SECTION 00120
PROPOSAL EVALUATION AND CONTRACT AWARD

LOWEST-PRICED, TECHNICALLY ACCEPTABLE (LPTA)

1. ELIGIBILITY FOR CONTRACT AWARD.

In accordance with the Federal Acquisition Regulation (FAR), no contract shall be entered into unless the Contracting Officer ensures that all requirements of law, executive orders, regulations, and all other applicable procedures, including clearances and approvals, have been met. This includes the FAR requirement that no award shall be made unless the contracting officer makes an affirmative determination of responsibility. To be determined responsible, a prospective contractor must meet the general standards in FAR Part 9 and any special standards set forth in the solicitation.

2. LOWEST PRICE TECHNICALLY ACCEPTABLE (LPTA) SOURCE SELECTION PROCESS.

An evaluation for acceptability will be performed on each proposal in accordance with FAR 15.101-2 (b) (1). The proposal that provides either the lowest price within 25% above or below the Independent Government Estimate or within 25% above or below the average of all of the offers received and is otherwise technically acceptable in all factors will be selected for award. To be considered technically acceptable, no technical factor in the proposal may be determined to be unacceptable. The failure of a proposal to meet all of the requirements under any Factor will result in a technically unacceptable rating and preclude award.

The Government will evaluate proposals as follows. Each proposal will be evaluated by a single evaluator of the Source Selection Evaluation Board (SSEB). If any Factor is determined "NO GO" by the evaluator, the evaluator will fully disclose the issue(s) to the other SSEB evaluators of the Source Selection Evaluation Board. The other members of the SSEB will then review the individual adverse assessment. No factor will be rated as a No Go unless there is a consensus among the SSEB members that the assessment is consistent with the evaluation criteria stated in Section 00120.

The Government price evaluators will conduct a price analysis of overall prices and then perform a realism analysis for the purpose of measuring each Offeror's understanding of the requirements and to assess the risk inherent in an Offeror's proposal. Total prices submitted by the Offeror that are determined to be more than 25% above or below the Independent Government Estimate and more than 25% above or below the average of all the price proposals received in response to the solicitation will be considered to be unreasonably high or unrealistically low and will not be considered for award. In the event the Government receives more than ten proposals in response to this solicitation, the Government will evaluate proposals as follows. First, the Government will determine which ten complete proposals have the lowest overall proposed prices. The technical (non-pricing) volume(s) of each of these proposals will be given to the Technical Evaluators for review, without

identification of the prices or any rank order of prices. If no proposals are found to be technically acceptable within this first group of proposals, then the process described will be conducted again, as many times as necessary, until such time as the Government identifies a technically acceptable proposal(s). Should no proposal be determined technically acceptable, the Contracting Officer will establish a competitive range consisting of the most highly rated proposals. After receipt of the Offeror's responses raised during Discussions with all Offerors included in the competitive range, responses will be rated again in the same manner as in the initial evaluation.

3. BASIS OF AWARD.

Subject to the provisions contained herein, award will be made to one (1) Offeror who is deemed responsible in accordance with the Federal Acquisition Regulation who conforms to the solicitation requirements; and whose proposal, judged by an overall assessment of the evaluation criteria and other considerations specified in this solicitation meets the technically acceptable standard for the non-cost factors and provides the lowest evaluated price.

4. EVALUATION OF THE PRICE PROPOSALS

Price will be evaluated and considered but will not be scored or combined with other aspects of the proposal evaluation. The proposed prices will be analyzed for reasonableness. They will also be analyzed to determine whether they are realistic for the work to be performed, reflect a clear understanding of the requirements, and are consistent with the information provided by the Offeror. Additionally, all offers will be analyzed for unbalanced pricing.

The otherwise technically-acceptable lowest-priced Offeror may be required to confirm/validate its price on a Contract Line Item (CLIN), element, or total price basis, and/or provide additional information in support of their price, prior to contract award at the Government's request and discretion.

5. EVALUATION OF THE TECHNICAL PROPOSAL.

The Technical Proposal will be evaluated based on the following evaluation criteria:

A. <u>FACTOR 1 - EXPERIENCE:</u> The Government will review the Experience of the Offeror, including subcontractors and Joint Ventures, on projects submitted in response to Section 00110, Factor 1. "**<u>Same or Similar</u>**" as referenced below, is defined as experience on projects that are the same or similar in size, scope, complexity and dollar magnitude as the project described in the solicitation. Offerors must meet all of the following standards to receive a "GO" or acceptable rating on this factor:

- Offeror shall complete no more than five (5), Experience Information forms on projects. All blocks must be completed and all data must be accurate, current, and complete.

