

SOLICITATION, OFFER AND AWARD		1. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700)	RATING	PAGE OF PAGES 1 52	
2. CONTRACT NUMBER	3. SOLICITATION NUMBER 08T080114		4. TYPE OF SOLICITATION <input type="checkbox"/> SEALED BID (IFB) <input checked="" type="checkbox"/> NEGOTIATED (RFP)	5. DATE ISSUED 07/21/2008	6. REQUISITION/PURCHASE NUMBER 08T080114
7. ISSUED BY DHHS/PSC/SAS/DAM PARKLAWN BUILDING, ROOM 5-101 5600 FISHERS LANE ROCKVILLE MD 20857			8. ADDRESS OFFER TO (if other than Item 7)		

NOTE: In sealed bid solicitations "offer" and "offeror" mean "bid" and "bidder".

SOLICITATION

9. Sealed offers in original and 6 copies for furnishing the supplies or services in the Schedule will be received at the place specified in Item 8, or if hand carried, in the depository located in _____ until 1300 ES local time 08/22/2008
(Hour) (Date)

CAUTION: LATE Submissions, Modifications, and Withdrawals: See Section L, Provision No. 52.214-7 or 52.215-1. All offers are subject to all terms and conditions contained in this solicitation.

10. FOR INFORMATION CALL:	A. NAME ANITA NEARHOOF	B. TELEPHONE (NO COLLECT CALLS)			C. E-MAIL ADDRESS ANITA.NEARHOOF@PSC.HHS.GO V
		AREA CODE 301	NUMBER 443-5312	EXT.	

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OFFER (Must be fully completed by offeror)

NOTE: Item 12 does not apply if the solicitation includes the provisions at 52.214-16, Minimum Bid Acceptance Period.

12. In compliance with the above, the undersigned agrees, if this offer is accepted within _____ calendar days (60 calendar days unless a different period is inserted by the offeror) from the date for receipt of offers specified above, to furnish any or all items upon which prices are offered at the price set opposite each item, delivered at the designated point(s), within the time specified in the schedule.

13. DISCOUNT FOR PROMPT PAYMENT (See Section I, Clause No. 52.232.8)

<input type="checkbox"/>	10 CALENDAR DAYS (%)	<input type="checkbox"/>	20 CALENDAR DAYS (%)	<input type="checkbox"/>	30 CALENDAR DAYS (%)	<input type="checkbox"/>	CALENDAR DAYS (%)
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14. ACKNOWLEDGEMENT OF AMENDMENTS (The offeror acknowledges receipt of amendments to the SOLICITATION for offerors and related documents numbered and dated):

AMENDMENT NO.	DATE	AMENDMENT NO.	DATE

15A. NAME AND ADDRESS OF OFFEROR	CODE	FACILITY	16. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER (Type or print)

15B. TELEPHONE NUMBER	15C. CHECK IF REMITTANCE ADDRESS IS DIFFERENT FROM ABOVE - ENTER SUCH ADDRESS IN SCHEDULE.	17. SIGNATURE	18. OFFER DATE
AREA CODE NUMBER EXT.	<input type="checkbox"/>		

AWARD (To be completed by government)

19. ACCEPTED AS TO ITEMS NUMBERED	20. AMOUNT	21. ACCOUNTING AND APPROPRIATION	
22. AUTHORITY FOR USING OTHER THAN FULL AND OPEN COMPETITION: <input type="checkbox"/> 10 U.S.C. 2304 (c) () <input type="checkbox"/> 41 U.S.C. 253 (c) ()		23. SUBMIT INVOICES TO ADDRESS SHOWN IN (4 copies unless otherwise specified) <input type="checkbox"/> ITEM	
24. ADMINISTERED BY (If other than Item 7) CODE		25. PAYMENT WILL BE MADE BY CODE	
26. NAME OF CONTRACTING OFFICER (Type or print) ANITA L. NEARHOOF		27. UNITED STATES OF AMERICA (Signature of Contracting Officer)	
		28. AWARD DATE	

CONTINUATION SHEET

REFERENCE NO. OF DOCUMENT BEING CONTINUED
08T080114

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NAME OF OFFEROR OR CONTRACTOR

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
1	<p>EVALUATION OF THE ADVANCING SYSTEM IMPROVEMENTS TO SUPPORT TARGETS FOR HEALTHY PEOPLE 2010 (ASIST2010) PROGRAM</p> <hr/> <p>FOB: Destination</p> <p>EVALUATE THE ADVANCING SYSTEMS IMPROVEMENTS TO SUPPORT TARGETS FOR HEALTHY PEOPLE 2010 (ASIST2010) PROGRAM</p>				

SECTION B – SUPPLIES OR SERVICES AND PRICES/COSTS

B.1. Consideration

In consideration of the performance of the work outlined in Section C – Description/Specifications/Work Statement, the Government agrees to compensate the Contractor in accordance with the schedule below:

Equal Monthly Payments (divided equally for the 26 month period of performance) based on the approval of deliverables from the Project Officer.

Total Fixed Price \$ _____

SECTION C - DESCRIPTION/SPECIFICATIONS/WORK STATEMENT**C.1 PROJECT TITLE**

EVALUATION OF THE ADVANCING SYSTEM IMPROVEMENTS TO SUPPORT TARGETS FOR HEALTHY PEOPLE 2010 (ASIST2010) PROGRAM

C.2 PURPOSE

The purpose of this solicitation is to conduct an evaluation of the newly funded Advancing System Improvements to Support Targets for Healthy People 2010 (ASIST2010) program to answer the following evaluation question – Can a public health system/collaborative partnership approach have a positive impact on Healthy People 2010 targets? A public health system is defined as an established collaborative partnership between governmental and non-governmental partners.

C.3 BACKGROUND

The Department of Health and Human Services (DHHS) Office on Women's Health (OWH) implemented the ASIST2010 program in September 2007. The intent of the program is to use a public health systems approach, a sex and gender-based focus, and evidence-based strategies to improve performance on two or more of the seven HP 2010 Focus Areas targeted by this initiative – Cancer, Diabetes, Heart Disease and Stroke, Access to Quality Health Services, Educational and Community-Based Programs, Nutrition and Overweight, and Physical Activity and Fitness – and on at least one objective within each Focus Area. Consequently, the OWH has 13 very different ASIST2010 programs serving diverse populations and located in diverse organizations.

The goals of the ASIST2010 program are to:

1. Support existing public health systems/collaborative partnerships that add a sex and gender focus to the selected HP 2010 Focus Areas and objectives identified above, and
2. Provide additional support to HP 2010 objectives that track the health status of women to help them move towards their targets.

To enhance the applicant's chance of meeting its objectives/targets within the three-year project period, the OWH required applicants to use evidence-based strategies to implement their programs and SMART objectives to define, measure, and track outcomes. Among the measurable outcomes to be achieved by the public health systems/collaborative partnership supported by the ASIST2010 grants are: 1) development of sex and gender-focused implementation strategies; 2) enhancement of existing surveillance systems to collect quality data to detect sex and gender differences in health care and to track the individuals served, 3) expanded reach of the public health system/collaborative partnership, 4) improved movement towards the selected HP 2010

objectives supported by the program, and 5) development and implementation of a sustainability plan.

Public and private organizations (public and private academic institutions and hospitals); community and faith-based organizations; medical groups/practices; and tribes and tribal organizations with women's and men's health experience and funding lasting through September 30, 2010, that will help support the proposed ASIST2010 program activities, were eligible to apply for this grant. On September 1, 2007, three-year grants were awarded to 12 organizations – 3 academic medical centers, 3 community-based organizations, 2 hospitals, 2 State health departments, 1 county health department, and 1 foundation. An additional academic medical center is also participating in the ASIST2010 program at no cost to the OWH. A list of grantees is available at: <http://www.4woman.gov/owh/ASIST2010> The full announcement for the ASIST2010 program was published on April 18, 2007, in Volume 72, Number 74 of the *Federal Register*.

The OWH believes in the value of a public health systems approach to improve health outcomes. The OWH also believes that this public health system/collaborative partnership approach, with a sex and gender focus, will help improve the health of US women and girls as well as men and boys, improve the quality of care provided, reduce disparities, and potentially, reduce overall health care costs by reducing duplication and/or enhancing coordination of services.

C.4 STATEMENT OF WORK

The Contractor is responsible for providing all of the resources necessary to conduct the evaluation of the ASIST2010 program. Additionally, the Contractor will formulate the questions and a methodology to examine each of the program requirements listed below. Whether:

- a surveillance/information system to track clients served to help measure progress towards targets was established.
- a sex and gender-based program focus was implemented.
- a plan to sustain the program after OWH funding ends was developed and implemented.
- the ASIST2010 grantees made progress in meeting their SMART (specific, measurable, achievable, relevant, and timely) objectives.
- the public health systems/collaborative partnerships was able to deliver effective and appropriate sex and gender-based care.¹

¹ The definition of sex and gender used in this RFP and in the ASIST2010 RFA is based on the Institute of Medicine report titled *Exploring the Biological Contributions to Human Health: Does Sex Matter?* It defines sex as a classification generally of male and female according to reproductive organs and function that is derived from the chromosomal complement. The term gender is defined as a person's self representation as a male or female and how that person is responded to by social institutions on the basis of individual gender presentations.

- the infrastructure changes needed to implement and sustain activities essential to the delivery of comprehensive, integrated, sex and gender-focused care were made.
- In addition to examining the ability of public health systems/collaborative partnerships to deliver sex and gender-based care, it is OWH's desire that this evaluation will also identify best practices that may help address the shortage of data to do sex and gender analyses.
- If necessary, the Contractor will need to implement Memorandum of Understanding (MOU) with the ASIST2010 grantees to obtain access to individual data collected by the grantees. The MOU must adhere to and be cognizant of Institutional Review Board (IRB) approval requirements.
- The Contractor must also prepare the Office of Management and Budget (OMB) clearance document and help shepherd it through the clearance process.
- Compare evidence-based strategies selected by the grantees with similar/relevant peer-reviewed evidence-based strategies to assess the effectiveness of strategies used.

In addition, each ASIST2010 grantee is expected to implement system level changes that will help sustain their program after OWH funding ends. The Contractor will need to develop a methodology and appropriate data collection instrument(s) to evaluate the public health system changes. Examples of public health system change may include new or revised laws, policy changes and/or implementation of new policy, training/retraining of health care providers, etc. The proposed evaluation strategy must be described in sufficient detail in the proposal to facilitate an assessment of the offeror's capability to evaluate this complex program.

The OWH will use the results of the evaluation to: 1) document objectively progress made towards satisfying SMART objectives and HP 2010 objectives/targets, 2) validate that a public health systems/collaborative partnerships approach is an effective way of delivering sex and gender-based care, 3) demonstrate that evidence-based strategies can be adapted to other communities and populations, and 4) describe public health system/collaborative partnership changes in each ASIST2010 site.

C. 5 GOVERNMENT FURNISHED INFORMATION

Background information on OWH resources, HP 2010, and grantee reports will be made available to the winning Contractor. A brief description of this information is provided below.

In preparation for the announcement of the ASIST2010 program, the OWH contracted a *Literature Review on Effective Sex- and Gender-Based Systems/Models of Healthcare*. The full report is available at

<http://www.womenshealth.gov/owh/multidisciplinary/reports/GenderBasedMedicine>

The OWH also contracted a report titled, *Implementing Systems Change to Improve Women's Health Care: National Community Centers of Excellence in Women's Health*. This report provides a synthesis of literature on successful system change initiatives within health care organizations and a review of how the best practices were incorporated in the CCOE systems change efforts. The report also discusses sustaining change efforts, two areas of focus for the ASIST2010 grantees and the ASIST2010 evaluation. These reports are being made available as background information.

The OWH will also make available the progress reports and data collected from the grantees relative to their programs. Each ASIST2010 grantee has collected data specific to their site such as individual risk factors, disease status, etc. Approximately half of the grantees are using BRFSS data as a resource for their local evaluation. The Contractor should also consider the use of the BRFSS for the national evaluation.

Additionally, OWH staff has compiled tables with SMART objectives, sustainability plans, and HP 2010 Focus Areas and objectives by grantees. These tables will also be made available to the Contractor. If deemed necessary by the Contractor, the OWH will also schedule time on the agenda of the monthly Directors' conference calls for updates on the status of the evaluation and discussion of evaluation related issues.

