

CIO-SP2i – Guidelines



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FOREWORD

The Chief Information Officer-Solutions and Partners 2 *Innovations* (CIO-SP2i) Task Order (TO) Guidelines contain the procedures for using the National Institutes of Health (NIH) Information Technology Acquisition and Assessment Center's (NITAAC) CIO-SP2i contracts. These guidelines are presented from the customer's perspective; however, in some cases we have included prime contractor and/or NITAAC's responsibilities for a more complete description of the process.

The CIO-SP2i contracts were awarded under the Federal Acquisition Streamlining Act (FASA) and the Clinger-Cohen Act, which require that the prime contractors be given a Fair-Opportunity-to-be-Considered (FOC) for TO Awards. The contracts are structured as Indefinite Delivery/Indefinite Quantity (IDIQ) contracts, using TO's for acquisition of specified services (see FAR 16.5). These contracts are available to the NIH as well as to any Federal Government Agency. Procedures for using this contract to place orders are detailed in the following Guidelines. **NIH ordering officials** may also refer to the NIH Policy Manual, Chapter 6016-2, Task and Deliver Order Contracting (available at <http://www1.od.nih.gov/oma/manualchapters/contracts/6016-2/>), which further describes NIH policies on the use of TO's under IDIQ contracts.

Questions about the Guidelines, all correspondence, official deliverables related to TO establishment, and administration should be directed to the **CIO-SP2i Contracts Team**, as provided below. Questions about all financial related matters should be directed to the **Financial Team**, as provided below. See the Glossary in [APPENDIX A](#) for definitions of terms used in these Guidelines.

<p>CIO-SP2i Contract Team National Institutes of Health Office of Logistics and Acquisitions Operations NITAAC/CIO-SP2 i 6011 Executive Blvd., Suite 503L Rockville, Maryland 20852 Telephone: 1-888-773-6542 FAX: (301) 496-8486</p>	<p>Financial Team National Institutes of Health Office of Logistics and Acquisitions Operations NITAAC/Financial Team 6011 Executive Blvd., Room 503H Rockville, Maryland 20852 Telephone: (301) 496-5460 FAX: (301) 435-5563</p>
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You may also contact NITAAC via the following methods:

Telephone: 1-888-773-6542
Contacts: NITAAC Points of Contact (see NITAAC Website)
E-mail: nihcios2@od.nih.gov
Web site: <http://nitaac.nih.gov/>

TABLE OF CONTENTS

1. GENERAL INFORMATION ON THE TASK ORDER (TO) PROCESS (STEP 1).....1

1.1 CONTRACT STRUCTURE1

1.2 NIH PROCESSING FEE1

1.3 MINIMUM TASK ORDER AMOUNT2

1.4 “FAIR-OPPORTUNITY-TO-BE-CONSIDERED” FOC RULE2

1.5 CLASSIFIED MATERIAL.....2

1.6 FISCAL YEAR CUTOFF DATES.....2

1.7 SUPPORTING DOCUMENTATION SUBMISSION2

1.8 SAMPLE FORMS & DOCUMENTS3

1.9 TASK ORDER TIME LINES3

1.10 CHARTING THE TASK ORDER PROCESS3

1.11 ELECTRONIC AND INFORMATION TECHNOLOGY ACCESSIBILITY STANDARDS
(36 CFR PART 1194)3

2. PREPARE TASK ORDER REQUIREMENTS PACKAGE (STEP 2)6

2.1 CUSTOMER PREPARES THE TASK ORDER REQUIREMENTS PACKAGE6

2.1.1 *Statement of Work*.....6

2.1.2 *Earned Value Management Requirements*6

2.1.3 *TORP Security Certification*.....7

2.1.4 *Independent Government Cost Estimate (IGCE)*.....7

2.1.5 *Point-of-Contact (POC) Information for NITAAC and Contractor use*.....7

2.1.6 *Funding Strategy*8

2.1.7 *Proposal Instructions*.....8

2.1.8 *Special Instructions for Exception to the FOC Rule (See Appendix E for Listing of Exceptions)*.....8

2.1.9 *Lease or Purchase Acquisition Considerations*.....8

2.2 SUBMISSION OF THE TORP8

2.3 VERIFYING NITAAC RECEIPT OF THE TORP8

3. NITAAC REVIEW AND POSTING OF REQUIREMENTS (STEP 3).....10

3.1 PURPOSE OF NITAAC REVIEW.....10

3.2 FAIR-OPPORTUNITY PROCESS.....10

3.3 EXCEPTION TO THE FOC PROCESS10

3.4 PROSPECTIVE OFFEROR NON-DISCLOSURE AGREEMENT.....10

4. PRIME CONTRACTOR(S) PREPARE TASK ORDER PROPOSALS (STEP 4).....11

4.1 TECHNICAL PROPOSALS11

4.2 COST PROPOSALS11

4.2.1 *Time & Materials (T&M) and Firm-Fixed-Price (FFP) Proposals*11

4.2.2 *Cost-Plus-Fixed-Fee (CPFF), Cost-Sharing (CS), and Cost-Plus-Award-Fee (CPAF) Proposals*.....11

4.3 NO RESPONSE11

5. CUSTOMER REVIEW OF PROPOSALS AND PREPARATION OF SRDP (STEP 5).....12

5.1 EVALUATION AND DISCUSSIONS12

5.1.1 *Best Value Analysis*.....12

5.1.2 *Proprietary Information*.....12

5.1.3 *Security Review*.....12

5.2 SRDP CONTENTS.....12

5.2.1 *Selection Recommendation Document*.....12

5.2.2 *SRDP Security Certification*.....13

5.2.3 NIH Processing Fee (external customers) 13

5.2.4 Copies of All Proposals 13

5.2.5 SOW Updates or Changes Since Submission of the TORP, If Applicable 13

5.3 NIH PROCESSING FEE PAYMENT METHOD (External Customers) 13

5.4 PROCEDURES UNIQUE TO NIH INTERNAL CUSTOMERS 14

5.5 SRDP SUBMISSION 14

6. NITAAC REVIEW AND APPROVAL TO AWARD TASK ORDER (STEP 6) 15

6.1 NITAAC APPROVAL LETTER 15

6.2 AWARD ANNOUNCEMENTS 15

6.3 DEBRIEFINGS 15

6.4 PROTESTS 15

7. CUSTOMER PREPARES THE TASK ORDER (STEP 7) 16

7.1 CONTRACTOR EMPLOYEE INVESTIGATIONS AND NON-DISCLOSURE AGREEMENT 16

8. PRIME CONTRACTOR IMPLEMENTS TASK ORDER (STEP 8) 17

9. CONTRACT AND TO OVERSIGHT AND MANAGEMENT (STEP 9) 18

9.1 CONTRACT LEVEL MANAGEMENT 18

9.1.1 In-Process Reviews 18

9.1.2 Monthly Program Status Report 18

9.1.3 Monthly Sales Report 18

9.1.4 Monthly Check Report (MCR) 18

9.1.5 IDIQ Contract Files 19

9.2 TASK ORDER MANAGEMENT 19

9.2.1 Day-to-Day-Monitoring 19

9.2.2 Acceptance of Deliverables 19

9.2.3 Acceptance of Invoices 19

9.2.4 Past Performance Evaluations 19

9.3 TASK ORDER MODIFICATIONS 20

9.3.1 No Cost Modifications 20

9.3.2 Addition of Funds 20

9.3.3 Minimum Processing Fee 20

9.3.4 Additional Work/Additional Time 20

9.4 TASK ORDER CLOSE OUT 20

10. OPTIONAL CONTRACTOR MULTI-PHASE PROCESS 22

APPENDIX A: GLOSSARY 24

APPENDIX B: TASK MANAGEMENT AND TASK AREAS 27

APPENDIX C: LINKS TO TASK ORDER WORK FLOW DOCUMENTS 32

APPENDIX D: CIO-SP2 PRIME CONTRACTORS RECEIVING AWARDS AND THEIR TASK AREAS 33

APPENDIX E: EXCEPTIONS TO THE FAIR OPPORTUNITY PROCESS 35

APPENDIX F: SAMPLE OUTLINE OF A 10-PAGE “WHITE PAPER” 36

APPENDIX G: SAMPLE STATEMENTS FOR SECTION 508 COMPLIANCE 37

APPENDIX H: SECURITY-SPECIFIC ACTIONS FOR HHS TASK ORDERS 39

1. GENERAL INFORMATION ON THE TASK ORDER (TO) PROCESS (Step 1)

The CIO-SP2*i* contracts provide Information Technology (IT) systems and services necessary to support the Chief Information Officer (CIO) requirements for IT solutions within the National Institutes of Health and other Federal Government agencies. Approximately 604 vendors on 48 prime-contractor teams are available to provide solutions in the following **nine task areas**:

- Task Area 1. Chief Information Officer (CIO) Support
- Task Area 2. Outsourcing
- Task Area 3. IT Operations and Maintenance
- Task Area 4. Integration Services
- Task Area 5. Critical Infrastructure Protection and Information Assurance
- Task Area 6. Digital Government
- Task Area 7. Enterprise Resource Planning
- Task Area 8. Clinical Support, Research, and Studies
- Task Area 9. Software Development

Definitions of these task areas are available in [APPENDIX B](#). The specific task areas awarded to each contractor are identified in the matrix located in [APPENDIX D](#).

