. (See FAR 48 CFR 2.101 and FAR 48 CFR 3.104.)

14 FAH-2 H-365.2 Evaluation Factors and Subfactors - Source Selection Plan (SSP)

(CT:COR-42; 10-30-2015)

a. Identify the evaluation factors, subfactors, their relative order of importance; the importance of all non-cost or price factors relative to the cost or price factor (see 14 FAH-2 H-365.2-6); and the evaluation process, including specific procedures and techniques to be used in evaluating proposals.

b. The acquisition team must ensure a clear linkage between the requirements and evaluation factors to maximize the accuracy and clarity of the RFP.

c. Evaluation factors and subfactors represent those specific characteristics that are tied to significant RFP requirements and objectives having an impact on the source selection decision and are expected to be discriminators or are required by statute/regulation. They are the uniform baseline against which each offeror’s proposal is evaluated allowing the government to make a best-value determination.

d. The evaluation of factors and subfactors may be quantitative, qualitative, or a combination of both. Numerical or percentage weighting to indicate the relative importance of evaluation factors and subfactors is discouraged. The evaluation factors and subfactors, their relative order of importance, and the importance of non-cost-or-price factors to cost or price factors must be set forth in the solicitation in enough depth to communicate what will be evaluated. The evaluation factors and subfactors must be the primary determinant of the
detailed information requested in the solicitation’s instructions to offerors. If subfactors are used, they are to be evaluated separately.

e. All source selections must evaluate cost or price, and the quality of the product or services.

14 FAH-2 H-365.2-1 Cost or Price - Source Selection Plan (SSP)

(CT:COR-42; 10-30-2015)

The U.S. Government must evaluate the cost or price of the supplies or services being acquired. The source selection plan should describe the cost and/or price analysis techniques the contracting officer will use in evaluating cost or price. See 14 FAH-2 H-366.1-1 for more information.

14 FAH-2 H-365.2-2 Quality of Product or Service - Source Selection Plan (SSP)

(CT:COR-42; 10-30-2015)

a. In accordance with FAR 48 CFR 15.304(c)(2), the quality of product or service must be addressed in every source selection through consideration of one or more noncost evaluation factors such as past performance, compliance with solicitation requirements, technical excellence, management capability, personnel qualifications, and prior experience.

b. All source selection evaluations must utilize one or more quality of product or service evaluation factors tailored to the source selection process employed.

c. There are occasions where some technical requirements are mandatory, meaning if they are not met, the entire proposal is unacceptable, notwithstanding any other merits of the proposal. When mandatory requirements are established, if a proposal doesn’t meet one or more of the mandatory requirements, that proposal will be disqualified and eliminated from further consideration for award.

14 FAH-2 H-365.2-3 Technical Factor - Source Selection Plan (SSP)

(CT:COR-42; 10-30-2015)

a. The term “technical,” as used below and throughout this document, refers to non-cost factors other than past performance. More than one “technical” factor may be used and titled to match the specific evaluation criteria appropriate for the RFP.

b. However, the ratings in example "combined technical/risk ratings", example "technical ratings" and example "technical risk ratings" must be used for all quality of product or service factors other than past performance, regardless of
c. The purpose of the technical factor(s) is to assess the offeror’s proposed approach, as detailed in its proposal, to satisfy the government’s requirements. There are many aspects that may affect an offeror’s ability to meet the solicitation requirements. Examples include technical approach, risk, management approach, personnel qualifications, facilities, as well as other examples. The evaluation of risk is related to the technical assessment:

(1) Technical risk: Risk assesses the degree to which the offeror’s proposed technical approach for the requirements of the solicitation may cause disruption of schedule, increased costs, degradation of performance, the need for increased government oversight or the likelihood of unsuccessful contract performance. All evaluations that include a technical evaluation factor must also consider risk; and

(2) Risk can be evaluated in one of two ways:
   (a) As one aspect of the technical evaluation, inherent in the technical evaluation factor or subfactor ratings (14 FAH-2 H-366.1-2(A)); or
   (b) As a separate risk rating assigned at the technical factor or subfactor level (14 FAH-2 H-366.1-2(B)).

d. Finally, the technical factor may be divided into subfactors that represent the specific areas that are significant enough to be discriminators and to have an impact on the source selection decision. When subfactors are used, establish the minimum number necessary for the evaluation of proposals.

14 FAH-2 H-365.2-4 Past Performance - Source Selection Plan (SSP)

a. The past performance evaluation factor assesses the degree of confidence the Government has in an offeror’s ability to supply products and services that meet users’ needs, based on a demonstrated record of performance.

b. A past performance evaluation is required in accordance with DOSAR 48 CFR 642.1503-70 for all best-value acquisitions above the simplified acquisition threshold. A past performance evaluation may be accomplished for acquisitions below these thresholds at the discretion of the SSA.

c. Past performance need not be evaluated if the contracting officer documents the reason past performance is not an appropriate evaluation factor for the acquisition (see FAR 48 CFR 15.304(c)(3)(iii) and DOSAR 48 CFR 642.1503-70(b)).
14 FAH-2 H-365.2-5 Small Business - Source Selection Plan (SSP)

(CT:COR-42; 10-30-2015)

Where required by FAR 48 CFR 15.304(c) and FAR 48 CFR 19.1202, the SST must evaluate the extent of participation of small business and/or small disadvantaged business concerns. This may be accomplished by one of the following:

1. Establishing a separate small business participation evaluation factor;
2. Establishing a small business participation subfactor under the technical factor; or
3. Considering small business participation within the evaluation of one of the technical sub-factors.

14 FAH-2 H-365.2-6 Relative Importance of Factors - Source Selection Plan (SSP)

(CT:COR-42; 10-30-2015)

In addition to listing the relative importance of the various individual non-cost/price related factors, the solicitation must state, at a minimum, whether all evaluation factors other than cost or price, when combined, are:

1. Significantly more important than cost or price;
2. Approximately equal to cost or price; or
3. Significantly less important than cost or price (See FAR 48 CFR 15.101).

14 FAH-2 H-365.3 Schedule of Events (Milestones) - Source Selection Plan (SSP)

(CT:COR-42; 10-30-2015)

List the major acquisition activities and projected completion dates. Examples include:

1. Acquisition plan approved;
2. Source selection authority designated;
3. Evaluation groups established;
4. SSP approved;
5. Solicitation issued;
6. Proposals received;
7. Initial proposal evaluation (technical, price and past performance) completed;
(8) Competitive range determined (as appropriate);
(9) Discussions conducted and final proposal revisions received (as appropriate);
(10) Final proposal evaluation completed and consensus ratings achieved;
(11) Best value source selection recommendation submitted to SSA;
(12) Source selection decision document approved;
(13) Contract(s) awarded; and
(14) Unsuccessful offerors debriefed.

14 FAH-2 H-365.4 Nongovernment Personnel - Source Selection Plan (SSP)

Address the use of non-Government personnel and compliance with the requirements of 14 FAH-2 H-363.5-1.

14 FAH-2 H-365.5 Securing Source Selection Materials - Source Selection Plan (SSP)

Detail the plan for securing all source selection materials throughout the evaluation process.

14 FAH-2 H-366 EVALUATION AND DECISION PROCESS

14 FAH-2 H-366.1 Evaluation Activities for Tradeoff Analyses

Prior to commencement of evaluation activities, all members of the SST must be briefed on the basic rules and tenets of the source selection process. The 14 FAH-2 H-363.8 addresses the basic issues to be included in every briefing.

14 FAH-2 H-366.1-1 Cost or Price Evaluation

a. Cost or price to the U.S. Government must be evaluated in every source selection. However, no adjectival ratings may be utilized for evaluating cost or
price since cost or price is not rated.

b. The level of detail of analysis required will vary among acquisitions depending on the complexity and circumstances of the acquisition, including the degree of competition, the phase of the program, the type of product or services to be acquired, and the contract type.

c. In order to enable offerors to make informed decisions on how best to propose, every solicitation must provide an adequate description of the cost or price evaluation.

d. In all source selections, the analysis must include a determination, by the contracting officer, of whether the proposed cost or price is fair and reasonable. The analysis should include a comparison of the prices proposed and the independent U.S. Government cost estimate.

e. In addition to determining reasonableness of the proposed cost or price, the contracting officer must also conduct a cost realism analysis if contracting on a cost reimbursement basis. Cost/price realism analysis may also be used on competitive, fixed-price incentive contracts and time-and-materials/labor-hour contracts or, in exceptional cases, on other competitive fixed-price-type contracts. FAR 48 CFR 15.400 and the contract pricing reference guides provide additional guidance on cost or price evaluation.

f. Competitively awarded fixed-price contracts typically do not require cost analysis or cost realism analysis. Contracting officers should avoid stating that cost analysis or cost or price realism analysis will be conducted in solicitations for fixed-price contracts that are expected to be competitively awarded. Even if competition is not obtained, it may be possible to determine a price is fair and reasonable based upon price analysis, as described in FAR 48 CFR 15.404-1(b). If a solicitation states that certain analyses will be performed, then they must be performed.


