

**FAR 16.5 Solicitation Instructions and Evaluation[[1]](#footnote-1)**

**Seeking an Open Source Code Application Developed Solution Using Oral Presentations in Response to a SOO (Annotated Sample[[2]](#footnote-2))**

1. **Instructions**Contract holders[[3]](#footnote-3) must submit their written response in three separate sections[[4]](#footnote-4) within specified formats below at the close of the solicitation. If no page limitations are listed below then assume there are none. Any pages submitted beyond the limitations will not be evaluated.  
   1. **Section1:**
      1. Technical and management presentation[[5]](#footnote-5) (Microsoft PowerPoint)
      2. Technical demonstration of key topics (see figure 1)
         * Agile performance retrospectives – (Microsoft PowerPoint)
         * Code demonstration ((Microsoft PowerPoint)
      3. Project specific organizational chart (Microsoft PowerPoint)
      4. Staffing plan (Microsoft PowerPoint)[[6]](#footnote-6)
   2. **Section 2:** 
      1. Non-proprietary performance work statement (Microsoft Word) (25 pages. The entire document must be readable and of a professional caliber which could be part of a legal contract)
      2. The PWS may, in whole or part, become part of the task order
         * At a minimum please include:
           + A description of activities and how to perform each outcome by objective and task
           + A deliverable schedule
           + Risk management measurements and controls
           + Security concerns (e.g., Maintenance of ATO, Patching, etc.)
         * Please do not include:
           + Marketing
           + Contractor names or identifying markers
           + Any statements that the government “shall” or “must”
      3. Accessibility Conformance Report (Section 508)
   3. **Section 3:** 
      1. Price (Microsoft Excel)
         * Technical presentations are limited to the scheduled time of the presentation agenda; only those slides which are presented during oral technical presentations will be evaluated, any additional slides will be removed from the record by the contracting officer. Presentations must be readable (when printed out[[7]](#footnote-7)) and only what is on the slide will be considered for evaluation. For technical demonstrations of key topics, competitors must demonstrate from their portfolio how they have implemented their approach in a similar environment.
2. **Technical Presentation Instructions**Contract holder submissions must be clear, coherent and delivered in enough detail for the government to determine its level of confidence in the contract holder’s ability to perform the requirements of this task order (TO). Presentations must clearly demonstrate how the competitor intends to accomplish the project and must include convincing rationale and substantiation of all claims. Oral presentations will follow the schedule in Figure 1.  
     
   Contract holders must use their own equipment to deliver the presentation. The government conference room may include (lectern, microphone, presentation screen with computer connection cords, guest Wi-Fi, etc.). Competitors may arrive up to 30 minutes before the scheduled time of their presentation to set up. If held virtually, the government will provide an electronic invitation for the presentation so that it may viewed in real time by multiple government personnel.  
     
   Competitors may bring up to nine attendees. Competitors are encouraged to have only proposed personnel deliver the presentation. For the successful contract holder who wins this TO, please note the annual contract holder performance assessment may include a government statement assessing the proposed personnel, what personnel performed, and any disruptions that may delay work due to contract holder personnel replacements[[8]](#footnote-8). Any firm may attend only one oral presentation, whether for itself as a prime contract holder or as a subcontractor for only one prime firm.  
     
   Contract holders will use the exact presentation submitted at the close of the TO request. The contracting officer will ensure the written presentation is identical to the submitted documents, any substitutions may disqualify a contract holder from award. Contract holders’ presenters and attendees may not use electronics, phones, or other means to reach their firm for any input during the presentations. Oral presentations will be held in or near Washington, D.C. or virtually.  
     
   Oral presentations may be recorded. Given current global conditions, there is a high probability oral presentations may be, in whole or in part, held virtually. This determination will be decided by mutual agreement between each contract holder and the government. If presentations are held virtually, each member of the competitor’s team may be required to adhere to more specific restrictions. Such restrictions may include signing a statement certifying during the time of the presentation the member did not reach out to resources outside of the identified and present oral presentations team. The contract holder is responsible for sending the names and email addresses of all oral presentation participants to the contracting officer and contract specialist prior to the start of the presentation.  
     
   Due to internal government technological connectivity issues the government prefers to use a WebEx meeting for virtual orals. The government is open to alternate software solutions however alternate suggestions will require a connectivity check prior to scheduling oral presentations.  
     