1.1 CONTRACT STRUCTURE

The CIO-SP2*i* contracts are structured as Indefinite Delivery/Indefinite Quantity (IDIQ) contracts that may be Firm Fixed Price (FFP), Time and Materials (T&M), Cost Plus Fixed Fee (CPFF), Cost Sharing (CS), or Cost Plus Award Fee (CPAF, typically used for TO's greater than \$2 million). Loaded labor rates (inclusive of direct labor costs, overhead, General and Administrative Expenses (G&A), and profit) are utilized for both T&M and FFP TOs. Other Direct Costs (ODCs) are set out by ODC multipliers, which do not include profit. Travel, if applicable, will be separately negotiated for each TO. A listing of the CIO-SP2*i* prime contractors, along with links to their Web sites, may be found on the NIH NITAAC Web site, located at <http://nitaac.nih.gov/>. The CIO-SP2*i* prime contractors' Web sites contain the loaded labor rates for CIO-SP2*i*.

Factors to be considered in determining the TO contract type include, but are not limited to: type and complexity of the requirement, prime contractor's technical capability, and adequacy of the prime contractor's (and, if applicable, subcontractor's) accounting system, as well as the definitiveness of the Customer's Statement of Work (SOW, see The Federal Acquisition Regulations ([FAR 16.104](#) for further discussion). The Customer's Accountable Management Officials/Contracting Officers (AMOs/COs) and the CIO-SP2*i* CO should be consulted for advice concerning the appropriate contract type for a particular TO, prior to the submission of the Task Order Requirements Package (TORP).

1.2 NIH PROCESSING FEE

All external customers (i.e., Federal agencies other than NIH) are assessed a processing fee equal to one percent or less of the obligated TO amount. *The fee is paid only through the prime contractor via a separate firm-fixed price (FFP) line item within the TO.* (Note: If the TO amount is less than \$25,000, there is a minimum NIH processing fee of \$250. If there is a modification to the TO that adds additional funds, e.g., incremental funding actions, exercise of options, etc., the applicable processing fee [of the obligated amount of the modification] must be added as a separate line item in the modification. For such TO modifications, the minimum processing fee is also \$250. See section 5.2.2 for further details).

For external customers, Table 1 provides the NIH Processing fee structure for CIO-SP2*i*.

Table 1. NIH Processing Fee (with sliding scale incentive) for External Customers

Business Category	Task Order Amount		
	\$0 – 5M	\$5M – 10M	Over \$10M
Large Business Fee %	1%	1%	1%
Small Business Fee %	1%	0.75%	0.50%

NIH internal customers are charged a fee in accordance with the payment mechanism used. This fee is already calculated in the Service and Supply Fund charges.

For further information concerning the NIH fee, customers can contact the Financial Team at the address provided in the [FOREWORD](#).

1.3 MINIMUM TASK ORDER AMOUNT

NITAAC reserves the right to establish the minimum dollar amount for new TO's to be considered eligible for processing. Currently, this minimum TO amount is \$25,000.00.

1.4 “FAIR-OPPORTUNITY-TO-BE-CONSIDERED” FOC RULE

In accordance with the Federal Acquisition Regulations (FAR), NITAAC provides each CIO-SP2i prime contractor with a FOC for each TO. Unless one of the exceptions cited at The Federal Acquisition Regulations [FAR 16.505 \(b\)\(2\)](#) applies, the CIO-SP2i CO will announce each TO requirement to all CIO-SP2i prime contractors who have received an award in the task area(s) covered by the TO requirement. This is accomplished by transmitting customer-developed, NITAAC-approved TO requirements to each eligible prime contractor via e-mail¹. Each announcement contains information to help prime contractors quickly evaluate the opportunity and respond in an accelerated time frame. The customer:

- 1) Reviews the proposals received in response to the TO announcement
- 2) Based on a best value analysis, selects the prime contractor
- 3) Documents the selection to NITAAC
- 4) After issuance of a NITAAC approval letter, awards the TO to the selected prime contractor. The customer must provide a copy of the TO to NITAAC.

1.5 CLASSIFIED MATERIAL

TORPs must contain only unclassified material, regardless of the level of classification of the work to be performed under the TO.

1.6 FISCAL YEAR CUTOFF DATES

TORPs that must be awarded by the end of the fiscal year (i.e., packages that are supported by funds that expire at the end of the fiscal year) should be submitted by September 15th of the fiscal year. **Sufficient time may not exist after September 15th to guarantee completion of the award process.**

1.7 SUPPORTING DOCUMENTATION SUBMISSION

The preferred channel for delivery of all correspondence to NITAAC is e-mail (nihcios2@od.nih.gov). When a signature is required, such as for the exceptions to the FOC rule, or for Solution Recommendation Document Packages (SRDPs), please fax a copy of the

¹ Customer-developed, NITAAC-approved task order requirements that fall under one of the exceptions to the requirement for “Fair-Opportunity-to-be-Considered” are announced only to the selected prime contractor.

signature document(s) to the CIO-SP2i Contract Team using the fax number shown in the [FOREWORD](#). Other pertinent documentation may be faxed or e-mailed.

Microsoft Word is the preferred format for all textual documents. If Word cannot be used, the preferred format is Corel WordPerfect or, if necessary, ASCII. Spreadsheets should be submitted in either Microsoft Excel or Lotus 1-2-3.

1.8 SAMPLE FORMS & DOCUMENTS

[APPENDIX C](#) of this document provides blank forms for each of the documents in the **TORP** and **SRDP**, as well as the format required for the **Past Performance Evaluation Report**. In the near future, these forms will be provided at the NITAAC Web site (<http://nitaac.nih.gov/>) for online data entry, thereby minimizing e-mail and fax requirements.

1.9 TASK ORDER TIME LINES

TO time lines are targeted at 7 to 28 business days, depending on order type and extent of competition. Complex orders may take longer. Table 2 lists the performance goals for processing the TORP—from receipt by NITAAC, through award of the TO to a prime contractor. These processing times begin once a complete, acceptable TORP is received by NITAAC. Incomplete or unacceptable TORPs will require additional time on NITAAC’s part to advise the customer on minimum acceptable requirements. COs must establish a solicitation response time that will afford potential offerors a reasonable opportunity to respond to the requirement. When establishing the solicitation response time, the CO should consider the circumstances of the individual acquisition and consider all factors, such as the complexity, commerciality, availability, value and urgency of the requirement.

Table 2. CIO-SP2i Task Order Processing Times by Procurement Type
(Complex orders may take longer)

Procurement Type	T&M/FFP	CPFF/CPAF/CS
Exception to Fair Opportunity (Sole Source)	7 to 14 business days	14 to 21 business days
Competition	14 to 21 business days	21 to 28 business days

1.10 CHARTING THE TASK ORDER PROCESS

Figure 1 below charts the TO Process Flow from initiation of the requirement through TO performance and close-out, mapping each step to the party primarily responsible for completing the required activities, (i.e., the customer, prime contractor, or NITAAC). A more detailed description of the activities occurring at each step is provided in subsequent sections of these guidelines.

Security-specific actions required for Department of Health and Human Services (HHS) task orders are identified throughout the guidelines and summarized in APPENDIX H. **Customers from other agencies should prepare task orders in accordance with their agencies’ security policies and guidelines.**

1.11 ELECTRONIC AND INFORMATION TECHNOLOGY ACCESSIBILITY STANDARDS (36 CFR PART 1194)

When Federal departments or agencies develop, procure, maintain, or use electronic and information technology (EIT), Section 508 of the Rehabilitation Act of 1973 is applicable. It requires that Federal agencies must ensure that their EIT allows Federal employees with disabilities to have access to and use of information and data that is comparable to the access

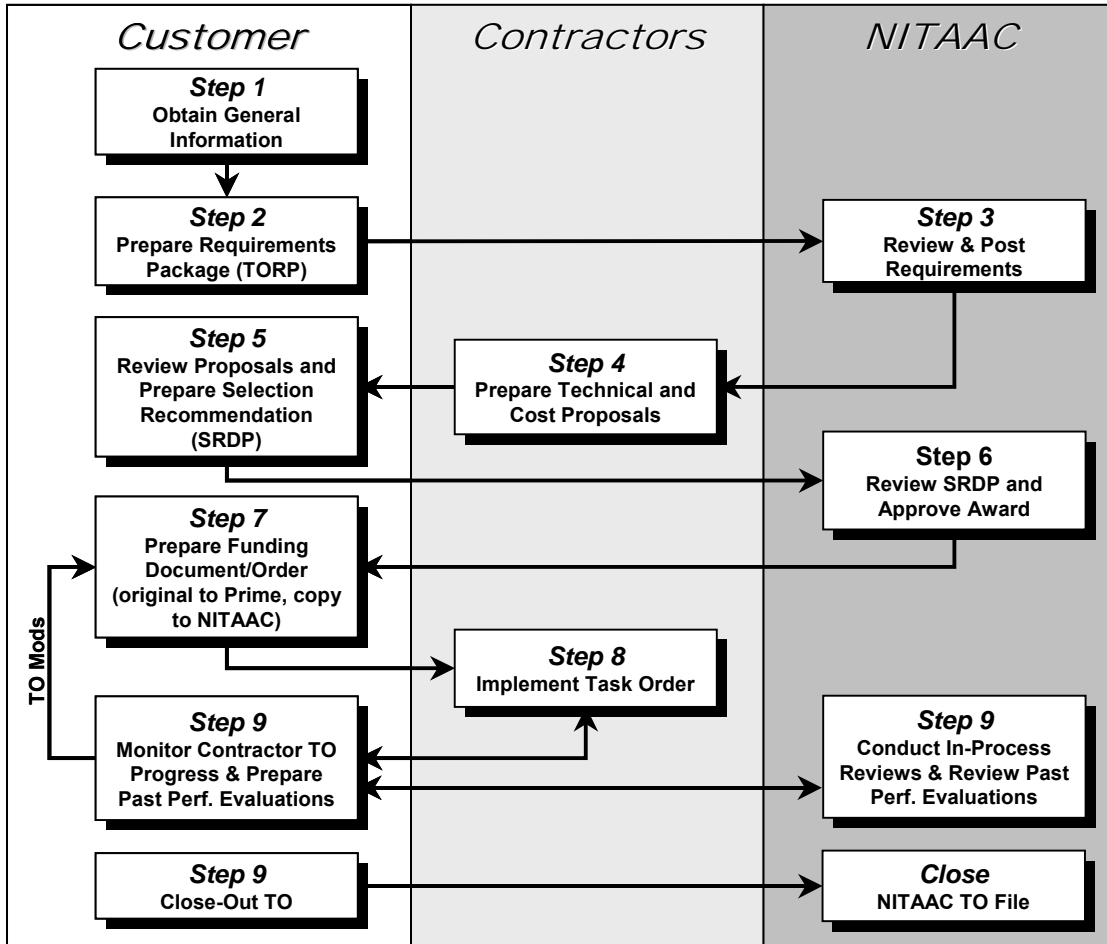


Figure 1. Task Order Process Flow

and use by Federal employees without disabilities. Section 508 similarly requires that members of the public with disabilities, who are seeking information or services from a Federal agency, have access to and use of information and data that is comparable to that provided to members of the public without disabilities.