Background information is also available on Healthy People 2010. Healthy People 2010 is a comprehensive, national disease prevention and health promotion agenda designed to improve the health of all people in the US during the first decade of the 21st century. HP 2010 builds on initiatives implemented over the past 20 years including:

- *Healthy People: The Surgeon General's Report on Health Promotion and Disease Prevention* (1979),
- *Promoting Health/Preventing Disease: Objectives for the Nation* (1980), and
- *Healthy People 2000: National Health Promotion and Disease Prevention Objectives* (1990).

The two overarching goals of HP 2010 are to increase years and quality of healthy life and to eliminate health disparities. These two goals are supported by specific objectives in 28 Focus Areas. HP 2010 documents are available on line at the Healthy People website:

<http://www.healthypeople.gov> A midcourse review of HP 2010 objectives was completed within the past year. The current list of HP 2010 objectives assessed at the midcourse review and results are available at: <http://www.healthypeople.gov/Data/midcourse>

SECTION D – PACKAGING AND MARKING

D.1. Payment of Postage and Fees

All postage and fees related to submitting information including forms, reports, etc. to the Contracting Officer or Project Officer shall be paid by the Contractor.

D.2. Marking

All information submitted to the Contracting Officer or the Project Officer shall clearly indicate the number of the contract for which the information is being submitted.

SECTION E – INSPECTION AND ACCEPTANCE

E.1. Inspection and acceptance of all deliverables called for by the contract shall be made by the Project Officer.

E.2. **52.252-1 - Solicitation Provisions Incorporated by Reference. (FEB 1998)**

SOLICITATION PROVISIONS INCORPORATED BY REFERENCE (FEB 1998)

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

<http://www.acqnet.gov/far>

52.246-4 - Inspection of Services - Fixed-Price. (AUG 1996)

SECTION F - DELIVERIES OF PERFORMANCE**F.1 PERIOD OF PERFORMANCE**

The period of performance shall be 26 months, beginning the date the contract is signed and ending 26 months later.

F.2 DELIVERABLES

The Contractor shall submit one paper copy and an electronic version of the following reports/deliverables to the Project Officer. The items specified for delivery are subject to the review and approval of the Project Officer before final acceptance. The Contractor is required to make all revisions deemed necessary by the Project Officer.

1. **Monthly Progress Reports** – The reports shall include a discussion of the tasks undertaken, progress made, problems encountered, their resolution, and their impact on the period of performance, if applicable, and the total expenditures for the month and year-to-date.
2. **Evaluation Plan** – Describe how the Contractor plans to conduct the evaluation and the strengths and weaknesses of the approach. The Evaluation Plan should also include the research question or revised research question and sub-questions.
3. **Evaluation Methodology** – Draft and final evaluation methodology reports that include the data collection instruments.
4. **Data Analysis Plan** – Describe how the data will be analyzed and reported.
5. **OMB Clearance Document** – Drafts and a final OMB clearance document for the proposed evaluation that adheres to OMB guidance for the preparation of the document.
6. **Evaluation Report** – Draft and final Evaluation Report that discusses the results of the evaluation of the ASIST2010 program. The final evaluation report must be Section 508 compliant.
7. **Documentation Manual** – The Contractor will provide OWH a copy of the data and develop a documentation manual/guide that describes the layout of the data within the database.
8. **Timeline** – Include a detail list of tasks, for completing the evaluation. Sufficient time should be included in the timeline for the grantees to review and provide comments on the evaluation plan, the evaluation methodology and data collection instruments. Depending on the format of the final report, time should also be included for the grantees to review and comment on the draft evaluation report.
9. **Interim Briefs and Presentations on Preliminary Findings** – The Contractor shall prepare two evaluation briefs and make two preliminary presentations on findings from the survey. The evaluation briefs must be written in non-technical language and highlight key findings from the survey. The briefs should emphasize key findings on successful evidence-based strategies, perceived barriers, identified

program strengths and weaknesses, recommendations for advancing HP 2010 objectives, and other key findings from the evaluation. The Contractor shall also provide oral presentations on the survey findings. The evaluation briefs should be submitted as soon as preliminary analyses of the qualitative and quantitative data are completed.

10. **Annotated Outline of Final Report** – The annotated outline should include a brief discussion of the information to be reported in each section of the report along with sample tables, graphs, and/or charts.

F.3 DELIVERY SCHEDULE

The delivery schedule is based on a September 1, 2008, award date. If the contract is awarded after this date, deliverable due dates will be adjusted accordingly. The Contractor shall submit one paper copy of all deliverables to the Project Officer, as well as an electronic version. Within two weeks of the award of the contract, the Contractor will schedule a kick-off meeting with the OWH staff.

<u>Item</u>	<u>Quantity</u>	<u>Due Date</u>
1. Monthly Progress Reports*	1	10 th day of each month or the following Monday, if the 10 th is on Saturday or Sunday
2. Draft Evaluation Plan	1	October 15, 2008
3. Final Evaluation Plan	1	November 14, 2008
4. Draft Evaluation Methodology Report	1	January 16, 2009
5. Final Evaluation Methodology Report	1	February 18, 2009
6. Draft OMB Clearance Document	1	March 16, 2009
7. Final OMB Clearance Document	1	April 17, 2009
8. Anticipated OMB Clearance		November 20, 2009
9. Interim Briefs and Presentations	2	TBD by Contractor
10. Draft Data Analysis Plan	1	June 1, 2010
11. Final Data Analysis Plan	1	June 30, 2010

12. Annotated Evaluation Report Outline	1	July 20, 2010
13. Draft Evaluation Report	1	August 31, 2010
14. Final Evaluation Report	1	September 30, 2010
15. Draft Executive Summary	1	September 15, 2010
16. Final Executive Summary	1	October 20, 2010
17. Documentation Manual	1	November 30, 2010

*One copy of each monthly progress report shall be forwarded to the Contracting Officer's attention at: DHHS/PSC/SAS/Division of Acquisition Management, 5600 Fishers Lane, Room 5-101, Rockville, MD 20857.

F.4. 52.252-1 - Solicitation Provisions Incorporated by Reference. (FEB 1998)

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<http://www.acqnet.gov/far>

FAR 52.242-15 – Stop Work Order (Aug.1989)

SECTION G – CONTRACT ADMINISTRATION

G.1. Compensation

As consideration for full and faithful performance of work stated in the schedule, the Government shall pay the Contractor the hourly rates as shown in Section B.

Payment will be made in accordance with the schedule provided in Section B, upon presentation of proper vouchers and upon receipt and acceptance by the Government of the services specified in the schedule.

G.2. Electronic Funds Transfer

The Contractor shall forward electronic funds transfer information in writing to HHS Program Support Center, Division of Financial Operations, Parklawn Building, Room 16-05, 5600 Fishers Lane, Rockville, MD 20857, in accordance with Section I, Clause 52.232-34.

G.3. Voucher Submission

- (a) In accordance with Section I – FAR Clause 52.232-25, Prompt Payment, a proper voucher shall include the following items:
- (1) Name and address of the Contractor
 - (2) Invoice date and invoice number
 - (3) Contract Number
 - (4) Name and address of Contractor official to whom payment is to be sent
 - (5) Name, title, phone number, and mailing address of person to be notified in the event of a defective voucher
 - (6) Tax identification number (employer's identification number) or social security number

In addition to the information required by Section I – FAR Clause 52.232-25, Prompt Payment, the voucher must show the signature of an authorized official of the Contractor, certifying the voucher to be correct and proper for payment.

- (b) The Contractor shall submit vouchers according to the following directions:

One (1) original voucher complete with all required back-up documentation shall be submitted to the Contract Specialist at the following address:

Division of Acquisition Management, AOS/PSC
Parklawn Building, Room 5-101
5600 Fishers Lane
Rockville, MD 20857
Reference: (to be designated upon award)

Two (2) copies of the voucher with copies of all required back-up documentation shall be submitted to:

PSC/FMS/DFO/Commercial Payments Section
Parklawn Building, Room 16A-12
5600 Fishers Lane
Rockville, MD 20857
Reference: (to be designated upon award)

One copy of the voucher with copies of all required back-up documentation shall be submitted to:

Government Project Officer
(to be designated by separate correspondence)

Failure to submit vouchers as directed above with all required supporting documentation could result in payment delays.

The Contractor shall list the Project Officer name and phone number on the face page of the voucher.

All calls concerning contract payments shall be directed to the general helpline for contract payments on (301) 443-6766.

- (c) Payment shall be made by:

PSC/FMS/DFO/Operations Branch
Parklawn Building, Room 16-05
5600 Fishers Lane
Rockville, MD 20857
Tel: 301-443-6766

G.4. Technical Monitoring

Performance of the work under this contract shall be subject to the technical monitoring of the Project Officer. The term "Technical Monitoring" is defined to include, without limitation, the following:

- (a) Technical directions to the Contractor which redirect the contract effort, shift work emphasis between work areas or tasks, require pursuit of certain lines of inquiry, fill in details or otherwise serve to accomplish contractual statement of work.
- (b) Providing information to the Contractor for assistance in the interpretation of drawings, specifications or technical portions of the work description.
- (c) Review and, where required by the contract, approval of technical reports, drawings, specifications and technical information to be delivered by the Contractor to the Government under the contract.

Technical direction must be within the general statement of work stated in the contract. The Project Officer does not have the authority to and may not issue any technical direction which (i) constitutes an assignment of additional work outside the general scope of the contract; (ii) constitutes a change as defined in the contract clause entitled "Changes"; (iii) in any manner causes an increase or decrease in the total estimated contract cost, the fixed fee or the time required for contract performance; or (iv) changes in any of the expressed terms, conditions, or specifications or the contract.

All technical directions shall be issued in writing by the Project officer or shall be confirmed by him/her in writing within five (5) working days after issuance.

The Contractor shall proceed promptly with the performance of technical directions duly issued by the Project Officer in the manner prescribed within his/her authority under this provision.

If, in the opinion of the Contractor any instruction or direction issued by the Project Officer is within one of the categories as defined in (i) through (iv) above, the Contractor shall not proceed but shall notify the Contracting Officer in writing within five (5) working days after the receipt of any such instruction or direction and shall request the Contracting Officer to modify the contract accordingly. Upon receiving such notification from the Contractor, the Contracting Officer shall issue an appropriate contract modification or advise the Contractor in writing that, in his opinion, the technical direction is within the scope of this article and does not constitute a change under the Changes Clause of the contract. The Contractor shall thereupon proceed immediately with the direction given. A failure of the parties to agree upon the nature of the instruction or direction or upon the contract action to be taken with respect thereto shall be subject to the provisions of the contract clause entitled, "Disputes."

G.5. Project Officer

The Project Officer responsible for the technical requirements covered by this contract, as contemplated by Section G.4., "Technical Monitoring" will be designated by separate correspondence.

G.6. Key Personnel

The individuals/positions cited below are classified as key personnel (See Section I, HHSAR 352.270-5, Key Personnel, incorporated by reference). The full text of this clause may be found at www.arnet.gov/far.

(To be completed upon award)

G.7. Travel and Other Costs

The Contractor will be reimbursed not to exceed \$(to be completed upon award) for all domestic travel as described below, provided the travel is incurred directly and specifically in the performance of this contract, claimed by the Contractor and accepted by the Contracting Officer. Travel expenses shall not exceed the following:

- a) Cost of air travel by most direct route. "Air coach" or "Air tourist" accommodations on prop or jet aircraft constitutes the normal class of air travel which shall be utilized.

First-class accommodations may be used if (1) less than first-class is not available providing reservation was requested within 24 hours after the traveler had knowledge of the trip; (2) less than first-class requires circuitous routing; (3) less than first-class requires travel to begin or end at unreasonable hours (i.e., if scheduled flight time is before 8:00 a.m. and scheduled arrival is after 9:00 p.m.); (4) less than first-class would result in additional direct costs which would offset the transportation savings; or connections with other flights or means of transportation for continuation of the journey.

- b) Cost of rail travel by most direct route, first-class with lower berth or nearest equivalent.
- c) Travel by motor vehicle including rented automobile shall be reimbursed on a reasonable actual expense basis, or at the Contractor's option, on a mileage basis at a rate of \$.585 cents per mile, plus any toll or ferry charges.
- d) Reasonable subsistence not in excess of actual itemized expenses not to exceed the ceiling in the Federal Travel Regulations in effect at the time of incurred cost.

