



INDIAN HEALTH SERVICE

ARCHITECT - ENGINEER

SOURCE SELECTION GUIDE

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A-E SELECTION GUIDE

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CHAPTER 1. INTRODUCTION

1.1 Purpose

This Architect-Engineer (A-E) Selection Guide describes the procedure for source selection and contract award for A-E services. It is intended as a working level guide for members of the acquisition team and should be used in conjunction with current policy directives and regulations.

This guide may be used to select private sector A-E firms needed to develop designs for the repair, renovation, new construction for medical centers, hospitals, clinics, community health centers, health stations, administrative buildings, staff quarters, and a wide range of sanitation facilities for water supply; solid and liquid waste collection, treatment, and disposal.

This guide may be provided Tribes and Tribal Organizations as part of the technical assistance offered by IHS under the Indian Self-Determination and Education Assistance Act (PL 93-638, as amended).

1.2 Background

The Brooks Architect-Engineer Act (40 U.S.C. 541-544), the "Brooks Act" was passed by congress in October of 1975. The Brooks Act requires that all federal requirements for A-E services to be publicly announced and for contracts to be negotiated in the basis of demonstrated competence and qualification for the type of professional services required and at fair and reasonable prices.

The Federal Acquisition Regulations Subpart 36.6 implements the Brooks Act and prescribes policies and procedures applicable to the acquisition of A-E Services.

Comments or questions pertaining to this document should be addressed to: Director, Division of Engineering Services (DES), 2201 Sixth Avenue, RX-24, Seattle, WA 98121.

Electronic version of this guide including forms may be accessed at the DES website:
<http://www.des.ihs.gov/>

1.3 Scope

This guide describes:

- Planning for A-E acquisition,
- Selection of A-E sources,
- Negotiation and award of an A-E contract.

1.4 Definitions

- Appointing Authority. The official with delegated authority to establish an Evaluation Board and appoint its members. For IHS, this official must be a management level employee other than the Selection authority.
- Architect-Engineer Services.
 - Professional services of an architectural or engineering nature, as defined by State law, if applicable, which are required to be performed or approved by a person licensed, registered, or certified to provide such services;

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- Professional services of an architectural or engineering nature performed by contract that are associated with research, planning, development, design, construction, alteration, or repair of real property; and
- Such other professional services of an architectural or engineering nature, or incidental services, which members of the architectural and engineering professions (and individuals in their employ) may logically or justifiably perform, including studies, investigations, surveying and mapping, tests, evaluations, consultations, comprehensive planning, program management, conceptual designs, plans and specifications, value engineering, construction phase services, soils engineering, drawing reviews, preparation of operating and maintenance manuals, and other related services.
- Buy Indian Act. The law (25 U.S.C. 47) which provides authority to give preference to Indians and Indian firms when acquiring goods or services wherever practicable as determined by the Contracting Officer.
- Central Contractor Registration (CCR). The primary vendor database for the U.S. Federal Government, online at www.ccr.gov. CCR collects, validates, stores and disseminates data in support of agency acquisition missions. All firms who wish to do business with the federal government must register in CCR. Vendors are required to complete a one-time registration to provide basic information relevant to procurement and financial transactions, and must update or renew their registration annually to maintain an active status. CCR validates the vendor's information and electronically shares the secure and encrypted data with the federal agencies' finance offices to facilitate paperless payments through electronic funds transfer (EFT).
- Federal Business Opportunities (FedBizOpps). The notification system used by the Government to post proposed contract actions to the public. FedBizOpps is online at www.fbo.gov.
- Evaluation Board (or "Selection Board") A committee whose function is to evaluate the technical qualifications of A-E firms under the general direction of the head of the contracting activity.
- Federal Acquisition Regulation. Title 48 of the Code of Federal Regulations. These regulations are the primary rules governing federal procurement of supplies and services.
- Fee. The total price of a fixed-fee A-E contract or the estimated cost plus profit of a cost reimbursement contract.
 - Fee Limit. FAR 15.404-4(b) (4) (i)(B) limits the amount that may be paid for architect or engineer services. The total fee "for production and delivery of designs, plans, drawings, and specifications" may not exceed 6% of the estimated cost of the construction project, excluding the price of the A-E contract. This language is interpreted to mean that the fee limit is not applicable to portions of the A-E fee that are for work not in direct support of production of the construction documents. Refer to DES Operating Instructions Chapter 3 for additional information on developing estimates for A-E Fees.
- HHSAR. Department of Health and Human Services supplement to the FAR.
- Indefinite-Delivery Contract. A method of contracting used when the Government knows that requirements for particular goods or services will arise during a specific period of time but cannot predetermine the exact quantities or delivery dates. For services, such contracts (also known as "task order" or "term" contracts) may establish fixed billing rates

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for various skill levels and disciplines and typically provide for issuance of fixed price orders for the performance of tasks. IHS indefinite-delivery contracts have an individual order limit of \$300,000, a yearly limit of \$1,000,000 and a potential period of performance of five years (base year plus four option years).¹ The advantage to this arrangement is that the lengthy A-E selection process need only be accomplished once every five years for requirements that can be grouped under the task order contract. This substantially reduces the lead-time to acquire A-E services for individual projects. See also Requirements Contract and Indefinite Quantity Contract.

- Indefinite Quantity Contract. A type of indefinite-delivery contract that provides for purchase, within stated limits of services or supplies to be furnished during a fixed period. To be binding, these contracts need to guarantee a minimum quantity. In the case of IHS contracts, \$10,000 is typically obligated at award and that amount is then applied toward the first task order.
- Indian. As defined by FAR 26.101, an Indian is any person who is a member of an Indian tribe recognized by the Federal Government in accordance with 25 USC 1452(c), or an Alaska native pursuant to the Alaska Native Claims Settlement Act (43 USC 1601.)
- Indian Tribe. Any Indian tribe, band, group, pueblo, or community which is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs (BIA) because of their status as Indians.
- Master Contract. A term sometimes applied to an Indefinite Delivery Contract (IDC) to distinguish between the initial contract and individual task orders placed under it.
- North American Industry Classification System (NAICS). The classification system developed to provide comparable statistics across North American Free Trade Agreement countries, which replaced the Standard Industrial Classification (SIC) system. NAICS codes classify businesses based on products/services provided, and allow statistical agencies in the United States to produce data that can be used for measuring productivity, unit labor costs, the capital intensity of production; constructing input-output relationships; and estimating employment-output relationships and other such statistics.
- Online Representations and Certifications Application (ORCA). An online service designed to replace the paper based Representations and Certifications (Reps and Certs.) Besides Reps and Certs, Firms interested in architect-engineer contracts with the Federal government can also enter general qualifications required by Standard Form 330, Part II, online through ORCA. Submission of the SF 330 Part II through ORCA is voluntary. ORCA is at <http://orca.bpn.gov>.
- Project Summary Document (PSD). Required to justify, scope, and approve health care facilities projects over \$25,000 and less than \$1,000,000. Approval is at the Area level. An approved PSD is required before a contract may be awarded. See POR definition for IHS technical handbook reference.
- Program of Requirements (POR). The program of services and engineering requirements for health care facilities of \$1,000,000 or more. This document must be approved before a contract may be awarded. The IHS Technical Handbook for Health Facilities, Volume II, Part 13 entitled Planning Documents and Reports provides additional guidance on preparation of the documents and forms. IHS website at: <http://www.ihs.gov/NonMedicalPrograms/DFEE/index.cfm>.
- Requirements Contract. A type of indefinite-delivery contract in which the buyer agrees to buy all its purchase requirements for designated services or supplies from the contractor in

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return for a guarantee by the contractor to accept orders and perform tasks within the scope of the contract. This type of contract is binding without an initial obligation of funds.

- Selected Firms. Those firms appearing on the final selection list approved by the Selection Authority. Each firm on the list is eligible for contract award. However, the Contracting Officer is authorized to negotiate only with the most preferred firm and can consider the next firm on the list only if negotiations with the first firm are unsuccessful and are terminated.
- Selection Authority. The agency head or an official with delegated authority to make the final selection decision among the A-E firms recommended by the evaluation board. IHS Area Associate Directors and the Directors of ES Seattle and ES Dallas are Selection Authorities.²
- Short List Firms. Those firms selected for interviews on the basis of the initial evaluation by the Evaluation Board.
- Standard Form (SF) 330. Standard form to be completed by the A-E describing the firm's qualifications. The SF 330 Part I represents the qualifications for a specific acquisition while Part II is a general statement of a firm's qualifications and experience. The SF 330 may be completed by the firm and accessed by the government online (see ORCA).
- Statement of Work. The detailed description of the work to be performed by the A-E firm. It may incorporate the POR and should specify requirements for schedule, cost control, value engineering, document format, design approval, and any special requirements for each phase of design.
- Task Order. An order for services placed under an Indefinite-Delivery contract. Each task order is considered to be a separate contract.

1.5 References

The following references, current as of this revision, have been incorporated into this A-E Selection Guide:

- Federal Acquisition Regulation (FAR)
- Health and Human Services Acquisition Regulation (HHSAR)
- IHS Manual, Part 5, Chapter 5

1.6 Abbreviations/Acronyms

A-E.....	Architect-Engineer
CCR.....	Central Contractor Registration
DHHS	Department of Health and Human Services
DES	Division of Engineering Services
FAR	Federal Acquisition Regulation
HHSAR	Health and Human Services Acquisition Regulation
IDC	Indefinite Delivery Contract
IDIQ	Indefinite Delivery, Indefinite Quantity Contract

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IHS.....	Indian Health Service
NAICS.....	North American Industry Classification System
ORCA	Online Representations and Certifications Application
POR.....	Program of Requirements
RFP/RFQ.....	Request for Proposal/Request for Quote
SBA	Small Business Administration
SOW	Statement of Work

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CHAPTER 2. PLANNING

2.1 Project Planning

This chapter describes considerations in developing an acquisition after the project has been approved and the need has been identified for A-E services for a specific project or for establishment of an indefinite-delivery contract.