(CT: COR-42; 10-30-2015)

a. The TET must conduct an in-depth review of each proposal against the non-price/cost factors and subfactors established in the solicitation, and assign evaluation ratings. The technical rating reflects the degree to which the proposed approach meets or does not meet the minimum performance or capability requirements through an assessment of the strengths, weaknesses, deficiencies, and risks of a proposal.

b. The examples below include both adjectival ratings and color coding. The colors are simply a visual representation of the adjectival ratings and may be utilized in an evaluation or not. Both the colors and the adjectival ratings are simply guides and cannot be relied upon to support an award decision alone. Thorough and well-documented analyses of the proposals are critical for informing the source selection authority and supporting the award decision.
This documentation begins with the evaluators and pertinent comments or summaries should be carried forward in subsequent reports and recommendations.

c. As referenced in 14 FAH-2 H-365.2-3, one of two distinct methodologies can be used to evaluate the technical approach and related risk. Methodology 1 - Combined Technical/Risk Rating, outlined at 14 FAH-2 H-366.1-2(A), includes risk associated with the technical approach in a single rating for each factor. Methodology 2, outlined at 14 FAH-2 H-366.1-2(B), provides separate technical and risk ratings.

### 14 FAH-2 H-366.1-2(A) Methodology 1: Combined Technical/Risk Rating

*(CT: COR-42; 10-30-2015)*

The combined technical/risk rating includes consideration of risk in conjunction with the strengths, weaknesses, and deficiencies in determining technical ratings. Combined technical/risk evaluations must utilize the combined technical/risk ratings listed in the example - Combined Technical/Risk Ratings.

<table>
<thead>
<tr>
<th>Color</th>
<th>Rating</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purple</td>
<td>Superior</td>
<td>Proposal meets all solicitation requirements, demonstrates a good understanding of the requirements and has features that offer some advantage to the Government. Advantages/strengths generally outweigh any disadvantages/weaknesses. <strong>Good probability of success</strong> with very low degree of risk of unsuccessful performance.</td>
</tr>
<tr>
<td>Green</td>
<td>Acceptable</td>
<td>Proposal meets basic solicitation requirements and demonstrates an adequate understanding of the requirements but does not offer significant advantages to the Government over basic RFP requirements. Disadvantages/weaknesses are not significant, unless significant advantages are proposed that outweigh significant disadvantages. Where there were areas of concern, clarifications given by offeror, were acceptable. <strong>Reasonable probability of success</strong> with <strong>low degree of risk</strong> of unsuccessful performance.</td>
</tr>
<tr>
<td>Yellow</td>
<td>Marginal</td>
<td>Proposal does not clearly meet all requirements, does not demonstrate an adequate approach and understanding of the requirements. The proposal has one or more weaknesses which may require correction. Some areas of concern may not have been fully addressed by offeror, leaving some ambiguities. <strong>Risk of unsuccessful performance is moderate.</strong></td>
</tr>
</tbody>
</table>

---

**UNCLASSIFIED (U)**
Example: Combined Technical/Risk Ratings

<table>
<thead>
<tr>
<th>Color</th>
<th>Rating</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Red</td>
<td>Unacceptable</td>
<td>Proposal does not meet requirements and contains one or more significant deficiencies. Risk of unsuccessful performance is high. Proposal is unawardable without being rewritten.</td>
</tr>
</tbody>
</table>


(CT:COR-42; 10-30-2015)

a. Technical Rating: The offeror’s technical solution will be rated separately from the risk associated with its technical approach. The technical rating evaluates the quality of the offeror’s technical solution for meeting the Government’s requirement.

b. The risk rating considers the risk associated with the technical approach in meeting the requirement. Technical evaluations must utilize the ratings listed in the examples below:

Example: Technical Ratings

<table>
<thead>
<tr>
<th>Color</th>
<th>Rating</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purple</td>
<td>Superior</td>
<td>Proposal meets requirements and indicates a thorough approach and understanding of the requirements. Proposal contains multiple strengths and no deficiencies (or strengths outweigh any weaknesses.)</td>
</tr>
<tr>
<td>Green</td>
<td>Acceptable</td>
<td>Proposal meets requirements and indicates an adequate approach and understanding of the requirements. Proposal has no particular strengths or deficiencies (or strengths are offset by weaknesses.)</td>
</tr>
<tr>
<td>Yellow</td>
<td>Marginal</td>
<td>Proposal does not clearly meet requirements and has not demonstrated an adequate approach and understanding of the requirements, but, with some revisions, might be made acceptable.</td>
</tr>
<tr>
<td>Red</td>
<td>Unacceptable</td>
<td>Proposal does not meet requirements and contains one or more deficiencies and is unawardable without being rewritten.</td>
</tr>
</tbody>
</table>

c. Technical risk rating: Assessment of technical risk, which is manifested by the identification of weakness(es), considers potential for disruption of schedule, increased costs, degradation of performance, the need for increased Government oversight or the likelihood of unsuccessful contract performance. Technical risk must be rated using the ratings listed in the following example. For firm-fixed-price contracts, the reference to increased cost may be removed from the risk rating descriptions.
Example: Technical Risk Ratings

<table>
<thead>
<tr>
<th>Rating</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low</td>
<td>Has <strong>little potential for disruption of schedule</strong>, <strong>increased cost</strong> or degradation of performance. There is a high level of confidence that normal contractor effort and normal Government monitoring <strong>will be able to overcome any difficulties</strong>.</td>
</tr>
<tr>
<td>Moderate</td>
<td>Has <strong>moderate potential for disruption of schedule</strong>, increased cost or degradation of performance. Special contractor emphasis and close Government monitoring will <strong>likely be able to overcome difficulties</strong>.</td>
</tr>
<tr>
<td>High</td>
<td>Is likely to cause <strong>significant disruption of schedule</strong>, increased cost or degradation of performance. Is <strong>unlikely to overcome any difficulties</strong>, even with special contractor emphasis and close Government monitoring.</td>
</tr>
</tbody>
</table>

14 FAH-2 H-366.2 Past Performance Evaluation

*(CT:*COR-42; 10-30-2015)*

a. The past performance evaluation considers each offeror's demonstrated recent and relevant record of performance in supplying products and services that meet the contract’s requirements.

b. One performance confidence assessment rating is assigned for each offeror after evaluating the offeror's recent past performance, focusing on performance that is relevant to the contract requirements. This is different than just the offeror’s relevant experience, which can be established and confirmed objectively.

c. The evaluation of the quality of the offeror’s performance requires a subjective assessment. If specific experience is desired, then experience should probably be a separate evaluation factor. When experience is considered only within the context of the past performance evaluation, the lack of relevant past performance produces a neutral past performance rating (see FAR 48 CFR 15.305(a)(2)(iv)) and so lack of experience (i.e., relevant past performance) would not be discriminating.

d. There are two aspects to the past performance evaluation:
   
   (1) The first is to evaluate the offeror’s past performance to determine how relevant a recent effort accomplished by the offeror is to the effort to be acquired through the source selection. The criteria to establish what is recent and relevant is unique to each source selection and must be stated in the solicitation. In establishing what is relevant for the acquisition, consideration should be given to those aspects of an offeror’s contract history that would give the greatest ability to measure whether the offeror is likely to satisfy the current procurement. Common aspects of relevancy include similarity of service/support, complexity, dollar value, contract type, and degree of subcontract/teaming. Complexity could include
geographical or cultural aspects of performance outside the United States, addition to technical and logistical complexity;

(2) There are four levels of relevancy as shown in the example. When source selections require a greater level of discrimination within the past performance evaluation, the SST must use all four of the relevancy ratings identified below. However, for those source selections requiring less discrimination in the past performance evaluation, the past performance evaluation team may use, as a minimum, “Relevant” and “Not Relevant” past performance ratings. The SSP must clearly identify the treatment of relevancy within past performance evaluation. With respect to relevancy, more relevant past performance will typically be a stronger predictor of future success and have more influence on the past performance confidence assessment than past performance of lesser relevance;