SECTION I – CONTRACT CLAUSES**I.1. 52.252-1 - Solicitation Provisions Incorporated by Reference. (FEB 1998)**

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

www.acqnet.gov/far

- 52.202-1 Definitions. (JUL 2004)**
- 52.203-3 Gratuities. (APR 1984)**
- 52.203-5 Covenant Against Contingent Fees. (APR 1984)**
- 52.203-6 Restrictions on Subcontractor Sales to the Government. (SEP 2006)**
- 52.203-7 Anti-Kickback Procedures. (JUL 1995)**
- 52.203-8 Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity. (JAN 1997)**
- 52.203-10 Price or Fee Adjustment for Illegal or Improper Activity. (JAN 1997)**
- 52.203-12 Limitation on Payments to Influence Certain Federal Transactions. (SEP 2007)**
- 52.204-4 Printed or Copied Double-Sided on Recycled Paper. (AUG 2000)**
- 52.204-7 Central Contractor Registration. (APR 2008)**
- 52.204-10 Reporting Subcontract Awards. (SEP 2007)**
- 52.209-6 Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (SEP 2006)**
- 52.215-2 Audit and Records - Negotiation. (JUN 1999)**
- 52.215-8 Order of Precedence - Uniform Contract Format. (OCT 1997)**
- 52.215-10 Price Reduction for Defective Cost or Pricing Data. (OCT 1997)**
- 52.215-11 Price Reduction for Defective Cost or Pricing Data - Modifications. (OCT 1997)**
- 52.215-12 Subcontractor Cost or Pricing Data. (OCT 1997)**
- 52.215-13 Subcontractor Cost or Pricing Data - Modifications. (OCT 1997)**
- 52.215-15 Pension Adjustments and Asset Reversions. (OCT 2004)**
- 52.215-18 Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions. (JUL 2005)**
- 52.219-8 Utilization of Small Business Concerns. (MAY 2004)**
- 52.219-9 Small Business Subcontracting Plan. (APR 2008)**
- 52.219-14 Limitations on Subcontracting. (DEC 1996)**
- 52.219-16 Liquidated Damages - Subcontracting Plan. (JAN 1999)**
- 52.219-25 Small Disadvantaged Business Participation Program-Disadvantaged Status and Reporting. (APR 2008)**
- 52.219-28 Post-Award Small Business Program Rerepresentation. (JUN 2007)**

- 52.222-3 Convict Labor. (JUN 2003)**
- 52.222-21 Prohibition of Segregated Facilities. (FEB 1999)**
- 52.222-26 Equal Opportunity. (MAR 2007)**
- 52.222-35 Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans. (SEP 2006)**
- 52.222-37 Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans. (SEP 2006)**
- 52.222-50 Combating Trafficking in Persons. (AUG 2007)**
- 52.223-6 Drug-Free Workplace. (MAY 2001)**
- 52.223-14 Toxic Chemical Release Reporting. (AUG 2003)**
- 52.225-1 Buy American Act - Supplies. (JUN 2003)**
- 52.225-13 Restrictions on Certain Foreign Purchases. (JUN 2008)**
- 52.227-1 Authorization and Consent. (DEC 2007)**
- 52.227-14 Rights in Data--General. (DEC 2007)**
- 52.229-3 Federal, State, and Local Taxes. (APR 2003)**
- 52.232-1 Payments. (APR 1984)**
- 52.232-9 Limitation on Withholding of Payments. (APR 1984)**
- 52.232-11 Extras. (APR 1984)**
- 52.232-23 Assignment of Claims. (JAN 1986)**
- 52.232-25 Prompt payment. (OCT 2003)**
- 52.232-33 Payment by Electronic Funds Transfer - Central Contractor Registration. (OCT 2003)**
- 52.233-1 Disputes. (JUL 2002)**
- 52.233-3 Protest after Award. (AUG 1996)**
- 52.233-4 Applicable Law for Breach of Contract Claim. (OCT 2004)**
- 52.239-1 Privacy or Security Safeguards. (AUG 1996)**
- 52.242-13 Bankruptcy. (JUL 1995)**
- 52.243-1 Changes - Fixed-Price. (AUG 1987) - Alternate I (APR 1984)**
- 52.244-6 Subcontracts for Commercial Items. (MAR 2007)**
- 52.245-1 Government Property. (JUN 2007)**
- 52.245-9 Use and Charges. (JUN 2007)**
- 52.249-2 Termination for Convenience of the Government (Fixed-Price). (MAY 2004)**
- 52.249-8 Default (Fixed-Price Supply and Service). (APR 1984)**

**I.2. DEPARTMENT OF HEALTH AND HUMAN SERVICES ACQUISITION
REGULATIONS (HHSAR) (48 CFR CHAPTER 3)**

CLAUSE	TITLE AND DATE
352.201-1	Definitions (Jan 2006)
352.223-70	Safety and Health (Jan 2006)
352.232-9	Withholding of Contract Payments (Jan 2000)
352.249-14	Excusable Delays (Jan 2006)
352.270-1	Accessibility of Meetings, Conferences and Seminars to persons with Disabilities (Jan 2001)
352.270-4	Pricing of Adjustments (Jan 2001)
352.270-5	Key Personnel (Jan 2006)
352.270-6	Publications and Publicity (Jan 2006)
352.270-19	Electronic Information and Technology Accessibility (Jan 2006)

PART III – LIST OF DOCUMENTS, EXHIBITS, AND OTHER ATTACHMENTS

Section J – List of Attachments

Attachment 1 – Standard Form LLL

Attachment 2 – Past Performance Evaluation Questionnaire

Attachment 3 – Past Performance Cover Sheet

**Attachment 4 – Small Business and Small Disadvantaged Business Model Subcontracting Plan
Outline**

SECTION K - REPRESENTATIONS, CERTIFICATIONS, AND OTHER STATEMENTS OF OFFERORS OR QUOTERS

K.1	52.204-8	Annual Representations and Certifications
K.2	52.230-1	Cost Accounting Standards Notices and Certification
K.3	52.230-7	Proposal Disclosure
K.4	15.406-2	Certificate of Current Cost or Pricing Data
K.5	PL. 103-227	The Pro-Children Act of 1994

To Be Completed by the Offeror: (The Representations and Certifications must be executed by an individual authorized to bind the offeror.)

The offeror makes the following Representations and Certifications as part of its proposal (check or complete all appropriate boxes or blanks on the following pages).

(Name of Offeror) (RFP No.)

(Signature of Authorized Individual) (Date)

(Typed Name of Authorized Individual)

Note: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

SECTION K – REPRESENTATIONS, CERTIFICATIONS, AND OTHER STATEMENTS OF OFFERORS OR QUOTERS

K.1. 52.204-8 - Annual Representations and Certifications. (JAN 2006)

(a)(1) The North American Industry Classification System (NAICS) code for this acquisition is 541690.

(2) The small business size standard is \$6 million.

(3) The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is 500 employees.

(b)(1) If the clause at 52.204-7, Central Contractor Registration, is included in this solicitation, paragraph (c) of this provision applies.

(2) If the clause at 52.204-7 is not included in this solicitation, and the offeror is currently registered in CCR, and has completed the ORCA electronically, the offeror may choose to use paragraph (c) of this provision instead of completing the corresponding individual representations and certifications in the solicitation. The offeror shall indicate which option applies by checking one of the following boxes:

(i) Paragraph (c) applies.

(ii) Paragraph (c) does not apply and the offeror has completed the individual representations and certifications in the solicitation.

(c) The offeror has completed the annual representations and certifications electronically via the Online Representations and Certifications Application (ORCA) website at <http://orca.bpn.gov>. After reviewing the ORCA database information, the offeror verifies by submission of the offer that the representations and certifications currently posted electronically have been entered or updated within the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the business size standard applicable to the NAICS code referenced for this solicitation), as of the date of this offer and are incorporated in this offer by reference (see FAR 4.1201); except for the changes identified below [offeror to insert changes, identifying change by clause number, title, date]. These amended representation(s) and/or certification(s) are also incorporated in this offer and are current, accurate, and complete as of the date of this offer.

FAR Clause Title Date Change

Any changes provided by the offeror are applicable to this solicitation only, and do not result in an update to the representations and certifications posted on ORCA.

(End of Provision)

K.2. 52.230-1 - Cost Accounting Standards Notices and Certification. (JUN 2000)

Note: This notice does not apply to small businesses or foreign governments. This notice is in three parts, identified by Roman numerals I through III.

Offerors shall examine each part and provide the requested information in order to determine Cost Accounting Standards (CAS) requirements applicable to any resultant contract.

If the offeror is an educational institution, Part II does not apply unless the contemplated contract will be subject to full or modified CAS coverage pursuant to 48 CFR 9903.201-2(c)(5) or 9903.201-2(c)(6), respectively.

I. Disclosure Statement - Cost Accounting Practices and Certification

(a) Any contract in excess of \$500,000 resulting from this solicitation will be subject to the requirements of the Cost Accounting Standards Board (48 CFR Chapter 99), except for those contracts which are exempt as specified in 48 CFR 9903.201-1.

(b) Any offeror submitting a proposal which, if accepted, will result in a contract subject to the requirements of 48 CFR Chapter 99 must, as a condition of contracting, submit a Disclosure Statement as required by 48 CFR 9903.202. When required, the Disclosure Statement must be submitted as a part of the offeror's proposal under this solicitation unless the offeror has already submitted a Disclosure Statement disclosing the practices used in connection with the pricing of this proposal. If an applicable Disclosure Statement has already been submitted, the offeror may satisfy the requirement for submission by providing the information requested in paragraph (c) of Part I of this provision.

Caution: In the absence of specific regulations or agreement, a practice disclosed in a Disclosure Statement shall not, by virtue of such disclosure, be deemed to be a proper, approved, or agreed-to practice for pricing proposals or accumulating and reporting contract performance cost data.

(c) Check the appropriate box below:

(1) *Certificate of Concurrent Submission of Disclosure Statement.* The offeror hereby certifies that, as a part of the offer, copies of the Disclosure Statement have been submitted as follows:

(i) Original and one copy to the cognizant Administrative Contracting Officer (ACO) or cognizant Federal agency official authorized to act in that capacity (Federal official), as applicable; and

(ii) One copy to the cognizant Federal auditor.

(Disclosure must be on Form No. CASB DS-1 or CASB DS-2, as applicable. Forms may be obtained from the cognizant ACO or Federal official and/or from the loose-leaf version of the Federal Acquisition Regulation.)

Date of Disclosure Statement: [Name and Address of Cognizant ACO or Federal Official Where Filed:]

The offeror further certifies that the practices used in estimating costs in pricing this proposal are consistent with the cost accounting practices disclosed in the Disclosure Statement.

[] (2) *Certificate of Previously Submitted Disclosure Statement.* The offeror hereby certifies that the required Disclosure Statement was filed as follows:

Date of Disclosure Statement: []

Name and Address of Cognizant ACO or Federal Official Where Filed: []

The offeror further certifies that the practices used in estimating costs in pricing this proposal are consistent with the cost accounting practices disclosed in the applicable Disclosure Statement.

[] (3) *Certificate of Monetary Exemption.* The offeror hereby certifies that the offeror, together with all divisions, subsidiaries, and affiliates under common control, did not receive net awards of negotiated prime contracts and subcontracts subject to CAS totaling \$50 million or more in the cost accounting period immediately preceding the period in which this proposal was submitted. The offeror further certifies that if such status changes before an award resulting from this proposal, the offeror will advise the Contracting Officer immediately.

[] (4) *Certificate of Interim Exemption.* The offeror hereby certifies that (i) the offeror first exceeded the monetary exemption for disclosure, as defined in (3) of this subsection, in the cost accounting period immediately preceding the period in which this offer was submitted and (ii) in accordance with 48 CFR 9903.202-1, the offeror is not yet required to submit a Disclosure Statement. The offeror further certifies that if an award resulting from this proposal has not been made within 90 days after the end of that period, the offeror will immediately submit a revised certificate to the Contracting Officer, in the form specified under subparagraph (c)(1) or (c)(2) of Part I of this provision, as appropriate, to verify submission of a completed Disclosure Statement.

