Amendment #2
to RFP-NIH-NIAID-DAIDS-04-42

"HIV Vaccine Design and Development Teams"

Amendment to Solicitation No.:	NIH-NIAID-DAIDS-04-42
Amendment No.:	2
Amendment Date:	December 16, 2003
RFP Issue Date:	November 24, 2003
Issued By:	Jacqueline C. Holden Senior Contracting Officer NIH/NIAID Contract Management Program 6700-B Rockledge Drive Room 2230, MSC 7612 Bethesda, Maryland 20892-7612
Point of Contact:	Janet M. Mattson, Contracting Officer
Name and Address of Offeror:	To All Offerors

The above referenced solicitation is hereby amended as follows:

SECTION M – EVALUATION FACTORS FOR AWARD is deleted in its entirety and replaced with the following:

1. GENERAL

Selection of an Offeror for contract award will be based on an evaluation of proposals against four factors. The factors in order of importance are: technical, programmatic balance, cost, and Small and Disadvantaged Business (SDB) participation. Although technical factors are of paramount consideration in the award of the contract, programmatic balance, cost/price and SDB participation are also important to the overall contract award decision. Because of the uncertainty in candidate HIV/AIDS vaccine efficacy the need to maintain a balanced portfolio of different vaccine modalities in order to meet NIAID's commitment to HIV/AIDS vaccine development is critical and will be considered in making awards. Overlap with funding made through other DAIDS funding mechanisms will also be considered as a factor in achieving programatic balance. **Thus the Government reserves the right to make awards to cover significantly different vaccine concepts as a mechanism to achieve programmatic balance even if this means not funding technically meritorius Proposals for what are deemed to be very similar or otherwise well funded approaches.** All evaluation factors other than cost or price, when combined, are significantly more important than cost or price. In any case, the Government reserves the right to make an award(s) to that Offeror(s) whose proposal provides the best overall value to the Government.

The evaluation will be based on the demonstrated capabilities of the prospective Contractors in relation to the needs of the project as set forth in the RFP. The merits of each proposal will be evaluated carefully. Each proposal must document the feasibility of successful implementation of the requirements of the RFP. Offerors must submit information sufficient to evaluate their proposals based on the detailed criteria listed below.

If an Offeror has submitted proposals for Parts A and B, each will be reviewed and evaluated as a separate,

individual proposal. For the purposes of review, Parts A and B must be able to stand alone and will be separately reviewed against the evaluation criteria. A separate competitive range will be established for Part A and Part B and within Part A and Part B there will be separate competitive ranges by vaccine modalitites.

2. **HUMAN SUBJECT EVALUATION**

Those Offerors planning to use an NIAID/DAIDS-sponsored network to perform clinical trials of their product(s) may substitute a "letter-of-interest" from the appropriate network for Proposal detail in response to the DHHS-mandated guidelines for human subject protection and evaluation described below. Offerors planning to conduct clinical trials themselves under this Contract must satisfy these guidelines.

Therefore, if this research project involves human subjects, NIH Policy requires (see http://ohrp.osophs.dhhs.gov/humansubjects/guidance/45cfr46.htm) :

(a) **Protection of Human Subjects from Research Risks**

The offeror's proposal must address the involvement of human subjects and protections from research risk relating to their participation, or provide sufficient information on the research subjects to allow a determination by Institute that a designated exemption is appropriate.

If you claim that this research should be considered exempt from coverage by the Federal Regulations at 45 CFR 46, the proposal should address why you believe it is exempt, and under which exemption it applies.

The reviewers will evaluate the proposal and provide a narrative with regard to four issues: Risks to Human Subjects, Adequacy of Protection Against Risks, Potential Benefits of the Proposed Research to the Subjects and Others, and Importance of the Knowledge to be Gained. See Section L for a complete discussion of what is required to be addressed for each of these issues. Based on the response to this criterion, this section of the proposal may be rated "unacceptable" (i.e., concerns are identified as to the protections described against risk to human subjects or no discussion is found regarding protections against risk to human subjects) or "acceptable".

If your discussion regarding the protection of human subjects from research risks is rated "unacceptable" and the Government includes your proposal in the competitive range (for competitive proposals), or if the Government holds discussions with the selected source (for sole source acquisitions), you will be afforded the opportunity to further discuss and/or clarify your position during such discussions and in your Final Proposal Revision (FPR). If, after discussions, your proposed plan for the protection of human subjects from research risks is still found unacceptable, your proposal may not be considered further for award.