2.2 Acquisition Plan

Formal acquisition planning documents are not required for A-E acquisitions.³ However, given the length of the process, it is important to identify and schedule requirements for A-E services early in the project planning. The complete A-E acquisition process through award typically requires six months if all members commit to the planning schedule. The sequence of events leading to award of an A-E contract is illustrated in Exhibit I.

2.3 POR Approval and Certification of Funds

To avoid needless waste of private resources, the Government must have the ability and a good faith intention of entering into a contract when it requests the public to respond to a solicitation. This requires that funds be available or be reasonably expected to be available to make a timely contract award. As a result of advance planning, project officials may be aware of a requirement for A-E services before the POR or similar document is approved and before funds have been budgeted and certified. Some acquisition planning activities, described in more detail in following sections, can be accomplished prior to POR approval and certification of funds:

- Members of the evaluation board can be appointed.
- The general description of the requirement to be included in the public announcement can be drafted.
- The selection criteria and rating plan can be written.
- The set-aside decision can be made if sufficient information is available.
- The SOW can be drafted.

Other activities can be accomplished prior to POR approval and fund certification if essential to meet an urgent schedule:

- The FedBizOpps announcement can be posted, provided there is a written statement from the IHS Financial Management Officer that funding is expected to be certified within 60 days. Wording must also be included in the announcement stating that design funds are expected to be received in the near future, and that the award of the A-E contract is subject to the availability of these funds.
- The short list can be established. Interviews with the short listed firms and final selection cannot proceed until the POR or similar document is approved, since the firms cannot be expected to discuss their proposed technical approach without knowing the specific technical and program requirements established for the project.

Indefinite delivery contracts do not require an approved POR or PSD since they are, by nature, for requirements described only in general terms. However, individual task orders over \$25,000 require an approved PSD or POR depending on the threshold of the project. Requirements-type

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IDC's and indefinite-quantity-indefinite-delivery (IDIQ's) require a funds for minimum amount of the contract specified in the FAR clause of the contract.

2.4 A-E Evaluation Board Appointment

The Appointing Authority may establish one or more permanent evaluation boards or may appoint evaluation boards on an as-needed basis for individual A-E acquisitions (ad hoc boards). Exhibit II, Selection Board Appointment, is a sample memorandum for appointment of evaluation board members. Each board consists of at least five members of whom a majority must be Government employees. It is desirable that all members of the board be licensed/registered Architects or Engineers, but it is not always practicable depending on the size, location, nature of the project, or availability of licensed/registered personnel. In those cases, the majority should be registered.

A majority of the panel must also have completed the DHHS Project Officer Training course.⁴ The board may also include highly qualified professionals who are non-government employees and have special expertise related to the acquisition. The appointing authority must designate one licensed/registered professional member of each board, who must be a government employee, as the chairperson. After notification that a board has been appointed, the Contracting Officer briefs the board on its responsibility to preserve the integrity of the selection process and transmits the qualification statements to the chairman. See Exhibit X, Contracting Officer Briefing Memo, for a sample. A minimum of three board members, two of whom must be licensed/registered, is needed for a quorum.

2.5 Contract Type

The evaluation board, in consultation with the contracting officer, determines what type of contract best suits the requirement. The preferred approach is to use firm-fixed-price contracts, which places the responsibility on the A-E to furnish a finished design on time and within budget. If circumstances are such that costs cannot be predicted with reasonable certainty, it may be appropriate to use a cost-reimbursement contract. It is possible to make only certain elements of a contract subject to cost reimbursement.

If the requirement is suitable for an indefinite delivery contract, a decision must be made whether to use a requirements-type or an indefinite-quantity type arrangement and whether to award multiple contracts for the same scope of work. The objective in defining the scope and type of an indefinite delivery contract is to avoid conflict with the intent of the Brooks Act. The IDC must be structured to provide reasonable assurance that the firm used for a particular job under the IDC would have been the firm selected as most highly qualified if a separate selection process had been done for that job. If the scope of work is too broad, it's less likely that a single firm or small group of firms would be most highly qualified for each order under the IDC. In that case, the requirement must be divided into more specific types of work.

If the scope of the requirement is narrow enough that one firm will be the highest qualified for every task order, a single award contract may be appropriate. In that case, a requirements-type contract (which can only be used in a single award scenario) may be preferable to an indefinite-quantity type contract if there is a perceived advantage in pricing or if funding is not available to guarantee a minimum order.

Federal procurement policy gives preference to making multiple awards.⁵ By definition, there are at least three firms rated as highly qualified to perform the work by the time a final A-E selection is made. For an IDC, with a general scope of work and a potential ordering period of five years, a multiple award is more consistent with the intent of the Brooks Act than a single award. Under a multiple award, the individual qualifications of each of two or more highly firms can be considered and award can be made to the most highly qualified firm considering the specific requirements of

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each task order. However, if the volume of work is small, the cost of administration of multiple contracts may outweigh the benefit.

If multiple awards are used, the FedBizOpps announcement and the contracts must describe the criteria that will be used to select among the contract holders for award of task orders, and provide each awardee a fair opportunity to be considered for each order.⁶ Allocation schemes based on total amount awarded or pre-set rotations should be avoided.

2.6 Selection Criteria

As described above, the evaluation board is responsible for establishing the criteria for evaluation of contractor qualifications and identifying the relative importance of each item before an announcement is published in FedBizOpps. FAR 36.602-1 (a) lists the following mandatory criteria:

- Professional qualifications necessary for satisfactory performance of required services;
- Specialized experience and technical competence in the type of work required, including, where appropriate, experience in energy conservation, pollution prevention, waste reduction, and use of recovered materials;
- Capacity to accomplish the work in the required time;
- Past performance on contracts with Government agencies and private industry in terms of cost control, quality of work, and compliance with performance schedules;
- Location in the general geographical area of the project and knowledge of the locality of the project; provided, that application of this criterion leaves an appropriate number of qualified firms, given the nature and size of the project; and
- Acceptability under other appropriate evaluation criteria.

2.7 Set-Aside Decision

The Contracting Officer is responsible for choosing the appropriate set-aside method based on market research and current small business and socio-economic programs and goals.

Set-asides should be made to meet HHS statutorily mandated small business goals first. A-E services are one of several targeted industry categories of services designated for participation by DHHS under the Small Business Competitiveness Demonstration Program. Under the program, A-E services are periodically exempted from small business set aside requirements. The IHS Small Business Manager and the Small Business Technical Advisors located in each contracting activity maintain current information on the status of this program.

After statutory mandated goals are met, IHS follows its policy set aside under the Buy Indian authority when there are three or more qualified Indian firms available to satisfy the requirements.⁷

A firm is eligible for award under authority of the Buy Indian Act if it is fifty-one percent (51%) Indian owned, controlled, and operated.⁸ If current qualification data is maintained on file, the board may have sufficient information to determine that three or more Indian firms are available which can likely qualify for the short list using the established selection criteria. If so, the board would recommend that the Contracting Officer set the acquisition aside for Indian firms. If the board believes there are not three qualified Indian firms eligible for award, it should document its reasons for the Contracting Officer and recommend that the acquisition not be set aside for Indians.

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2.8 Public Announcement

Federal policy is to publicly announce all requirements for A-E services.⁹ When the requirement is anticipated to exceed \$25,000, it must be synopsisized in FedBizOpps and given 30 days for receipt of responses.¹⁰ Under \$25,000, the requirement may be publicized by posting a notice in a public place in the contracting office for at least ten days.¹¹

A synopsis for A-E services published in FedBizOpps must contain the following elements:

- Summary of the scope of work involved. This should be sufficiently detailed to allow the firm to make an informed judgment as to whether it is capable of performing the work.
- Project location.
- Estimated cost range.
- Estimated performance period.
- Criteria to be used in selecting the A-E contractor. The criteria must be consistent with the requirements listed in FAR 36.602-1(a), and must be listed in order of significance (weight), beginning with the most important criteria.
- The type of contract anticipated (normally firm-fixed-price).
- A statement that the acquisition is a set-aside for Indian owned firms or small businesses, as applicable.
- Any other special requirements or restrictions affecting selection, such as geographic restrictions. Although additional evaluation points may be awarded for offerors located in proximity to the project site, competition may not be restricted to firms located in a specific geographical area (that is, in a particular state or set of states) unless the Contracting Officer has approved a written justification that this restriction is necessary for the contractor to successfully perform the contract. Similarly, a requirement for professional registration in a specific state must also be justified based on objective factors; for example, knowledge of permafrost conditions. Exhibit V, Justification for Restriction, is an example of a justification for restriction to a specific state professional licensing requirement.
- References to applicable FedBizOpps numbered notes. These are notes containing standard information, which can be referred to by number to save space. See Exhibit IV, FedBizOpps Numbered Notes, for the text of numbered notes applicable to A-E announcements.

The evaluation board provides a draft synopsis of the work requirement and the evaluation criteria to the contracting officer, along with a recommendation as to whether the acquisition should be set aside or conducted on an unrestricted basis. Exhibit III, FedBizOpps Synopsis, is an example. The Contracting Officer makes a set aside determination, finalizes the draft synopsis, adds coding and formatting, and submits it to FedBizOpps for publication.

2.9 Numerical Rating and Ranking System

The evaluation board is responsible for developing a scoring system to use in rating and ranking submittals. The system will provide a method for each evaluator to independently assign a numerical score and rank to each firm. The rankings from individual evaluators are then used to calculate a composite ranking. The elements of the numerical rating system are:

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- **Evaluation Weight Factor:** Evaluation weight factors must be established by the board for each of the evaluation criteria. Each criterion must be assigned a numerical value on a scale of 1 to 10 to reflect the relative importance of the criteria elements to each other. See Exhibit VI, Evaluation Criteria and Weight Factors, for an example.
- **Rating Factor:** The individual board member must rate each firm on a scale of 1 to 10 on every evaluation criterion. The rating must reflect the member's judgment as to how well the firm meets the requirements of the evaluation criteria.
- **Rating Score:** The product of the evaluation weight factor and the rating factor. The total score for the firm is the sum of the rating scores for each evaluation criterion. See Exhibit VII, Individual Score Form, for an example.
- **Ranking:** Each board member must rank the top five firms based on the total scores established from his/her ratings of the submittals. These rankings must be reported to the board and recorded.