Caution: Offerors currently required to disclose because they were awarded a CAS-covered prime contract or subcontract of \$50 million or more in the current cost accounting period may not claim this exemption (4). Further, the exemption applies only in connection with proposals submitted before expiration of the 90-day period following the cost accounting period in which the monetary exemption was exceeded.

II. Cost Accounting Standards - Eligibility for Modified Contract Coverage

If the offeror is eligible to use the modified provisions of 48 CFR 9903.201-2(b) and elects to do so, the offeror shall indicate by checking the box below. Checking the box below shall mean that the resultant contract is subject to the Disclosure and Consistency of Cost Accounting Practices clause in lieu of the Cost Accounting Standards clause.

The offeror hereby claims an exemption from the Cost Accounting Standards clause under the provisions of 48 CFR 9903.201-2(b) and certifies that the offeror is eligible for use of the Disclosure and Consistency of Cost Accounting Practices clause because during the cost accounting period immediately preceding the period in which this proposal was submitted, the offeror received less than \$50 million in awards of CAS-covered prime contracts and subcontracts. The offeror further certifies that if such status changes before an award resulting from this proposal, the offeror will advise the Contracting Officer immediately.

Caution: An offeror may not claim the above eligibility for modified contract coverage if this proposal is expected to result in the award of a CAS-covered contract of \$50 million or more or if, during its current cost accounting period, the offeror has been awarded a single CAS-covered prime contract or subcontract of \$50 million or more.

III. Additional Cost Accounting Standards Applicable to Existing Contracts

The offeror shall indicate below whether award of the contemplated contract would, in accordance with subparagraph (a)(3) of the Cost Accounting Standards clause, require a change in established cost accounting practices affecting existing contracts and subcontracts.

yes no

(End of provision)

K.3. 52.230-7 - Proposal Disclosure--Cost Accounting Practice Changes. (APR 2005)

The offeror shall check "yes" below if the contract award will result in a required or unilateral change in cost accounting practice, including unilateral changes requested to be desirable changes.

___ Yes ___ No

If the offeror checked "Yes" above, the offeror shall--

(1) Prepare the price proposal in response to the solicitation using the changed practice for the period of performance for which the practice will be used; and

(2) Submit a description of the changed cost accounting practice to the Contracting Officer and the Cognizant Federal Agency Official as pricing support for the proposal.

(End of provision)

K.4. 15.406-2 - Certificate of Current Cost or Pricing Data.

(a) When cost or pricing data are required, the contracting officer must require the contractor to execute a Certificate of Current Cost or Pricing Data, using the format in this paragraph, and must include the executed certificate in the contract file.

Certificate of Current Cost or Pricing Data

This is to certify that, to the best of my knowledge and belief, the cost or pricing data (as defined in section 2.101 of the Federal Acquisition Regulation (FAR) and required under FAR subsection 15.403-4) submitted, either actually or by specific identification in writing, to the Contracting Officer or to the Contracting Officer's representative in support of _____* are accurate, complete, and current as of _____**. This certification includes the cost or pricing data supporting any advance agreements and forward pricing rate agreements between the offeror and the Government that are part of the proposal.

Firm _____

Signature _____

Name _____

Title _____

Date of execution*** _____

* Identify the proposal, request for price adjustment, or other submission involved, giving the appropriate identifying number (e.g., RFP No.).

**Insert the day, month, and year when price negotiations were concluded and price agreement was reached or, if applicable, an earlier date agreed upon between the parties that is as close as practicable to the date of agreement on price.

*** Insert the day, month, and year of signing, which should be as close as practicable to the date when the price negotiations were concluded and the contract price was agreed to.

(End of certificate)

(b) The certificate does not constitute a representation as to the accuracy of the contractor's judgment on the estimate of future costs or projections. It applies to the data upon which the judgment or estimate was based. This distinction between fact and judgment should be clearly understood. If the contractor had information reasonably available at the time of agreement showing that the negotiated price was not based on accurate, complete, and current data, the contractor's responsibility is not limited by any lack of personal knowledge of the information on the part of its negotiators.

(c) The contracting officer and contractor are encouraged to reach a prior agreement on criteria for establishing closing or cutoff dates when appropriate in order to minimize delays associated with proposal updates. Closing or cutoff dates should be included as part of the data submitted with the proposal and, before agreement on price, data should be updated by the contractor to the latest closing or cutoff dates for which the data are available. Use of cutoff dates coinciding with reports is acceptable, as certain data may not be reasonably available before normal periodic closing dates (e.g., actual indirect costs). Data within the contractor's or a subcontractor's organization on matters significant to contractor management and to the Government will be treated as reasonably available. What is significant depends upon the circumstances of each acquisition.

(d) Possession of a Certificate of Current Cost or Pricing Data is not a substitute for examining and analyzing the contractor's proposal.

(e) If cost or pricing data are requested by the Government and submitted by an offeror, but an exception is later found to apply, the data shall not be considered cost or pricing data and shall not be certified in accordance with this subsection.

K.5 PL. 103-227 THE PRO-CHILDREN ACT OF 1994

CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103-227, also known as the Pro-Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, early childhood development services, education or library services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law also applies to children's services that are provided in indoor facilities that are constructed, operated, or maintained with such federal funds. The law does not apply to children's services provided in private residences; portions of facilities used for inpatient drug or alcohol treatment; service providers whose sole source of applicable Federal funds is Medicare or Medicaid; or facilities where WIC coupons are redeemed. Failure to comply with the provision of the law may result in the imposition of a civil monetary penalty of up to \$1000 for each violation and/or the imposition of an administrative compliance order on the responsible entity.

SECTION L - INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS OR QUOTERS

L.1 GENERAL INSTRUCTIONS

The following instructions establish the acceptable minimum requirements for the format and content of your proposal.

The Government may make awards without discussions in accordance with FAR 15.306(a) and solicitation provision 52.215-1 Instructions to Offerors - Competitive Acquisition. Offerors are encouraged to submit their best offer, since Offerors may not have an opportunity to revise their proposals.

Any resultant contract will include the FAR contract clauses that are applicable to the selected Offerors organization and the type of contract that is awarded. Any additional clauses required by public law, executive order or acquisition regulations, in effect at the time of execution of the proposed contract, will be included.

Your attention is directed to the requirements for the submission of technical and business proposals and past performance information contained in Sections L.2, L.3, L.4. of the solicitation. Your proposal must be submitted in accordance with these instructions.

The proposal must be prepared in three parts: a "Technical Proposal", a "Business Proposal", and "Past Performance" information. Each of these parts shall be separate and complete in itself so that the evaluation of one may be accomplished independently of the evaluation of the other. The technical proposal must not contain references to cost; however, resource information, such as data concerning labor hours and categories, materials, subcontracts, etc., must be contained in the technical proposal so that your understanding of the scope of work may be evaluated. It must disclose your technical approach in sufficient detail to provide a clear and concise presentation that includes, but is not limited to, the requirements of the technical proposal instructions.

The proposal must be signed by an official authorized to bind your organization. An original and six (6) copies of your proposal must be submitted to:

Department of Health and Human Services
Program Support Center
Division of Acquisition Management, SAS
Attn: Anita L. Nearhoof
RFP: 08T080114
Parklawn Building, Room 5-101
5600 Fishers Lane
Rockville, Maryland 20857

You may, at your discretion, submit an alternate proposal, or a proposal which deviates from the requirements; provided, that you also submit a proposal for the performance of the work as specified in the statement of work. This proposal may be considered if overall performance would be improved or not compromised, and if it is in the best interests of the Government. An alternate proposal, or deviations from any of the requirements of this RFP, must be clearly identified.

It is understood that your proposal shall become a part of the official contract file.

This RFP does not commit the Government to pay any of the costs associated with the preparation and submission of your proposal. In addition, the Contracting Officer is the only individual authorized to legally commit the Government to the expenditure of public funds in connection with this requirement.

The Government strongly encourages all contract recipients to provide a smoke-free workplace and to promote the non-use of all tobacco products. In addition, Public Law 103-277, the Pro-Children Act of 1994, prohibits smoking in certain facilities (or in some cases, any portion of a facility) in which regular or routine education, library, day care, health care or early childhood development services are provided to children. A "Certification Regarding Environmental Tobacco Smoke" is included in Section K.

The Government will evaluate proposals in accordance with the evaluation criteria set forth in Section M of this request for proposal.

One award is contemplated under this solicitation.

The NAICS Code is 541690 and the small business size standard is \$6 million.

L.2 TECHNICAL PROPOSAL INSTRUCTIONS

Your technical proposal should be in as much detail as you consider necessary to fully explain your proposed technical approach or method. It should reflect a clear understanding of the nature of the work being undertaken.

In addition, you should also submit a resume for all proposed management and key staff. At a minimum, each resume shall include the following information:

- (a) Full Name
- (b) Job title
- (c) Affiliation (i.e., as staff of offeror, subcontractor, or consultant)
- (d) Experience directly related to the proposed project
- (e) Education and training

Your proposal must contain complete job descriptions covering all positions proposed for this effort, identify personnel proposed to fill these positions, and identify the level of effort proposed for each position. It must demonstrate that the proposed staff possess adequate training to perform the duties to which they will be assigned.

A personnel loading chart shall be provided for this project to include all proposed personnel, consultants and/or subcontractors. This chart shall indicate the labor classification and the number of hours proposed per task for each individual. The level of effort proposed for each individual should be reflective of their role and responsibilities as outlined in their profile.

L.3 BUSINESS PROPOSAL INSTRUCTIONS

Your business proposal shall consist of the following information:

L.3.1 Cover Letter

The cover letter must stipulate that the offeror's proposal is predicated upon the terms and conditions of this solicitation. In addition, it must contain a statement to the effect that the offer is firm for a period of at least 60 days from the date of receipt by the Government.

L.3.2 Section B - Supplies or Services and Prices/Costs

The Offeror shall include a completed copy of Section B of the solicitation in its proposal.

L.3.3. Cost Information

All costs or pricing information must be submitted in sufficient detail to allow for a complete cost analysis by the Government. The cost proposal shall contain information that will validate that the proposed costs are consistent with the technical proposal and provide the supporting rationale needed to permit a determination of cost realism. At a minimum, the Offeror should itemize the cost for individual elements, such as labor, supplies, travel, etc., as indicated in items 1 - 10 below:

1. Direct Labor - include all persons, listing the person's name, title, number of hours proposed, proposed hourly rate, the total cost per person and a total amount for this category;
2. Fringe Costs - show rate, base and total amount;
3. Overhead or Indirect Costs - show rate, base and total amount;

4. Consultants - include the name, number of days or hours proposed, daily or hourly rate, a total amount per consultant and a total amount for this category;
5. Travel - include for each airplane or train trip proposed the origin and destination points, transportation and per diem costs. For local travel, show the anticipated mileage and mileage rate. Other travel costs shall also be listed. A total amount for this category shall be provided;
6. Subcontractors - include for each subcontractor, the same data as is being provided for the prime Contractor. A total amount for this category shall be provided;
7. Data Processing - include all non-labor costs, i.e., computer time, equipment, purchase, lease or rental, and data tapes. A total amount for this category shall be provided;
8. Other Direct Costs - include a listing of all other direct charges to the contract i.e., office supplies, telephone, equipment rental, duplication, and postage;
9. G & A - show rate, base and total; and
10. Fee - show rate, base and total (if applicable).

This breakdown of costs must be shown for each year of the contract and by each task. The Offeror should summarize total costs for the entire contract period by individual category (i.e., items 1 - 10). This format should be used for each year of contract performance and to summarize costs for the entire contract period.

Proposed hourly rates shall be supported by the submission of the employee's most recent payroll schedule. Documentation to verify salaries for new hires shall consist of written offers of employment, employment agreements or contracts which indicate the position, annual salary and hourly rate for each new hire.

The Offerors proposal should indicate whether escalated rates are used. If escalation is included, state the percent and methodology, e.g., annual flat rate applied to a base rate as of a specific date or a midpoint rate for the period of performance. Salary increases that are anticipated during contract performance must be claimed under the contract. Plans for any additional compensation resulting from employee relations, profit sharing, pensions or health and welfare benefits shall also be included. The Offeror shall also state whether overtime will be required under the contract and the overtime premium rate to be applied for all direct labor proposed.