(b) **Data and Safety Monitoring**

The offeror's proposal must include a general description of the Data and Safety Monitoring Plan for all clinical trials. All Offerors are directed to the full text of the NIH Policies regarding Data and Safety Monitoring and Reporting of Adverse Events that are found in the NIH Guide for Grants and Contracts Announcements at the following web sites:

http://grants.nih.gov/grants/guide/notice-files/not98-084.html

http://grants.nih.gov/grants/guide/notice-files/not99-107.html

http://grants.nih.gov/grants/guide/notice-files/NOT-OD-00-038.html

All Offerors receiving an award under this solicitation must comply with the NIH Policy cited in these NIH Announcements, the NIAID Clinical Terms of Award (http://www.niaid.nih.gov/ncn/clinical/default_human.htm), and any other data and safety monitoring requirements found elsewhere in this solicitation.

The principles of data and safety monitoring require that all biomedical and behavioral clinical trails be

monitored to ensure the safe and effective conduct of human subjects research, and to recommend conclusion of the trial when significant benefits or risks are identified or if it is unlikely that the trial can be concluded successfully. Risks associated with participation in research must be minimized to the extent practical and the method and degree of monitoring should be commensurate with risk. Additionally, all plans must include procedures for adverse event reporting. Finally, generally, for Phase III clinical trials, the establishment of a Data and Safety Monitoring Board (DSMB) is required, whereas for Phase I and II clinical trials, the establishment of a DSMB is optional. The reviewers should refer to the Statement of Work and Section L in the solicitation, as well as any further technical evaluation criteria in this Section M, as applicable, for the solicitations specific requirements for data and safety monitoring.

As a part of the evaluation for proposals, the reviewers will provide a narrative that describes the acceptability of the proposed data and safety monitoring plan with respect to the potential risks to human participants, complexity of study design, and methods for data analysis. Based on the evaluation of the response to this criterion, this section of the proposal may be rated "unacceptable" (i.e., concerns are identified as to the adequacy of the monitoring plan or no discussion can be found regarding the proposed monitoring plans) or "acceptable."

If the information provided regarding Data and Safety Monitoring is rated "unacceptable" and the Government includes your proposal in the competitive range (for competitive proposals), or if the Government holds discussions with the selected source (for sole source acquisitions), you will be afforded the opportunity to further discuss and/or clarify your plan during such discussions and in your Final Proposal Revision (FPR). If, after discussions, the plan is still considered "unacceptable," your proposal may not be considered further for award.

(c) **Women and Minorities**

Women and members of minority groups and their subpopulations must be included in the study population of research involving human subjects, unless a clear and compelling rationale and justification are provided indicating that inclusion is inappropriate with respect to the health of the subjects or the purpose of the research. In addition, for NIH-Defined Phase III clinical trials, all proposals and/or protocols must provide a description of plans to conduct analyses, as appropriate, to detect significant differences in intervention effect (see NIH Guide http://grants.nih.gov/grants/funding/women_min/guidelines_amended_10_2001.htm , Definitions - Significant Difference) by sex/gender, racial/ethnic groups, and relevant subpopulations, if applicable, unless the Government has specified that this solicitation involves a sex/gender specific study or a single or limited number of minority population groups. The proposal also must include one of the following plans:

- Plans to conduct valid analysis to detect significant differences in intervention effect among sex/gender and/or racial/ethnic subgroups when prior studies strongly support these significant differences among subgroups, OR
- Plans to include and analyze sex/gender and/or racial/ethnic subgroups when prior studies strongly support no significant differences in intervention effect between subgroups (representation of sex/gender and/or racial/ethnic groups as subject selection criterion is not required; however, inclusion and analyses are encouraged), OR
- Plans to conduct valid analyses of the intervention effect in sex/gender and/or racial/ethnic subgroups (without requiring high statistical power for each subgroup) when the prior studies neither support nor negate significant differences in intervention effect between subgroups.

Also, the proposal must address the proposed outreach programs for recruiting women and minorities as participants.