The overall ranking scores are determined by awarding ranking points to firms in the following manner:

- First position - seven (7) points,
- Second position - five (5) points,
- Third position - three (3) points,
- Fourth position - two (2) points, and
- Fifth position - one (1) point.

Each firm's ranking scores from all the board members are summed and the totals are used to establish the composite ranking. Based on the composite ranking, the board identifies at least three firms for further consideration. These firms comprise the "short list." Exhibit VIII, Individual Evaluation Summary, and Exhibit IX, Selection Evaluation Summary, show sample formats for manual entry.

When the composite ranking result in two or more firms being tied for the same rank, the tie is broken by using the sum of the individual board members' raw scores for each firm. See Exhibit IX, Selection Evaluation Summary, for an example.

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CHAPTER 3. A-E EVALUATION AND SELECTION

3.1 Receipt of Qualification Statements

After the deadline for receipt of new or updated qualification statements has passed, the contracting officer:

- Prepares an abstract listing the firms that have submitted qualification statements.
- Screens the responses for responsiveness to the set-aside requirements of the solicitation. Ineligible firms are notified by mail that they will not be considered.
- Prepares a memorandum to the evaluation board chairperson and forwards the abstract, the qualification statements, and any performance evaluation material for use in the initial evaluation. See Exhibit XI, Transmittal of Qualification Statements to Board.
- Mark qualification statements as "Source Selection Information" in accordance with FAR 3.104-4.

3.2 Initial Evaluation

Before the evaluation begins, the board chairperson is responsible for ensuring that each board member has been briefed on the requirements for safeguarding information used in source selection and is familiar with the scoring plan. The chairperson is responsible for establishing a file to document that the evaluation is carried out in accordance with the plan. The file must contain the rating and ranking sheets with the criteria and the established criteria weight factors as developed by the board.

Each board member is assigned a reviewer number. The list correlating the assigned numbers with the reviewers' names is kept in a separate designated file.

Each board member completes a rating form for every eligible firm. In addition to judging each firm and assigning a numerical score for every selection element, the board member is responsible for writing concise comments to document the particular strength or weakness noted for each element. These comments will be furnished to unsuccessful firms as part of debriefing and should be written in a clear, objective and professional manner. Comments are mandatory when scores above 8 or below 3 are given and are encouraged for mid range scores as well.

Board members should be alert to information in qualification statements that may affect the firm's eligibility for award. The Contracting Officer should be notified if a firm's eligibility is in question, such as if the acquisition is set-aside for Indian firms and the reviewer believes the Indian-owned component of the proposed A-E team (including consultants) may not have the capacity to perform 51% of the work.

The board chairperson is responsible for posting the completed score sheets to a summary sheet. If there are significant variances between the scores assigned to a firm by different board members, the board shall discuss the differences to ensure that there is a complete understanding of the firms qualifications, and the board members shall be given the opportunity to adjust their initial scores before posting by the board chairman.

The initial ranking summary sheet is used to calculate an overall ranking of the firms. The board will identify at least three of the highest ranked firms for the short list of "most highly qualified" firms eligible for advancement to the next stage. It is possible that more than three firms are grouped closely in terms of overall score; the selection board is to use their best judgment in determining where the overall "break" is in scoring. The short list may be comprised of more than three firms.

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The board chairperson is responsible for notifying the contracting officer of the results of the evaluation.

3.3 Debriefing

After the initial evaluation, and again after final selection, the Contracting Officer notifies firms that have been excluded from further consideration and advises them of their right to either a pre-award or post-award briefing. Unsuccessful firms must request a debriefing within three days of notification or lose their right to receive one.¹² Each firm is entitled to only one debriefing per acquisition; i.e., one firm is not entitled to both a pre-award and a post-award debriefing. All debriefings shall be given after final selection.¹³ The information that must be included in a pre-award debriefing is summarized in the sample letter in Exhibit XII, Notification to Non Short-Listed Firms. The Contracting Officer may respond to a timely request for a pre-award debriefing by providing the required information in writing or orally. The selection board chairman is responsible for compiling the list of strengths and weaknesses that go into the debriefing letters. The Contracting Officer may defer the debriefing to after award and give a post-award debriefing if a pre-award debriefing is determined to be not in the government's best interest.

3.4 Short-list Evaluation

The short-listed firms are further evaluated through formal interviews, additional data submitted by the firms with their presentations, references, and other means as determined by the board. The purpose of this evaluation is to make a final recommendation, in order of preference, of the firms eligible for negotiation of a contract.

In preparation for the interviews, the chairperson, in consultation with the Contracting Officer and board members, sets an agenda for the interviews. Topics must be within the announced evaluation criteria and a set time limit should be given for each firm's presentation. Interviews are normally conducted at a single location such as the ES office, or at a central location such as the project site. Interviews may also be conducted at the offices of the firms, or by telephone. Telephone interviews should be limited to evaluations for small projects or when the board members are familiar with all of the short-listed firms. All firms must be interviewed in the same manner. Only those board members present for all the interviews may do the final ratings.

The board chairperson is responsible for contacting short-listed firms and scheduling the interviews. The board chairperson prepares letters to each short list firm to confirm the interview appointments, request any additional data or information, and forward the necessary project information (e.g., the approved POR or SOW) to enable the firms to discuss their technical approach to the work. See Exhibit XIII, Interview Confirmation to Short Listed Firms.

The board will consider the initial submittal and any additional submittal information received prior to the interview date if a firm declines to participate in the interview.

The board remains intact until the selection authority authorizes the Contracting Officer to begin negotiation, as the board may have to respond to queries by the selection official for additional information, clarification, revisions, etc.

3.5 Final Selection Report

Upon completion of the interviews, the board should study any other available information such as reference checks (see Exhibit XIV, Reference Check Worksheet), recent performance reports, and additional qualification data submitted by the A-E firms. The board scores and ranks the short-listed firms a second time, in the same manner as used for the initial evaluation, as a result of the interviews and new findings. In the event that the final ranking differs from the short-list ranking, it is crucial that the individual scoring sheets contain adequate written comments on the strengths

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and weaknesses resulting in the scores. Such documentation is often critical in defending against protests by unsuccessful firms.

The chairperson drafts a report to document the results of the evaluation and the considerations upon which the recommendations are based, including the names of the board members (but not their assigned reviewer numbers as used on the score sheets), the selection criteria utilized, a description of the discussions and evaluations conducted by the board, the rank order of the three or more firms determined to be most highly qualified to perform the requirement, and detailed information supporting the rankings and recommended selection. See Exhibit XV, Evaluation Board Report.

The Contracting Officer reviews the report, prior to its submission to the selection official, to ensure that it contains sufficient information on the selection process followed and convincing justification for the recommended selection.

The board chairperson is responsible for preparing a file to accompany the Chairperson's A-E Selection Report with the following:

- Responses of the selected firms to the FedBizOpps announcements
- Minutes of all meetings
- Board appointment memorandum
- Evaluation sheets from each board member with the scoring and ranking, and board members' reports relevant in the evaluations
- Special submittals from the selected firms
- FedBizOpps announcement
- List of firms that responded to the FedBizOpps notice, and firms added from data files
- Letters and other documents furnished by others about the short-listed firms

The Contracting Officer then passes the A-E Selection Report and supporting file to the selection authority. See Exhibit XVI, Source Selection Memorandum.

3.6 Final Selection

The selection authority reviews the recommendations of the evaluation board and makes the final selection. The final selection must be a listing, in order of preference, of the A-E firms eligible for contract award. In accordance with FAR 36.602-4, the selection official may only consider the firms recommended in the Chairperson's A-E Selection Report, and must provide a written justification for selecting as most preferred a firm other than the one listed by the evaluation board as most highly qualified. The final selection approval is the authority for the Contracting Officer to initiate negotiations with the most preferred firm.

3.7 Notification to Firms

Upon receipt of the final selection approval by the selection authority, the Contracting Officer must notify, in writing, the A-E firm finalists except the highest ranked selected firm, that they have not been selected to proceed to the negotiation phase. The same rules applicable to pre-award and post-award debriefing of firms eliminated in the initial evaluation apply to non selected short-list firms. See Exhibit XVII, Short-List Notification of Non Selection.

After final selection has been made, the identity of the selected firm may be disclosed.¹⁴ If the acquisition is set aside for small businesses, it is required that all firms eliminated from

A-E SELECTION GUIDE

consideration (including those eliminated in the initial evaluation) be notified of the identity of the apparent successful firm and be given an opportunity to challenge the firm's small business size status.¹⁵ This can be accomplished by sending a notice similar to Exhibit XVII, Short-List Notification of Non Selection.

At the same time non-selection notifications are sent, the Contracting Officer notifies the most highly qualified firm of its selection and an approximate date to expect a request for price proposal. See Exhibit XVIII, Selection Notification.

3.8 Short Selection Process

When authorized by the agency, the short selection process may be used for contracts not exceeding the small purchase limitation. The short selection procedures are as follows:

After a requirement is identified, a memorandum is sent to the Contracting Officer (CO), signed by the source selection authority. The memo should briefly describe the project, provide an estimated amount, identify the short selection process as the one to be used for the acquisition, and appoint the selection board and/or selection board chairperson.

As with any acquisition, the board members are responsible for preserving the integrity of the source selection process. Until the award is made, information concerning the acquisition must not be disclosed to any person not directly involved in the evaluation process without the Contracting Officer's approval.