   **Figure 1: Oral Presentations Agenda**

| Date and Time (sample) | Activity | Duration | Location |
| --- | --- | --- | --- |
| 7:30 AM ET | Competitors may arrive and begin set up | Up to 30 minutes | Washington, D.C. or virtual |
| 7:50 AM ET | Contracting officer welcomes competitor team and provides brief process overview | 5 to 10 minutes | Washington, D.C. or virtual |
| 8:00 AM – 9:00 AM ET | Oral presentation | 1 hour | Washington, D.C. or virtual |
| 9:00 – 9:15 AM ET | Break | 15 minutes | Washington, D.C. or virtual |
| 9:15 – 10:15 AM ET | Technical demonstration of key topics. Competitors are not limited to the number of performance retrospectives. Rather presenters are limited by the time allowed.  Topic 1: Agile retrospective  Topic 2: Agile retrospective  Topic 3: Source code submission overview | 1 hour | Washington, D.C. or virtual |
| 10:15 – 11:00 AM ET | Break  Government meets to identify any clarifications or elaborations it may require to understand the presentation and demonstration. | 45 minutes | Washington, D.C. or virtual |
| 11:00 AM – 11:45 AM ET | Questions and answers | 45 minutes | Washington, D.C. or virtual |

1. **Technical and Management Approach**   
     
   The contract holders shall provide a performance work statement (PWS) in response to the statement of objectives (SOO). The proposed solution shall include an explanation of how project and contract management, communication and collaboration with the government, security requirements, documentation, and reporting will function in conjunction with the proposed (agile) methodology.   
     
   Address how your company manages information technology techniques and agile implementation for the delivery of the applications described in the SOO. Address techniques for release planning, plans for engaging end users, methods for capturing and applying lessons learned, testing processes, reasons behind the composition of your agile teams and the rationale behind the proposed development talent and project oversight (tied to the scope), and how you will make resources available within schedule and budget constraints.   
     
   For this effort, the PWS shall clearly illustrate how the outputs of the SOO will be delivered. All applicable deliverables under the PWS shall be executed in a manner consistent with best practices from the U.S. Digital Service Digital Services Playbook. Agile deliverables under this TO are defined as the completion and acceptance according to the “definition of done” of the iterations completed, which are based on the contract holder’s agile methodology. Each iteration shall be defined in the PWS and should document how planning, requirement analysis, testing, quality assurance, and documentation will all meet the contract holder’s proposed “definition of done.”  
     
   The QASP located in the SOO is a sample for some of the high level activities the government may surveil. It is for informational purposes and is not all encompassing. It may differ from the QASP a contract holder submits to the government. The QASP a contract holder submits cannot supersede the task order terms and conditions. The government may choose to accept, reject or hold exchanges over specific terms of a contract holder’s proposed QASP. The QASP is not meant for every deliverable. Rather it is for current market trends and concerns where performance may be risky or problematic and incentives or disincentives are merited
2. **Performance Retrospective**The contract holder shall submit information on previously performed contracts or on-going contracts. This may include contracts where the contract holder acted or is acting as a subcontractor. This information should be similar to this project and was or is performed for federal, state or local governments or industry for commercial items.   
     
   Performance retrospectives – contract holders shall submit retrospectives for recent projects (within the last three years). Each performance retrospective should specifically identify how these performances relate to this requirement. Additionally, at a minimum, each performance retrospective must contain the following information which specifically relates to the ability to perform under this TO:
   1. As part of the retrospective, include demonstrated experience with successfully developing cloud-based software using user experience (UX) design and agile approach methods.
      1. Describe previous agile experience, specifically describing the process and outcome including how customer satisfaction was evaluated and lessons learned were applied
      2. Describe previous implementations utilizing UX design techniques including how user research was conducted and how any feedback was incorporated to drive design and development decisions
      3. Describe previous experience in designing web-based solutions for data collection and publishing that include a microservices architecture, use open source frameworks, and are deployed to cloud environment
         * Examples may include public or private cloud demonstrations, and should specify the cloud service provider (AWS, Azure, Google, etc.) The cloud environment should meet the NIST definition of cloud computing (NIST Special Publication 800-145)
      4. Describe previous experience working in a DevSecOps environment
3. **Source Code Submission Overview**  
     
   The references to one or more source code samples must be demonstrated with either links to Git repositories (either credentialed or public) or to equivalent version-controlled repositories that provide the government with the full revision history for all files. The competitor will need to provide a sample of source code during the oral presentation. The competitor must display this information or otherwise provide it so that government can evaluate it. Competitors without permission to share from the direct source may provide access to a clone of a sample or subset of a government's repository. **The government is not looking for direct access to a repository to view it.**The source code samples should be for projects that are similar in size, scope, and complexity to the project contemplated here. The source code must have been developed by either the competitor itself or a teaming partner that is proposed in response to this task order request. The government would prefer that the source code samples have been for recent projects involving teams of approximately 5-8 full-time equivalent personnel.  
     