Reviewers will address the areas covered here and in Section L of the solicitation in narrative form in their evaluation. Some of the issues they will evaluate include:

- whether the plan proposed includes minorities and both genders in adequate representation

- how the offeror addresses the inclusion of women and members of minority groups and their subpopulations in the development of a proposal that is appropriate to the scientific objectives of the solicitation

- the description of the proposed study populations in terms of sex/gender and racial/ethnic groups and the rationale for selection of such subjects

- if exclusion is proposed, that the rationale is appropriate with respect to the health of the subjects and/or to the purpose of the research.

- In addition, for gender exclusion, the reviewers will examine the rationale to determine if it is because:

  - the purpose of the research constrains the offeror's selection of study participants by gender (e.g., uniquely valuable stored specimens or existing datasets are single gender; very small numbers of subjects are involved; or

  - overriding factors dictate selection of subjects); or

  - gender representation of specimens or existing datasets cannot be accurately determined, and this does not compromise the scientific objectives of the research.

- For minority group exclusion, the reviewers will examine the rationale to determine if those minority groups are excluded because:

  - inclusion of those groups would be inappropriate with respect to their health,;or

  - inclusion of those groups would be inappropriate with respect to the purpose of the research.

- For NIH-defined Phase III clinical trials, reviewers will also address whether there is an adequate description of plans to conduct analyses to detect significant differences of clinical or public health importance in intervention effect(s) by sex/gender and/or racial ethnic subgroups when the intervention effect(s) is expected in the primary analyses, or if there is an adequate description of plans to conduct valid analyses of the intervention effect in subgroups when the intervention effect(s) is not expected in the primary analyses.

If you determine that inclusion of women and minority populations is not feasible, you must submit a detailed rationale and justification for exclusion of one or both groups from the study population with the technical proposal. The Government will review the rationale to determine if it is appropriate with respect to the health of the subjects and/or the purpose of the research

Based on the evaluation of the response to this criterion, this section of the proposal may be rated "unacceptable" (i.e., no discussion can be found regarding the proposed gender/minority inclusion plans, or concerns are identified as to the gender or minority representation, or the proposal does not adequately address limited representation of one gender or minority; or the plan is not in accordance with NIH policy guidelines) or "acceptable." See Section L of the solicitation for the requirements of women/minorities inclusion.

If the information you provide in your proposal regarding the inclusion of women and minorities is rated "unacceptable" and the Government includes your proposal in the competitive range (for competitive proposals), or if the Government holds discussions with the selected source (for sole source acquisitions), you will be afforded the opportunity to further discuss, clarify, or modify your plan during discussions and in your Final Proposal Revision (FPR). If your plan for inclusion/exclusion of women/minorities is still considered "unacceptable" by the Government after discussions, your proposal may not be considered further for award.

(d) **Children**

Children (i.e. individuals under the age of 21) must be included in all human subject research unless there are

clear and compelling reasons not to include them. http://grants.nih.gov/grants/guide/notice-files/not98-024.html

Your proposal must include a description of plans for including children. If you plan to exclude children from the required research, your proposal must present an acceptable justification for the exclusion. If you determine that exclusion of a specific age range of child is appropriate, your proposal must also address the rationale for such exclusion. Also, the plan must include a description of the expertise of the investigative team for dealing with children at the ages included, of the appropriateness of the available facilities to accommodate the children, and the inclusion of a sufficient number of children to contribute to a meaningful analysis relative to the purpose/objective of the solicitation. Also, see Section L of the solicitation for further specific requirements on inclusion of children.

Based on the reviewers' narrative evaluation of the offeror's response to this evaluation criterion, this section of the proposal may be rated "unacceptable" (i.e., no discussion can be found regarding the proposed inclusion plans for children; or concerns are identified as to the offeror's response regarding the inclusion of children; or the plan is not in accordance wit h NIH policy guidelines) or "acceptable."

If the information provided in your proposal about the inclusion of children is rated "unacceptable" and the Government includes your proposal in the competitive range (for competitive proposals), or if the Government holds discussions with the selected source (for sole source acquisitions), you will be afforded the opportunity to further discuss, clarify or modify your plan during discussions and in your Final Proposal Revision (FPR). If your plan for inclusion of children is still considered "unacceptable" by the Government after discussions, your proposal may not be considered further for award.