Comparable access is not required if it would impose an undue burden on the agency. An *undue burden* here means a significant difficulty or expense. Agencies are required by statute to document the basis for an undue burden. Requiring officials should be aware that when there is an undue burden, the statute requires an alternative means of access to be provided to individuals with disabilities.

On April 25, 2001, the final rule for implementing Section 508 in the FAR was published. This regulation took effect on June 25, 2001, and for indefinite quantity contracts, it is applicable to delivery orders or TOs issued on or after this date. (See <http://www.arnet.gov/far/FAC/fac97-27.pdf>).

Section 508 requires the FAR to incorporate accessibility standards developed by the Architectural and Transportation Barriers Compliance Board (also referred to as the "Access Board"). These regulations, known as the Electronic and Information Technology Accessibility Standards (36 CFR part 1194) are available at [The Section 508 Standards Page](http://www.access-board.gov/sec508/standards.htm) or with comments and responses at <http://www.access-board.gov/sec508/standards.htm>.

Besides incorporating the Access Board's EIT Accessibility Standards, the revisions to Part 39 of the FAR, in compliance with Section 508, include the following:

- The discussion of the term: "electronic and information technology" created by the statute
- A new Subpart 39.2 on Electronic and Information Technology

Acquisitions of EIT supplies and services must comply with the applicable EIT Accessibility Standards unless an exception in FAR 39.204 applies. (See <http://www.arnet.gov/far/FAC/fac97-27.pdf>). COs that award indefinite-quantity contracts must indicate to requiring and ordering activities which supplies and services their contractors indicate as compliant, and show where full details of compliance can be found.

Indefinite-quantity contracts may include noncompliant items, provided that any task or delivery order issued for noncompliant EIT meets an applicable exception or commercial non-availability consideration. Accordingly, requiring activities must ensure compliance with the EIT Accessibility Standards (at 36 CFR part 1194) or that an exception applies at time of issuance of task or delivery orders.

The rule recognizes that initially many products will not meet all the technical standards in 36 CRF part 1194. Nevertheless, agencies may need to acquire these products. Therefore:

- 1) When acquiring commercial items, an agency must comply with those accessibility standards that can be met with supplies and services that are available in the commercial marketplace in time to meet the agency's delivery requirements.
- 2) The requiring official must document in writing the non-availability, including a description of market research performed and the individual standards that cannot be met. The official must provide this documentation to the CO for inclusion in the contract file.
- 3) Partially conforming products must be considered. The most conforming one among them that satisfies the minimal government non-Sec. 508 specifications must be selected.

Small businesses will have to analyze whether the EIT they plan to sell to the Federal Government complies with the standards. Since the statute imposes private enforcement, whereby individuals with disabilities can file civil rights lawsuits, the Government has little flexibility for providing alternatives to this regulation. To meet the requirements of the law, small businesses are *not* exempt from any part of the rule. However, subcontractors are NOT subject to Sec. 508 except where they provide a product that will reach the Government or public for use.

A sample text to include in a statement of work that addresses Section 508 of the Rehabilitation Act is in [APPENDIX G](#).

2. PREPARE TASK ORDER REQUIREMENTS PACKAGE (STEP 2)

NITAAC controls the TO Process through a two-step documentation submission procedure, consisting of the TORP and the Solution Recommendation Document Package (SRDP) (See [CHAPTER 5](#) for a discussion of the SRDP). The TORP is the documentation package that starts the CIO-SP2i TO process. It is intended to provide the information required by NITAAC to verify scope of work, TO type, etc., and the information required by the prime contractors to prepare a proposal in response to the Statement of Work. Customers are encouraged to contact the CIO-SP2i Contract Team to discuss projected TO requirements and to obtain guidance in the preparation of complete, acceptable documentation. In addition, the AMO should be involved early in the process, preferably at the time of the TORP submission. This will streamline the process and potentially eliminate complications.

2.1 CUSTOMER PREPARES THE TASK ORDER REQUIREMENTS PACKAGE

The customer prepares and submits a complete TORP to the CIO-SP2i CO at nihcios2@od.nih.gov. The CIO-SP2i CO, or a designated representative, will review the TORP and, if complete, assign a NITAAC Tracking Number within three (3) business days. This NITAAC Tracking Number is required for identification purposes on all correspondence. A complete TORP consists of the information contained in the following paragraphs (See [APPENDIX C](#)), preferably transmitted via e-mail, with those documents that require signature faxed to the CIO-SP2i CO at the fax number shown in the [FOREWORD](#).

2.1.1 Statement of Work

A complete *performance-based* Statement of Work (SOW) is essential. CIO-SP2i stresses “**solutions based contracting**,” as defined in the Clinger-Cohen Act². Thus, the SOW must include an “Objectives” section, allowing the customer to emphasize the desired end-state or performance metric to be achieved. The SOW must contain (or have attached) a Quality Assurance Surveillance Plan (QASP) that describes how the Government will inspect the contractor’s work in order to assure its quality (per [FAR Subpart 37.6](#) or [FAR Part 46](#)).

If performance-based acquisition methods are used, a QASP must be developed in conjunction with the preparation of the SOW or be proposed by the prime contractor in responding to the proposal request (FAR 37.604, FAR 46.401(a)).

The contractor evaluation criteria must be developed by the customer and state the relative importance of each criterion. The SOW should stress contractor qualifications in the evaluation criteria section and, as minimum evaluation criteria for every order, require the assessment of past performance, technical approach, and cost.

2.1.2 Earned Value Management Requirements

OMB policy requires the application of Earned Value Management (EVM) to IT investment management (see OMB Circular A-11, Part 7, Section 300, http://www.whitehouse.gov/omb/circulars/a11/current_year/s300.pdf).

The policy requires Government contracts to include specific requirements for contractors to manage their work with an Earned Value Management System (EVMS) or follow EVM practices, depending on the planned Development, Modernization, or Enhancement (DME) expenditure for an IT investment. HHS customers must follow the specific HHS policy below (see the HHS OCIO Policy for Information Technology (IT) Earned Value Management (EVM), December 30, 2005, <http://irm.cit.nih.gov/policy/HHS-EVM-Policy.doc>).

Non-HHS customers:

You must follow the procedures of your own agencies for requiring EVMS or principles to be used in your TOs with planned DME expenditures. NITAAC will ask you to certify that you are doing

² Formerly the Information Technology Management Reform Act (ITMRA). For further information see <http://www.oirm.nih.gov/policy/itmra.html>.

this in the CIO-SP2i TORP Transmittal Letter (see the CIO-SP2i TORP Transmittal Letter template for more information at the link provided in [APPENDIX C.](#))

HHS customers:

You must include in your SOW a requirement for contractors to use an approved EVMS or employ EVM principles according to the following breakdown.

- I. Task Orders for investments that meet or exceed the HHS Tier I threshold of \$10,000,000 of planned DME expenditures must require either:
 - a. the use of an EVMS that has been determined by the Cognizant Federal Agency (CFA) to be compliant with the guidelines in American National Standards Institute / Electronic Industries Alliance (ANSI/EIA) Standard-748 (current version at time of award); or
 - b. the use of an EVMS that can be shown to be compliant with the standard.
- II. Task Orders for investments that meet the HHS Tier II definition of equal to or greater than \$1,000,000 and less than \$10,000,000 of planned DME expenditures must require that a subset of the ANSI/EIA Standard-748 be met by the contractor's EVMS. See Attachment 2 of the HHS OCIO IT Earned Value Management Processes and Procedures, December 30, 2005, (<http://www.hhs.gov/ocio/policy/policydocs/20050004p.doc>).
- III. Task Orders for investments that meet the HHS Tier III definition of under \$1,000,000 of planned DME expenditures must require the use of EVM principles appropriate to the level of investment and complexity of the TO.

If your TO is part of a larger investment, then the expense tier will depend on the DME expenditure for that investment. You can obtain DME investment information from the budget planning documents that the investment Project Manager has submitted to OMB (that is, Agency Exhibit 53 or Investment Exhibit 300).TORP Security Certification

2.1.3 TORP Security Certification

This subsection applies specifically to HHS customers.

Certification regarding the applicability and adequacy of security controls is required.

If the SOW requires the contractor to develop, access, host, or maintain Federal automated information systems, then the TORP must include the *TORP Security Certification* memorandum (see [APPENDIX C](#)).

If the SOW does not require the contractor to develop, access, host, or maintain Federal automated information systems, then the TORP must include the *TORP Security Certification Not Applicable* memorandum (see [APPENDIX C](#)).