The Offeror shall indicate in its proposal whether or not it has the necessary financial capacity, working capital and other resources to perform without assistance from any outside sources. (If not, you must indicate the amount required and the anticipated source). Documentation to verify indicate cost rates such as the Offerors most recent

indirect cost rate agreement with its cognizant audit agency shall be submitted as part of the proposal. A copy of the Offerors most recent audited financial statements shall also be included.

L.3.4. Extent of Small Disadvantaged Business Participation

In accordance with FAR Subpart 15.304(c)(4), the extent of participation of Small Disadvantaged Business (SDB) concerns in performance of the contract in the authorized SIC Major Groups shall be evaluated in unrestricted competitive negotiated acquisitions expected to exceed \$550,000 (\$1,000,000 for construction) subject to certain limitations (See Far 19.1202-1 and (19,1202-2(b)). The dollar amounts cited above include any option years/option quantities that may be included in this solicitation. The definition of a "small disadvantaged business" is cited in FAR 2.01.

The factor entitled, "Extent of Small Disadvantaged Business Participation" as set forth under the Evaluation Criteria in Section M shall be used for evaluation purposes. Participation in performance of the contract shall include the work expected to be performed by SDB concerns at the prime contract level. Small businesses, other than SDBs, will also be evaluated under this factor. Any targets will be incorporated into and become part of the resulting contract.

a. Offerors shall submit information on SDB participation in one clearly marked section of their business proposal. NOTE: This is a separate requirement from that required for submitting a Subcontract plan under P.L. 95-507, and is not in any way intended to be a substitute for submission of the subcontracting plan.

A plan on the extent of participation of Small Disadvantaged Business (SDB) concerns in performance of the contract can include joint ventures, teaming arrangements, subcontracts and participation in performance of the contract expected to be performed by SDB concerns at the prime contract level. Note: FAR Subpart 9.6 defines "Contractor team arrangements" to include two or more companies forming a partnership or joint venture to act as potential prime contractor, or a potential prime contractor who agrees with one or more other companies to have them act as its subcontractors under a specified Government contract or acquisition program. In accordance with FAR 19.1202-4 the solicitation shall require Offerors to provide, with their offers, targets, expressed as dollars and percentages of total contract value, in each of the applicable, authorized NAICS Industry Subsector, and a total target for SDB participation by the Contractor, including joint venture partners, and team members, and a total target for SDB participation by subcontractors. The Offerors shall include the information required by the sub-factors listed in Section M.4., Extent of Small Disadvantaged Business Participation, in the plan.

b. SDB Participation information will be used as an evaluation factor against which Offerors' relative rankings will be compared to assure the best value to the Government. With regard to information on Past Performance of Offerors in complying with subcontracting plan goals for SDB concerns and monetary targets for SDB participation, the Government will focus on information that demonstrates realistic commitments to use SDB concerns relative to the size and complexity of the acquisition under consideration.

c. Offerors shall include with their offers, SDB targets, expressed as dollars and percentages of total contract value, in each of the applicable, authorized NAICS Industry Subsector. The applicable authorized NAICS Industry Subsector for this project is identified in Section L.1. A total target for SDB participation by the prime contractor, that includes any joint ventures and team members, shall be provided as well as a total target for SDB participation by subcontractors. In addition, offerors must provide information that describes their plans for meeting the targets set forth in their proposal.

L.3.5 Small Business and Small Disadvantaged Business Model Subcontracting Plan Outline

The Small Business and Small Disadvantaged Business Model Subcontracting Plan Outline shall be completed and submitted as part of your proposal. This outline is included in Section J, Attachment 4. Shown below are the FY2008 subcontracting goals for HHS. These subcontracting goals are based on the total dollar amount of the contract.

Small Business – 40%

Small Disadvantaged Business – 5%

Woman-Owned Small Business – 5%

Hubzone – 3%

Small Disadvantaged Veteran-Owned Small Business – 3%

L.3.6 Disclosure of Lobbying Activities

The Offeror should note that Standard Form LLL, "Disclosure of Lobbying Activities" has been included for use in accordance with FAR 52.203-11 entitled, Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (APR 1991). The provision has been included in full text in Section K of this solicitation. Offerors shall submit disclosure statement as a part of the business proposal.

L.3.7 Representations and Certifications

A completed and executed copy of Section K - Representations, Certifications and Other Statements of Offerors, must be included as part of your business proposal.

L.4. Past Performance Information

The information described below will be used in the evaluation of past performance, and shall be separate and clearly marked.

Offerors should note the difference between organizational "experience" and "past performance". Organizational experience pertains to the types and amounts of work experience previously performed by a contractor, whereas, past performance relates to the "quality" and how well a contractor performs the services.

Offerors shall submit the following past performance information:

- a. A list of the five (5) most recently completed or active contracts or subcontracts for related or similar services. The Government will evaluate past performance on contracts that are similar in nature to the requirements of this RFP. Contracts listed shall include those entered into with the Federal Government, agencies of state and local governments or commercial customers. Include the following information for each contract:
 - a) Name of Contracting Organization;
 - b) Contract Number;
 - c) Contract Type;
 - d) Total Contract Value;
 - e) Description of Requirement;
 - f) Contracting Officer's Name, Telephone Number and Facsimile Number;
 - g) Contracting Officer's Technical Representative's (COTR) Name, Telephone Number and Facsimile Number; and
 - h) Explanation/Comments Regarding Problems Encountered and Corrective Actions Taken
- b. The Government is not required to contact all references provided by the Offeror. Also, references other than those identified by the Offeror may be contacted by the Government to obtain additional information that will be used in the evaluation of the Offerors past performance. Information for the evaluation of past performance will be requested from the list of references (see a above) or other sources as previously stated, utilizing the Past Performance Evaluation Questionnaire (see Section J, Attachment 2).
- c. Offerors are further advised that thorough and complete past performance information is required. Explanations/comments regarding problems encountered and corrective actions taken shall be addressed as a part of the proposal submitted in response to this solicitation. The Government will take the Offerors comments into consideration when conducting its past performance evaluation. **THE OFFEROR WILL NOT BE**

GIVEN ANOTHER OPPORTUNITY TO ADDRESS PROBLEMS

**ENCOUNTERED IN PAST PERFORMANCE FOR REFERENCES
PROVIDED AS A PART OF YOUR PROPOSAL.**

In addition to the information requested above, the Offeror shall complete a "Past Performance Cover Sheet," Attachment 3 for each reference supplied. This cover sheet will be used to contact previous customers so that past performance information may be obtained. The "Past Performance Evaluation Questionnaire" Attachment 2, is a sample form which may be used by the Contracting Office, or their representatives, to collect past performance information from the Offeror's references. NOTE: The past performance information will be collected by the Government and shall not be submitted by the Offeror.

L.5. Additional Information

- A. It is HHS policy that the Contractor provide all equipment and facilities necessary for performance of contracts; however, in some instances, an exception may be granted to furnish Government-owned property or to authorize purchase with contract funds. If additional equipment must be acquired, you must include in your proposal the description and estimated cost of each item, and whether or not you propose to furnish the item with your own funds.
- B. You must identify all Government-owned property in your possession and all property acquired with Federal funds, to which you have title that is proposed to be used in the performance of the prospective contract. The list of Government-owned property shall be included in the cost proposal with the heading "Government-Owned Property."
- C. The management and control of Government property must be in accordance with HHS publication (OS) 686 entitled "Contractor's Guide for Control of Government Property (1990)," a copy of which will be provided upon request.

L.6. 52.204-6 Data Universal Numbering System (DUNS) Number. (OCT 2003)

(a) The offeror shall enter, in the block with its name and address on the cover page of its offer, the annotation "DUNS" or "DUNS+4" followed by the DUNS number or "DUNS+4" that identifies the offeror's name and address exactly as stated in the offer. The DUNS number is a nine-digit number assigned by Dun and Bradstreet, Inc. The DUNS+4 is the DUNS number plus a 4-character suffix that may be assigned at the discretion of the offeror to establish additional CCR records for identifying alternative Electronic Funds Transfer (EFT) accounts (see Subpart 32.11) for the same parent concern.

(b) If the offeror does not have a DUNS number, it should contact Dun and Bradstreet directly to obtain one.

(1) An offeror may obtain a DUNS number--

(i) If located within the United States, by calling Dun and Bradstreet at 1-866-705-5711 or via the Internet at <http://www.dnb.com>; or

(ii) If located outside the United States, by contacting the local Dun and Bradstreet office.

(2) The offeror should be prepared to provide the following information:

(i) Company legal business name.

(ii) Tradestyle, doing business, or other name by which your entity is commonly recognized.

(iii) Company physical street address, city, state and Zip Code.

(iv) Company mailing address, city, state and Zip Code (if separate from physical).

(v) Company telephone number.

(vi) Date the company was started.

(vii) Number of employees at your location.

(viii) Chief executive officer/key manager.

(ix) Line of business (industry).

(x) Company Headquarters name and address (reporting relationship within your entity).

L.7. FAR 52.252-01 SOLICITATION PROVISIONS INCORPORATED BY REFERENCE (FEB 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available.

The Offeror is cautioned that the listed provisions may include blocks that must be completed by the Offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the Offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this location:

<http://www.acqnet.gov/far/>

<u>FAR Clause No.</u>	<u>Title and Date</u>
52.204-6	Data Universal Numbering System (DUNS) Number (OCT 2003)
52.215-16	Facilities Capital Cost of Money (JUNE 2003)
52.215-20	Requirements for Cost or Pricing Data or Information Other than Cost or Pricing Data (OCT 1997) Alternate I (OCT 1997)
52.222-24	Pre-Award On-Site Equal Opportunity Compliance Evaluation (FEB 1999)
52.222-46	Evaluation of Compensation for Professional Employees (FEB 1993)
52.237-10	Identification of Uncompensated Overtime (OCT 1997)

<u>HHSAR Clause No.</u>	<u>Title and Date</u>
352.215-70	Late Proposals and Revisions (NOV 1986)

L.8 52.215-1 Instructions to Offerors - Competitive Acquisition. (JAN 2004) - Alternate I (OCT 1997)

(a) *Definitions.* As used in this provision -

"Discussions" are negotiations that occur after establishment of the competitive range that may, at the Contracting Officer's discretion, result in the offeror being allowed to revise its proposal.

"In writing, writing, or written" means any worded or numbered expression that can be read, reproduced, and later communicated, and includes electronically transmitted and stored information.

"Proposal modification" is a change made to a proposal before the solicitation's closing date and time, or made in response to an amendment, or made to correct a mistake at any time before award.

"Proposal revision" is a change to a proposal made after the solicitation closing date, at the request of or as allowed by a Contracting Officer as the result of negotiations.

"Time," if stated as a number of days, is calculated using calendar days, unless otherwise specified, and will include Saturdays, Sundays, and legal holidays. However, if the last day falls on a Saturday, Sunday, or legal holiday, then the period shall include the next working day.

(b) *Amendments to solicitations.* If this solicitation is amended, all terms and conditions that are not amended remain unchanged. Offerors shall acknowledge receipt of any amendment to this solicitation by the date and time specified in the amendment(s).

(c) *Submission, modification, revision, and withdrawal of proposals.* (1) Unless other methods (e.g., electronic commerce or facsimile) are permitted in the solicitation, proposals and modifications to proposals shall be submitted in paper media in sealed envelopes or packages (i) addressed to the office specified in the solicitation, and (ii) showing the time and date specified for receipt, the solicitation number, and the name and address of the offeror. Offerors using commercial carriers should ensure that the proposal is marked on the outermost wrapper with the information in paragraphs (c)(1)(i) and (c)(1)(ii) of this provision.

(2) The first page of the proposal must show -

(i) The solicitation number;

(ii) The name, address, and telephone and facsimile numbers of the offeror (and electronic address if available);

(iii) A statement specifying the extent of agreement with all terms, conditions, and provisions included in the solicitation and agreement to furnish any or all items upon which prices are offered at the price set opposite each item;

(iv) Names, titles, and telephone and facsimile numbers (and electronic addresses if available) of persons authorized to negotiate on the offeror's behalf with the Government in connection with this solicitation; and

(v) Name, title, and signature of person authorized to sign the proposal. Proposals signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office.

(3) *Submission, modification, revision, and withdrawal of proposals.* (i) Offerors are responsible for submitting proposals, and any modifications or revisions, so as to reach the Government office designated in the solicitation by the time specified in the solicitation. If no time is specified in the solicitation, the time for receipt is 4:30 p.m., local time, for the designated Government office on the date that proposal or revision is due.