<table>
<thead>
<tr>
<th>Rating</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Relevant</td>
<td>Present/past performance effort involved <em>comparable scope and magnitude of effort and complexities</em> as this solicitation requires.</td>
</tr>
<tr>
<td>Relevant</td>
<td>Present/past performance effort involved much of the magnitude of effort and complexities this solicitation requires.</td>
</tr>
<tr>
<td>Somewhat Relevant</td>
<td>Present/past performance effort involved <em>some</em> of the scope and magnitude of effort and complexities this solicitation requires.</td>
</tr>
<tr>
<td>Not Relevant</td>
<td>Present/past performance effort involved <em>little or none</em> of the scope and magnitude of effort and complexities this solicitation requires.</td>
</tr>
</tbody>
</table>

(3) The second aspect of the past performance evaluation is to determine how well the contractor performed on the contracts. The past performance evaluation performed in support of a current source selection does not establish, create or change the existing record and history of the offeror’s past performance on past contracts; rather, the past performance evaluation process gathers information from customers on how well the offeror performed those past contracts. Requirements for considering history of small business utilization are outlined at FAR 48 CFR 15.304(c)(3)(ii).

**14 FAH-2 H-366.2-1 Sources of Past Performance Information**

*(CT: COR-42; 10-30-2015)*

The sources of past performance information for evaluation are as follows:

1. Past performance information may be provided by the offeror, as solicited;
2. Past performance information may be obtained from questionnaires
(3) Past performance information must be obtained from any other sources available to the government, which includes, but is not limited to, the Past Performance Information Retrieval System (PPIRS), Federal Awardee Performance and Integrity Information System (FAPIIS), Electronic Subcontracting Reporting System (eSRS) or other databases; interviews with program managers, contracting officers and fee determining officials; and contract administration offices (CAOs).

14 FAH-2 H-366.2-2 Performance Confidence Assessment

(CT:COR-42; 10-30-2015)

a. The past performance evaluation team (PPET) must review this past performance information and determine the quality and usefulness as it applies to performance confidence assessment.

b. In conducting a performance confidence assessment, each offeror must be assigned one of the ratings in the example. Reference FAR 48 CFR 15.305(a)(2) for information on assigning an unknown/neutral confidence rating.

<table>
<thead>
<tr>
<th>Example: Performance Confidence Assessments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rating</strong></td>
</tr>
<tr>
<td><strong>Substantial Confidence</strong></td>
</tr>
<tr>
<td><strong>Satisfactory Confidence</strong></td>
</tr>
<tr>
<td><strong>Unknown Confidence (Neutral)</strong></td>
</tr>
<tr>
<td><strong>Limited Confidence</strong></td>
</tr>
<tr>
<td><strong>No Confidence</strong></td>
</tr>
</tbody>
</table>
14 FAH-2 H-366.2-3 Small Business Evaluation

(CT:COR-42; 10-30-2015)

When required by FAR 48 CFR 15.304(c)(4), the SST must evaluate the extent of participation of small and/or small disadvantaged business concerns, as described therein (see also 14 FAH-2 H-365.2-5). The ratings utilized for the small business evaluation will be dependent on the small business evaluation methodology utilized:

(1) When evaluating small business participation as a stand-alone evaluation factor or a subfactor under the technical factor, there are two rating options as follows:
   (a) Use the ratings acceptable and unacceptable only (i.e., pass/fail), or
   (b) Utilize all ratings outlined in example combined technical/risk rating example technical ratings, depending on the treatment of risk. References to the term “requirements” in the technical rating description at will equate to small business requirements, often reflected in the RFP as small business objectives or goals; and

(2) When small business participation is not evaluated as a stand-alone evaluation factor or subfactor but instead is considered within the evaluation of one of the technical subfactors, a separate small business rating is not applied. However, the small business participation will be considered in determining the appropriate technical rating to be applied. References to the term “requirements” in the technical ratings description will equate to small business requirements, often reflected in the RFP as small business objectives.

14 FAH-2 H-366.3 Documentation of Initial Evaluation Results

(CT:COR-42; 10-30-2015)

a. Following the initial round of evaluations, all TET members must meet as a group to determine and record their consensus rating to be assigned to each proposal. During this consensus evaluation, the TET members must review and discuss the findings and ratings recorded during the review and analysis of the proposals by the individual TET members, including the strengths, weaknesses, significant weaknesses and deficiencies.

b. When there is a divergence of opinion among members of the TET, every effort should be made to obtain a consensus:
   (1) It is not unusual for initial individual evaluator ratings to differ significantly from one another, or from the consensus ratings eventually assigned. Indeed, the research and analysis involved in reconciling such differences among evaluators' viewpoints is the ultimate purpose of a consensus
evaluation; and

(2) It is imperative that each evaluator understands each proposal; differences of opinion may indicate a misreading of the proposal and reconciliation among the evaluators helps ensure that something is not overlooked or misunderstood.

c. As a result of the review and discussion, the TET will reach agreement and consensus on the strengths, weaknesses, significant weaknesses and deficiencies associated with each factor and subfactor. Ratings will be recorded for each factor and area of evaluation and an overall consensus rating will be assigned to each proposal:

(1) The consensus rating need not necessarily be one that every evaluator supports strongly, but each evaluator should be comfortable with the rating as reflecting the overall sense of the evaluation team; and

(2) However, in the event that the differences are so significant that a consensus cannot be reached, then that should be presented to the SSAC (when used) and the SSA, and any minority opinions must also be presented, providing the SSA with sufficient information to fully consider the minority view(s).

d. It is useful to include general comments regarding the proposals, e.g., descriptions of the offeror’s approaches to a requirement. Such comments are particularly useful to readers who have not reviewed the proposals in detail.

e. At this point it is also important to develop questions regarding clarifications, weaknesses, and deficiencies for the offerors, to be utilized during discussions (negotiations):

(1) These negotiation issues can typically be extracted from the consensus report and should explain the impact on contract performance. Evaluators should keep in mind that the individual conducting discussions with offerors may not have the same level of understanding of technical matters as they do and err on the side of providing too much information rather than too little; and

(2) Issues should be identified as clarifications, weaknesses, significant weaknesses or deficiencies as defined in FAR 48 CFR 15.306(a)(1) and FAR 48 CFR 15.001.

f. The TET chairperson will consolidate the inputs from each of the evaluators and present the consensus results to the contracting officer/SSAC/SSA, as appropriate. The contracting officer and the TET chairperson must ensure that proposals are evaluated solely on the criteria contained in the solicitation. All evaluation records and narratives must be reviewed by the contracting officer, L/BA, and the TET chairperson for completeness and compliance with the solicitation. When an SSAC has been established, it will consolidate its advice and recommendations into a written comparative analysis and recommendation for use by the SSA in making the best-value decision. It will ensure that
minority opinions within the SSAC, if any, are resolved, or if they cannot be resolved; then they must be documented and included within the comparative analysis.

g. Based upon review of the initial evaluation results the SSA will decide to either:
   (1) Approve award without discussions; or
   (2) Enter into the discussion process.

14 FAH-2 H-366.4 Award without Discussions

(CT: COR-42; 10-30-2015)

a. If the solicitation provided for it, the SSA may choose to award a contract on the basis of the initial proposals received without conducting discussions/negotiations. Offerors may be given a chance to clarify certain aspects of their proposal and to resolve minor or clerical mistakes. However, offerors are not given an opportunity to respond to any identified weaknesses or deficiencies or revise their proposal. Instead, the SSA makes a best value decision based upon the evaluations of the initial proposals, as submitted. To award without discussions, the RFP must contain the provision at FAR 48 CFR 52.215-1 clause, which notifies offerors that the U.S. Government intends to evaluate proposals and award a contract without discussions (except clarifications as described in FAR 48 CFR 15.306(a)). This clause provides incentive to offerors to provide in their initial proposals their best terms from a cost or price and technical standpoint as there may not be an opportunity to revise them.

b. The process of engaging with industry after proposal submission affords the U.S. Government the opportunity to effectively understand and evaluate a proposal and permits industry the opportunity to clearly explain any aspects of a proposal that appear to be deficient, ambiguous or non-compliant. Such dialogue leads to more efficient, effective and improved source selections. Therefore, award without discussions is appropriate only in limited circumstances.

c. If the SSA chooses to award without discussions, the SSA must prepare a source selection decision document (SSDD) (reference 14 FAH-2 H-366.10). Once the SSDD is signed, it is normally incorporated into or attached to the price negotiation memorandum, and processed for approval.