The board chooses appropriate evaluation criteria based on the project and contacts the CO to discuss milestone planning and the SOW.

The CO makes a set-aside decision and forwards the qualification statements (SF 330's) of the eligible firms to the board. See Exhibit X, Contracting Officer's Briefing Memo/SF-330 Transmittal.

Either one of two short selection procedures is permitted:¹⁶

- The final evaluation board report rates and ranks each SF 330 independently in accordance with the A-E Contractor Selection Guide and the evaluation criteria without further approval; or
- The board chairman may review and rank firms without the board's participation and submit a recommendation to the source selection official. When approved, the chairman's recommendation becomes the final selection list.

If clarifications regarding a firm's qualifications are necessary, they may be conducted via telephone or email. This is not a negotiation; costs should not be discussed with any of the A-E firms during the review, scoring, and selection process.

After the evaluation is complete and a firm is chosen, a source selection report is completed. The following documents are forwarded to the contracting officer:

- Fund certification (requisition)
- Government estimate
- Statement of Work
- Source Selection Report
- Score Sheets
- All qualification statements (SF330's) that were evaluated

Upon receipt, the contracting officer issues an RFP to the highest ranked firm.

CHAPTER 4. NEGOTIATION AND AWARD

4.1 Negotiation Team

The Contracting Officer has overall responsibility for negotiating the best value for the government. The Contracting Officer typically forms a team with an engineer or architect to draft the request for proposal, analyze the response, and negotiate a contract. Depending on the size and complexity of the requirement, the negotiation team may also include auditors, attorneys, or other specialists such as the Small Business Technical Advisor.

4.2 Request for Proposal (RFP)

The negotiation team drafts an RFP containing the general clauses and provisions required by law, any special provisions necessary to tailor the RFP to the requirement, and the current SOW. The RFP must completely state what is expected from the contractor but must also avoid being overly prescriptive. The RFP should allow the contractor to use modern design methods and provide a realistic ability to price the job within the 6% statutory fee limit.

The RFP must inform the contractor that no construction contract may be awarded to the firm that designs the project.¹⁷

The RFP should identify any key personnel and restrictions on subcontracting to ensure that the level of quality used seen during evaluation will be the same during performance.

The RFP will include a general description of the level of cost information or, if required by the FAR, shall require *certified* cost or pricing data.¹⁸ Data other than certified cost or pricing data may be requested at any level when necessary for the purpose of performing a cost/price analysis, and determining if the offeror's proposal is fair and reasonable.¹⁹ For small requirements it may be adequate to rely on an overall price comparison with an independent government estimate. In most A-E acquisitions for design, it is probably necessary to ask the contractor to identify the number of hours of proposed labor, broken down by design discipline and phase, and the burdened billing rate associated with each category of labor. Additional information can be requested during negotiation if necessary.

Field pricing assistance may be necessary if there is not enough information or resources available to determine a fair and reasonable price. If this is the case, the Contracting Officer is encouraged to contact the cognizant audit office for assistance and team with appropriate field experts. Early communication with these experts will assist in determining the extent of assistance required, the specific areas for which assistance is needed, a realistic review schedule, and the information necessary to perform the review.²⁰

If the A-E contract is expected to exceed \$500,000 and the selected firm is classified as other than a small business, the regional Small Business Administration (SBA) representative is advised of the pending receipt of a subcontracting plan requiring SBA review.²¹

If the A-E contract is expected to exceed \$10 million, the Regional Office of Federal Contract Compliance Programs is requested to provide pre-award clearance for the A-E firm to receive a contract.²²

The RFP is forwarded to the selected firm with a cover letter outlining the general requirements for a response, including the portions of the RFP to be completed and returned, and a due date for response. The firm is also told who to contact with questions. During proposal preparation, the contracting and technical staffs remain available to answer questions and assist the firm in understanding the RFP requirements. See Exhibit XIX, Request for Proposal.

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4.3 Government Cost Estimate

Besides being a tool for evaluation and negotiation, the estimate provides documentation on how the government decided on a fair and reasonable price, based on the level of effort estimated and current industry prices.

DES or Area technical staff assigned to the acquisition are responsible for furnishing a detailed, independent cost estimate to the Contracting Officer prior to issuing the RFP for new A-E services and modifications for large dollar amounts. The estimate must be prepared to the same level of detail that the Government requires of the firm in preparing their financial and cost data for their proposal. Although not always possible, it is expedient to have the A-E's estimate and Government's estimate presented in the same spreadsheet format to facilitate comparison.

4.4 Proposal Analysis

The Contracting Officer receives the proposal and verifies if the contractor has responded completely to the RFP. This includes verifying that any required certifications are completed and that any requested supporting information, such as cost information or subcontract plans, has been furnished. The Contracting Officer will obtain any missing information and if, applicable, arrange for audit and forward the subcontracting plan to SBA for review.

The negotiation team reviews the proposal in detail and establishes pre-negotiation objectives, which should be documented in the Negotiation Memo, Exhibit XX.

The portion of the proposed price that is subject to the statutory fee limit must be under 6% of the estimated construction amount. See the DES Operating Instructions, Chapter 3, for more information. For the purpose of meeting the 6% fee limit, the offeror may call out specific costs they claim are not applicable to the limitation, however, it is the government's responsibility to make the final determination.

Proposed changes to the SOW or the schedule are evaluated for merit and, if acceptable, analyzed for their impact on estimated cost. If necessary, the government estimate is revised and compared to the contractor's proposal to identify areas that need to be resolved in negotiation. If no government estimate is available, the cost information obtained from the contractor should be evaluated against the SOW and a judgment made as to whether the estimated cost reasonably reflects the effort required by the proposed work scope.

For whatever reason, there may be elements of the proposal that are ambiguous, and dollar amounts may differ drastically from the estimate. These may indicate a misunderstanding of the scope of work, and the Project Officer should seek clarifications prior to negotiations. Both parties should have a mutual understanding of the SOW before negotiating. Remember that clarifications are not a negotiation; costs should not be discussed with any of the A-E firms during the review, scoring, and selection process.

The pre-negotiation position should document that the negotiation team understands the proposal and the SOW and has identified areas for discussion that will provide a reasonable opportunity to reach agreement on a fair and reasonable price.

4.5 Negotiation

The Contracting Officer establishes a date for initiating negotiations with the A-E firm. If discussion of the issues identified in the pre-negotiation analysis results in a mutually agreeable SOW and a fair and reasonable price, the negotiation team documents the agreement in the Negotiation Memorandum, which includes:²³

- The purpose of the negotiation.

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- Description of the acquisition (project title, location, solicitation number).
- Names of negotiating team members for the government and the contractor.
- Whether or not certified cost or pricing data was required and, if required, the extent to which the data was considered in the negotiation and affected the results. This information is important in sustaining any subsequent adjustment based on defective cost or pricing data.
- A summary comparison of the contractor's proposal, the pre-negotiation objective, and the negotiated position.
- Principal issues discussed and an explanation of any adjustments made to the pre-negotiation position. If an audit was obtained, a description of how each audit finding was resolved.
- Changes to scope of work and agreements reached. The final scope of work must be modified as necessary to reflect clearly all agreed changes. In legal situations, the courts and boards will enforce the contract as written. The parties' price negotiation memoranda and notes will be used to infer the intent of the contract only if the contract wording is ambiguous.
- The basis for the profit or fee negotiated.
- Documentation of fair and reasonable pricing.
- A calculation demonstrating that the portion of the fee subject to the fee limit on A-E acquisition is less than 6% of the estimated construction contract cost.

See Exhibit XX, Negotiation Memorandum for a sample outline.

4.6 Contract Award

The Contracting Officer does a determination of responsibility, drafts the final contract, prepares the contract file and obtains pre-award approval from the Director, Division of Contracts and Grants Policy, IHS, for acquisitions over \$100,000.²⁴ The draft contract is then sent to the contractor for signature after which the Contracting Officer executes the contract to complete the award.

After the contract has been awarded, firms that were included on the final selection list are notified of the contract award by the contracting officer.²⁵ The notice includes the number of offerors, the name and address of the firm that received the award, and the contract award. See Exhibit XXI, Notification of Award.

A post-award debriefing will be sent in writing to firms which requested a debriefing except if the firm was already furnished a pre-award debriefing. The debriefings should be sent within five days after contract award. See Exhibit XXII, Debriefing Response.

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CHAPTER 5. EXHIBITS

I.....	Typical Design Acquisition Milestone Plan
II.....	Selection Board Appointment
III.....	FedBizOpps Synopsis
IV.....	FedBizOpps Numbered Notes
V.....	Justification for Restriction
VI.....	Evaluation Criteria and Weight Factors
VII.....	Individual Score Form
VIII.....	Individual Evaluation Summary
IX.....	Selection Evaluation Summary
X.....	Contracting Officer Briefing Memo/SF330 Transmittal
XI.....	Transmittal of Qualification Statements to Board
XII.....	Notification to Non Short-Listed Firms
XIII.....	Interview Confirmation to Short Listed Firms
XIV.....	Reference Check Worksheet
XV.....	Evaluation Board Report with attachment
XVI.....	Source Selection Memorandum
XVII.....	Short-List Notification of Non Selection
XVIII.....	Selection Notification
XIX.....	Request for Proposal
XX.....	Negotiation Memorandum
XXI.....	Notification of Award
XXII.....	Debriefing Response

5.1 Exhibit I – Typical Design Acquisition Milestone Plan

Activity	Duration
Issue Request for Qualification Statements to A-E Firms - Public Announcement	30 Days
Review Qualification Statements	1 Week
Select Top 3 Highly Qualified A-E's	1 Week
Conduct Interviews w/ Top 3 firms	1 Week
Source Selection Recommendation and Approval	2 Weeks
Issue RFP & A-E Proposal Preparation	30 Days
Evaluation of Proposal	2 Weeks
Negotiations	30 Days
Pre-Award Review	21 Days or less
Award	1 Week

Anticipated total time from public announcement to award = Approximately 6 months

5.2 Exhibit II – Selection Board Appointment

Memorandum

DATE:

FROM: [Title of Appointing Authority; e.g., Director, ESS]

TO: Distribution List

SUBJECT: A-E SELECTION BOARD APPOINTMENT

This office has a requirement for A-E services for (*describe requirement*). This memorandum designates the members of the A-E Selection Board who shall perform the following: define the scope of services, establish the selection criteria, determine the area of consideration, discuss and provide recommendations to the Contracting Officer on such issues as Buy-Indian set-aside, evaluate all SF 330's and select no fewer than three firms for further interviews. Upon conclusion of the interviews, the Board shall prepare a selection report recommending, in order of preference, at least three firms that are considered to be the most highly qualified to perform the required services.