3. MANDATORY QUALIFICATION CRITERIA

Listed below are mandatory qualification criteria. **THE OFFEROR SHALL INCLUDE ALL INFORMATION WHICH DOCUMENTS AND/OR SUPPORTS THE QUALIFICATION CRITERIA IN ONE CLEARLY MARKED SECTION OF ITS PROPOSAL.**

The following qualification criteria establishes conditions that must be met prior to Proposal Review in order for your proposal to be considered any further for award.

Offerors **must** provide a draft agreement signed by persons with appropriate authority representing all parties involved outlining procedures to be used for: (1) obtaining patent coverage and licensing of the resulting HIV vaccine, and (2) procedures to be followed for the resolution of potential legal issues that may arise.
PROPOSALS THAT DO NOT INCLUDE THIS AGREEMENT WILL BE RETURNED TO THE OFFEROR WITHOUT FURTHER REVIEW AND WILL NOT BE CONSIDERED FOR AWARD.

4. TECHNICAL EVALUATION CRITERIA

The evaluation criteria are used by the technical evaluation committee when reviewing the technical proposals. Proposals submitted in response to this RFP will be evaluated based on the following factors that are listed and weighted in order of their relative importance. Offerors who choose to respond to both Parts A and B by developing a single concept/product for use as both a preventative and therapeutic vaccine will receive separate scores for the Scientific Rationale for the soundness of the rationale of their vaccine for use in uninfected and HIV-infected individuals so that the Proposal can be evaluated independently for the different uses.

CRITERIA	WEIGHT
1. Scientific Rationale	Points: 20

a) Soundness of the scientific rationale of the proposed vaccine concept. As part of the rationale, the choice of

development as a preventative (part A) or therapeutic (part B) vaccine will be evaluated.

b) Convincing rationale of the likelihood of obtaining the envisioned product

c_1) **For Part A**, a critical rationale for the suitability and applicability of the envisioned product to worldwide use, including feasibility of large-scale manufacture and widespread acceptance of envisioned product

c_2) **For Part B**, a critical rationale for the product as part of the therapeutic armamentarium, including feasibility of large-scale manufacture

d) Suitability and uniqueness of the approach to surmounting scientific obstacles to HIV/AIDS vaccine development (e.g. examples of obstacles for uninfected individuals being the difficulty of inducing strong cell-mediated immunity to divergent HIV antigens or broadly cross-reactive neutralizing antibodies, while examples of obstacles for HIV-infected individuals also include inducing immunity in individuals with low CD4 counts and in the presence of a changing treatment environment)

2. Technical Approach Points: 40

Suitability and feasibility of:

a) the proposed goals and milestones for optimizing the vaccine concept
b) the methods and procedures for implementing the scientific plans and achieving the proposed goals and milestones
c) the appropriateness and adequacy of the experimental approach and methodologies (including the assays to detect immune responses) proposed
d) the proposed time schedule for achieving contract objectives and milestones
e) the proposed qualitative and quantitative criteria that will be used in deciding when to proceed to the next phase of development toward candidate vaccine product
f) the plans for modifying the goals and milestones based on adverse experimental or production results, or on new scientific findings along the development path
g) the appropriateness and adequacy of the budget for the work proposed
h) the adequacy and feasibility of any proposed plans for conducting and managing clinical trials, including protection of human subjects from research risks, representation of appropriate genders, racial/ethnic and age groups, data and safety monitoring and reporting, and valid analysis of data (see section 2. above)

3. Qualifications and Availability of Proposed Scientific and Management Staff Points: 20

a) Leadership and Management Structure

Proposed scientific and administrative leadership, and project management of the Team. This must include the documented training, experience, leadership, and availability of a Principal Investigator and a Project Manager. The administrative framework, indicating clear lines of authority and responsibility for the project's management, must be described. If the Team elects to have both a scientific and a management leader, the proposal must also include the documented training, experience, and leadership of the management expert. The overall competence of the Principal Investigator and the surrounding leadership to successfully manage a project of this size and complexity must also be defined.

b) Scientific and Technical Staff

Documented training, experience and availability of the proposed other professionals, research, technical, management, and support staff, and their documented capability to perform their roles in the proposed studies, and expertise in similar projects. The logistical adequacy of the staffing plan for the conduct of the project, including the responsibilities and time commitment of the professional and technical staff.

c) Subcontractors

Documented training, experience and availability of any proposed subcontractor(s), their documented capability to perform the proposed work, and expertise in similar projects. The logistical adequacy of the plan for use of the subcontractor(s) in the conduct of the project, including the time commitments of the

professional and technical staff, the appropriateness of subcontracts, and the adequacy of the budget for subcontractors' work. Quality and feasibility of the plan to identify the need to add, replace, or remove subcontractors dependent on the progress or change in scientific direction. Adequacy of plans for evaluating the performance of subcontractors.