14 FAH-2 H-366.5 Discussion Process

(CT: COR-42; 10-30-2015)

a. Discussions are highly recommended for source selections. The primary objective of discussions is to maximize the U.S. Government’s ability to obtain best value, based on the requirement and the evaluation factors set forth in the solicitation. Also, to ensure there is a clear understanding and a meeting of the
minds on what is required and expected of each party to the proposed contract.

b. If discussions are required, the contracting officer must, with the approval of the SSA, establish a competitive range based on the ratings of each proposal against all evaluation criteria (see FAR 48 CFR 15.306(c)). Prior to the establishment of the competitive range, the CO may enter into limited communications with offerors whose inclusion or exclusion from the competitive range is uncertain. These communications are limited in accordance with FAR 48 CFR 15.306(b)(1). The establishment of the competitive range is formally documented by the contracting officer in a competitive range determination. The contracting officer will enter discussions with only those offerors determined to be in the competitive range.

c. Discussions are tailored to each offeror’s proposal and must be conducted by the contracting officer with every offeror in the competitive range. The scope and extent of discussions are a matter of contracting officer judgment. As a minimum, during discussions, the TET, through the contracting officer, must indicate to, or discuss with, each offeror in the competitive range any:

(1) Adverse past performance information to which the offeror has not yet had an opportunity to respond;

(2) Significant weaknesses; and

(3) Any deficiencies that have been identified during the evaluation.

d. This is accomplished through the release of evaluation notices (ENs). ENs are prepared by the TET and reviewed by the contracting officer and L/BA. All ENs must clearly indicate the type of exchange being conducted (e.g. clarification, communication, discussion, etc). Any EN addressing a proposal deficiency or weakness must clearly indicate that a deficiency or weakness exists. The contracting officer is encouraged to discuss other aspects of the offeror’s proposal that could in the opinion of the contracting officer be altered or explained to enhance materially the proposal’s potential for award. However, the contracting officer is not required to discuss every area where the proposal could be improved as outlined at FAR 48 CFR 15.306(d) and (e). All discussions must be documented in writing.

e. If, during the discussion process, revised proposals are received, the TET must reconvene to evaluate the proposals as modified. The proposal revisions should be reviewed and the conclusions of the panel as to the acceptability or quality of the proposal as changed documented as described above. If the qualitative scores or ranking change, the analysis and rationale for the changes should be explained in qualitative terms. Consensus meetings will produce documentation that removes the deficiencies or weaknesses previously identified and will identify any new strengths, deficiencies or weaknesses resulting from the changes. Additional negotiation issues or questions for the offerors may need to be developed at this time. It is not necessary to review the proposals in their entirety, but only those sections that are changed or are
impacted by the changes. The documentation produced by this review may be used to make another competitive range determination, advance discussions with the offerors, or lead to a request for final proposal revisions.

14 FAH-2 H-366.6 Final Proposal Revisions

(CT: COR-42; 10-30-2015)

a. At the conclusion of discussions, each offeror still within the competitive range must be given an opportunity to submit a final proposal revision (FPR) by a common cutoff date and time, as established by the contracting officer (FAR 48 CFR 15.307(b)). When the contracting officer is not the SSA, the contracting officer must obtain the SSA’s concurrence prior to releasing the FPR request.

b. After receipt of the FPRs, the TET must complete evaluation of the proposals. The evaluation criteria from Section M or equivalent solicitation provision must continue to be the basis for evaluation.

14 FAH-2 H-366.7 Documentation of Final Evaluation Results

(CT: COR-42; 10-30-2015)

a. Upon completion of the evaluation and analysis of proposals by the individual TET members, all TET members must again meet as a group to determine and record the final consensus ratings to be assigned to each proposal. Final ratings will be recorded for each factor and area of evaluation and an overall consensus rating will be assigned to the proposal.

b. The TET must prepare documentation of the evaluation results. This is accomplished through a written narrative report, sometimes accompanied by a decision briefing. The documentation will be in sufficient detail to serve as a clear and concise record of the source selection decision and must be included in the contract file. Although adjectival scores and rankings should be presented, distinguishing aspects of proposals should be explained in qualitative terms. The report, and briefing charts, if used, must be suitable to serve as the official record of TET proceedings in support of source selections. The results of the evaluation will be presented to the SSAC (when used) and to the SSA.

c. Although the TET does not make an overall best value recommendation, it may rank the proposals technically.

14 FAH-2 H-365.8 Conduct and Documentation of Comparative Analysis

(CT: COR-42; 10-30-2015)

a. The SSAC, if utilized, must review the evaluation and findings of the TET to
ensure their accuracy, consistency, and supportability in accordance with the evaluation criteria and must provide advice, analysis, briefings, and consultation as requested by the SSA. This will culminate in a written comparative analysis of proposals and award recommendation for the SSA’s consideration.

b. As with the TET, differences of opinion must be discussed among the members, with a view towards obtaining consensus.

c. Likewise, if a consensus cannot be reached, minority opinions must be documented and presented to the SSA as part of the comparative analysis.

d. If an SSAC is not utilized, the contracting officer is responsible for performance of this function.

14 FAH-2 H-366.9 Best Value Decision

(CT:COR-42; 10-30-2015)

a. The SSA must select the source whose proposal offers the best value to the U.S. Government in accordance with established criteria in Section M or equivalent solicitation provision (reference FAR 48 CFR 12.000).

b. This best value decision must be based on a comparative assessment of proposals against all source selection criteria in the solicitation, considering recommendations and minority opinions presented to the SSA. While the SSA may use reports and analyses prepared by others, the source selection decision must represent the SSA’s independent judgment.

c. The SSA must document the supporting rationale in the SSDD.

14 FAH-2 H-366.10 Source Selection Decision Document

(CT:COR-42; 10-30-2015)

a. An SSDD must be prepared for all source selections:

   (1) Must reflect the SSA's independent, integrated, comparative assessment and decision; and

   (2) Must include the rationale for any business judgments- tradeoffs made or relied on by the SSA (e.g., including benefits associated with additional costs); and must be included in the source selection file.

b. It is normally attached to, or incorporated into the price negotiation memorandum (PNM). The SSDD must be the single summary document supporting selection of the best-value proposal consistent with the stated evaluation criteria; it must clearly explain the decision and document the reasoning used by the SSA to reach the decision consistent with FAR 48 CFR 15.308.
c. The SSDD is fully releasable to the Government Accountability Office (GAO) and others authorized to receive proprietary and source selection information. When releasing a copy of the SSDD to offerors or to anyone not authorized to receive proprietary and source selection information, redacted material will be limited to that which is proprietary and that which will continue to be protected as source selection information. The need to redact such information is not a sufficient reason to refrain from preparing a properly written SSDD.

14 FAH-2 H-366.11 Debriefings

(CT:COR-42; 10-30-2015)

The contracting officer must ensure offerors are debriefed, if requested, in accordance with FAR 48 CFR 15.505 and FAR 48 CFR 15.506, as applicable. The contracting officer must document the debriefing(s) provided to offeror(s). At the request of the contracting officer, members of the SST will participate in debriefings to offerors.

14 FAH-2 H-366.11-1 Purpose of Debriefing

(CT:COR-42; 10-30-2015)

a. The contracting officer must debrief an offeror upon receipt of the offeror's written, timely request for a debriefing. The debriefing serves to assure offerors that the U.S. Government properly evaluated their proposals and made the award determination in accordance with the RFP. Since each offeror puts considerable resources into preparing and submitting a proposal, fairness dictates that the contracting officer promptly debrief offerors and explain why a proposal was excluded from the competitive range or was successful or unsuccessful.

b. Timely and thorough debriefings increase competition, encourage offerors to continue to invest resources in the U.S. Government marketplace, and enhance the U.S. Government’s relationship and credibility with industry. The debriefing also provides feedback to offerors to assist in improving future proposal submissions. An effective debriefing often deters a protest by demonstrating that the U.S. Government conducted a thorough, fair evaluation and made a sound decision according to the established source selection methodology.