2.1.4 Independent Government Cost Estimate (IGCE)

The customer should use an appropriate methodology for arriving at an independent cost estimate. For example, if a T&M order is anticipated, hourly estimates by labor category may be appropriate. For cost-reimbursable orders, a different method may be more appropriate. Use of historic information is always appropriate. See [APPENDIX C](#) for a sample template of an Independent Government Cost Estimate (IGCE).

2.1.5 Point-of-Contact (POC) Information for NITAAC and Contractor use

The customer's AMO and CO (if these are not the same individual), and the Contracting Officer's Technical Representative (COTR) are the key contacts throughout the process. The TORP must provide the name, title, address, phone number, e-mail, and fax number for each of these individuals.

2.1.6 Funding Strategy

Funding strategy includes the type(s) of funds, the funding approach (e.g., fully funded or incrementally funded) and a statement of funds availability. This section should also discuss *how obligations of the estimated funded amount of the TO would be made*. For example, if it is expected that \$1,000,000 will be obligated for one year of performance, the funding strategy should include a statement of whether the entire \$1,000,000 will be obligated at one time or through a series of TO modifications.

2.1.7 Proposal Instructions

This section includes all the information the prime contractors will need to prepare and submit a proposal. This includes desired contract type (CPAF, CPFF, CS, FFP, T&M), the method of submission (oral, written, e-mail, or combination), the proposal due date, the POCs for questions and proposal receipt, addresses (both e-mail and street address, as appropriate), phone numbers, fax numbers, etc. If a T&M TO is contemplated, the customer must follow the requirements of [FAR 16.601](#). The customer may also include any special instructions that should be highlighted in NITAAC's initial e-mail announcement to the prime contractors.

If performance-based acquisition methods are used and the customer desires prime contractor input on the development of the Quality Assurance Surveillance Plan (QASP), then this needs to be annotated in the proposal instructions (FAR 37.604).

2.1.8 Special Instructions for Exception to the FOC Rule (See Appendix E for Listing of Exceptions)

If an exception to the rule to provide a FOC to all prime contractors is used, the TORP should include a justification for the exception. The Authorized CO or other designated agency official in accordance with agency regulations and in compliance with [FAR 16.505 \(b\)\(2\)](#) must sign the exception justification.

In addition to the above requirements, the customer must ensure, in accordance with statutes and Federal and Agency regulations, that required Determinations and Findings have been executed, and that the requirements of ITMRA, GPRA, OMB Circular A-130, and other pertinent statutes/regulations regarding security measures, performance metrics, and architectural standards have been followed.

2.1.9 Lease or Purchase Acquisition Considerations

For leasing acquisitions, customers should consider the minimum requirements outlined in [FAR 7.401](#). If a requirement contains leasing, a lease purchase justification must be signed by the AMO and provided to the CIO-SP2i CO with the TORP.

2.2 SUBMISSION OF THE TORP

The CIO-SP2i contracts are intended to expedite and streamline procurement practices whenever possible. NITAAC encourages submission of the TORP via e-mail. Alternately, submission by express mail or regular mail (to the CIO-SP2i Contract Team at address in the [FOREWORD](#)) is also acceptable, although this may extend the order processing time. If a signed document is to be submitted, NITAAC encourages submission by fax of the signature page and the remainder of the document by e-mail.

The methods of submission for TORP information and all other documents, in order of preference, are as follows:

- Download from the NITAAC CIO-SP2i Web site, fill out and return by e-mail
- Fill out and physically return in hard copy form

2.3 VERIFYING NITAAC RECEIPT OF THE TORP

If not contacted within three (3) days of TORP submission, the customer should call the NIH CIO-SP2i CO to verify receipt and assignment of a NITAAC Tracking Number. The NITAAC Tracking

Number is the primary means of identifying the customer effort prior to award authorization. All correspondence and interaction with NITAAC will be expedited by referencing the NITAAC Tracking Number.

3. NITAAC REVIEW AND POSTING OF REQUIREMENTS (step 3)

NITAAC staff will review the TORP and, if found to be complete, assign a NITAAC Tracking Number within three (3) days. If not contacted within three (3) days of TORP submission, the customer should call the CIO-SP2i CO to verify receipt and assignment of a NITAAC Tracking Number. The NITAAC Tracking Number is the primary means of identifying a customer's TORP prior to award authorization.

3.1 PURPOSE OF NITAAC REVIEW

The NITAAC staff will evaluate the package and verify the following items:

- Applicability of the SOW with respect to scope
- Inclusion of appropriate Earned Value Management requirements
- Adequacy of the evaluation criteria³
- Realism of the IGCE
- Appropriateness of selected contract type
- If applicable, adequacy of the justification used for the exception to the requirements for FOC
- A statement that the NIH Processing Fee (of the obligated amount of the TO) will be paid as a separate fixed-price line item on the TO (external customers only)
- For HHS customers: Either of the following certification memoranda is included: *TORP Security Certification* or *TORP Security Certification Not Applicable*. If the SOW does require the contractor to develop, access, host, or maintain Federal automated information systems, or access to sensitive information, then the SOW must also include the applicable security provisions detailed in Section 10 of the sample SOW.

3.2 FAIR-OPPORTUNITY PROCESS

When NITAAC staff has determined that the TORP is complete and properly documented, NITAAC will notify the customer and then announce the requirement (via e-mail) to eligible CIO-SP2i prime contractors, unless the task meets the requirements for an exception to the "FOC" rule. This announcement satisfies the requirement for "FOC."

3.3 EXCEPTION TO THE FOC PROCESS

Any [FAR 16.5](#)-qualified exceptions to the "FOC" rule must be signed by the customer's CO, or the individual within the customer's agency who has been delegated that authority in accordance with [FAR 16.505 \(b\)\(2\)](#). If the exception cannot be approved by the CIO-SP2i CO, the CIO-SP2i CO will contact the customer to determine an appropriate course of action, possibly including:

- Requiring further documentation to support the exception
- Returning the TORP to the customer without further action

If the CIO-SP2i CO concurs that the cited exception is justified, an announcement of the SOW to all eligible prime contractors will not be made. Instead, only the prime contractor identified in the justification will be notified of the TO requirement.

3.4 PROSPECTIVE OFFEROR NON-DISCLOSURE AGREEMENT

HHS Customers: If applicable to the preparation of proposals, HHS contractor personnel must execute the *Prospective Offeror Non-Disclosure Agreement* (see [APPENDIX C](#)).

³ Proposals must be evaluated against the stated criteria, which have been identified as to their relative importance or weight.

4. PRIME CONTRACTOR(S) PREPARE TASK ORDER PROPOSALS (Step 4)

The CIO-SP2i contract describes the procedures that the prime contractors must follow when proposing on a TO. The prime contractors will generally be allowed five (5) business days at a minimum to prepare and submit written proposals (when written proposals are required); however, more time may be necessary based on the particular TO requirements. The proposal due date shall be set forth in each announcement.

4.1 TECHNICAL PROPOSALS

Oral and/or written technical proposals shall address all requirements of the SOW. (See [APPENDIX C](#)). Other items that should be included in the technical proposal (as applicable) include:

- Key personnel and resumes
- Quantities/hours of personnel by labor categories
- Other Direct Costs (ODCs) and rationale
- Notification and request for consent to use new subcontractors
- Labor category qualifications of any new labor categories to be used for the TO
- If any subcontractors are to be used in performance of the TO, a list of those subcontractors, the hours, labor categories and associated costs

4.2 COST PROPOSALS

An electronic media proposal is always required. This area of the proposal shall include detailed cost/price amounts of all resources required to accomplish the task, i.e., man-hours, equipment, travel, etc. As a minimum, the following data will be provided:

4.2.1 Time & Materials (T&M) and Firm-Fixed-Price (FFP) Proposals

The offeror shall provide an original cost/price proposal to the customer. Identify labor categories and associated hours in accordance with Section B of the contract (Labor Rate Tables) and the number of hours required for performance of the task. Identify hardware, software, turnkey systems, and Other Direct Cost (ODC) Contract Line Items (CLINs) required, including associated elements (e.g., installation, shipping, maintenance, warranty, etc.). The offeror's cost proposal must include the identification and rationale for all non-labor and ODC cost elements and identify any Government Furnished Property (GFP) and/or Government Furnished Information (GFI) required for task performance.

4.2.2 Cost-Plus-Fixed-Fee (CPFF), Cost-Sharing (CS), and Cost-Plus-Award-Fee (CPAF) Proposals

Note: The loaded burdened labor rates in Section B of the contract do not apply to CPFF, CS, and CPAF TOs. The offeror shall provide an original cost proposal to the customer. Cost proposals shall identify all proprietary data. CPFF, CS, and CPAF cost proposals must include, as a minimum, all direct costs (including an explanation of labor categories and hours proposed, with associated costs clearly delineated), indirect costs, ODCs, travel (if applicable), Facilities Capital Cost of Money (FCCOM), if applicable, and fee displayed in a manner that clearly describes the development of the contractor's cost proposal.

4.3 NO RESPONSE

If a prime contractor is unable or otherwise cannot perform a requirement, a NO RESPONSE must be made to the TO proposal request. All NO RESPONSES shall include a brief statement as to why the prime contractor has elected to forego the opportunity (e.g., Conflict of Interest, etc.). The NO RESPONSE may be a simple e-mail message addressed to NITAAC and the customer POC.

5. CUSTOMER REVIEW OF PROPOSALS AND PREPARATION OF SRDP (Step 5)

The customer evaluates the prime contractors' proposals, performs a Best Value analysis and selects the prime contractor that provides the best value. As the second step of the documentation submission procedure, the customer prepares a complete Solution Recommendation Document Package (SRDP) to be faxed/sent to the CIO-SP2i CO for approval of the TO award.