4. Facilities and Resources Points: 20

Documented availability and adequacy of facilities, equipment, and resources necessary to safely carry out all phases of the proposed project

The Offeror must provide:

a) a detailed laboratory layout
d) information regarding ownership/lease of the facility, including its demonstrated availability for the duration of the proposed contract
e) a plan for compliance with all safety guidelines and regulations, including training and monitoring of personnel for exposure to infectious and other hazardous materials
f) a plan for production of the vaccine product under GMP/GLP conditions
g) a plan demonstrating its capacity to perform FDA-required safety, immunogenicity, and other pre-clinical studies, and any associated human clinical trials along with a justification for studies at international sites
h) a plan demonstrating its capacity to perform regulatory- and human subjects protection-compliant clinical trial, or a letter-of-interest from the appropriate NIAID/DAIDS-sponsored trial network in performing a clinical trial with the Offeror's proposed vaccine product(s)
i) a plan for obtaining, adding or deleting facilities as necessary due to progress during the course of product development

TOTAL: Points: 100

5. **PAST PERFORMANCE FACTOR**

An evaluation of offeror's past performance information will be conducted subsequent to the technical evaluation. However, this evaluation will not be conducted on any offeror whose proposal would not be selected for award based on the results of the evaluation of factors other than past performance.

The evaluation will be based on information obtained from references provided by the offeror, other relevant past performance information obtained from other sources known to the Government, and any information supplied by the offeror concerning problems encountered on the identified contracts and corrective action taken.

The government will assess the relative risks associated with each offeror. Performance risks are those associated with an offeror's likelihood of success in performing the acquisition requirements as indicated by that offeror's record of past performance.

The assessment of performance risk is not intended to be a product of a mechnaical or mathematical analysis of an offeror's performance on a list of contracts but rather the product of subjective judgement by the Government after it considers relevant information.

When assessing performance risks, the Government will focus on the past performance of the offeror as it relates to all acquisition requirements, such as the offeror's record of performing according to specifications, including standards of good workmanship; the offeror's record of controlling and forecasting costs; the offeror's adherence to contract schedules, including the administrative aspects of performance; the offeror's reputation for reasonable and cooperative behavior and commitment to customer satisfaction; and generally, the offeror's business-like concern for the interest of the customer.

The Government will consider the currency and relevance of the information, source of the information, context of the data, and general trends in the offeror's performance.

The lack of a relevant performance record may result in an unknown performance risk assessment, which will neither be used to the advantage nor disadvantage of the offeror.

6. **EXTENT OF SMALL DISADVANTAGED BUSINESS PARTICIPATION**

SDB participation will not be scored, but the Government's conclusions about overall commitment and realism of the offeror's SDB Participation targets will be used in determining the relative merits of the offeror's proposal and in selecting the offeror whose proposal is considered to offer the best value to the Government.

The extent of the offeror's Small Disadvantaged Business Participation Targets will be evaluated before determination of the competitive range. Evaluation of SDB participation will be assessed based on consideration of the information presented in the offeror's proposal. The Government is seeking to determine whether the offeror has demonstrated a commitment to use SDB concerns for the work that it intends to perform.

Offers will be evaluated on the following sub-factors:

(a) Complexity and variety of the work SDB concerns are to perform. Greater emphasis will be given for the arrangements where the SDB shall be performing work appropriate to the scientific objectives expressed in the statement of work.

(b) Extent of participation of SDB concerns in terms of the value of the total acquisition.

[End of SECTION M]

- Except as provided herein, all terms and conditions of this RFP remain unchanged and in full force and effect.
- The hour and date specified for receipt of offers REMAINS: **February 19, 2004, 4:00 PM, EST**.
- Offerors must acknowledge receipt of this Amendment #2, on each copy of the proposal submitted.

Failure to receive your acknowledgment of this amendment may result in the rejection of your offer.

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