14 FAH-2 H-366.11-2 Requirements for Debriefing

(CT:COR-42; 10-30-2015)

See FAR 48 CFR 15.505, Pre-award Debriefing of Offerors; and FAR 48 CFR 15.506, Post-award Debriefing of Offerors for requirements relative to debriefings. Also reference FAR 48 CFR 3.104-4, Disclosure, Protection, and Marking of Contractor Bid or Proposal Information and Source Selection Information.
14 FAH-2 H-366.11-3 Notification of Debriefing

*(CT:COR-42; 10-30-2015)*

The contracting officer should inform the offeror of the scheduled debriefing date by electronic means with immediate acknowledgment requested. The contracting officer should follow up with written notification to the offeror. If the offeror requests a later date, the contracting officer should request the offeror to acknowledge in writing that it was offered an earlier date, but requested the later date instead.

14 FAH-2 H-366.11-4 Location of Debriefing

*(CT:COR-42; 10-30-2015)*

The contracting officer is responsible for selecting the location of the debriefing. The location should provide a professional and non-distracting environment. Debriefings are normally held at U.S. Government facilities, however, they may be held at any facility that is mutually acceptable to all parties involved. Although face-to-face debriefings are frequently used, the contracting officer may also conduct a debriefing by telephone or electronic means. It may be burdensome for an offeror to attend in person and the needs of the offeror should be afforded due consideration. Likewise, if some of the U.S. Government personnel are located at an installation other than where the debriefing will be conducted, they may participate by telephone or videoconference.

14 FAH-2 H-366.11-5 Debriefing Attendees

*(CT:COR-42; 10-30-2015)*

a. **U.S. Government personnel**: The contracting officer should normally chair and control the debriefing and select the U.S. Government attendees. It is extremely important to ensure appropriate U.S. Government personnel attend so that a meaningful debriefing is achieved. A representative from the Office of the Legal Adviser (L/BA) should participate in preparation of the debriefing and also may attend the debriefing. Department legal counsel should attend the debriefing when the offeror’s legal counsel will attend the debriefing. In the event there are indicators that a protest is likely, inform L/BA. However, the contracting officer must not deny a debriefing because a protest is threatened or has already been filed.

b. **Offeror personnel**: The contracting officer should ask the offeror to identify all of the firm’s individuals by name and position who will attend the debriefing. Normally, do not restrict the number of personnel the debriefed offeror may bring unless there are space limitations.
Preparing for the Debriefing

a. The contracting officer should ensure that documents relevant to the source selection have been thoroughly reviewed by the debriefing team and are readily available to the U.S. Government personnel during the debriefing. A best practice is to have those documents available, during the debriefing, in a separate U.S. Government caucus room.

b. The contracting officer should conduct a “dry run” prior to the actual debriefing. Role-playing is a vital part of the dry run. Teams are encouraged to simulate interactions with disappointed or disgruntled offerors and practice addressing questions on contentious issues. The contracting officer should develop a set of anticipated questions that offerors might ask at the debriefing (See 14 FAH-2 H-366.11-9 for sample questions).

   (1) In anticipating possible questions, it is often useful to review questions asked during the discussion phase (if held) of the competition;

   (2) Also, the contracting officer should ask each offeror scheduled for a debriefing to submit written questions in advance; and

   (3) The contracting officer should coordinate responses with L/BA.

c. A poorly prepared debriefing is the surest way to lose the confidence of the offeror and increase the prospects of a protest. Because debriefings are time sensitive, preparation should begin even before proposal evaluation is complete.

d. The contracting officer should brief all U.S. Government personnel who will attend the debriefing on their roles, level of participation and expected demeanor during the debriefing.

Outline for the Debriefing

See FAR 48 CFR 15.505 (preaward) and FAR 48 CFR 15.506 (postaward) for specific requirements. The following is a general outline for a typical debriefing:

   (1) Introduction;

   (2) Purpose of the debriefing;

   (3) Ground rules and agenda;

   (4) Source selection process;

   (5) Evaluation factors/subfactors;

   (6) Evaluation results;

   (7) Rationale for eliminating offeror from competition (pre-award debriefing only) and rationale for award decision based on the SSA’s decision.
(8) Responses to relevant questions; and
(9) The contracting officer’s statement that the debriefing has concluded.

14 FAH-2 H-366.11-8 Conducting the Debriefing

(CO:COR-42; 10-30-2015)

a. Roles: The contracting officer, as the chairperson, controls the debriefing. The contracting officer may defer to others for specific portions of the debriefing but will control all exchanges. There are many different approaches that the contracting officer can take in leading the debriefing. One of the common approaches is for the contracting officer to conduct the entire debriefing presentation and defer to his team to answer questions as needed. Another approach is for the contracting officer to start the debriefing and then turn over portions of the presentation to experts in those areas, e.g. the TET chairperson would present the technical evaluation portion of the presentation.

b. Questions: The contracting officer should advise offerors at the start that the U.S. Government believes the presentation will address any questions they may have:

(1) Additional questions may be answered during the debriefing. The contracting officer should be open to discussion but not drawn into a debate. A U.S. Government caucus may be needed to address some questions. The U.S. Government should request that the questions be written for the caucus as needed;

(2) If the debriefing team cannot adequately answer additional questions presented in writing by the offeror at the debriefing, the CO should provide written answers as soon as possible; and

(3) However, promising additional information at a later date should be avoided if possible, because the period for protest may be deemed to start from the time new relevant information is provided.

c. Information not appropriate for disclosure: The debriefing team should not disclose documentation that was not presented to or considered by the SSA. The crux of any post award debriefing is the SSA award decision and whether that decision is well supported and resulted from a source selection conducted in a thorough, fair and sound manner consistent with the requirements and source selection methodology established in the RFP. The crux of any preaward debriefing is the offeror’s elimination from the competitive range:

(1) The debriefing team should not discuss validity of requirements, validity and integrity of evaluation process, and prohibited information (see FAR 48 CFR 15.506(e));
(2) The debriefing team should not provide names of individuals providing reference information about an offeror’s past performance. In addition, the names of individuals on the SST, not participating in the debriefing, should not be disclosed. However, the name of the SSA may be revealed in postaward debriefings; and

(3) The debriefing team must not disclose any unit prices that are not freely releasable under the Freedom of Information Act, 5 U.S.C. 552. Even though the FAR 48 CFR 15.506(d) includes unit prices in the list of information to be provided in a debriefing, unit prices may not be releasable. Consult with L/BA, if there’s any question.

d. **Offeror feedback:** The contacting officer should allow the offeror an opportunity to provide feedback regarding the quality of the solicitation document, e.g., proposal instructions, the appropriateness of discussions, and the source selection process itself.

e. **Debriefing documentation:** The debriefing slides, the offeror's request for debriefing (if any), previously submitted questions, any handouts, a list of written questions and answers, and any other relevant documents, must be included in the source selection file.

### 14 FAH-2 H-366.11-9 Potential Offeror Questions that may be used for "Dry Run"

**(CT: COR-42; 10-30-2015)**

As referenced in 14 FAH-2 H-366.11-6, teams are encouraged to have a dry run prior to the actual debriefing. The following is a list of sample questions the team should be prepared to address during the debriefing. Answers should be tailored to the unique circumstances of each acquisition and should, where possible, be tied directly to language within the RFP (particularly Sections L and M). The notes in 14 FAH-2 H-366.11-9(A) through 14 FAH-2 H-366.11-9(E) are provided as points for consideration and are not intended to be responses.

#### 14 FAH-2 H-366.11-9(A) Topic Area 1: U.S. Government's Evaluation of Significant Weaknesses or Deficiencies in the Proposal

**(CT: COR-42; 10-30-2015)**

a. Please explain the basis for the evaluated strengths, weaknesses, or deficiencies in our proposal for each evaluation factor and subfactor.

**NOTE:** Typically this is done as part of the debriefing presentation; however, you must not disclose detailed information regarding the strengths, weaknesses and or deficiencies in other proposals. Such a disclosure could amount to a point-by-point comparison of proposals, prohibited per FAR 48 CFR 15.506(e), and/or could involve disclosure of protected/privileged information. However, if a strength is
evident from the awarded contract (for example, a more attractive delivery schedule) the contracting officer may be able to highlight that fact—consult L/BA for guidance.

b. Did you discuss all weaknesses, significant weaknesses, and deficiencies?