5.1 EVALUATION AND DISCUSSIONS

The customer will evaluate the prime contractors' written and/or oral technical proposals and written cost proposals. If initial evaluation shows differences between the SOW requirements and an otherwise acceptable prime contractor's proposal, discussions between the customer and prime contractor will be necessary. Discussions may range from informal meetings that discuss minor discrepancies on the technical approach, to formal multiple prime contractor negotiations. Prime contractors shall be treated equitably and fairly during this evaluation process.

5.1.1 Best Value Analysis

After evaluation and any discussions, the customer will perform a Best Value analysis of the information contained in the proposals using the stated evaluation criteria. Based on the results of the evaluation, it is ultimately the customer's responsibility to select the prime contractor that can provide the Best Value to the Government.

5.1.2 Proprietary Information

The customer is responsible for ensuring that proprietary information contained in a prime contractor's proposal is protected from unauthorized disclosure. It is the prime contractor's responsibility to ensure that all proprietary information is appropriately marked.

5.1.3 Security Review

This subsection applies specifically to HHS customers.

If the SOW requires the contractor to develop, access, host, or maintain Federal automated information systems, then have the project officer and ISSO review proposals for compliance with the [HHS Information Security Program Policy \(see Appendix C\)](#). Also, finalize contractor position sensitivity designations identified in Section 10.C.(1) of the sample SOW.

5.2 SRDP CONTENTS

After completion of the evaluation, discussions, if any, and Best Value analysis, the customer prepares a complete SRDP to be sent to the CIO-SP2i CO for approval of the TO for award. The SRDP includes the information contained in the following paragraphs.

5.2.1 Selection Recommendation Document

The Selection Recommendation Document describes the selection process and serves as evidence that the "FOC" rule was applied, unless an exception was taken under [FAR 16.505 \(b\)\(2\)](#). It includes the following:

- 1) A statement indicating whether announcement of the TO requirement was made to all prime contractors eligible for receiving an award for the task requirement or if an exception to the "FOC" rule was cited in the TORP (cite the exception used).
- 2) The selection criteria/methodology used to evaluate the competing prime contractors.
- 3) The results of the evaluation.

- 4) The rationale for the recommendation of the TO awardee, including a summary of any negotiations conducted, *a listing of subcontractors proposed and accepted, if applicable*, cost/price analysis and best value analysis.
- 5) The total dollar amount, the funded amount and the obligated amount of the award, and the date of the final, accepted proposal.
- 6) A statement of how the funded amount is to be obligated, e.g., if a \$1,000,000 TO is to be awarded, whether the total amount will be obligated with the order, or whether the obligations will be made over a period of time encompassing several TO modifications. (This explanation should be specific in order that the CIO-SP2i Contracting and Financial Team can maintain accurate tracking of the order and fee amounts.)
- 7) The signature of the AMO.

5.2.2 SRDP Security Certification

This subsection applies specifically to HHS customers.

If the SOW requires the contractor to develop, access, host, or maintain Federal automated information systems, then include in the SRDP the *SRDP Security Certification* (See [APPENDIX C](#)).

5.2.3 NIH Processing Fee (external customers)

The SRDP must contain a statement identifying NIH's processing fee amount as a separate firm fixed price item that will be paid upon the first invoice from the prime contractor. See section 5.3 for a more complete discussion of how to pay this required processing fee.

5.2.4 Copies of All Proposals

Copies of all proposals received in response to a TO announcement should be submitted to the CIO-SP2i CO with the SRDP.

5.2.5 SOW Updates or Changes Since Submission of the TORP, If Applicable

If applicable, updates or changes to the SOW or TORP since original submission should be submitted to the CIO-SP2i CO to update the documentation.

5.3 NIH PROCESSING FEE PAYMENT METHOD (External Customers)

The following paragraphs describe how the customer pays the NIH Processing Fee.

The only method of payment of the NIH Processing Fee is directly through the prime contractor. Therefore, the customer's agency must perform the following tasks when placing an order:

- 1) Obtain a CIO-SP2i Task Order Authorization Number. (This number is provided by the CIO-SP2i CO at the time the NITAAC Approval Letter is released. A new number must be obtained for each new TO.)
- 2) Send the funding document/order that includes a separate FFP line item for the NIH Processing Fee and the CIO-SP2i Task Order Authorization Number to the selected prime contractor. Primes have been directed to reject orders and/or modifications received with a missing or incorrect NIH fee, or lacking a CIO-SP2i Task Order Authorization Number.
- 3) Send a copy of the funding document/order to the CIO-SP2i CO at the address provided in the [FOREWORD](#).
- 4) The prime contractor will bill for the NIH processing fee on the first invoice. The prime contractor must remit the fee to the NIH within the same month that the monthly sales report containing the information regarding payment of that invoice is submitted to NITAAC.

- 5) If the funded (approved) amount of the order is not to be totally paid with the first phase of the TO, the NIH processing fee should be calculated on the amount obligated against that TO. Future TO modifications that continue to obligate up to the funded amount must include the proper amount of the total NIH processing fee. The NIH approval letter should contain the amount of the fee that is expected to be paid, based on the information the customer provides in the SRDP (**see section 5.2.1**).

5.4 PROCEDURES UNIQUE TO NIH INTERNAL CUSTOMERS

Since only the NIH processing fee is associated with a Service and Supply Fund automatic charge, NIH customers need to ensure that the appropriate CIO-SP2i Task Order Authorization Number appears in the Administrative Data Base (ADB) Record of Call Screen in the "Remarks" field.

5.5 SRDP SUBMISSION

In all cases, whether the "FOC" rule was followed, or whether an exception is cited, the Selection Recommendation Document must be signed by the AMO of the customer organization. The customer's AMO will verify by his/her signature that the evaluation and best value decision were conducted fairly and in accordance with existing regulations, and with these Guidelines.

SRDP documentation should be submitted via e-mail whenever possible, concurrently with faxed copies of documents requiring signatures. The customer should ensure that all documents reference the NITAAC Tracking Number.

6. NITAAC REVIEW AND APPROVAL TO AWARD TASK ORDER (Step 6)

Upon receipt of the SRDP from the customer, the NITAAC team conducts a review to ensure that administrative and regulatory requirements have been met, the SRDP has been adequately documented, proper evaluation procedures were followed and documented, fair treatment was provided during the evaluation process, and for HHS customers, the *SRDP Security Certification* is included, if applicable.

6.1 NITAAC APPROVAL LETTER

Upon completion of the review, NITAAC will provide the customer with a NITAAC Approval Letter authorizing the customer to issue an order to the selected prime contractor. (A hyperlink to a sample Approval Letter is provided in [APPENDIX C.](#)) NITAAC will also provide a copy of the NITAAC Approval Letter to the prime contractor. The NITAAC Approval Letter will document NITAAC's concurrence with the SRDP and identify the following elements of the award:

- The prime contractor to be awarded the order
- The CIO-SP2 Task Order Authorization Number to be used on the customer order
- The order value
- The amount of the NIH Processing Fee (external customers)

6.2 AWARD ANNOUNCEMENTS

NITAAC will announce the award decision to all prime contractors. This includes awards made under one of the exceptions to the “FOC” rule.

6.3 DEBRIEFINGS

If a non-selected prime contractor has questions as to why it was not selected for a TO award, the prime contractor should contact the AMO. The AMO and the non-selected prime contractor may discuss the reasons why that prime contractor was not selected; however, the AMO may not (1) discuss other prime contractors' proposals, (2) compare prime contractors' proposals, or (3) allow the non-selected prime contractor access to the SRDP.

6.4 PROTESTS

No protests are authorized in connection with the issuance or proposed issuance of a TO, except for a protest on the grounds that the order increases the scope, period, or maximum value of the contract. However, under [FAR 16.505 \(b\)\(4\)](#), prime contractors may contact the customer-designated contract ombudsman with complaints on specific TOs on this contract. The ombudsman will review all complaints and ensure that all prime contractors are offered a “FOC”, consistent with this regulation, the contract, and the ordering guide. The designated NIH ombudsman for this contract is:

Senior Advisor to the Deputy Director for Intramural Research and
NIH Competition Advocate for Station Support
Building 1, Room 140
9000 Rockville Pike
Bethesda, MD 20892

7. CUSTOMER PREPARES THE TASK ORDER (Step 7)

Once the NITAAC Approval Letter is received, the customer prepares the appropriate funding document/order. The original of the funding document/order is sent to the prime contractor. **The customer must provide a copy of the funding document/order to the CIO-SP2i CO within five (5) days of TO award. The order must contain the NIH processing fee (external customers only) as a separate FFP line item, regardless of overall order type.** The processing fee is based on the obligated amount of the funding document/order. The fee is billed by the prime contractor on its first invoice. The order must also contain the CIO-SP2 i Task Order Authorization Number **(For NIH internal customers using the Record of Call mechanism, this number is placed in the ADB Record of Call Screen under the “Remarks” field).** At a minimum the order must contain the following:

- CIO-SP2i Task Order Authorization Number
- Order date
- Customer Order Number
- Point of Contact for Billing Purposes
- Funded Amount and the Amount of Funds Obligated Under this TO
- Appropriation/funding citation
- Identification of the NIH Processing Fee as a separate FFP line item (Applies to external customers)
- The Statement of Work (note - the prime contractor’s proposal may be referenced, if desired)
- Billing Address and Delivery Address
- Period of Performance
- Signature of the AMO (external customers only). The NIH AMO must print-review the Record of Call, and ensure that the CIO-SP2i Task Order Authorization Number appears in the ADB Record of Call Screen under the “Remarks” field.

7.1 CONTRACTOR EMPLOYEE INVESTIGATIONS AND NON-DISCLOSURE AGREEMENT

This subsection applies specifically to HHS customers.