The following are appointed to the Selection Board:

1. [Name, discipline], chairperson
2. [Name, discipline], member
3. [Name, discipline], member
4. [Name, discipline], member
5. [Name, discipline], member

Should the [tribal organization benefiting from the project] or other appropriate group wish to have a member on the Board, the name of that individual should be submitted through the Division of Health Facilities.

The selection is to be made in accordance with established HHS departmental guidelines. The selection must proceed expeditiously so that the design contract is in place by [scheduled date for design contract award].

/s/Appointing Official

Distribution List:
Board members
Contracting Officer
Tribal Officials

5.3 Exhibit III – Sample FedBizOpps Work Description

The proposed contract listed here is 100% set-aside for small business concerns under the Small Business Competitiveness Demonstration Program. As a small business set-aside in the performance of this contract, at least 50% of the cost of contract performance incurred for personnel must be expended for employees of the prime contractor.

Architectural/Engineering services for the design and construction administration of staff housing and related facilities in support of the Public Health Service native hospital in Kotzebue, Alaska. The estimated cost of construction for the project is over \$10,000,000. The design phase services are expected to proceed approximately five (5) months after the date of this synopsis and are to be completed within six (6) months after contract award. Optional construction administration services are to be completed approximately sixteen (16) months after design services are completed.

DHHS will provide focused conceptual design guidance. Architectural/Engineering services shall include site verification of existing conditions, schematics, design development, construction documents, with optional construction administration. The prime contractor must be an architectural/engineering firm. The design of electrical, mechanical, structural, fire protection engineering, and architectural services shall be accomplished or reviewed and approved by engineers and architects registered to practice in the particular professional field involved in a state or possession of the United States, Puerto Rico, or in the District of Columbia. The civil, geotechnical, mechanical, and structural engineers and the architect must be or become registered in Alaska prior to performing any work under the contract.

The project is to provide 50 housing/apartment type units in accordance with government design concepts on two government owned sites in Kotzebue. The project is located in the Arctic, requiring special expertise related to permafrost foundations, building envelope design, snow drifting/wind issues and other cold region considerations as appropriate.

Evaluation factors for this contractor selection are listed below in descending order of priority except that evaluation factors (1) and (2) are of equal value, evaluation factors (3) and (4) are of lesser equal value, and evaluation factors (5) and (6) are of lesser equal value: (1) Professional qualifications of design team necessary for the required services. (2) Demonstrated expertise and experience in applicable aspects of Arctic Engineering. (3) Successful design experience in remote housing (and other facilities) and Alaskan bush construction projects. (4) Demonstrated expertise and experience in modular design. (5) Past performance on comparable projects, in terms of cost control, quality control, compliance with performance schedules, and administration; for both design and construction phases. (6) Geographical proximity of design firm and consultant(s) principal office(s) to the project locations. (7) Description of anticipated management plan and team organization for this project, including degree of principal participation, production coordination, division of work, scheduling, quality assurance, cost control, and prior experience of the design team as a unit. (8) Extent of actual Native American professional and paraprofessional participation on the project. (9) Experience with owner management teams comprised of representatives from Federal, State, local, and Tribal governments.

Exhibit III – Sample FedBizOpps Synopsis (continued)

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The contractor who performs the A-E design for this project shall not be eligible for award of any subsequent construction contract for this project.

Numbered Notes 1 and 24 apply to this solicitation.

The vendor must be registered with CCR (www.ccr.gov) and submit a completed SF 330 Part II. The SF 330 can be submitted by mail or online. All submittals by mail must be in duplicate. If submitting by mail, complete the form and submit two (2) copies along with other relevant information in response to the evaluation criteria shown below, to the Division of Engineering Services, at the address shown above. To complete the SF 330 online, go to the ORCA website at <http://orca.bpn.gov> and follow the instructions. To alleviate the burden on the vendor, information collected in CCR is electronically provided and populated into ORCA. The vendor is not asked to re-enter any information that is found in CCR.

Unnecessarily elaborate brochures or other presentations beyond those sufficient to present a complete and effective response to this announcement are not desired. The Standard Industrial Classification (SIC) Codes applicable to this procurement are 8712 and 8711, Architectural Services (other than Naval) and Other Engineering Services. For these NAICS Codes, the size standard is \$2.5 million.

Submittals must be received by 3:00 P.M., Seattle time, _____, 2006. Submittals to be sent to Division of Engineering Services, 2201 Sixth Ave., Rm. 937, RX-24, Seattle, WA 98121.

5.4 Exhibit IV – FedBizOpps Numbered Notes

1. The proposed contract is 100% set aside for small business concerns.
2. A portion of the acquisition is set aside for small business concerns.
3. The proposed contract is a labor surplus area set-aside. (This note is deleted as of 7/21/99.)
24. This acquisition is for architect-engineer (A-E) services, and is procured in accordance with the Brooks A-E Act as implemented in Subpart 36.6 of the Federal Acquisition Regulation. A-E firms meeting the requirements described in this announcement are invited to submit: (1) a Standard Form (SF) 330, Architect-Engineer Qualifications, Parts I and II, and (2) any requested supplemental data to the procurement office shown. Firms registering for consideration for future Federal A-E projects are encouraged to electronically submit SF 330 Part II, General Qualifications, to <http://www.bpn.gov/orca/login.aspx>, and to update at least annually. Firms with a SF 330 Part II on file in this central Federal database do not need to submit a Part II for this acquisition unless directed by the announcement. Firms responding to this announcement before the closing date will be considered for selection, subject to any limitations indicated with respect to size and geographic location of firm, specialized technical expertise or other requirements listed. Following an evaluation of the qualifications and performance data submitted, three or more firms that are considered to be the most highly qualified to provide the type of services required will be chosen for negotiation. Selection of firms for negotiation shall be made in order of preference based on the demonstrated competence and qualifications necessary for satisfactory performance in accordance with the specific selection criteria listed in the announcement.
27. The proposed contract is set-aside for HUBZone small business concerns. Offers from other than HUBZone small business concerns will not be considered.
28. The proposed contract is set-aside for Very Small Business Concerns (VSB). A VSB is a small business concern whose headquarters is located within the geographic area served by a district designated by SBA; and which, together with its affiliates, has no more than 15 employees and has average annual receipts that do not exceed \$1 million. Offers from other than very small business concerns will not be considered.
29. The proposed contract is set-aside for Service-Disabled Veteran-Owned small business concerns. Offers from other than Service-Disabled Veteran-Owned small business concerns will not be considered.

5.5 Exhibit V – Justification for Restriction (Sample)

Memorandum

DATE:

FROM: Chairperson, A-E Selection Board

TO: Contracting Officer, Engineering Services, Seattle

SUBJECT: Justification for Alaska Professional Registration

We plan to issue a FedBizOpps synopsis for publication on [approximate publication date] for the design and optional construction administration services contract for the [project name, location, project number]. The project construction is estimated at [estimated construction cost] and is to be done in [estimated construction time]. The estimated design fee, with related travel and incidental cost, is [estimated design cost]. It is expected to take about [estimated design time].

Because the work requirement is predominately mechanical, and to ensure effective and timely communications continuity between ESS and the contractor, the A-E Selection Panel recommends that the prime contractor be a mechanical engineering firm with the engineer and the architect professionally registered in Alaska.

JUSTIFICATION: The problems to be resolved, such as outside installation of chiller condensers above permafrost ground, are uniquely related to the Alaskan climate, geology, and the remoteness of this health care center and require a firm with specific expertise.

I certify that this justification is accurate and complete to the best of my knowledge.

Recommended _____
Board Chairperson

Approved _____
Contracting Officer

5.6 Exhibit VI – Evaluation Criteria and Weight Factors

- (1) Professional qualifications necessary for satisfactory performance of required services. (WEIGHT NUMBER)
- (2) Specialized experience and technical competence in all applicable aspects of standard model designs and custom designs for housing quarters and public spaces, including experience by all disciplines in design, construction methods, systems maintainability and reliability, in cold, rural, and remote regions. (WEIGHT NUMBER)
- (3) Demonstrated expertise and experience in working as a team with listed consultant(s) and/or subcontractor(s) and ability to effectively manage multiple-firm teams. (WEIGHT NUMBER)
- (4) Knowledge of and experience by the prime contractor and consultant(s)/subcontractor(s) in the following states and location in the general geographic proximity to sites in [location name]. (WEIGHT NUMBER)
- (5) Past performance on contracts with Government agencies and private industry in terms of cost control, quality of work, and compliance with performance schedules. (WEIGHT NUMBER)
- (6) Capacity to respond and accomplish the work in the required time. (WEIGHT NUMBER)
- (7) Extent of active Indian professional and paraprofessional participation. (WEIGHT NUMBER)