NOTE: If discussions were held, all significant weaknesses and deficiencies, at a minimum, should have been addressed and documented. The FAR 48 CFR 15.506(d) does not require discussion of all weaknesses, although it is considered a best practice.

c. Were there any solicitation requirements that we failed to address? If so, what were they?

NOTE: If discussions were held, these matters should have been addressed and documented.

d. How was the evaluation consistent with Sections L and M of the solicitation?

e. Were any deficiencies identified by the U.S. Government during discussions not adequately addressed in our response to your ENs? If so, how did the evaluation of the deficiencies change during the evaluation of our FPR?

f. Were there any specific considerations that precluded us from being selected as the awardee? If so, what were those considerations?

NOTE: If discussions were held, these matters should have been addressed.

g. What, if anything, did the U.S. Government desire that was missing from our proposal?

NOTE: Be careful how you answer—the U.S. Government does not evaluate based on “desires” but rather on requirements contained within the RFP.

h. Please explain how past performance was evaluated. What was our rating? How was that rating applied to the source selection process?

i. Was experience evaluated? If so, what was our rating and how was that information used in the source selection process?

j. Please explain the procedure for the evaluation of risk? What risks were identified in our proposal? How did they impact the rating of our proposal?

14 FAH-2 H-366.11-9(B) Topic Area 2: Overall Evaluated Cost or Price and Technical Rating, if Applicable, of Successful Offeror and Debriefed Offeror

(CT:COR-42; 10-30-2015)

a. The overall evaluated cost or price (including unit prices) and technical rating, if applicable, of the successful offeror and the debriefed offeror, and past performance information on the debriefed offeror; and the overall ranking of all offerors, when any ranking was developed by the agency during the source
selection. FAR 48 CFR 15.506(e) prohibits point-by-point comparisons of the debriefed offeror’s proposal with those of other offerors. Moreover, the debriefing must not reveal any information prohibited from disclosure by FAR 48 CFR 24.202 or exempt from release under the Freedom of Information Act, 5 U.S.C. 552.

b. Please provide the evaluated cost or price and technical, management, and past performance ratings for our proposal and all other offerors.

NOTE: Information on the overall evaluated cost or price and technical ratings is not provided for all offerors; only for the successful offeror and the offeror being debriefed.

c. Please provide the overall ranking for all offerors.

NOTE: Generally an overall ranking is not developed. However, if an overall ranking was developed during the source selection process, this must be provided during the debriefing. The name of every offeror must be redacted except for the offeror being debriefed and the successful offeror(s).

d. In what areas was our proposal considered “overpriced” (or unrealistically low)?

e. Were we compliant with all technical requirements?

NOTE: If discussions were held, these matters should have been addressed. You may not discuss whether the other offerors were compliant with all technical (or any other) requirements.

f. In the risk portion of the technical/management area, what criteria did the Government use to determine the final evaluation ratings? How was this risk reflected in the other areas of the evaluation?

g. Was there anything not required by the solicitation that we could have offered that might have made us more competitive for the award?

NOTE: An answer to this question would be conjecture, which is not appropriate.

h. Were our responses to ENs adequate? If not, how could we have improved our responses? How were our responses to ENs on past performance evaluated?

14 FAH-2 H-366.11-9(C) Topic Area 3: Summary of Rationale for Award

(CT:COR-42; 10-30-2015)

a. Please explain in detail the methodology used to determine which proposal offered the greatest overall value to the Government, especially with respect to any comparisons/trade-offs made between technical factors and costs proposed.

b. Please provide a copy of the SSDD.

NOTE: If the SSDD is to be released to offerors, it should be redacted and appropriate coordination with L/BA should be obtained.
14 FAH-2 H-366.11-9(D)  Topic Area 4: Reasonable Responses to Relevant Questions

(CT:COR-42; 10-30-2015)

a. Reasonable responses to relevant questions about whether source selection procedures contained in the solicitation, applicable regulations, and other applicable authorities were followed.

NOTE: Answers to questions relative to source selection procedures should reference Section M language.

b. Please describe the evaluation process used for this procurement.

c. How important was cost in the source selection decision relative to past performance and technical considerations?

NOTE: Ensure that the answer is consistent with what the RFP said about the relative importance of cost.

d. If the costs were “normalized” please explain how the normalization was conducted.

e. Was a cost or price realism analysis used? If so, please describe the process used.

f. Did the government prepare an independent cost estimate?

g. What was the basis for not selecting us?

h. Did the government make a cost/technical trade-off?

i. In order of importance, which evaluation criteria were the most critical to the determination of our overall rating?

j. What were the most critical evaluation criteria that proved to be tiebreakers in the evaluation of proposals?

k. Please identify any information not contained in our proposal that was used by the evaluators in assessing our offer.

14 FAH-2 H-366.11-9(E)  Topic Area 5: Other Potential Questions

(CT:COR-42; 10-30-2015)

a. Who was on the source selection team?

NOTE: In order to prevent offerors from contacting individuals after the debriefing and to avoid creating tension in ongoing working relationships on existing U.S. Government contracts, do not disclose the names of individual evaluators or members of the SST (e.g., the TET, SSAC). However, those people in attendance at the debriefing should be introduced.

b. Did the SSA and the SSAC (if applicable) fully accept the recommendations of
their respective staffs (SSAC or TET)?

(1) If not, why not?

(2) Did either reach any independent determinations?

(3) If so, what independent determinations were made?

c. Were there any common areas of weaknesses or deficiencies in the proposals in the competitive range?

**NOTE:** The debriefing team must avoid point-by-point comparisons of proposals. In addition, providing detailed information regarding the strengths, weaknesses or deficiencies of other proposals may disclose protected or privileged information. See FAR 48 CFR 15.506(e).

d. What management structure did the agency consider as optimal for performing the contract? How did our proposal rate against this standard?

**NOTE:** The Government does not have any preconceived ideas regarding how to meet the RFP requirements.

e. Please identify any and all evaluation factors, subfactors, and elements not identified in the solicitation that were used to evaluate the proposals.

**NOTE:** There should never be any evaluation factors, subfactors and elements not identified in the solicitation that were used to evaluate proposals.

### 14 FAH-2 H-367 LOWEST PRICE TECHNICALLY ACCEPTABLE (LPTA) PROCESS

**14 FAH-2 H-367.1 Purpose of Lowest Price Technically Acceptable**

*(CT:COR-42; 10-30-2015)*

The lowest price technically acceptable (LPTA) source selection process is a special case, to which 14 FAH-2 H-366.1, 14 FAH-2 H-366.8 and 14 FAH-2 H-366.9 do not apply. The LPTA process is appropriate when best value is expected to result from selection of the technically acceptable proposal with the lowest evaluated price. LPTAs may be used in situations where the U.S. Government would not realize any value from a proposal exceeding the U.S. Government’s minimum technical or performance requirements, often for acquisitions of commercial or non-complex services or supplies which are clearly defined and expected to be low risk. The LPTA process does not permit tradeoffs between price and non-price factors and an offeror’s failure to meet a mandatory technical requirement will render its proposal ineligible for award (See FAR 48 CFR 15.101-2).
14 FAH-2 H-367.2 Evaluation Factors and Subfactors

(CT:COR-42; 10-30-2015)

a. Evaluation factors and subfactors represent those specific characteristics that are tied to significant RFP requirements. They are the uniform baseline against which each offeror’s proposal is evaluated allowing the U.S. Government to make a best value determination.

b. The evaluation factors and subfactors must be set forth in the solicitation in enough depth to communicate what will be evaluated. The evaluation factors and subfactors must be the primary determinant of the detailed information requested in the solicitation’s instructions to offerors. If subfactors are used, they are to be evaluated separately.

c. The SSP will identify the factors and subfactors to be evaluated on an “acceptable” or “unacceptable” basis. These factors and subfactors will identify the minimum requirements that are key to successful contract performance.

d. All LPTAs must evaluate price and the acceptability of the product or services.