   If the references to source code samples provided do not include associated references to user research plans and design artifacts demonstrating how ongoing user research was incorporated into the project, then the competitor must discuss a user research plan and design artifacts relating to at least one of the source code samples provided.  
     
   For each retrospective, identify:
   1. Contract number
   2. Prime or subcontractor (identify the percentage as prime or sub and type of work performed)
   3. Customer name (agency or company)
   4. Primary and alternate customer points of contact (Include name, telephone, email)
   5. Project title, project start and end dates total dollar value of project

Failure to provide accurate or complete reference information may result in a lower evaluation rating.

1. **Staffing Plan**Please describe a staffing plan and a description of your current personnel resources in sufficient detail. The plan may contain titles and labor categories and any unique skillsets to these labor categories. At a minimum your plan should address your approach, assigned staffing capabilities, team structure, size and experience to meet the requirements of the SOO. If you are teaming with another contractor identify how the combined team will work together to fulfill the deliverables.
2. **IT Accessibility Requirements**  
     
   Provide an Accessibility Conformance Report (ACR) for each commercially available Information and Communication Technology (ICT) item offered through this contract. Create the ACR using the Voluntary Product Accessibility Template Version 2.1 or later, located at https://www.itic.org/policy/accessibility/vpat.  
     
   Complete each ACR in accordance with the instructions provided in the VPAT template. Each ACR must address the applicable Section 508 requirements referenced in the Work Statement. Each ACR shall state exactly how the ICT meets the applicable standards in the remarks/explanations column, or through additional narrative. All "Not Applicable" (N/A) responses must be explained in the remarks/explanations column or through additional narrative. Address each standard individually and with specificity, and clarify whether conformance is achieved throughout the entire ICT Item (for example - user functionality, administrator functionality, and reporting), or only in limited areas of the ICT Item.  
     
   Provide a description of the evaluation methods used to support Section 508 conformance claims. The agency reserves the right, prior to making an award decision, to perform testing on some or all of the contract holder’s proposed ICT items to validate Section 508 conformance claims made in the ACR.  
   1. Describe your approach to incorporating universal design principles to ensure ICT products or services are designed to support disabled users.
   2. Describe plans for features that do not fully conform to the Section 508 Standards.
   3. Describe “typical” user scenarios and tasks, including individuals with disabilities, to ensure fair and accurate accessibility testing of the ICT product or service being offered.  
        
      Prior to acceptance, the government reserves the right to perform testing on required ICT items to validate the contract holder’s Section 508 conformance claims. If the government determines that Section 508 conformance claims provided by the contract holder represent a higher level of conformance than what is actually provided to the agency, the government shall, at its option, require the contract holder to remediate the item to align with the contract holder’s original Section 508 conformance claims prior to acceptance.
3. **Price Submission Instructions**The contract holder must submit pricing by the closing time of the solicitation. The SF-1449 must be submitted with priced contract line items.  
     
   The contract holders shall identify the labor category(s) to be used for this effort and the fixed loaded hourly rate(s) proposed.  
   1. **Pricing shall include the following:**
      1. A total price for each CLIN (per year of effort, including all options and optional quantities)
      2. All reductions including rebates offered
   2. **Labor hours:** 
      1. For labor hour the contract holders pricing shall be based on their CIO-SP3 Labor Rates. The hourly rates are ceiling price rates and the contract holder may, at their discretion, elect to propose lower hourly rates when responding to a TOR. Contract holders shall explain in their TO approach any loaded hourly labor rates that exceed the rates in the GWAC or for new proposed labor categories (see Article H.1.1 of the ID/IQ). Ensure that Section II, paragraph B with a complete break out of labor categories of this solicitation is competed and returned with your submission.
   3. **Price breakouts:**
      1. Pricing for this effort is required to be on a unit of measure that is equivalent to the proposed sprint, iteration, and release cycle as proposed in the PWS. The technical solution for sizing, iteration time, and throughput must correlate to the proposed pricing. Not all iterations must be equal in time, length, or activities contained within, but variations must be explained as part of the technical solution. The contract holders shall identify the members of the team and identify them by labor category(s) to be used for this effort by sprint.
4. **Evaluation Factors and Evolution Methodology**   
     
   The evaluation will consider technical factors and price. In the evaluation, technical is more important than price. Evaluation factors are listed in descending order of importance:  
   1. Technical and Management Approach
   2. Staffing Plan

Technical and management are considered moderately more important than staffing. In the event solutions are evaluated as technically equal in quality, price will become a more significant consideration in selecting the successful contract holder. While pricing is always important, it will not be an evaluation factor. It will be analyzed and assessed for a fair and reasonable price determination.