5.7 Exhibit VII – Individual Score Form

Solicitation No.	PROJECT NO.	project title	Date	Reviewer No. 1		
<input type="checkbox"/> Initial Ranking <input type="checkbox"/> Final Ranking	a-e Firm A	total rating score (sum of individual rating scores) 410				
<i>evaluation criteria</i>		<i>weight</i>	<i>x</i>	<i>rating factor</i>	<i>=</i>	<i>rating score</i>
1. Professional qualifications necessary for satisfactory performance of required services. <i>Strong points:</i> _____ <i>Weak points:</i> _____		10		9		90
2. Specialized experience and technical competence in all applicable aspects of standard model designs and custom designs for housing quarters and public spaces, including experience by all disciplines in design, construction methods, systems maintainability and reliability, in cold, rural, and remote regions. <i>Strong points:</i> _____ <i>Weak points:</i> _____		10		9		90
3. Demonstrated expertise and experience in working as a team with listed consultant(s) and/or subcontractor(s) and ability to effectively manage multiple-firm teams. <i>Strong points:</i> _____ <i>Weak points:</i> _____		8		10		80
4. Knowledge of and experience by the prime contractor and consultant(s)/subcontractor(s) in the following [] states and location in the general geographic proximity to sites in [location name]. <i>Strong points:</i> _____ <i>Weak points:</i> _____		6		10		60
5. Past performance on contracts with Government agencies and private industry in terms of cost control, quality of work, and compliance with performance schedules. <i>Strong points:</i> _____ <i>Weak points:</i> _____		5		9		45
6. Capacity to respond and accomplish the work in the required time. <i>Strong points:</i> _____ <i>Weak points:</i> _____		3		9		27
7. Extent of active Indian professional and paraprofessional participation. <i>Strong points:</i> _____ <i>Weak points:</i> _____		2		9		18

5.8 Exhibit VIII – Individual Evaluation Summary

<i>Solicitation No.</i>	PROJECT NO.	<i>project title</i>	<i>Date</i>	<i>Reviewer No.</i> 1
<input type="checkbox"/> Initial Individual Evaluation Summary <input type="checkbox"/> Final Individual Evaluation Summary				
<i>a-e Firm</i>			<i>total rating score</i>	<i>rank</i>
A			410	1
B			346	2
C			325	3
D			300	4
E			271	5
F			258	6

5.9 Exhibit IX – Selection Evaluation Summary

<i>Solicitation No.</i>	PROJECT NO.	<i>project title</i>					<i>Date</i>	
<input type="checkbox"/> Initial Selection Evaluation Summary		<input type="checkbox"/> Final Selection Evaluation Summary						
<i>individual board member ranking of firms</i>								
	<i>Board Member no.</i>						<i>total points *</i>	<i>placement</i>
<i>a-e firm</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>		
Firm A	1st	2nd	1st	3rd			22	1
Firm B	2nd	3rd	3rd	2nd			16	3
Firm C	3rd	1st	2nd	1st			22	1
Firm D	4th	4th	5th	5th			6	4
Firm E	5th	5th	4th	6th			4	5
Firm F	6th	6th	6th	4th			2	6

* Point System: 1st = 7 points; 2nd = 5 points; 3rd = 3 points; 4th = 2 points; 5th = 1 point; sixth = 0 points

<i>TIE BREAKER BASED ON RAW SCORES</i>								
	<i>Board Member no.</i>						<i>TOTAL SCORE</i>	<i>PLACEMENT</i>
<i>a-e firm</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>		
Firm A	410	370	400	350			1530	2
Firm C	350	400	380	420			1550	1

5.10 Exhibit X – CO’s Briefing Memorandum/SF330 Transmittal**Memorandum****DATE:****FROM:** Contracting Officer, Engineering Services Seattle**TO:** Selection Board Chairperson**SUBJECT:** [solicitation number], [project title] -
Evaluation of Qualification Statements

Attached are copies of the SF 330 Part II submittals and a list of firms that responded to the synopsis in FedBizOpps.

You and the selection board members are responsible for ranking the proposals and completing an A-E selection report. You must remember the need to preserve the integrity of the source selection process and the requirements for an A-E selection report.

Responsibilities

Selection board members may not have a conflict of interest in an application or proposal for which he/she provides an evaluation. All circumstances that might introduce a conflict of interest, or give the impression of a conflict of interest, or any prejudices, biases, or predisposition, on the part of the reviewer must be avoided. Board members should notify the Contracting Officer if they suspect any of these circumstances exist.

Personnel participating in the evaluation process must not discuss or reveal information concerning the evaluations except to an individual participating in the same evaluation proceedings, and then only to the extent that the information is required in connection with the proceedings. Divulging information during the evaluation, selection, and negotiation phases of the acquisition to offerors or to personnel not having a need to know could jeopardize the resultant award. Therefore, personnel participating in the evaluations must observe these restrictions and understand that unauthorized disclosure of information, no matter how innocent, could compromise the acquisition process and is prohibited.

Rating and ranking proposals

The evaluators will individually read each proposal, indicate tentative strengths and weaknesses in the remarks section, and develop preliminary scores in relation to each evaluation criterion set forth in the CBD synopsis using the rating sheets provided by the chairman. Sample sheets can be found in the A-E Contractor Selection Guide. Remarks are mandatory for any score of 3 or less, or 8 or more. After this has been accomplished, the evaluators will then finalize their score for each proposal. The evaluators should also identify any proposal deemed unqualified. Then the board chairman will rank the

**A/E Selection Guide
Contracting Officer Briefing Memorandum**

Exhibit X

proposals on the summary score sheet. Ranking will be determined by the methods indicated on the summary score sheets. Predetermined cutoff scores shall not be employed for determining either unqualified firms or firms to be short-listed.

A-E Selection Report

The A-E Selection report shall be prepared using the scores and remarks from the individual rating sheets, and furnished to the Contracting Officer by the chairperson and maintained as a permanent record in the contract file. The report must include the ranking of the proposals, a narrative evaluation specifying the strengths and weaknesses of each proposal, a copy of each individual score sheet, and any reservations, qualifications, or areas to be addressed that might bear upon the selection for negotiation and award. Concrete technical reasons supporting any determination of unqualified with regard to a proposal must also be included.

Until the award is made, information concerning the acquisition must not be disclosed to any person not directly involved in the evaluation process without the Contracting Officer's approval.

/s/Contracting Officer

cc:
Board members

5.11 Exhibit XI – Transmittal of Responses to Board

Memorandum

DATE:

FROM: Contracting Officer, Engineering Services Seattle

TO: Selection Board Chairperson

SUBJECT: [solicitation number], [project title] -
Transmittal of SF 330 Responses

Attached are:

1. A list of firms that responded to the FedBizOpps synopsis by the specified deadline.
2. The Architect-Engineer qualifications data file (completed SF-330's), and
3. The ESS Performance Evaluation (Architect-Engineer) file.

Please keep in mind that you and the selection board members need to preserve the integrity of the source selection process and until the award is made, information concerning the acquisition must not be disclosed to any person not directly involved in the evaluation process without the Contracting Officer's approval.

/s/Contracting Officer

5.12 Exhibit XII – Notification to Non Short-Listed Firms

Letter

[DATE]

[COMPANY NAME]

[ADDRESS]

SUBJECT: [solicitation number], [project title] - Notification of Non-Selection

[greeting]

Our Architectural and Engineering (A-E) Selection Board has completed its initial evaluations of the firms considered for performing the A-E Services for the subject project. The Board's evaluations were conducted in accordance with the selection criteria published on FedBizOpps for this project. The Board has made its recommendation as to the firms it considered the most highly qualified. Your firm was not among those selected. A revision of your proposal will not be considered for this project.

The release of information on firm selection, notifications to unsuccessful offerors, and debriefing of successful and unsuccessful offerors are covered by Federal Acquisition Regulation (FAR) Parts 36 and 15. If you would like a debriefing, submit a request for either a pre-award or a post-award debriefing and we will provide one in writing after final selection.

Pre-award debriefings will consist of the Board's evaluation of the significant strengths and weaknesses in the proposal. We will answer any relevant questions regarding the selection procedures.

A post-award notice will be published on FedBizOpps (www.fbo.gov) following award, which identifies the number of firms considered, the name of the firm receiving an award, and the contract price. Post award debriefings consist of this information as well as that provided in a pre-award debriefing.

We appreciate your interest in our project and the time and effort spent in preparing your submission.

/s/Contracting Officer

5.13 Exhibit XIII – Confirmation of Interview Appointment

Letter

[DATE]
[COMPANY NAME]
[ADDRESS]

Subject: [solicitation number], [project title]
CONFIRMATION OF INTERVIEW APPOINTMENT

[greeting]

Your firm, along with other highly qualified firms, was recommended by the Architectural and Engineering (A/E) Selection Board for consideration for performing the design and construction services for the subject project.

A personal interview with the A-E Selection Board has been scheduled on Tuesday, September 20, from 2:30 to 4:00 PM at the following location:

Billings Area Office
2900 4th Avenue North
Billings, MT 59101

Your total allotted time, 90 minutes, includes A-E presentation set-up time, introductions of the A-E Selection Board and firm members, A-E presentation of credentials related to the evaluation criteria, and if desired, presentation of photographs, view graphs, slides, etc., of recent work. A screen will be available, but you will need to provide any other necessary equipment. Please allow at least 20 minutes for the Board's questions and presentation wrap-up time.

In addition to the general topics, the A-E Selection Board seeks further information on the following:

- Identify specific persons and firms proposed for each portion of the design work.
- Past performance on quality, schedules, and cost control. Furnish references and explain your firm's internal control systems.
- Ability to produce construction documents using full metric requirements and computer-assisted design.
- What part housing plays in building community
- How housing built to modern standards can be incorporated into established communities.

One of the primary purposes of the interview is to provide you an opportunity to reinforce or expand upon the factors, as identified in the selection criteria, that demonstrate that your firm is the most highly qualified firm to perform this design effort.

The A-E Selection Board looks forward to meeting with you. If you have any questions concerning the interview, please contact the Selection Board Chairman, ----- at 206-615-2459.