14 FAH-2 H-367.2-1 Acceptability of Product or Service

(CT:COR-42; 10-30-2015)

a. The acceptability of product or service must be addressed in every LPTA source selection through consideration of one or more non-price evaluation factors/subfactors. For LPTAs, this is done through the establishment of minimum requirements to be evaluated on an “acceptable” or “unacceptable” basis. Proposals are evaluated for acceptability, but not ranked using the non-price factors/subfactors. In order to be considered awardable, there must be an “acceptable” rating in every non-price factor/subfactor. Potential LPTA non-price factors/subfactors may include the following:

(1) **Technical.** The term “technical,” as used herein, refers to non-price factors other than past performance. More than one “technical” factor can be used and titled to match the specific evaluation criteria appropriate for the RFP. The purpose of the technical factor is to assess whether the offeror’s proposal will satisfy the U.S. Government’s minimum requirements. Some of the aspects affecting an offeror’s ability to meet the solicitation requirements may include technical approach, key personnel and qualifications, facilities, and others; and

(2) Once the minimum requirements are established, the team must evaluate the offeror’s proposal against these requirements to determine whether the proposal is acceptable or unacceptable, using the ratings and descriptions outlined in the following example:

<table>
<thead>
<tr>
<th>Example: Technical Acceptable/Unacceptable Ratings</th>
</tr>
</thead>
</table>

UNCLASSIFIED (U)
Rating | Description
---|---
Acceptable | Proposal clearly meets the minimum requirements of the solicitation.
Unacceptable | Proposal does not clearly meet the minimum requirements of the solicitation.

14 FAH-2 H-367.2-2 Past Performance

*(CT: COR-42; 10-30-2015)*

a. Past performance may be used as an evaluation factor within the LPTA process, or may be waived by the contract officer in accordance with FAR 15.101-2(b). If the contracting officer elects to consider past performance as an evaluation factor, it must be evaluated in accordance with FAR 48 CFR 15.305, except that the comparative assessment in FAR 48 CFR 15.305(a)(2)(i) does not apply. Therefore, past performance will be rated on an “acceptable” or “unacceptable” basis using the ratings in the below example.

<table>
<thead>
<tr>
<th>Example: Performance Evaluation Ratings</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rating</strong></td>
</tr>
<tr>
<td>Acceptable</td>
</tr>
<tr>
<td>Unacceptable</td>
</tr>
</tbody>
</table>

**NOTE:** In the case of an offeror without a record of relevant past performance or for whom information on past performance is not available or so sparse that no meaningful past performance rating can be reasonably assigned, the offeror may not be evaluated favorably or unfavorably on past performance (see FAR 48 CFR 15.305(a)(2)(iv)). Therefore, the offeror must be determined to have unknown past performance. In the context of acceptability/unacceptability, “unknown” must be considered “acceptable.”

b. **Aspects of past performance evaluation:** The past performance evaluation results is an assessment of the offeror’s probability of meeting the minimum past performance solicitation requirements. This assessment is based on the offeror’s record of relevant and recent past performance information that pertain to the products and/or services outlined in the solicitation requirements. There are two aspects to the past performance evaluation:

(1) The first is to evaluate whether the offeror’s present/past performance is relevant or not relevant to the effort to be acquired. The criteria to establish what is recent and relevant will be unique to each LPTA source.
selection. Therefore, the solicitation will establish the criteria for recent and relevancy in relation to the specific requirement being procured. In establishing what is relevant for the acquisition, consideration should be given to what aspects of an offeror’s contract history would give the most confidence that the offeror will satisfy the current procurement; and

(2) The second aspect of the past performance evaluation is to determine how well the contractor performed on the contracts. The past performance evaluation performed in support of a current source selection does not establish, create or change the existing record and history of the offeror’s past performance on past contracts; rather, the past performance evaluation process gathers information from customers on how well the offeror performed those past contracts.

**14 FAH-2 H-367.2-3 Sources of Past Performance Information for Evaluation**

*(CT:COR-42; 10-30-2015)*

Sources of past performance are as follows:

(1) Past performance information may be provided by the offeror, as solicited;

(2) Past performance information may be obtained from questionnaires tailored to the circumstances of the acquisition;

(3) Past performance information will be obtained from any other sources available to the U.S. Government including, but not limited to, PPIRS, FAPIIS or other databases; interviews with program managers, contracting officers, and fee-determining officials; and the Defense Contract Management Agency (DCMA); and

(4) The past performance evaluation team will review this past performance information and determine the quality and usefulness as it applies to performance competence assessment. See FAR 48 CFR 15.101-2(b)(1) for treatment of past performance relative to small business.

**14 FAH-2 H-367.3 Small Disadvantaged Business Participation**

*(CT:COR-42; 10-30-2015)*

In LPTAs, small disadvantaged business participation is exempted from evaluation. See FAR 48 CFR 48 19.304 concerning status of small disadvantaged business and FAR 48 CFR 19.702 for additional information on small disadvantaged business under subcontracting program.
14 FAH-2 H-367.4 Price

(a) The LPTA procedure is applied to known, firm requirements, usually readily available in the commercial marketplace where a fair and reasonable price determination is based on adequate price competition. Therefore, price analysis will normally be used to determine the reasonableness of the total evaluated price to support the selection of the lowest priced, technically acceptable offeror. In exceptional cases when the determination of fair and reasonable price requires additional information, the contracting officer may conduct a cost analysis to support the determination of whether the proposed price is fair and reasonable. Regardless of the specific evaluation methodology, in order to enable offerors to make informed decisions on how best to propose, every solicitation will provide an adequate description of the cost or price evaluation.

(b) FAR 48 CFR 15.400 and the contract pricing reference guides provide additional guidance on cost or price evaluation. The contract pricing reference guides are a set of reference volumes that were developed jointly by the Federal Acquisition Institute (FAI) and the Air Force Institute of Technology (AFIT). The guides are maintained by the Office of the Deputy Director of Defense Procurement and Acquisition Policy for Cost, Pricing, and Finance and are posted on the contracting acquisition community connection (ACC) practice center web site.

14 FAH-2 H-367.5 Best Value Decision and Documentation

(a) The SSA must select the source whose proposal offers the best value to the U.S. Government in accordance with established criteria in Section M or equivalent solicitation provision (see FAR Part 12.000).

(b) The SSA must ensure the proposals are evaluated for acceptability but not ranked using the non-cost/price factors.

(c) The SSA must document the supporting rationale in the SSDD. The SSDD must be the single summary document supporting selection of the best-value proposal consistent with the stated evaluation criteria. It is normally attached to, or incorporated into the price negotiation memorandum.

14 FAH-2 H-368 DOCUMENTATION REQUIREMENTS
At a minimum, the following source selection documents must be maintained in the contract file:

1. The SSP and any revisions thereto;
2. Nondisclosure and conflict-of-interest statements;
3. The draft RFP, along with all comments received and government responses thereto, if a draft RFP is issued;
4. The RFP, any amendments thereto, and FPR request;
5. Past performance information (e.g., questionnaires; interviews; CPARS reports);
6. Offeror proposals, including all revisions, annotated with the date of receipt;
7. Competitive range and supporting documentation;
8. ENs, responses, and government evaluation thereof;
9. Evaluation results (TET evaluation report and SSAC evaluation report if there was an SSAC);
10. Any comparative analysis and recommendations provided to the SSA;
11. The SSDD;
12. Debriefing documents; and
13. Approval documentation (e.g., determination to award without discussions, FPR approval, etc.).

14 FAH-2 H-369 SECURITY CONSIDERATIONS

14 FAH-2 H-369.1 Release of Source Selection Information

a. 41 U.S.C. 2102 precludes individuals from knowingly disclosing source selection information and contractor bid or proposal information before award of a Federal contract to which the information relates. However, the following individuals are authorized to approve release of source selection information to U.S. Government officials who do not have a role in the source selection process, but have been authorized access and have signed a nondisclosure statement, providing the release would not jeopardize the integrity or successful completion of the procurement:

1. When the release is after issuance of the solicitation, but prior to contract...
award:
(a) The HCA for acquisitions valued at $100 million or more; and
(b) One level above the contracting officer for all others; and
(2) When the release is prior to issuance of the solicitation, the contracting officer.

b. We must protect the integrity of the procurement process. Contractors’ proposal information and source selection information shall be protected from unauthorized disclosure in accordance with applicable law and the FAM and FAH. The proposals, source selection plan (SSP) and technical evaluation worksheets are source selection information and shall not be shared with anyone other than authorized source selection team members and shall be safeguarded from unauthorized disclosure throughout the source selection process.

c. Items considered a part of source selection information include:
   (1) Bid prices submitted;
   (2) Proposed costs or prices submitted;
   (3) Source selection plans;
   (4) Technical evaluation plans;
   (5) Technical evaluation of proposals;
   (6) Cost of price evaluation of proposals;
   (7) Competitive range determinations that identify proposals that have a reasonable chance of being selected for award of a contract;
   (8) Ratings of bid, proposals or competitors;
   (9) Reports and evaluations in support of source selection panels, boards or advisory councils; and
   (10) Other information marked as "Source Selection Information" – See FAR 48 CFR 2.101 and FAR 48 CFR 3.104.