- At least two (2) of the projects submitted must be the **<u>same or similar</u>** to the project described in the solicitation.

- All projects submitted must be at least 50% complete.

- At least one (1) of the projects submitted must be valued at over $5,000,000.00 **AND** must have been completed within the last 3 years. This project must be the **same or similar** to the project described in the solicitation.

- At least one (1) project must have been successfully completed in the Province in which the solicitation project is to be located within the last three (3) years. This project must be 100% complete. This project **does not** have to be the **same or similar** to that described in the solicitation.

***Failure to meet all of the requirements under this factor will result in a "NO GO" or unacceptable rating and possible elimination from further consideration for contract award.

B. FACTOR 2 - KEY PERSONNEL: The Government will review the resumes provided in response to Section 00110, Factor 2. Offerors must meet all of the following standards to receive a "GO" or acceptable rating on this factor.

The Offeror must submit resumes for the following Key Personnel:

Project Manager for Design
Project Manager for Construction
Senior Electrical Engineer
Senior Mechanical Engineer
Senior Civil Engineer
On-Site Construction Superintendent
Safety Officer
Quality Control Manager
Project Scheduler (Resume must indicate Scheduling Software experience (e.g., Primavera, Microsoft Project)

All resumes must include the following information and may NOT exceed two (2) pages.

- Name and title
- Project assignment
- Name of firm with which associated
- Years experience with this firm (to include your field of expertise/discipline) **and** years of experience with other firms (to include your field of expertise/ discipline)
- Education degree(s), year, and institution
- Active professional registration, year first registered, if applicable
- Other experience and qualifications relevant to same/similar work required under this contract
- List of projects in which the individual has worked to include Name of project(s) and project location(s)

The following key personnel must have degrees in the required disciplines:

- Project Manager for Design – Architectural or Engineering Degree
- Project Manager for Construction – Architectural or Engineering Degree
- Senior Electrical Engineer – Electrical Engineering Degree
- Senior Mechanical Engineer – Mechanical Engineering Degree
- Senior Civil Engineer – Civil Engineering Degree

ALL Key Personnel shall have a minimum of three (3) years of professional experience in that field. For example, a Civil Engineer must have a degree in Civil Engineering and 3 years of professional civil engineering experience.

***Failure to meet all of the requirements under this Factor will result in a "NO GO" or unacceptable rating and elimination from further consideration for contract award.

C. FACTOR 3 - SECURITY PLAN: The government will evaluate the Offeror's "draft" Security Plan describing how they intend to meet the requirements found in Technical Specification Section 01040 "Security". The plan shall be specific to the geographic area of the project. At a minimum, the draft Security Plan must address the following:

- Licensed Armed Guards - Section 01040 paragraph 6.0
- Access Control to Limit Entry – Section 01040 paragraph 4.0
- Security for Road Projects, Transportation and Convoys - Section 01040 paragraph 4.2
- Movement of Project Equipment and Supplies - Section 01040 paragraph 4.2.1
- Threat Assessment - Section 01040 paragraph 5.2
- Coordinate with Local Police - Section 01040 paragraph 5.5

The Offeror also must submit either a:

1) letter of commitment from a licensed Private Security Contractor (PSC)

OR

2) a statement indicating that they will self-perform the security functions.

***Failure to meet all of the requirements under this Factor will result in a "NO GO" or unacceptable rating and elimination from further consideration for contract award.

D. FACTOR 4 - PAST PERFORMANCE: The Government will review the relevancy of the Offeror's Past Performance, including subcontractors and Joint Ventures, on projects submitted in response to Section 00110, Factor 4. Relevant Past Performance is defined as past performance on projects that is the same or similar in size, scope, complexity and dollar magnitude as the project described in the solicitation. Offerors

must meet all of the following standards to receive a "GO" or acceptable rating on this factor:

- The Offeror shall complete and submit no more than five (5) Past Performance forms attached at the end of Section 00110 in response to this factor. Past Performance forms submitted must be on projects that are at least 50% completed within the last three (3) years.

- At least (1) one of the Past Performance forms submitted must be for a project that has been successfully completed (i.e., 100% completed) in the Province in which the solicitation project is located within the last three (3) years. This project <u>does not</u> have to be the <u>same or similar</u> to that described in the solicitation.

- All blocks on the Past Performance form must be completed and all data must be accurate, current and complete, to include the DUNS number, if available and the two (2) Points of Contact/References for each project.