Sincerely,

[name]
Contract Officer

5.14 Exhibit XIV – Reference Check Worksheet

<i>Solicitation No.</i>	PROJECT NO.	<i>project title</i>	<i>Date</i>
<i>reference check of (firm)</i>			
<i>person contacted</i>		<i>firm</i>	<i>phone number</i>
<i>type of work performed</i>			
<i>quality of work</i>			
Responsiveness to Client Needs			
Timely Performance			
within budget?			
<i>other</i>			
<i>reference check done by</i>			
_____		_____	
<i>name</i>		<i>date</i>	

5.15 Exhibit XV – Evaluation Board Report

Memorandum

DATE:

FROM: Selection Board Chairperson

TO: Contracting Officer, Engineering Services Seattle

SUBJECT: [solicitation number], [project title]
Evaluation Board Report

The Architect/Engineering Selection Board was created on [date] by [name][title] with appointment of the following members:

[ENGINEER 1 NAME, P.E., Chairperson, Mechanical Engineer, OES]

[ARCHITECT 1 NAME, R.A., Architect, OES]

[ENGINEER 2 NAME P.E., Electrical Engineer, OES]

[ENGINEER 3 NAME, P.E., Civil Engineer, LOCATION Area IHS]

[ENGINEER 4 NAME, P.E., Civil Engineer, LOCATION Area IHS]

[ENGINEER 5 NAME,P.E., General Engineer, LOCATION Area IHS]

In the initial month of the Board's existence, the Chairperson conducted a teleconference meeting on [date] from [location] with all the above members. [contract specialist name], Contract Specialist for this contract, was also present. During this meeting, the synopsis was drafted and the ranking and weight factors were established. It was determined that the contract was to be Indian set-aside based on the recent response to the [project title] design contract. A tentative schedule for future meetings was revised.

The rating criteria for this type of contract are outlined in the Federal Acquisition Regulations, Sub-part 36.6, Architect/Engineer Services, 36.602-1, Selection Criteria. Rating criteria language was based on these guidelines with modifications deemed appropriate for this specific contract. The rating criteria and established related weights were then submitted for approval by the Contracting Officer.

The synopsis was published in FedBizOpps on [date].

[number of proposals] submittals were received by the [date] deadline. All were determined to qualify as 100% Indian-owned firms.

The Selection Board convened on [date] at [location] with all members to review and initially rank the submittals. See the attached, initial scoring summary sheet. The rating indicated the three top firms: [FIRM A, XX points; FIRM B, XX points; FIRM C, XX points] with a definite break from the remaining firms. The fourth firm had [XX] points. Thus, three firms were short-listed. The Contracting Officer gave approval for verbal notification to the successful firms. This was done on [date], with written notification to the short-listed firms on [date]. Interviews were scheduled for [date] at [location].

**A/E Selection Guide
Selection Notification/Request for Proposal**

Exhibit XV

On [date], the three short-listed firms were interviewed at [location]. All board members were present. The result of the interviews was a unanimous ranking of [FIRM A] first with [XX] points; [FIRM B], second with [XX] points; and [FIRM C] third with [XX] points. [FIRM A] was ranked highest because _____.

Attached is a summary of factors that were instrumental in determining the Board's ratings.

The Board recommends that negotiations be initiated with [FIRM A].

/s/[Board Chairperson]

Attachments

[FIRM A NAME]

Strengths:

Professionally highly qualified, multi-discipline firm including value engineering, indoor air quality, energy monitoring and control (EMCS) systems, total quality management (TQM) experience. One project manager for each IHS area as single point of contact including negotiations.

Well-developed experience in health care facilities in LOCATION area's cold, remote, and rural locations.

Excellent knowledge of area and located within it LOCATION.

Very strong past performance with BIA, VA, HUD, IHS, OES with references and repeat customers to support quality, on budget and on schedule. Uses Redicheck with TQM approach.

Very strong record of teamwork with all consultants.

Indian participation strong: registered DISCIPLINE principal, engineering technician, with established summer internship for Indian students.

Ample capacity to handle workload with temporary backup by consultant if necessary.

Weaknesses:

May not have capacity to handle all XX IHS areas simultaneously.

Contractor estimates have been somewhat less than bid results in the area.

[FIRM B NAME]

Strengths:

Very well qualified professionals, multi-disciplined firm on AutoCAD, metric experience.

Broad background in health care facilities.

Some experience and knowledge of area.

Repeat customers with letters of recommendation to attest quality, on time, on budget. Estimates within 5-10% of low bidder.

Approximately 90% in-house, with strong record of teamwork with consultants.

Indian participation: registered DISCIPLINE principal, XX technicians.

Full in-house capacity to handle workload with temporary consultant backup.

Weaknesses:

Located outside area LOCATION, not quickly accessible to sites.

Limited experience in area.

No letters of recommendation for consultants.

Estimates consistently over estimated relative to bids.

[FIRM C NAME]

Strengths:

In-house professionals: two registered architects, one mechanical engineer, one electrical engineer.

Strong medical consultants.

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Selection Notification/Request for Proposal**

Exhibit XV

Some knowledge and experience of area.

Indian participation: two registered DISCIPLINE, two employees.

Capacity to handle workload with consultant backup.

Weaknesses:

Located outside area LOCATION.

Experience limited to LOCATION.

In-house team has very little medical experience.

Key electrical engineer not registered.

No previous experience with medical consultants.

5.16 Exhibit XVI – Source Selection Memorandum

Memorandum

DATE:

FROM: Contracting Officer, Engineering Services Seattle

TO: [Source Selection Official]

SUBJECT: [solicitation number], [project title] - Selection of Most Highly Qualified Firms

Attached for your review are:

FedBizOpps advertisement dated [date].

SF-330's for each firm interviewed by the board.

Initial individual score sheets dated [date], and summary score sheet dated [date].

Final individual score sheets and summary score sheet dated [date].

A-E Selection Board Chairperson's Report with recommendation dated [date].

The Board has recommended selection of the following firms, in order of preference:

1. [Firm A]
2. [Firm B]
3. [Firm C]

As Source Selection Official, you are responsible for the final selection of firms eligible for award. You may consider only the firms recommended in the Chairperson's A-E Selection Report and must provide a written justification for selecting a firm as most preferred.

/s/Contracting Officer

Approved as recommended: or

Approved as revised:

1. [Firm B]
2. [Firm A]
3. [Firm C]

Justification:

/s/Source Selection Official

5.17 Exhibit XVII – Short-List Notification of Non-Selection

Letter

[DATE]

[COMPANY NAME]

[ADDRESS]

SUBJECT: [solicitation number], [project title] - Notification of Non-Selection

[greeting]

Final selection of the A-E firms considered most highly qualified to perform the A-E services for the subject project has been made in accordance with the selection criteria published in FedBizOpps. The Department of Health and Human Services will commence negotiations with:

[company name]
[address]

The names of other firms that were considered will not be released.

The release of information on firm selection, notifications to unsuccessful offerors, and debriefing of successful and unsuccessful offerors are covered by Federal Acquisition Regulation (FAR) Subparts 36.6 and 15.5. To receive a debriefing, submit a request specifying whether you want a pre-award or a post-award debriefing and the government will provide one in writing. You do not need to submit another debriefing request if you have already submitted one in response to a previous notice.

Pre-award debriefings will consist of the Board's evaluation of the significant strengths and weaknesses in the proposal. We will answer any relevant questions regarding the selection procedures.

A post-award notice will be published on FedBizOpps (www.fbo.gov) following award, which identifies the number of firms considered, the name of the firm receiving an award, and the contract price. Post award debriefings consist of this information as well as that provided in a pre-award debriefing.

We appreciate your interest in our project and the time and effort spent in preparing your submission.

/s/Contracting Officer

5.18 Exhibit XVIII – Selection Notification

Letter

[DATE]
[COMPANY NAME]
[ADDRESS]

SUBJECT: [solicitation number], [project title] - Selection Notification

[greeting]

The final selection list of the Architect and Engineering (A/E) firms the Department of Health and Human Services (DHHS) considered the most highly qualified to perform the A-E services for subject solicitation has been made. Your firm has been selected as the most preferred firm on that final selection list.

The DHHS, Indian Health Service (IHS), anticipates award of a contract to you subject to the successful negotiation of a reasonable fee. A Request for Proposal (RFP) will be issued to you within the next ten (10) days.

If you have any questions, please contact me at (206) , or the Project Officer, , at .

/s/Contracting Officer

5.19 Exhibit XIX – Request for Proposal

Letter

[DATE]

[COMPANY NAME]

[ADDRESS]

SUBJECT: [solicitation number], [project title] - Selection Notification/Request for Proposal

[greeting]

Final selection of the A-E firms the Department of Health and Human Services (DHHS) considered the most highly qualified to perform the A-E services for the subject project in accordance with the selection criteria published in FedBizOpps has been made. Your firm was selected as most preferred.

Indian Health Service (IHS), anticipates award of a contract to you subject to the successful negotiation of a reasonable fee. The enclosed Request for Proposal includes:

- Instructions, Conditions, and Notices to Offeror (Section L)
- Representation, Certifications, and other Statements of Offeror (Section K)
- Draft Contract (SF-252, Contract Clauses, Special Contract Requirements, and Attachments A through []).

Please refer to Section L, Paragraph One for a description of the items to be included with your proposal. Your proposal, in original and three copies, is due at DHHS/IHS, [office], by [date], at [time].

If you have any questions, please contact me at [phone], or contact the Project Officer, [name] at [phone].

/s/Contracting Officer

Enclosure

5.20 Exhibit XX – Negotiation Memorandum

Memorandum

DATE:

FROM: [contract negotiator]

TO: File

SUBJECT: [solicitation number], [project title] - Negotiation Memorandum

1. Description of Articles and Services and Period of Performance

A description of articles and services, quantity, unit price, total contract amount, and period of contract performance should be set forth (if supplemental agreement – show previous contract amount as revised, as well as information with respect to the period of performance). What is the purpose of the negotiation (e.g., settle a request for equitable adjustment, establish a price for changed work, etc.). Is this a new contract or a change under an existing contract? What is the contract for? What is the current status of the contract? Why is the change necessary?