14 FAH-2 H-369.1-1 Restrictions on Source Selection Information

(CT:COR-42; 10-30-2015)

Do not discuss with individuals outside the source selection process:
   (1) How many proposals were received;
   (2) Names of the offerors;
   (3) Any aspects of a competitor’s team or proposal; and
   (4) Any comments made during the evaluation sessions, including candid or
14 FAH-2 H-369.1-2 Reminders on Source Selection Information

(CT:COR-42; 10-30-2015)

a. All questions from the TET will be referred to the chairperson and the contracting officer or contract specialist (CS). All questions, clarifications, visits or contact with offerors must be made by or through the contracting officer or contract specialist.

b. Evaluators and advisors will be individually responsible for safeguarding personal notes and copies of documents.

c. Evaluators and advisors will avoid all contact with representatives of competing firms, except as necessary in the conduct of U.S. Government business. Such contacts must not involve discussion of this acquisition.

d. Evaluators and advisors shall be extremely circumspect in words and actions in the vicinity of contractors. In no event shall any evaluator discuss any aspect of this solicitation with an offeror.

e. Any security violation or unauthorized disclosure must be reported to the CO/CS at once.

f. The prohibitions and restrictions of the Procurement Integrity Act continue after contract award, as well.

14 FAH-2 H-369.2 SECURITY CONSIDERATIONS

(CT:COR-42; 10-30-2015)

All SST personnel shall be affirmatively advised that each SST member:

(1) Is responsible for security of the evaluation and proposal materials and other source selection and proprietary information related to the procurement;

(2) Should be knowledgeable of, and adhere to, governing security procedures and regulations;

(3) Will not discuss, communicate or otherwise deal on matters related to the source selection with any individual not assigned to the SST, unless authorized (see above), and then only within appropriately secure areas; and

(4) Will challenge the presence of any unauthorized individual within the SST physical location.
14 FAH-2 H-369.2-1 HANDLING OF SOURCE SELECTION MATERIALS

(CT:COR-42; 10-30-2015)

Handle proposal and evaluation material in a manner consistent with “For Official Use Only” or "Sensitive But Unclassified" or, as appropriate, a higher security classification. Establish sufficient safeguards to protect the material whether it is in the possession of the SST members or it is being disseminated, reproduced, transmitted or stored. Additionally, establish appropriate procedures for disposal (e.g., shredding or burn bag disposal) of the material when it is no longer required by the SST.

14 FAH-2 H-369.2-2 SECURITY OF PHYSICAL FACILITIES

(CT:COR-42; 10-30-2015)

In more complex source selections, it may be necessary to establish procedures to ensure the security of the source selection physical facilities. These procedures may include:

(1) Requiring identification to access the SST area and requiring authorized visitors (e.g., maintenance/service personnel) to sign in and out;

(2) Ensuring access points to the facilities are either manned at all times by a representative of the SST or are kept locked (with appropriate key or password control procedures);

(3) Establishing procedures for approving visitors to the facilities; and

(4) Conducting security inspections and spot checks.

14 FAH-2 H-369.2-3 SST Members Security Responsibilities

(CT:COR-42; 10-30-2015)

All SST members are responsible for the security of source selection information. In more complex source selections, it may be beneficial to designate certain members of the SST to oversee and/or perform security control functions. These duties may be collateral duties or fulltime duties of the team member.

14 FAH-2 H-369.3 REQUIRED CERTIFICATES AND REPORTS

(CT:COR-42; 10-30-2015)

Each SST member (including advisory and support personnel) must sign a certificate(s) that addresses nondisclosure of information, conflicts of interest, and rules of conduct (see example certificate below).
Example: Certificate

SOURCE SELECTION PARTICIPATION CERTIFICATION AND AGREEMENT

Solicitation #: _______________________

[Insert program name and/or description of the effort]

Important! This agreement concerns a matter within the jurisdiction of a United States Government agency. Individuals who make false, fictitious or fraudulent statements and/or certifications may be subject to prosecution under 18 U.S.C. 1001.

AGREEMENT

1. This agreement contains the rules of conduct relating to this acquisition. It includes rules of conduct regarding conflicts of interest as well as rules of conduct regarding the safeguarding of confidential information.

2. Your signature on this agreement indicates that you have read this Agreement and agree to be bound by its terms.

TERMS

3. I have read, understand and will abide by the requirements of 41 USC 1102 as implemented in the Federal Acquisition Regulation (FAR 48 CFR 3.104. The contracting officer has made a copy of FAR 48 CFR 3.104 available to me.

4.* To the best of my knowledge, neither I, my spouse, my child(ren), nor members of my household:
   a. Have any direct or indirect financial interest:
      (1) In any firm on the list of potential offerors or any firm that has otherwise expressed an interest in the acquisition (if this certification is made prior to receipt/opening of proposals).
      (2) In any of the firms submitting proposals in response to this solicitation or their proposed team members/subcontractors (if this certification is made subsequent to receipt/opening of proposals).
   b. Have any other beneficial interest in such firms except:
      ____________________________________________________________
Example: Certificate - continued

5. * To the best of my knowledge, no person related to me by blood or marriage or any business associate is employed by or has a direct or indirect financial interest or any other beneficial interest in the firms referenced in paragraph 5.a, above, except:

___________________________________________

* The listing of interests or activities under paragraphs 4 and 5 above does not necessarily mean that the employee cannot participate in the acquisition/source selection process. The effect of the interests/activities will be determined by the Chairperson of the TET, as set out in the Source Selection Plan (or the Contracting Officer for acquisitions at his/her level), after consultation with L/BA.

6. I understand that 41 U.S.C. 423 and provisions of the FAR govern the release of proprietary and source selection information. I will not knowingly disclose any contractor bid or proposal information or source selection information regarding this acquisition directly or indirectly to any person other than a person authorized by the head of the agency or the Contracting Officer to receive such information.

7. I will observe the following rules during the conduct of the acquisition:
   a. I will not solicit or accept, directly or indirectly, any promise of future employment or business opportunity from, or engage, directly or indirectly, in any discussion of future employment or business opportunity with, any officer, employee, representative, agent or consultant of a competing contractor or subcontractor.
   b. I will not ask for, demand, exact, solicit, seek, accept, receive or agree to receive, directly or indirectly, any money, gratuity or other thing of value from any officer, employee, representative, agent or consultant of any competing contractor or subcontractor for this acquisition. I will advise my family that the acceptance of a gratuity from those who are engaged in or seek to do business with the Department of Defense may be imputed to me and must therefore be avoided.
   c. I will instruct members of my parent or home organization not to divulge my participation in the evaluation and source selection process or my physical location while participating in the evaluation and source selection process to unauthorized persons.
   d. I understand that all communications with offerors or their team members/subcontractors concerning this acquisition must be made by/through the Contracting Officer or his or her designee. I will divert all attempted communications by offerors’ representatives or any other unauthorized person to the Contracting Officer, and advise the Chairperson of the TET and L/BA.
   e. I will not discuss evaluation or source selection matters, including proprietary proposal information, with any unauthorized individuals (including Government personnel), even after the announcement of the successful offeror, unless authorized by proper authority. All discussions of evaluation/source selection matters with other TET members shall be conducted solely in those areas designated for deliberations.
Example: Certificate - continued

8. I realize that my actions in connection with my participation in this source selection are subject to intense scrutiny and I will conduct myself in a way that will not adversely affect the confidence of the public in the source selection process. I will avoid any action, whether or not prohibited, that could result in or create the appearance of my losing independence or impartiality. I will not use my public office for private gain, and I agree not to engage in any personal business or professional activity, or enter into any financial transaction, that involves or appears to involve the direct or indirect use of “inside information” to further a private gain for myself or others.

9. I understand that my obligations under this certification are of a continuing nature, and if anything takes place which would cause a change to any statement, or create a violation of any representation or rule of conduct herein, I will immediately bring such matter to the attention of the Chairperson of the TET or the Contracting Officer.

CERTIFICATION

10. I agree to the Terms of this Agreement and certify that I have read and understand the above Agreement. I further certify that the statements made herein are true and correct.

__________________________________________  ________________________________
Signature                                      Date

__________________________________________  ________________________________
Name (Printed)                                 Organization