(ii)(A) Any proposal, modification, or revision received at the Government office designated in the solicitation after the exact time specified for receipt of offers is "late" and will not be considered unless it is received before award is made, the Contracting Officer determines that accepting the late offer would not unduly delay the acquisition; and -

(1) If it was transmitted through an electronic commerce method authorized by the solicitation, it was received at the initial point of entry to the Government infrastructure not later than 5:00 p.m. one working day prior to the date specified for receipt of proposals; or

(2) There is acceptable evidence to establish that it was received at the Government installation designated for receipt of offers and was under the Government's control prior to the time set for receipt of offers; or

(3) It is the only proposal received.

(B) However, a late modification of an otherwise successful proposal that makes its terms more favorable to the Government, will be considered at any time it is received and may be accepted.

(iii) Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of that installation on the proposal wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.

(iv) If an emergency or unanticipated event interrupts normal Government processes so that proposals cannot be received at the office designated for receipt of proposals by the exact time specified in the solicitation, and urgent Government requirements preclude amendment of the solicitation, the time specified for receipt of proposals will be deemed to be extended to the same time of day specified in the solicitation on the first work day on which normal Government processes resume.

(v) Proposals may be withdrawn by written notice received at any time before award. Oral proposals in response to oral solicitations may be withdrawn orally. If the solicitation authorizes facsimile proposals, proposals may be withdrawn via

facsimile received at any time before award, subject to the conditions specified in the provision at 52.215-5, Facsimile Proposals. Proposals may be withdrawn in person by an offeror or an authorized representative, if the identity of the person requesting withdrawal is established and the person signs a receipt for the proposal before award.

(4) Unless otherwise specified in the solicitation, the offeror may propose to provide any item or combination of items.

(5) Offerors shall submit proposals in response to this solicitation in English, unless otherwise permitted by the solicitation, and in U.S. dollars, unless the provision at FAR 52.225-17, Evaluation of Foreign Currency Offers, is included in the solicitation.

(6) Offerors may submit modifications to their proposals at any time before the solicitation closing date and time, and may submit modifications in response to an amendment, or to correct a mistake at any time before award.

(7) Offerors may submit revised proposals only if requested or allowed by the Contracting Officer.

(8) Proposals may be withdrawn at any time before award. Withdrawals are effective upon receipt of notice by the Contracting Officer.

(d) *Offer expiration date.* Proposals in response to this solicitation will be valid for the number of days specified on the solicitation cover sheet (unless a different period is proposed by the offeror).

(e) Restriction on disclosure and use of data.

(1) The proposal submitted in response to this request may contain data (trade secrets; business data, e.g., commercial information, financial information, and cost and pricing data; and technical data) which the offeror, including its prospective subcontractor(s), does not want used or disclosed for any purpose other than for evaluation of the proposal. The use and disclosure of any data may be so restricted; provided, that the Government determines that the data is not required to be disclosed under the Freedom of Information Act, 5 U.S.C. 552, as amended, and the offeror marks the cover sheet of the proposal with the following

legend, specifying the particular portions of the proposal which are to be restricted in accordance with the conditions of the legend. The Government's determination to withhold or disclose a record will be based upon the particular circumstances involving the record in question and whether the record may be exempted from disclosure under the Freedom of Information Act. The legend reads:

Unless disclosure is required by the Freedom of Information Act, 5 U.S.C. 552, as amended, (the Act) as determined by Freedom of Information (FOI) officials of the Department of Health and Human Services, data contained in the portions of this proposal which have been specifically identified by page number, paragraph, etc. by the

offeror as containing restricted information shall not be used or disclosed except for evaluation purposes.

The offeror acknowledges that the Department may not be able to withhold a record (data, document, etc.) nor deny access to a record requested pursuant to the Act and that the Department's FOI officials must make that determination. The offeror hereby agrees that the Government is not liable for disclosure if the Department has determined that disclosure is required by the Act.

If a contract is awarded to the offeror as a result of, or in connection with, the submission of this proposal, the Government shall have right to use or disclose the data to the extent provided in the contract. Proposals not resulting in a contract remain subject to the Act.

The offeror also agrees that the Government is not liable for disclosure or use of unmarked data and may use or disclose the data for any purpose, including the release of the information pursuant to requests under the Act. The data subject to this restriction are contained in pages (insert page numbers, paragraph designations, etc. or other identification).

(2) In addition, the offeror should mark each page of data it wishes to restrict with the following statement:

"Use or disclosure of data contained on this page is subject to the restriction on the cover sheet of this proposal or quotation."

(3) Offerors are cautioned that proposals submitted with restrictive legends or statements differing in substance from the above legend may not be considered for award. The Government reserves the right to reject any proposal submitted with a nonconforming legend.

(f) *Contract award.* (1) The Government intends to award a contract or contracts resulting from this solicitation to the responsible offeror(s) whose proposal(s) represents the best value after evaluation in accordance with the factors and subfactors in the solicitation.

(2) The Government may reject any or all proposals if such action is in the Government's interest.

(3) The Government may waive informalities and minor irregularities in proposals received.

(4) The Government intends to evaluate proposals and award a contract after conducting discussions with offerors whose proposals have been determined to be within the competitive range. If the Contracting Officer determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals. Therefore, the offeror's initial proposal should contain the offeror's best terms from a price and technical standpoint.

(5) The Government reserves the right to make an award on any item for a quantity less than the quantity offered, at the unit cost or prices offered, unless the offeror specifies otherwise in the proposal.

(6) The Government reserves the right to make multiple awards if, after considering the additional administrative costs, it is in the Government's best interest to do so.

(7) Exchanges with offerors after receipt of a proposal do not constitute a rejection or counteroffer by the Government.

(8) The Government may determine that a proposal is unacceptable if the prices proposed are materially unbalanced between line items or subline items. Unbalanced pricing exists when, despite an acceptable total evaluated price, the price of one or more contract line items is significantly overstated or understated as indicated by the application of cost or price analysis techniques. A proposal may be rejected if the Contracting Officer determines that the lack of balance poses an unacceptable risk to the Government.

(9) If a cost realism analysis is performed, cost realism may be considered by the source selection authority in evaluating performance or schedule risk.

(10) A written award or acceptance of proposal mailed or otherwise furnished to the successful offeror within the time specified in the proposal shall result in a binding contract without further action by either party.

(11) If a post-award debriefing is given to requesting offerors, the Government shall disclose the following information, if applicable:

(i) The agency's evaluation of the significant weak or deficient factors in the debriefed offeror's offer.

(ii) The overall evaluated cost or price and technical rating of the successful and the debriefed offeror and past performance information on the debriefed offeror.

(iii) The overall ranking of all offerors, when any ranking was developed by the agency during source selection.

(iv) A summary of the rationale for award.

(v) For acquisitions of commercial items, the make and model of the item to be delivered by the successful offeror.

(vi) Reasonable responses to relevant questions posed by the debriefed offeror as to whether source-selection procedures set forth in the solicitation, applicable regulations, and other applicable authorities were followed by the agency.

L.9. 52.216-1 Type of Contract. (APR 1984)

The Government contemplates award of a fixed price contract resulting from this solicitation.

L.10 52.233-2 Service of Protest. (AUG 1996)

(a) Protests, as defined in section 33.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the General Accounting Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from Parklawn Building, Room 5-101, 5600 Fishers Lane, Rockville, Maryland 20857.

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

L.11 352.215-1 Instructions to Offerors – Competitive Acquisition

(a) Restriction on disclosure and use of data.

(1) The proposal submitted in response to this request may contain data (trade secrets; business data, e.g., commercial information, financial information, and cost and pricing data; and technical data) which the offeror, including its prospective subcontractor(s), does not want used or disclosed for any purpose other than for evaluation of the proposal. The use and disclosure of any data may be so restricted; provided, that the Government determines that the data is not required to be disclosed under the Freedom of Information Act, 5 U.S.C. 552, as amended, and the offeror marks the cover sheet of the proposal with the following legend, specifying the particular portions of the proposal which are to be restricted in accordance with the conditions of the legend. The Government's determination to withhold or disclose a record will be based upon the particular circumstances involving the record in question and whether the record may be exempted from disclosure under the Freedom of Information Act. The legend reads:

Unless disclosure is required by the Freedom of Information Act, 5 U.S.C. 552, as amended, (the Act) as determined by Freedom of Information (FOI) officials of the Department of Health and Human Services, data contained in the portions of this proposal which have been specifically identified by page number, paragraph, etc. by the offeror as containing restricted information shall not be used or disclosed except for evaluation purposes.

The offeror acknowledges that the Department may not be able to withhold a record (data, document, etc.) nor deny access to a record requested pursuant to the Act and that the Department's FOI officials must make that determination. The offeror hereby agrees that the Government is not liable for disclosure if the Department has determined that disclosure is required by the Act.

If a contract is awarded to the offeror as a result of, or in connection with, the submission of this proposal, the Government shall have the right to use or disclose the data to the extent provided in the contract. Proposals not resulting in a contract remain subject to the Act.

The offeror also agrees that the Government is not liable for disclosure or use of unmarked data and may use or disclose the data for any purpose, including the release of the information pursuant to requests under the Act. The data subject to this restriction are contained in pages (insert page numbers, paragraph designations, etc. or other identification).

(2) In addition, the offeror should mark each page of data it wishes to restrict with the following statement:

“Use or disclosure of data contained on this page is subject to the restriction on the cover sheet of this proposal or quotation.”

(3) Offerors are cautioned that proposals submitted with restrictive legends or statements differing in substance from the above legend may not be considered for award. The Government reserves the right to reject any proposal submitted with a nonconforming legend.

SECTION M – EVALUATION FACTORS FOR AWARD

M.1. GENERAL INFORMATION

In order for proposals to be considered acceptable and eligible for award, they must be prepared in accordance with the instructions given in this solicitation. Selection of an Offeror for contract award will be based on the evaluation of proposals against five factors. The factors are: technical, past performance, Small Disadvantaged Business (SDB) Participation and cost/price. **You are advised that the Government considers technical quality of the proposals to be of paramount importance.** Proposals shall first be evaluated from a technical standpoint based on the Offeror's technical proposal and the technical evaluation criteria defined in Section M.2. Offerors determined to be technically unacceptable as the result of the initial review of their technical proposal will be notified in writing and will not be considered further for award. Past Performance references will be evaluated after determining whether the Offeror is technically acceptable. A point score based on the criteria defined in Section M.3. will be assigned to Past Performance. The Extent of Small Disadvantaged Business (SDB) Participation evaluation factors as described in Section M.4 will be conducted on those proposals determined to be technically acceptable. Finally, cost which is not a numerically weighted factor is important, and its importance as an evaluation factor could increase as competing proposals become equal in terms of technical merit, past performance and SDB Participation. The Government reserves the right to make an award to that Offeror whose proposal provides the best overall value to the Government, cost and other factors considered.

The criteria identified in Section M.2. will serve as the standard against which the technical proposal will be evaluated and identifies the significant factors that the Offeror should address in the proposal. The evaluation of the Offeror's proposal shall be based upon the completeness and thoroughness of the proposal submitted. The Offeror should demonstrate that the objectives of the project are understood and the proposal offers a logical approach for achievement of the requirement.

The Evaluation of the proposal will be based on the demonstrated capabilities of the prospective Contractors in relation to the needs of the ASIST2010 evaluation set forth in the Request for Proposal (RFP). Each proposal must comment on the feasibility of successful implementation of the requirements of the RFP. Offerors must submit information sufficient to evaluate their proposal based on the detailed criteria listed below.

M.2. TECHNICAL EVALUATION (0-100 POINTS)

The technical proposal will be scored against the evaluation criteria described below. Each factor shall be weighted as shown. The total number of possible points is 100.