2. Key Documents (What is the negotiation based on and where are the documents located?)

Government Estimate dated _____ (on file)
 Request for Proposal dated _____ (on file)
 Proposal dated _____ (on file)
 Second Proposal dated _____ (attached)
 6% fee calculation _____ (attached)

3. Acquisition Planning

Summarize or reference any acquisition planning activities that have taken place.

4. Synopsis of Proposed Acquisition

A statement as to whether the acquisition has or has not been publicized in accordance with FAR Subpart 5.2. A brief statement of explanation should be included with reference to the specific basis for exemption under the FAR, if applicable.

5. Contract Type

Provide sufficient detail to support the type of contractual instrument recommended for the acquisition. If the contract is a cost-sharing type, explain the essential cost-sharing features.

This will be a new firm, fixed price contract.

6. Extent of Competition

The extent to which full and open competition was solicited and obtained must be discussed. The discussion shall include the date of the solicitation, sources solicited, and solicitation results.

This is a sole-source acquisition in accordance with FAR 6.302-f and the Buy Indian Act 25 USC 47. A Justification for Other than Full and Open Competition, dated January 6, 2005 is in the file.

7. Technical Evaluation

Summarize or reference the results presented in the technical evaluation report.

8. Business Evaluation

Summarize or reference results presented in the business report.

Not Applicable

9. Past Performance

Summarize or reference results of past performance evaluation and reference checks.

10. Competitive Range

Describe how the competitive range was determined and state the offerors who were included in the competitive range and the ones who were not.

11. Cost Breakdown and Analysis

Include a complete cost breakdown together with the negotiator's analysis of the estimated cost by individual cost elements. The negotiator's analysis should contain such information as:

- 1) A comparison of cost factors (labor rates, number of hours) proposed in the instant case with actual factors used in earlier contracts, or those used in the government estimate.*
- 2) Any pertinent technical evaluation inputs as to necessity, allocability and reasonableness of labor, material and other direct expenses.*
- 3) Any other pertinent information to fully support the basis for and rationale of the cost analysis.*
- 4) A justification of the reasonableness of the proposed contractor's estimated profit or fixed fee, considering the requirements of FAR 15.404-4 and HHSAR 315.404-4*

12. Cost Realism

Describe the cost realism analysis performed on proposals.

13. Government Furnished Property and Government Provided Facilities

Briefly describe the terms and conditions of any Government-furnished or Government-provided facilities, equipment, tooling, or other property.

14. Pre-Negotiation Analysis

Price analysis. Was there some way to evaluate the total proposed price without resorting to cost analysis? For example, is the proposed price close to the independent Government estimate or is it comparable to recent prices paid for similar services in other acquisitions.

Cost analysis (not necessary if price analysis alone is sufficient to verify that the proposal is reasonable – always required if supporting cost data is provided). Did we verify the supporting facts (e.g., material prices)? If the proposal is complex, a comparison of each element (e.g., labor, material, subcontracts, overhead, profit) of the estimate and proposal in column format would be helpful.

Schedule analysis. How was the performance period calculated? If this is a change, does it affect the contract delivery schedule?

As a result of our price and/or cost analysis, what elements of the proposal require discussions with the contractor?

15. Negotiation

Include a statement as to the date and place negotiations were conducted, and identify members of both the Government and contractor negotiating teams by area of responsibility. Include negotiation details relative to the statement of work, terms and conditions, and special provisions. The results of cost or price negotiations must include the information required by FAR 31.109 and 15.406-3. In addition, if cost or pricing data was required to be submitted, the negotiation record must also contain the extent to which the contracting officer relied upon the factual cost or pricing data submitted and used in negotiating the cost or price.

Place/Date/Participants. Who did we talk to? When? Where? Did we establish that the participants had the necessary authority?

Period of performance/schedule. If this is a change, was a change to the completion date negotiated?

How were the items questioned in the pre-negotiation analysis resolved?

Is rip out of completed work involved? Is there excess material to be disposed of (e.g., if material is deleted but cannot be returned for credit? If so, did the Government assume delivery of the excess material or direct that it be sold for credit?

Were any contract terms adjusted as a result of negotiations? Describe any changes to the scope of work made during negotiations and attach the final revision of the statement of work.

16. Other considerations

Review and replace the following:

- 1) Details as to why the method of payment such as progress payment, advance payment, etc., is necessary. Also cite any required D&Fs.
- 2) Other required special approvals.
- 3) If the contract represents an extension of previous work, the status of funds and performance under the prior contract(s) should be reflected. Also a determination should be made that the Government has obtained enough actual or potential value from the work previously performed to warrant continuation with the same contractor. (Project officer should furnish the necessary information.)
- 4) State that the equal opportunity provisions of the proposed contract have been explained to the contractor, and it is aware of its responsibilities. Also state whether or not a clearance is required.

The following are complete statements, verify their accuracy:

- 5) Determination of Responsibility. The contractor is determined to be responsible as defined at FAR 9.104 (not necessary for changes)
- 6) The services are non-personal in nature.
- 7) A certificate of current cost or pricing data is not required as the proposal is under \$550,000 or price analysis alone was sufficient to establish the reasonableness of the proposed price.
- 8) Documentation that the fee for production of design documents does not exceed 6 percent of the estimated construction cost (FAR 15.404-4(c)(4)(i)(B)) is attached.

17. Terms and Conditions

Are there any special clauses and conditions in the contract, such as option arrangements, incremental funding, anticipatory costs, deviations from standard clauses, etc.? The basis and rationale for inclusion of any special terms and conditions must be stated and, where applicable, the document which granted approval for its use is identified.

18. Recommendation

Describe what we should do next (e.g., award a contract for \$, initiate a modification for \$ with x days of contract extension) Include a statement that the negotiated price is fair and reasonable and that the proposed action is in the best interest of the Government.

19. Signatures

/s/Contract Negotiator

/s/Contracting Officer

5.21 Exhibit XXI – Notification of Award

Letter

[DATE]
[COMPANY NAME]
[ADDRESS]

SUBJECT: [solicitation number], [project title] - Notification of Award

[greeting]

Thank you for your response to the subject requirement. This is to notify you that [firm name, address] has been awarded a contract for providing the A-E services for [project description]. The initial contract award for design is [contract price]. The contract also contains an option for Construction Contract Administration Services for [option price].

[number of firms evaluated] SF 330 submittal package was received by the required submittal date. Interviews were held with [number of firms interviewed] firms.

Your interest in Department of Health and Human Services design requirements is appreciated and I hope you will continue to respond to our future design announcements

/s/Contracting Officer

5.22 Exhibit XXII – Debriefing Response

Letter

[DATE]

[COMPANY NAME]

[ADDRESS]

SUBJECT: [solicitation number], [project title] - Debriefing Response

[greeting]

This letter is in response to your request for a pre-award/post-award debriefing. An evaluation of the significant strengths and weaknesses of your submission by the Selection Board is enclosed. The evaluation was based on the factors indicated in the FedBizOpps announcement.

Your overall rank was ___ out of ___.

Your interest in Department of Health and Human Services design requirements is appreciated and I hope you will continue to respond to our future design announcements.

/s/Contracting Officer

Enclosure

[for post-award debriefings, also include info covered in the FedBizOpps post-award notice]

Debriefing Statement			
<i>Company</i>			
<i>Evaluation Factor</i>	<i>Weight</i>	<i>Score Range</i>	<i>Comments</i>
Professional qualifications necessary for satisfactory performance of required services.	10	[excellent, above average, average, below average, weak]	[representative comments taken from score sheets]
Specialized experience and technical competence in all applicable aspects of standard model designs and custom designs for housing quarters and public spaces, including experience by all disciplines in design, construction methods, systems maintainability and reliability, in cold, rural, and remote regions.	10		
Demonstrated expertise and experience in working as a team with listed consultant(s) and/or subcontractor(s) and ability to effectively manage multiple-firm teams.	8		
Knowledge of and experience by the prime contractor and consultant(s)/subcontractor(s) in the following states and location in the general geographic proximity to sites in [location name].	6		
Past performance on contracts with Government agencies and private industry in terms of cost control, quality of work, and compliance with performance schedules.	5		
Capacity to respond and accomplish the work in the required time.	3		
Extent of active Indian professional and paraprofessional participation.	2		

A/E Selection Guide

Endnotes

-
- ¹ IHS Manual, CH 5, 5-5.10(H)
 - ² Director, DFEE, memorandum dated November 26, 1997
 - ³ IHS Manual, CH 5, 5-5.5(C)
 - ⁴ IHS Manual, CH 5, 5-5.7(Q)
 - ⁵ FAR 16.504(c)
 - ⁶ FAR 16.505(b)
 - ⁷ Director, IHS, memorandum dated February 7, 1995, "Interim Buy Indian Policy"
 - ⁸ Deputy Assistant Secretary for Grants and Acquisition Management, DHHS, memo dated July 9, 1996, "Class Deviation to PHSAR 380.503(a)"
 - ⁹ 40 U.S.C. 542 and FAR 36.601-1
 - ¹⁰ FAR 5.203(d)
 - ¹¹ FAR 5.205(d)
 - ¹² FAR 15.505(a)1
 - ¹³ FAR 36.607(b)
 - ¹⁴ FAR 36.607(a)
 - ¹⁵ FAR 15.503(a)(2)
 - ¹⁶ FAR 36.602-5
 - ¹⁷ FAR 36.606(c)
 - ¹⁸ FAR 15.405
 - ¹⁹ FAR 15.403-4
 - ²⁰ FAR 15.404-2
 - ²¹ FAR 19.705-2
 - ²² FAR 22.805
 - ²³ FAR 15.406-3
 - ²⁴ IHS Manual, CH 5, 5-5.10-G
 - ²⁵ FAR 15.503(b)