The Project Officer submits requests for contractor employee investigations in accordance with SOW Template Section 10.c.(1) (see [Appendix C](#) for link), and then verifies completion. Contractor/subcontractor employees shall comply with the HHS criteria for the assigned position sensitivity designations prior to performing any work under this contract. The following exceptions apply:

- Levels 5 and 1: Contractor/subcontractor employees may begin work under the contract after the contractor has submitted the name, position and responsibility of the employee to the Project Officer, as described in paragraph 10.c.(2) of the SOW Template.
- Level 6: In special circumstances the Project Officer may request a waiver of the pre-appointment investigation. If the waiver is granted, the Project Officer will provide written authorization for the contractor/subcontractor employee to work under the contract.

The Project Officer must obtain from each contractor employee having access to sensitive information the signed and witnessed Contractor Employee Non-Disclosure Agreement (see Appendix C) prior to starting work under the task order.

8. PRIME CONTRACTOR IMPLEMENTS TASK ORDER (Step 8)

The prime contractor is authorized to start work upon receipt of a copy of the NITAAC Approval Letter **and** the funding document/order from the customer **and**, if applicable, completed *Contractor Employee Non-Disclosure Agreements* (see [APPENDIX C](#)).

9. CONTRACT AND TO OVERSIGHT AND MANAGEMENT (Step 9)

NITAAC provides contract-level management and oversight of the program, while the customer performs the day-to-day management and oversight of the TO.

9.1 CONTRACT LEVEL MANAGEMENT

NITAAC tracks and guides contract performance over the life of the CIO-SP2i contracts. NITAAC employs several methods and tools to assist this effort, in close concert with customer monitoring and evaluation efforts. These tools include the following:

9.1.1 In-Process Reviews

NITAAC conducts an In-Process Review (IPR) for each TO contract annually. IPRs are designed to show the work accomplished and underway, to ensure the work is utilizing approved standards, architectures, and guidelines, and to surface issues encountered during TO execution (e.g., discrepancies between customer approaches or requirements, lack of information or guidance needed, etc.) These reviews encompass assessment of past performance evaluations and prime contractor's Monthly Program Status Reports (MPSRs).

9.1.2 Monthly Program Status Report

Each prime contractor must prepare a MPSR for the CIO-SP2i CO, even if there has been no activity under the contract. A sample report format is included in the contract. It includes a brief summary of significant activities, problems and developments occurring during the reporting period, as well as progress made at the TO level. It provides a technical activity summary, organized by CIO-SP2i Task Order Authorization Number. The report must be received by the CIO-SP2i CO, via e-mail (nihcios2@od.nih.gov), no later than the 10th of each month.

9.1.3 Monthly Sales Report

The prime contractor shall provide the Monthly Sales Report (MSR) to the CO and the NITAAC Financial Team by the 10th of each month. A sample report format is included in the contract. If there has been no sales activity, a negative report is still required. As attachments to the monthly sales report, the prime contractor will send copies of all customer orders (e.g., TOs, Record of Call Orders, and any Modifications to TOs or Records of Call) that are itemized on the sales report being submitted. The monthly sales report and copies of sales orders should be faxed (301-496-8486), mailed, or delivered to the CIO-SP2i CO, i.e., an e-mail summary by itself is not sufficient.

9.1.4 Monthly Check Report (MCR)

The prime contractor is required to send a Monthly Check Report (MCR) to the NIH Office of Financial Management (OFM) for each month the contractor is submitting a fee reimbursement check to NIH. The report will contain order(s) information related to the NIH Processing Fees that are being paid by the check, showing individual dollar amounts and the CIO-SP2i Task Order Authorization Number for each order being paid. A copy of the actual check that was sent to the **NIH OFM**, listed below, in accordance with each prime contractor's contract is to be attached to the report. This check represents the sum of all NIH processing fees received that month.

NIH, OFM, Cashier's Office
Building 31, Room B1B23
31 Center Drive, MSC 2054
Bethesda, Maryland 20892

Two copies of the report should be sent (faxed, emailed, or delivered) to NITAAC. One copy will be sent to the CIO-SP2i CO and one copy to the NITAAC Financial Team. This report is due by the 10th of the following month at the addresses listed in the [FOREWORD](#).

9.1.5 IDIQ Contract Files

NITAAC maintains a central file for each of the 45 CIO-SP2i contracts. The file contains the contract and all documentation; all contract modifications, correspondence, and past performance evaluation reports, as well as copies of TOs, TO documentation, and TO modifications. The customer maintains the official TO file and associated documentation.

9.2 TASK ORDER MANAGEMENT

9.2.1 Day-to-Day-Monitoring

The customer (COTR and AMO) provides “front-line” day-to-day monitoring of the TO during execution. The COTR is responsible for monitoring and assessing the prime contractor's TO performance using any subjective or objective measures available to assure timeliness, quality of deliverables, and reasonable cost results (e.g., the TO costs stay within budget), etc. Subjective measures, which affect performance and can be measured include cooperation, problem solving and avoidance, correct staffing levels, adopted efficiencies, effective use of office and communication tools, reporting, etc. The customer may use these measures to complete the interim and final evaluation of the contractor's performance for each TO. These measures should not be confused with the requirements for performance metrics that define desired overall program performance.

Contract level issues that arise during TO performance will be referred to NITAAC for resolution (e.g., need for contract modifications, contract disputes, contract terminations, etc.).

HHS customers should verify that contractor employees obtain security training and successful investigations as specified in the task order SOW.

9.2.2 Acceptance of Deliverables

The COTR is also responsible for inspection and acceptance of TO deliverables, including TO reports, if required by the TO SOW. If deliverables are rejected, this must be documented in writing to the prime contractor, with recitation of the requirement and factual statements of how the prime contractor failed to meet these requirements. The COTR and the AMO should take rejection of deliverables into account when preparing past performance evaluations.

9.2.3 Acceptance of Invoices

The customer is responsible for reviewing and accepting invoices submitted by the prime contractor for each TO. The customer must verify that services and all other costs invoiced were received. The customer should also ensure that this review and acceptance is documented in the TO file. Payment and disbursement are processed by the customer. This includes the NIH processing fee.

9.2.4 Past Performance Evaluations

Standard past performance evaluations are used for all CIO-SP2i TOs to monitor and record overall past performance of each prime contractor (See [APPENDIX C](#) for the sample Past Performance Evaluation form). This form must be used to evaluate overall prime contractor performance at least annually and upon TO completion.

The COTR completes the form, obtains concurrence from the AMO in writing and forwards it to the prime contractor for comment. Contractor comments received by the customer within 30 calendar days will be considered in the final evaluation, and must be included in the evaluation form.

Once contractor comments are incorporated, the customer forwards the form to the CIO-SP2i CO, for entry into the NIH Contractor Performance System. In order for the evaluation to be received on a timely basis, it is required that the form be forwarded to the CIO-SP2i CO no later than 60 days after the yearly anniversary of the TO award, and no later than 60 days after TO completion. Information collected in the NIH Contractor Performance System will be available to

Government agencies and can be used as a source of information for evaluation of contractor past performance for future TO opportunities.

9.3 TASK ORDER MODIFICATIONS

TO modifications are generally made to correct oversights or changes in conditions from the original TO. The following procedure will apply to TO Modifications:

9.3.1 No Cost Modifications

No-cost task modifications may be processed directly by the customer, without participation by NITAAC. However, a copy of the modification must be sent by the AMO to the CIO-SP2i CO at the address provided in the [FOREWORD](#).

9.3.2 Addition of Funds

Two (2) copies of TO modifications that involve an addition of funds that were contemplated and described in the original TO (e.g., incremental funding actions, exercise of options), must be sent by the AMO to the CIO-SP2i CO at the address provided in the [FOREWORD](#). No further documentation is required; however, for external customers; the NIH processing fee (of the amount obligated on the TO modification) must be added as a FFP separate line item on the modification (i.e., the funding document/order). If the amount of the TO modification is \$25,000 or less, NITAAC policy prescribes that the customer pay a minimum fee of \$250, which must appear as a separate FFP line item on the modification.

9.3.3 Minimum Processing Fee

A minimum-processing fee of \$250 has been established for orders and modifications. However, this fee will not be assessed against no-cost modifications, administrative modifications or close-out modifications.

9.3.4 Additional Work/Additional Time

If the customer's modification requirement alters the scope, adds an additional period of performance⁴, or provides for major changes such as additional work, a TO modification is appropriate only if the following conditions are met:

- The work relates in some way to the original statement of work, e.g., additional time, additional related task, etc.
- The [FAR 16.505 \(b\)\(2\)](#) exception to FOC is cited and a full rationale is presented and signed by the ACO or other designated agency official in accordance with regulations.
- If this is a follow-on, [FAR Part 16.505\(b\)\(2\)\(iii\)](#) should be cited and a supporting justification must be included in the documentation submitted to the CIO-SP2i CO. The justification should also refer to the original TO and explain the connection between it and the follow-on in the background portion of the Statement of Work. As new work, the TO will be subject to the NIH processing fee (or \$250.00 minimum fee) applicable to external customers. (See [Chapter 1, Section 1.2](#) for further information).

If the requirement is for new work, a new TORP, as described in Chapter 2.0 must be submitted in order for it to be considered and processed in accordance with the FOC rule.

9.4 TASK ORDER CLOSE OUT

When TO performance is completed, the COTR and the AMO sign the acceptance of the final product or completion statement of effort for all tasks issued, ensuring that all TO requirements were met; e.g., all deliverables were received on time and were technically acceptable, GFE/GFI

⁴ Task Order Modifications for FFP and CPFF completion contracts solely for the purpose of extension of time to complete the task (with no associated additional costs and no new work) do not require that a new TORP be prepared. These types of modifications should be handled as provided in paragraph 9.3.1 of these Guidelines.

have been appropriately distributed, etc. The prime contractor submits the final invoice for costs incurred during TO execution (as accepted by the COTR and AMO). The final invoice must include a statement that it is the final invoice and that all costs have been accounted for and billed. The prime contractor must forward a copy of the final invoice to the CIO-SP2i CO when the TO has been completed.