<u>Criteria</u>	<u>Weight</u>
I. Understanding of Technical Requirements	(30 Points)
<ul style="list-style-type: none"> a. Overall understanding of the ASIST2010 program, Healthy People 2010, evidence-based approaches, and Cancer Control PLANET. Overall understanding of ASIST2010 and its relationship to sex and gender-based care. Overall understanding of public health systems/collaborative partnerships, its infrastructure, and sustaining system change. b. Demonstrated ability and experience evaluating complex, multi-component programs located in diverse institutions and serving diverse populations. Demonstrated ability and experience conducting evaluations in organizations with different levels of evaluation experience and resources. Demonstrated experience completing evaluations on time and within budget. c. Demonstrated ability to write complex technical reports in plain language and grammatically correct. 	
II. Staff Capability and Experience	(30 Points)
<ul style="list-style-type: none"> a. Relationships between the educational background and relevant work experience of proposed staff and their designated responsibility on the project. b. Commitment of the Contractor to have the staff listed in the contract work on the contract. c. Relevant experience of proposed staff in each of the following areas: subject area expertise in program evaluation; women's health, biostatistics/epidemiology; public health systems change; health policy; program/project management; experience working with national organizations, states, health departments, non-profit organizations, and other groups in implementing national health related programs; health information collection; data analysis; health information data base design; scientific writing/editing; writing expertise for the general public; and experience working with the Behavioral Risk Factor Surveillance System (BRFSS). d. Experience, managerial expertise, and time commitment of Project Director, Project Manager, and other key relevant staff. 	

- e. Experience, technical expertise, and time commitment of offeror's evaluation team.
- f. The completeness, practicality, and feasibility of the proposed management and administrative plan.

III. Approach (25 points)

- a. Description of the evaluation approach(es) to be used and supporting justification.
- b. Discussion of the strengths and weaknesses of the evaluation approach proposed and actions to mitigate against weaknesses.
- c. Comprehensive timeline for completing the evaluation within the 26 month time frame.

IV. Offeror's Corporate Experience (15 points)

- a. Previous corporate experience in managing similar or related contracts comparable in technical complexity.
- b. Experience of the offeror [including any subcontractor(s)] with HP 2010, women's health, BRFSS, Cancer Control PLANET, and public health system change.
- c. Clarity, style, and format of the proposal as an indication of capability in plan development, data presentation, and preparation of technical reports.
- d. Experience evaluating community-based, academic, and public health programs.
- e. Experience preparing successful OMB packages.

M.3. PAST PERFORMANCE EVALUATION

The Offeror's past performance will be evaluated after completion of the technical evaluation. Only those Offerors determined to be technically acceptable will be evaluated. A survey will be conducted consisting of questions contained in Section J List of Attachments, Attachment 2, Past Performance Questionnaire. The Government will assess an overall past performance rating for each reference contacted. The overall ratings of each reference will then be combined to arrive at a final past performance rating which will be assigned points based on the following rating scheme:

<u>Definition</u>	<u>Description</u>
Exceptional ++ (Plus-Plus) (+20 points)	The Contractor has demonstrated an excellent level of performance which exceeds the performance level described as "Excellent". It is expected that this rating will be used in those rare instances when Contractor performance clearly demonstrates a level of quality/innovation/performance well beyond the contract requirements warranting the assignment of the highest possible rating.
Excellent (+15 points)	The Contractor has demonstrated an excellent performance level in all categories. There have been no performance problems and the Contractor has demonstrated initiative to enhance/exceed contractual requirements and objectives. The Contractor also has maintained an excellent Contractor/customer relationship throughout contract performance.
Good (+10 points)	There are not quality or service problems; no cost/price issues; and no delays. Responses to inquiries and technical/service administrative issues is consistently effective and responsive. Nonconformances do not impact achievement of contract requirements.
Acceptable (+5 points)	Nonconformances are minor and have little impact of the achievement of contract requirements, requires minor intervention by Government personnel to resolve issues.
Marginal (-5 points)	Nonconformances are impacting achievement of contract requirements, requires substantial intervention by Government personnel to resolve issues.
Unacceptable (-10 points)	Nonconformances are compromising the achievement of contract requirements, despite substantive intervention by Government personnel.
(0 points)	No past performance history. No previous experience.

Note: As stated in Section L.4. of this document, the Offeror shall provide a thorough explanation of problems encountered and corrective actions taken. The Government will take the Offerors' comments into consideration when conducting its past performance evaluation. THE OFFEROR MAY NOT BE GIVEN ANOTHER OPPORTUNITY TO ADDRESS PROBLEMS ENCOUNTERED IN PAST PERFORMANCE FOR REFERENCES PROVIDED AS A PART OF YOUR PROPOSAL.

M.4 EXTENT OF SMALL DISADVANTAGED BUSINESS PARTICIPATION (10 Points)

A Small Disadvantaged Business (SDB) is entitled to either the evaluation adjustment allowed by FAR Subpart 19.11 or credit under the evaluation factor prescribed by FAR 15.304(c)(4) and explained below. Further, in order to qualify, for either, the SDB must be an SDB under NAICS Code 541690 for the tasks that the SDB is being proposed to accomplish. In order for a Small Disadvantaged Business submitting a proposal as a prime to get these points, it must also offer a small disadvantaged business subcontracting plan.

Offerors will be evaluated on the following sub-factors:

1. The extent of an Offeror's commitment to use SDB concerns. Commitment should be as specific as possible, i.e. are subcontract arrangements already in place, letters of commitment, etc. Specific SDB concerns must be identified with points of contact and phone numbers. Enforceable commitments will be weighed more heavily than non-enforceable ones. Targets expressed as dollars and percentage of total contract value for each SDB participating will be incorporated into and become part of any resulting contract. The extent of participation of all SDB concerns in terms of the value of the total acquisition must be identified. **4 Points**
2. The complexity and variety of the work SDB concerns are to perform. Greater weight will be given for arrangements where the SDB shall be performing a greater variety of work, and work of greater complexity. **2 Points**
3. Fairness, reasonableness, and realism of costs proposed by SDBs for the work they will perform. **2 Points**
4. Past performance of the Offeror in complying with sub-contracting plans for SDB Concerns and monetary target for SDB participation. An Offeror with an exceptional record of participation with SDB concerns will receive a more favorable evaluation than another whose record is acceptable. **2 Points**

M.5 Cost Evaluation

Estimated cost is not a numerically weighted factor, and will not be point scored, however, it is important. The Government cannot award a contract until all proposed costs have been determined to fair and reasonable, and the best value to the Government, price and other factors considered. Proposed costs will be evaluated on the basis of cost realism which is defined as the Offeror's ability to project costs which are realistic for the work to be performed and indicates that the offer understands the nature and extent of the work to be performed.

M.6. Negotiation and Selection of Successful Offerors

Award may be made without discussions. If negotiations are deemed necessary, they will be conducted with those Offerors in the competitive range. The competitive range will be drawn from the technically acceptable Offerors and negotiations will be conducted with those Offerors determined to have submitted technically acceptable proposals together with a realistic cost estimate. You are advised that the Government considers technical quality of the proposal to be of paramount importance, and past performance and SDB participation of lesser importance. **The total of all evaluation factors: technical merit, past performance, and SDB participation will be combined to arrive at a final score.** The total of all evaluation factors combined are significantly more important than cost or price. However, as competing proposals become more equal in terms of technical merit, past performance and SDB Participation, then cost shall become the determining factor.

INSTRUCTIONS

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer of employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in Item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (Item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in Item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in Item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in Item 4 to influence the covered Federal action.
(b) Enter the full name(s) of the individual(s) performing services, and include full address if different from Item 10(a). Enter last name, first name and middle initial.
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (Item 4) to the lobbying entity (Item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. In "other", specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

**DISCLOSURE OF LOBBYING ACTIVITIES
CONTINUATION SHEET**

Approved by OMB
0348-0046

Reporting Entity: _____

Page _____ of _____

Authorized for Local Reproduction
Standard Form - LLL-A

ATTACHMENT

**PAST PERFORMANCE SURVEY COVER SHEET
RFP NO. 08T080114**

1. Offeror Name:
2. Offeror Address:

REFERENCE INFORMATION

3. Name:
4. Address:

5. Phone Number: _____ FAX Number:
6. Contract Number/Reference Number:
7. Contract Period of Performance:
8. Brief Description:

9. Number of Conference/Meeting Participants (if applicable):

**PAST PERFORMANCE SURVEY
SOLICITATION NO. 08T080114**

1. Date of Survey: _____
2. Evaluator Name: _____
3. Brief Description: _____

4. Period of Performance: Confirmed ___ Yes ___ No; If incorrect, please provide _____
5. Did the Contractor meet the scheduled milestones/deliverable dates? If not, what was the cause of any delays?

6. Have any problems been encountered during the performance of this contract? How responsive was the Contractor in addressing and resolving these situations? Were the problems resolved to your satisfaction?

7. How well did the Contractor comply with the administrative requirements of the Contract? Was the invoicing, cost information, reports, etc submitted on a timely basis? Was it accurate and complete?

8. Were there any modifications made to the terms of the contract? Was the Contractor open to negotiations and easy to work with? Does the Contractor display a business-like attitude towards their customers?

9. Did any cost overruns occur on this contract. If so, what was the cause?

10. Were all subcontractors and/or participants reimbursed by the Contractor (if applicable)?

SMALL BUSINESS SUBCONTRACTING PLAN

DATE OF PLAN: _____

CONTRACTOR: _____

ADDRESS: _____

DUN & BRADSTREET NUMBER: _____

SOLICITATION OR CONTRACT NUMBER: _____

ITEM/SERVICE (Description): _____

TOTAL CONTRACT AMOUNT: \$ _____
Total contract or Base-Year, if options

\$ _____	\$ _____	\$ _____	\$ _____
Option #1 (if applicable)	Option #2 (if applicable)	Option #3 (if applicable)	Option #4 (if applicable)

TOTAL MODIFICATION AMOUNT, IF APPLICABLE \$ _____

TOTAL TASK ORDER AMOUNT, IF APPLICABLE \$ _____

PERIOD OF CONTRACT PERFORMANCE (Month, Day & Year): _____

The following outline meets the minimum requirements of section 8(d) of the Small Business Act, as amended, and implemented by Federal Acquisition Regulations (FAR) Subpart 19.7. While this outline has been designed to be consistent with statutory and regulatory requirements, other formats of a subcontracting plan may be acceptable. It is not intended to replace any existing corporate plan that is more extensive. Failure to include the essential information of FAR Subpart 19.7 may be cause for either a delay in acceptance or the rejection of a bid or offer when a subcontracting plan is required. "SUBCONTRACT," as used in this clause, means any agreement (other than one involving an employer-employee relationship) entered into by a Federal Government prime contractor or subcontractor calling for supplies or services required for performance of the contract or subcontract.

If assistance is needed to locate small business sources, contact the Office of Small and Disadvantaged Business Utilization (OSDBU) at 202.690.7300 or the OPDIV Small Business Specialist at _____. Sources may also be obtained from the Central Contractor Registration's (CCR) web site at <http://www.ccr.gov>.

For this procurement, HHS expects all proposed subcontracting plans to contain the following goals at a minimum: 40% for Small Business; 5% for Small Disadvantaged Business; 5% for Women-Owned Small Business; 3% for HUBZone Small Business; and 3% for Veteran-Owned Small Business and Service-Disabled Veteran-Owned Small Business. These goals shall be expressed as percentages of the total estimated subcontracting dollars. **The offeror is required to include an explanation for a category that has zero as a goal.**

NOTE TO CONTRACTORS: Please provide your CCR number with your Dunn & Bradstreet number.

1. Type of Plan (check one)

- Individual plan** (all elements developed specifically for this contract and applicable for the full term of this contract).
- Master plan** (goals developed for this contract) all other elements standardized and approved by a lead agency Federal Official; must be renewed every three years and contractor must provide copy of lead agency approval.
- Commercial products/service plan** This plan is used when the contractor sells products and services customarily used for non-government purposes. Plan/goals are negotiated with the initial agency on a company-wide basis rather than for individual contracts. The plan is effective only during the year approved. The contractor must provide a copy of the initial agency approval, and must submit an annual SF-295 to HHS with a breakout of subcontracting prorated for HHS (with an OPDIV breakdown, if possible).

2. Goals

State separate dollar and percentage goals for Small Business (SB), Small Disadvantaged Business (SDB), Woman-owned Small Business (WOSB), Historically Underutilized Business Zone (HUBZone) Small Business, Veteran-owned Small Business (VOSB), Service-Disabled Veteran-owned Small Business (SDVOSB) and "Other than small business" (Other) as subcontractors, for the base year and each option year, as specified in FAR 19.704. (Break out and append option year goals, if the contract contains option years or project annual subcontracting base and goals under commercial plans.)