- Letters of recommendation, commendations, and/or awards on projects, which demonstrate construction experience will be reviewed and evaluated if provided by the Offeror.

***Failure to meet all the requirements under this factor will result in a "NO GO" or unacceptable rating.

***In the case of an Offeror without a record of relevant past performance or for whom information on past performance is not available, the Offeror may not be evaluated favorably or unfavorably on past performance.

The Contractor Performance Assessment Reporting System (to include ACASS, CCASS, and CPARS) will be utilized to validate past performance ratings on Department of Defense contracts, as well as any other past performance information source the Government deems necessary to evaluate a contractor's past performance.

The U.S. Army Corps of Engineers, Afghanistan Engineer District-North, maintains final evaluations of Offeror's performance in the Resident Management System (RMS), hard copies in contract files, and previous past performance evaluations conducted by the Government. Any and all of this information may be used when evaluating past performance of Offerors if it is determined to be recent and relevant by the Contracting Officer.

The Government may use the list of projects under way, and other information, to contact references provided as part of Factor 1 – Experience, or any other sources, for information regarding the Offeror's past performance on projects and for the purposes of assessing and verifying the scope of the work performed.

E. <u>FACTOR 5 - AFGHAN CAPACITY DEVELOPMENT:</u> The Government will review the Resume for the Afghan Capacity Development Manager and the Afghan

Capacity Development Form provided in response to Section 00110, Factor 5. Offerors must meet all of the following standards to receive a "GO" or acceptable rating on this factor.
The Resume must include the following information and may not exceed one (1) page:

- Name
- Capacity building experience (to include but not limited to improving Afghan laborer skills including on-the-job training; working or coordinating with vocational/technical trade schools; experience with recruitment and hiring of skilled Afghan labor).

The Offeror must complete and submit the Afghan Capacity Development Form at the end of Section 00110 stating the minimum percentage of workforce to be Afghan in Column 2.

The signature block on the Afghan Capacity Development Form must be completed by an executive officer in the company who has legal authority to make the commitments and who certifies that Section 001065 "Capacity Development" was read, and that the company must comply with the hiring requirements for skilled Afghan technical worker (i.e. minimum of 50%) and highly skilled Afghan technical workers (i.e. minimum of 25%).

The Offeror must fill-in Column (2) on the Afghan Capacity Development Form to show the percentage of 1) skilled Afghan technical workers and 2) highly skilled Afghan technical workers to be employed on this project.

- Skilled Technical Workers include, but are not limited to: equipment operators, masons, reinforcing steel workers, concrete finishers, laboratory technicians, painters, and carpenters.

- Highly Skilled Technical Workers include: electricians and plumbers who have completed advanced electrical or plumbing courses with certification.

The percentage (%) of workers you indicate in column (2) must be equal to or greater than the percentage shown in column (3).

***Failure to meet all the requirements under this factor will result in a "NO GO" or unacceptable rating.

6. OTHER AWARD FACTORS. The Contracting Officer shall consider several factors in the selection process which are important, but not quantified, such as:

(1) Agreement by the Offeror to all general and special contract provisions and clauses.

(2) Determination of responsibility of the contractor by the Contracting Officer in accordance with the provisions of the Federal Acquisition Regulation, Part 9.1. In order to be determined responsible, a prospective contractor must:

(a) Have adequate financial resources to perform the contract or the ability to obtain them.

(b) Be able to comply with the required or proposed delivery or performance schedule taking into consideration all existing commercial and Governmental business commitments.;

(c) Have a satisfactory performance record.

(d) Have a satisfactory record of integrity and business ethics.

(e) Have the necessary organization, experience, accounting and operational controls, and technical skills, or the ability to obtain them.

(f) Have the necessary production, construction, and technical equipment and facilities, or the ability to obtain them.

(g) Be otherwise qualified and eligible to receive an award under applicable laws and regulations.

7. GENERAL TECHNICAL CRITERIA

a. Material omission(s) may cause the technical proposal to be rejected as unacceptable.

b. Proposals which are generic, vague, or lacking in detail may be considered unacceptable. The Offeror's failure to include information that the Government has indicated should be included may result in the proposal being found deficient if inadequate detail is provided.

c. The Government cannot make award based on a deficient offer. Therefore, receipt of a "NO GO" determination of acceptability for any factor will make the offer ineligible for award, <u>unless</u> the Government elects to enter into discussions with that Offeror and all deficiencies are remedied in a revised proposal.