10. OPTIONAL CONTRACTOR MULTI-PHASE PROCESS

Optionally, Government customers using the CIO-SP2i contract may choose a multi-phase process in accordance with FAR 15.202 and FAR 16.505(b). Figure 2 illustrates the steps of the TO process flow with the multi-phase option.

The multi-phase option may reduce the total amount of effort and cost in the preparation and

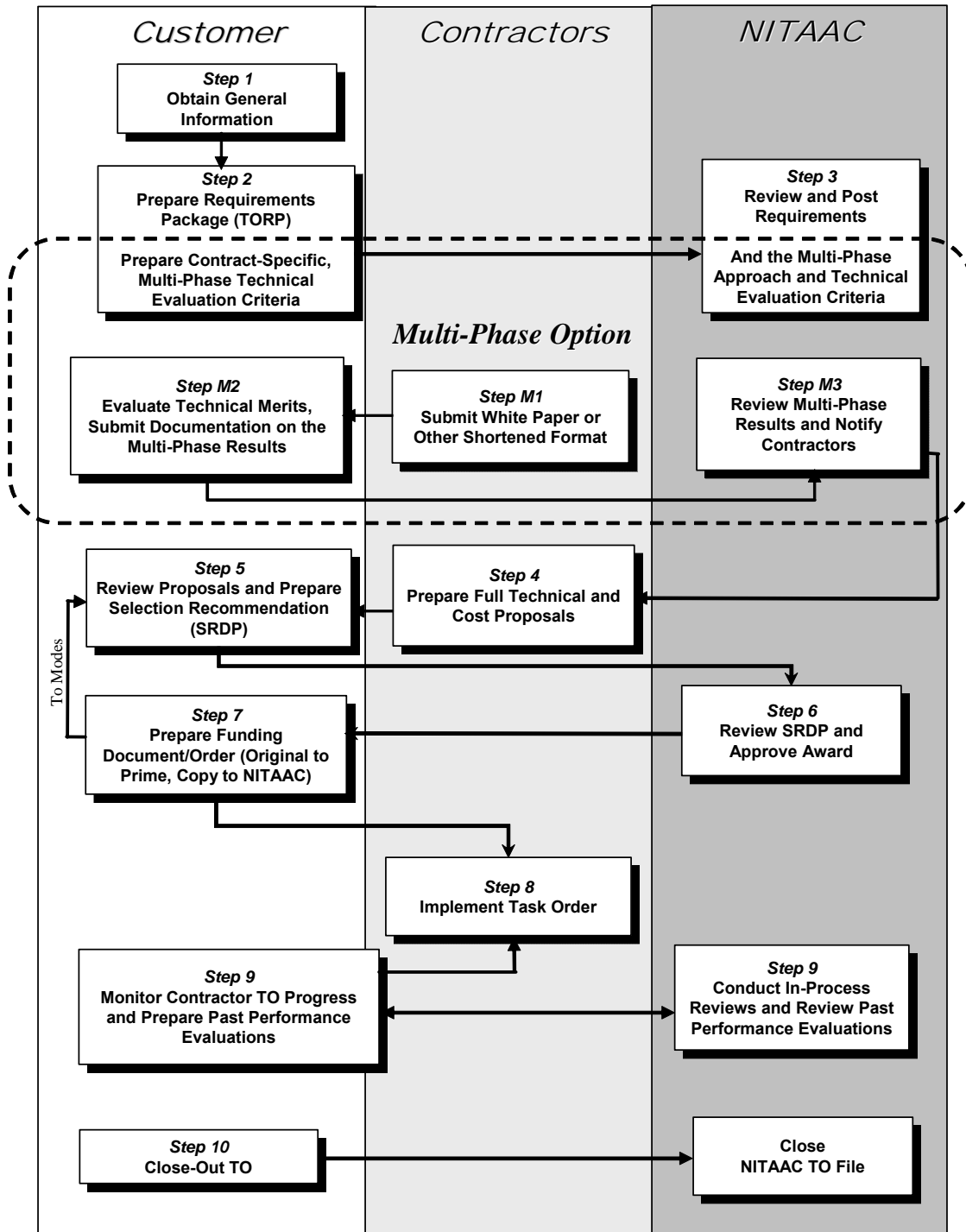


Figure 2. Task Order Process Flow with a Multi-Phase Option

review of proposals. For customers, the number of full technical proposals to be evaluated may be fewer. All contractors gain early insight as to the likelihood of their success in Phase II, and may adjust their strategy accordingly. Those contractors who choose not to participate beyond Phase I will avoid the cost of preparing full proposals.

Step 1. A government customer should begin the TO process by obtaining general information on CIO-SP2*i*. This information is available in Chapter One or the NITAAC Web site. Examples of multi-phase approaches and criteria will be available on the Web site.

Step 2. The customer must define the task requirements and prepare the TORP. Assuming the customer opts for the multi-phase process, the customer develops a multi-phase approach and multi-phase evaluation criteria, which may be a subset of the technical evaluation criteria for the complete proposals. The multi-phase approach and evaluation criteria are submitted to NITAAC with the TORP.

Step 3. NITAAC reviews the TORP, the multi-phase approach and task-specific evaluation criteria. NITAAC assigns a NITAAC Tracking Number, and announces the requirements, the multi-phase approach and criteria within three (3) business days by email to eligible CIO-SP2*i* prime contractors.

Step M1. Contractors prepare a “white paper” (or other format selected by the customer) addressing the requirements. See [APPENDIX F](#) for a sample outline of the multi-phase white paper and the corresponding evaluation criteria matrix. At least five (5) business days must be allowed for preparation. Contractors may also be requested to give an oral technical presentation.

Step M2. Using the multi-phase evaluation criteria, the customer selects the contractors that demonstrate a reasonable chance for award and documents the selection process⁵. The documentation of the multi-phase process should include all results from the customer’s evaluation using the established criteria. The customer transmits the list of selected contractors and the associated documentation to NITAAC within a stated period of time. If the evaluation is delayed, the customer notifies the contractors on or before the original deadline and gives a new notification date.

Step M3. NITAAC reviews the multi-phase process and the results of the customer’s evaluation, and notifies each respondent in writing of their Phase I status, and informs them if they are unlikely to be a viable competitor. Irrespective of the outcome of Phase I, all respondents may participate in both phases of the acquisition. For contractors who wish to continue, the normal task-order process resumes; that is, they prepare and submit full technical and cost proposals (Step 4).

⁵ Not all circumstances can be anticipated by this guideline. The goal is to maintain a free and open competition while streamlining the selection process.

APPENDIX A: GLOSSARY

The definitions in this section reflect NITAAC's interpretation of terms and concepts used in the CIO-SP2i guidelines.

Accountable Management Official (AMO) - The individual within the customer's organization (whether NIH or external), who is authorized to obligate or expend the Government funds. This individual has the authority to bind the Government to the extent of the authority delegated to him/her. The dollar threshold set forth in the individual's delegation may not be exceeded. The AMO is typically a CO, if the customer chooses to issue orders locally (i.e., through its own agency channels). Only when a local contracting office is not available, the AMO may be a project official who must be given authorization by his/her agency to direct the transfer of funds to the designated contracting office.

Awarded/Funded/Obligated:

- **Awarded Amount:** The dollar amount of the TO over the life of the order, e.g., includes incremental funding and optional dollar amounts.
- **Funded Amount:** The total amount of monies to be obligated in a fiscal year. This amount may be spread over several TO modifications, each containing a portion of the funded amount as the obligation of that particular TO modification.
- **Obligated Amount:** The dollar amount of the TO. This may or may not equal the funded amount, depending on how the agency determines to allocate the funded amount over the fiscal year.

Best Value Analysis - In accordance with [FAR Part 15.101](#), the analysis of technical and cost proposals to determine which proposal offers the best trade-off between price/cost and performance, where quality is considered an integral performance factor.

CIO-SP2i Task Order Authorization Number - This is the number that NITAAC assigns to a TO once the Solution Recommendation Document Package (SRDP) has been approved. It is provided to the customer (with a copy to the prime contractor) via the approval letter. It must appear on the customer's funding document/order. In the case of NIH Records of Call, the CIO-SP2i Task Order Authorization Number must appear in the description block of the Record of Call. The prime contractor shall not accept any orders without this number.

Contracting Officer Technical Representative (COTR) - The individual appointed by the AMO who serves as the principal point of contact between the customer, the TO prime contractor and NITAAC. This individual provides technical direction to the TO prime contractor.

Contract Type: Time and Materials (T&M) - The acquisition of supplies or services on the basis of: (1) direct labor hours at specified fixed hourly rates that include wages, overhead, general and administrative expenses, and profit, and (2) materials at cost, including, if appropriate, material handling costs as a part of material costs.

A T&M TO may only be used when it is not possible at the time of placing the order to estimate accurately the extent or duration of the work or to anticipate costs with any reasonable degree of confidence. This contract type places maximum risk on the Government. The customer must follow the requirements of [FAR 16.601](#).

Contract Type: Cost Reimbursable - Contracts that provide for payment of allowable incurred costs to the extent prescribed in the contract. There is an estimate of the total costs for the purpose of obligating funds and a ceiling that the prime contractor may not exceed (except at its own risk) without approval of the CO.

(i) Cost Plus Fixed Fee (CPFF) - A cost-reimbursement contract that provides for payment to the prime contractor of a negotiated fee that is fixed at the inception of the contract.