1. **Technical Evaluation Factors and Evaluation Methodology**The government will assess its level of confidence that the contract holder will successfully perform the requirements of this solicitation based on the competitor’s ability and experience.  
     
   **Figure 2: Evaluation Rating Table**

| **Rating** | **Definition** |
| --- | --- |
| **High Confidence** | The government has **high confidence** that the contract holder understands the requirement, proposes a sound approach, and will be successful in performing the contract with **little or no** government intervention. |
| **Some Confidence** | The government has **some confidence** that the contract holder understands the requirement, proposes a sound approach, and will be successful in performing the contract with **some** government intervention. |
| **Low Confidence** | The government has **low confidence** that the contract holder understands the requirement, proposes a sound approach, and will be successful in performing the contract **even with** government intervention. |

1. **Price Evaluation Factor and Evaluation Methodology**A price analysis will be performed to determine if the price proposed is fair and reasonable. Price will be evaluated using the price analysis methods of FAR Part 15.4.  
   1. Selection and Award
      1. **Fair Opportunity**  
         This request is conducted under the fair opportunity guidelines of FAR 16.505 and Article G.7.1 of the CIO-SP3 GWAC. Award will be based on a determination of best value to the government, price, and other factors considered. This method does not use any aspects of FAR subpart 15.3.
      2. **Comparative Analysis**Following receipt of responses and oral presentations for this TO request, the government may perform a comparative analysis (comparing contract holders’ responses to one another). This method supports the selection of the contract holder that is best suited to fulfill the requirements, based on the contract holders’ responses to the factors outlined in this TO request.
      3. **Award on Initial Responses**  
         The government anticipates selecting the best suited contract holder from initial responses, without engaging in exchanges. Contract holders are strongly encouraged to submit their best technical solutions and price in response to this TO request.
      4. **Exchanges with Best-Suited Contract Holder**  
         Once the government determines the contract holder that is the best-suited (i.e., the apparent successful contract holder), the government reserves the right to communicate with only that contract holder to address any remaining issues, if necessary, and finalize a TO with that contract holder. These issues may include issues with technical, pricing and terms and conditions. If the parties cannot successfully address any remaining issues, as determined pertinent at the sole discretion of the government, the government reserves the right to communicate with the next best-suited contract holder based on the original analysis and address any remaining issues. Once the government has begun communications with the next best-suited contract holder, no further communications with the previous contract holder will be entertained until after the TO has been awarded. This process shall continue until an agreement is successfully reached and a TO is awarded.

1. This example takes advantage of FAR 16.505(b)(ii), which states the contracting officer may exercise broad discretion in developing appropriate order placement procedures. The contracting officer should keep submission requirements to a minimum. Contracting officers may use streamlined procedures, including oral presentations. [↑](#footnote-ref-1)
2. This is a sample and is shared to provide the reader one way in which modern information technology solutions are evaluated. This sample is meant, in part, as a mental springboard to help you write your instructions and evaluations specific to your requirement and agency needs. [↑](#footnote-ref-2)
3. This document differentiates contract holder (NITAAC prime) from competitor (prime and subs) [↑](#footnote-ref-3)
4. This language is meant to be all encompassing of the competitor’s total response. [↑](#footnote-ref-4)
5. In this example plans such as performance management plans are included under the technical and management presentation. It has been a best practice to hold orals (see schedule below) for 1 hour or less. Please give consideration to how much you ask for and the time allotted to the contract holders. [↑](#footnote-ref-5)
6. No key personnel were used to meet this requirement. The market research indicated that although there were standard positions used to support a contract (project manager, scrum master, etc.), none were identified as needed to be unique or is high demand to need contractually bound specifically qualified key personnel. [↑](#footnote-ref-6)
7. In this example limited restrictions (font size, margin, etc.) are in place due to feedback from industry. Market research sessions have revealed sometimes industry can spend hours trying to make a format fit to a prescribed standard. [↑](#footnote-ref-7)
8. The intent is not to measure individuals or individual performance but to measure performance of the contract. [↑](#footnote-ref-8)