- a. Total estimated dollar value of ALL planned subcontracting, i.e., with ALL types of concerns under this contract is \$ _____ (b + h = a) (Base Year)

FY-___ (1 st Option)	FY-___ (2 nd Option)	FY-___ (3 rd Option)	FY-___ (4 th Option)
\$ _____ & _____ %	\$ _____ & _____ %	\$ jkl _____ & _____ %	\$ _____ & _____ %

- b. Total estimated dollar value and percent of planned subcontracting with SMALL BUSINESSES (including SDB, WOSB, HUBZone, VOSB, and SDVOSB):
(% of "a") \$ _____ and _____ % (Base Year)

FY-___ (1 st Option)	FY-___ (2 nd Option)	FY-___ (3 rd Option)	FY-___ (4 th Option)
\$ _____ & _____ %	\$ _____ & _____ %	\$ _____ & _____ %	\$ _____ & _____ %

- c. Total estimated dollar value and percent of planned subcontracting with SMALL DISADVANTAGED BUSINESSES: (% of "a") \$ _____ and _____ % (Base Year)

FY-___ (1 st Option)	FY-___ (2 nd Option)	FY-___ (3 rd Option)	FY-___ (4 th Option)
\$ _____ & _____ %	\$ _____ & _____ %	\$ _____ & _____ %	\$ _____ & _____ %

- d. Total estimated dollar value and percent of planned subcontracting with WOMAN-OWNED SMALL BUSINESSES: (% of "a") \$ _____ and _____ % (Base Year)

FY-___ (1 st Option)	FY-___ (2 nd Option)	FY-___ (3 rd Option)	FY-___ (4 th Option)
\$ _____ & _____ %	\$ _____ & _____ %	\$ _____ & _____ %	\$ _____ & _____ %

- e. Total estimated dollar and percent of planned subcontracting with HUBZone SMALL BUSINESSES: (% of "a") \$ _____ and _____ % (Base Year)

FY-___ (1 st Option)	FY-___ (2 nd Option)	FY-___ (3 rd Option)	FY-___ (4 th Option)
\$ _____ & _____ %	\$ _____ & _____ %	\$ _____ & _____ %	\$ _____ & _____ %

- j. Provide a description of the method used to develop the subcontracting goals for SB, SDB, WOSB, HUBZone, VOSB, and SDVOSB concerns. Address efforts made to ensure that maximum practicable subcontracting opportunities have been made available for those concerns and explain the method used to identify potential sources for solicitation purposes. Explain the method and state the quantitative basis (in dollars) used to establish the percentage goals. Also, explain how the areas to be subcontracted to SB, SDB, WOSB, HUBZone, VOSB, and SDVOSB concerns were determined, how the capabilities of these concerns were considered for subcontract opportunities and how such data comports with the cost proposal. Identify any source lists or other resources used in the determination process. (Attach additional sheets, if necessary.)

- k. Indirect costs have have not been included in the dollar and percentage subcontracting goals above (check one).
- l. If indirect costs have been included, explain the method used to determine the proportionate share of such costs to be allocated as subcontracts to SB, SDB, WOSB, HUBZone, VOSB, and SDVOSB concerns.

3. Program Administrator:

NAME/TITLE:
 ADDRESS:
 TELEPHONE/E-MAIL:

Duties: Does the individual named above have general overall responsibility for the company's subcontracting program, i.e., developing, preparing, and executing subcontracting plans and monitoring performance relative to the requirements of those subcontracting plans and perform the following duties?

yes no _____

(If NO is checked, please indicate who in the company performs those duties, or indicate why the duties are not performed in your company.)

- a. Develops and promotes company-wide policy initiatives that demonstrate the company's support for awarding contracts and subcontracts to SB, SDB, WOSB, HUBZone, VOSB, and SDVOSB concerns; and assures that these concerns are included on the source lists for solicitations for products and services they are capable of providing; yes no
- b. Develops and maintains bidder source lists of SB, SDB, WOSB, HUBZone, VOSB, and SDVOSB concerns from all possible sources; yes no
- c. Ensures periodic rotation of potential subcontractors on bidder's lists; yes no
- d. Ensures that SB, SDB, WOSB, HUBZone, VOSB, and SDVOSB businesses are included on the bidders' list for every subcontract solicitation for products and services that they are capable of providing; yes no

- e. Ensures that Requests for Proposals (RFPs) are designed to permit the maximum practicable participation of SB, SDB, WOSB, HUBZone, VOSB, and SDVOSB concerns; [] yes [] no
- f. Reviews subcontract solicitations to remove statements, clauses, etc., which might tend to restrict or prohibit SB, SDB, WOSB, HUBZone, VOSB, and SDVOSB participation; [] yes [] no
- g. Accesses various sources for the identification of SB, SDB, WOSB, HUBZone, VOSB, and SDVOSB concerns to include the Central Contractor Registration's (CCR) web site at (<http://www.ccr.gov>), the National Minority Purchasing Council Vendor Information Service, the Office of Minority Business Data Center in the Department of Commerce, local small business and minority associations, contact with local chambers of commerce and Federal agencies' Small Business Offices; [] yes [] no
- h. Establishes and maintains contract and subcontract award records; [] yes [] no
- i. Participates in Business Opportunity Workshops, Minority Business Enterprise Seminars, Trade Fairs, Procurement Conferences, etc; [] yes [] no
- j. Ensures that SB, SDB, WOSB, HUBZone, VOSB, and SDVOSB concerns are made aware of subcontracting opportunities and assisting concerns in preparing responsive bids to the company; [] yes [] no
- k. Conducts or arranges for the conduct of training for purchasing personnel regarding the intent and impact of Section 8(d) of the Small Business Act, as amended; [] yes [] no
- l. Monitors the company's subcontracting program performance and makes any adjustments necessary to achieve the subcontract plan goals; [] yes [] no
- m. Prepares and submits timely, required subcontract reports; [] yes [] no
- n. Coordinates the company's activities during the conduct of compliance reviews by Federal agencies; [] yes [] no; and
- o. Other duties: _____

4. Equitable Opportunity

Describe efforts the offeror will make to ensure that SB, SDB, WOSB, HUBZone, VOSB, and SDVOSB concerns will have an equitable opportunity to compete for subcontracts. These efforts include, but are not limited to, the following activities:

- a. Outreach efforts to obtain sources:
 - 1. Contacting minority and small business trade associations; 2) contacting business development organizations and local chambers of commerce; 3) attending SB, SDB, WOSB, HUBZone, VOSB, and SDVOSB procurement conferences and trade fairs; 4) requesting sources from the Central Contractor Registration's (CCR) web site at (<http://www.ccr.gov>) and other SBA and Federal agency resources. Contractors may also conduct market surveys to identify new sources, to include, accessing the NIH e-Portals in Commerce, (e-PIC), (<http://epic.od.nih.gov/>). The NIH e-Portals in Commerce is not a mandatory source and may be used at the offeror's discretion.
- b. Internal efforts to guide and encourage purchasing personnel:
 - 1. Conducting workshops, seminars, and training programs;
 - 2. Establishing, maintaining, and utilizing SB, SDB, WOSB, HUBZone, VOSB, and SDVOSB source lists, guides, and other data for soliciting subcontractors; and
 - 3. Monitoring activities to evaluate compliance with the subcontracting plan.

c. Additional efforts:

5. Flow Down Clause

The contractor agrees to include the provisions under FAR 52.219-8, "Utilization of Small Business Concerns," in all acquisitions exceeding the simplified acquisition threshold that offers further subcontracting opportunities. All subcontractors, except small business concerns, that receive subcontracts in excess of \$500,000 (\$1,000,000 for construction) must adopt and comply with a plan similar to the plan required by FAR 52.219-9, "Small Business Subcontracting Plan." (Flow down is not applicable for commercial items/services as described in 52.212-5(e) and 52.244-6(c).)

6. Reporting and Cooperation

The contractor gives assurance of (1) cooperation in any studies or surveys that may be required; (2) submission of periodic reports which show compliance with the subcontracting plan; (3) submission of Standard Form (SF) 294, "Subcontracting Report for Individual Contracts," and attendant Optional Form 312, SDB Participation Report, if applicable, (*required only for contracts containing the clause 52.219-25*) and SF 295, "Summary Subcontract Report," in accordance with the instructions on the forms; and (4) ensuring that subcontractors agree to submit Standard Forms 294 and 295.

Reporting Period	Report Due	Due Date
Oct 1 - Mar 31	SF-294	4/30
Apr 1 - Sept 30	SF-294	10/30
Oct 1 - Sept 30	SF-295	10/30
Contract Completion	OF-312	30 days after completion

Special instructions for commercial plan: SF-295 Report is due on 10/30 each year for the previous fiscal year ending 9/30.

- a. Submit SF-294 to cognizant Awarding Contracting Officer.
- b. Submit Optional Form 312, (OF-312), if applicable, to cognizant Awarding Contracting Officer.
- c. Submit SF-295 to cognizant Awarding Contracting Officer and to the:

Office of Small and Disadvantaged Business Utilization
Department of Health and Human Services
200 Independence Avenue, SW
Humphrey H. Building, Room 517-D
Washington, D.C. 20201

- d. Submit "information" copy of the SF-295 and the SF-294 upon request to the SBA Commercial Market Representative (CMR); visit the SBA at <http://www.sba.gov/gc> and click on assistance directory to locate your nearest CMR.

7. Record keeping

In accordance with FAR 19.704(a)(11), the following is a recitation of the types of records the contractor will maintain to demonstrate the procedures adopted to comply with the requirements and goals in the subcontracting plan. These records will include, but not be limited to, the following:

- a. SB, SDB, WOSB, HUBZone, VOSB, and SDVOSB source lists, guides and other data identifying such vendors;
- b. Organizations contacted in an attempt to locate SB, SDB, WOSB, HUBZone, VOSB, and SDVOSB sources;
- c. On a contract-by-contract basis, records on all subcontract solicitations over \$100,000, which indicate for each solicitation (1) whether SB, SDB, WOSB, HUBZone, VOSB, and/or SDVOSB concerns were solicited, if not, why not and the reasons solicited concerns did not receive subcontract awards.
- d. Records to support other outreach efforts, e.g., contacts with minority and small business trade associations, attendance at small and minority business procurement conferences and trade fairs;
- e. Records to support internal guidance and encouragement provided to buyers through (1) workshops, seminars, training programs, incentive awards; and (2) monitoring performance to evaluate compliance with the program and requirements; and
- f. On a contract-by-contract basis, records to support subcontract award data including the name, address, and business type and size of each subcontractor. (This item is not required on a *contract-by-contract basis* for company or division-wide commercial plans.)
- g. Other records to support your compliance with the subcontracting plan: (Please describe)

8. Timely Payments to Subcontractors

FAR 19.702 requires your company to establish and use procedures to ensure the timely payment of amounts due pursuant to the terms of your subcontracts with small business concerns, small disadvantaged small business concerns, women-owned small business concerns, HUBZone small business concerns, veteran-owned small business concerns, and service-disabled veteran-owned small business concerns.

Your company has established and uses such procedures: [] yes [] no

9. Description of Good Faith Effort

Maximum practicable utilization of small, small disadvantaged, women-owned, HUBZone, veteran-owned, and service-disabled veteran-owned small business concerns as subcontractors in Government contracts is a matter of national interest with both social and economic benefits. **When a contractor fails to make a good faith effort to comply with a subcontracting plan, these objectives are not achieved, and 15 U.S.C. 637(d) (4) (F) directs that liquidated damages shall be paid by the contractor.** In order to demonstrate your compliance with a good faith effort to achieve the small, small disadvantaged, women-owned, HUBZone, veteran-owned, and service-disabled veteran-owned small business subcontracting goals, outline the steps your company plans to take. These steps will be negotiated with the contracting officer prior to approval of the plan.

SIGNATURE PAGE

Signatures Required:

This subcontracting plan was submitted by:

Signature: _____
Typed Name: _____
Title: _____
Date: _____

This plan was reviewed by:

Signature: _____
Typed Name: _____
Title: _____
Date: _____

This plan was reviewed by:

Signature: _____
Typed Name: _____
Title: _____
Date: _____

This plan was reviewed by:

Signature: _____
Typed Name: _____
Title: _____
Date: _____

And Is Accepted By:

Signature: _____
Typed Name: _____
Title: _____
Date: _____