(ii) Cost Plus Award Fee (CPAF) (typically greater than \$2 million) - A cost-reimbursement contract that provides for a fee consisting of (a) a base amount (which may be zero) fixed at the inception of the contract and (b) an award amount, based upon a judgmental evaluation by the Government, sufficient to provide motivation for excellence in contract performance. Award fee evaluation criteria must be specified in the TORP.

(iii) Cost Sharing- A cost-reimbursement contract in which the contractor receives no fee and is reimbursed only for an agreed-upon portion of its allowable costs.

Note: (i) and (ii) above require that the fee shall not exceed the applicable, FAR-cited statutory percentage limitation of the estimated cost, excluding fee (see [FAR 15.404-4\(C\)\(4\)\(i\)\(C\)](#)).

Contract Type: Firm-Fixed-Price (FFP) - A firm fixed price contract provides for a firm price that is not subject to any adjustment on the basis of the prime contractor's cost experience in performing the contract. This contract type places maximum risk on the prime contractor. It also provides maximum incentive for the prime contractor to control costs and perform effectively.

Customer - This term includes personnel in both NIH ordering activities and in all other Federal Agencies. The term "external customer" means any customer agency that is not a part of the NIH.

Fair-Opportunity-to-be-Considered (FOC) Rule - All prime contractor teams (primes and their designated subcontractors) are considered to possess the basic qualifications for success in those IT task areas of the contract awarded to them. Therefore, the statutory and regulatory requirement for FOC will be deemed to have been met by the announcement (through the designated Internet Web site or e-mail) of all TOs that do not fall under one of the exceptions at [FAR 16.505\(b\)\(2\)](#). See [APPENDIX E](#) for the exceptions. Each TO will be evaluated, at a minimum, on selection criteria, which include past performance, technical/management approach, and price/cost.

Funding Document/Order Number - This is the unique customer number identifying the Funding Document/Order. The funding document/order also must cite the CIO-SP2*i* Task Order Authorization Number and must include the proper processing fee as a separate FFP line item, where appropriate.

Loaded Hourly Labor Rates - Loaded Hourly Rate is defined as the direct hourly rate along with the appropriate load factors, inclusive of profit. Load factors include such items as overhead, fringe benefits and general and administrative (G&A) expense.

FFP Orders - The contractor estimates the quantity of hours required for the effort to arrive at the firm fixed price of the labor portion of the order. ODCs are computed separately (using the ODC multiplier) and added to the labor price to arrive at the order's total FFP. No post-award accounting of hours expended or personnel qualifications are required.

T&M Orders - The prime contractor is reimbursed at the applicable rate for each hour of effort delivered. Personnel must meet the minimum qualifications of the labor category against which they are billed. ODCs are computed separately.

NIH Processing Fee - This is the fee that NITAAC receives for processing a TO or TO modification to award and is intended to cover the costs associated with the solicitation, award, and administration of contracts under CIO-SP2*i*.

NITAAC Approval Letter- A memorandum signed by the CIO-SP2*i* CO authorizing approval of the selected prime contractor and providing the CIO-SP2*i* Task Order Authorization Number and processing fee information.

NITAAC Tracking Number - This is the number assigned by NITAAC at the beginning of step one of the TO award process. Both NIH and external customers use it. It is required for internal

tracking of the TO until SRDP approval is provided and a CIO-SP2i Task Order Authorization Number is assigned.

Prime Contractor - Contractors holding a CIO-SP2i IDIQ contract awarded by NITAAC. Only prime contractors may receive TO awards from customers. Each prime contractor leads a team of subcontractors that may perform work on a customer's order, but it is the prime contractor with whom the Government maintains a contractual relationship.

Solution Recommendation Document Package (SRDP) - The documentation, which includes a discussion of the evaluation process and the rationale for award, copies of all proposals, checklist and signature by the AMO. These orders may be funded fully in the first year, funded by options, or incrementally funded.

Task Order Requirements Package (TORP) - The complete documentation prepared and submitted by the customer (both NIH and external) to initiate a TO request.

APPENDIX B: TASK MANAGEMENT AND TASK AREAS

The CIO-SP2i contract provides IT hardware, software, systems, and services in support of IT solutions within NIH and other Government Agencies. TOs will be written for support and services in nine primary task areas. Listed below in Section B.2 are definitions of each task area. These are quoted from Section C of the CIO-SP2i Request for Proposal.

CONTRACT AND TASK ORDER MANAGEMENT

Contract and TO management is a mandatory element for all TOs placed under the CIO-SP2i contract. The objective of contract and TO management is to provide the program management, project control and contract administration necessary to manage a high volume, multiple contract type TO process for a large, diversified team so that the cost, schedule and quality requirements of each order are tracked, communicated to the government, and ultimately attained. The use of commercially available automated tools (for example, a LAN or Web based contract task management system) and the application of expertise on processes and metrics that support TO management are encouraged to achieve the above objectives. The objective of the tools is to provide quicker access, improved accuracy, and enhanced accessibility for contractors/clients, real-time monitoring of status/deliverables, tracking the quality of work products and gauging overall customer satisfaction.

TASK AREAS

Chief Information Officer (CIO) Support (Task Area 1)

Numerous laws, regulations, and policies have been enacted in the last several years to include the Paperwork Reduction Act, the Computer Security Act, Presidential Decision Directive (PDD) #63, Government Performance and Results Act (GPRA), and the Clinger-Cohen Act. In particular, the Clinger-Cohen Act of 1996 (P.L. 104-106, Division E-Information Technology Management Reform, Title LI-Responsibility For Acquisitions Of Information Technology) established the Chief Information Officer (CIO) position in federal agencies. The objective of CIO Support is to provide support to CIOs in the implementation of these laws, regulations, and policies.

New CIO practices have evolved as they work to implement these laws, regulations, and policies. A non-exhaustive list of examples of the type of work to be performed under this task area is:

- (a) Agency Information Technology Architecture (ITA) Support
- (b) Program Analyses (including Cost/Benefit Analysis and Cost Effectiveness Analyses)
- (c) Grants Management and Administration Application
- (d) Market Research
- (e) Total Cost of Ownership Studies
- (f) Stakeholders Analyses
- (g) A-76 Studies
- (h) Workforce Management
- (i) IT Organizational Development

Outsourcing (Task Area 2)

The objective of the outsourcing task is to provide the IT infrastructure and IT services required to assume management of government IT resources and IT business functions. A non-exhaustive list of examples of the type of work to be performed under this task area is:

- (a) Program Management
- (b) Transition Planning

- (c) Management of Call Centers
- (d) Hardware and Software Configurations
- (e) Network Operations and Web Management Support
- (f) Leasing of Hardware and Software
- (g) Tools and Applications (including Application Service Provider)
- (h) Infrastructure Networking
- (i) Capacity Management
- (j) Data Base Administration and Data Storage Management
- (k) Backup and Recovery Services System Console Operations
- (l) Production Control
- (m) Mission Management Support
- (n) Information Assurance
- (o) Hardware/Software Maintenance
- (p) Asset Management
- (q) IT Acquisition Management
- (r) Technology Infusion
- (s) Desktop Computing as a Unified Service
- (t) Managed IT Services Support
- (u) IT Impact Analyses
- (v) Workflow Management
- (w) ISO 9000 Analyses and Implementation Support
- (x) Business Processes
- (y) Solution Leasing

IT Operations and Maintenance (Task Area 3)

The contractor shall provide IT operations support and maintenance procedures for IT systems. A non-exhaustive list of examples of the type of work to be performed under this task area is:

- (a) Operational Support
- (b) Software Support
- (c) Network/Hardware Support
- (d) Technical Support
- (e) LAN/WAN/MAN
- (f) Telecommunications (Data, Voice, Images, including Wireless)
- (g) Help Desk/IT Assistance Hotline
- (h) IT Service Management
- (i) Network Management
- (j) System Management
- (k) Asset Management

- (l) Electronic Software Distribution
- (m) Electronic Software Licensing Services including license: deployment, management, tracking, upgrading, etc.
- (n) IT Maintenance
- (o) Web Technology
- (p) Client/Server Operations
- (q) IT Training
- (r) IT Operation and Maintenance Planning
- (s) Server Consolidation
- (t) Office Automation Software Support
- (u) Organizational Change Management Support
- (v) IT Logistics Support

The contractor shall operate and maintain IT systems at current vendor release levels or government-off-the-shelf (GOTS) applications software upgrades. Operations and maintenance on IT systems shall include all software and hardware associated with mainframe CPU's, PC-client/server, network-backbone-front end processors and all networks (MILNET, NIPRNET, SIPRNET).

Integration Services (Task Area 4)

The objective of integration services is to improve business practices by analysis of the process, and applying IT components. System integration encompasses all activities necessary to develop and deploy an information system. It includes the integration of technical components, organizational components and documentation. The IT components are engineered and integrated into the business function. The area of system integration may make use of program management, technical laboratories, prototypes, pilot systems and tools/methodologies germane to business analysis and business processing reengineering. A non-exhaustive list of examples of the type of work to be performed under this task area is:

- (a) Gap Analysis
- (b) Benchmarking
- (c) Business Process Reengineering
- (d) Test and Evaluation Services
- (e) Financial Analysis (Make/Buy Decisions)
- (f) Feasibility Studies
- (g) Trade Studies
- (h) System Design Alternative (SDA) Studies
- (i) Archival Analyses

Critical Infrastructure Protection and Information Assurance (Task Area 5)

The protection of critical infrastructure and assurance of agency information is evolving as the next great CIO focus area (with the passing of Y2K problems). Information assurance is defined here as those operations that protect and defend information and information systems by ensuring confidentiality, integrity, availability, accountability, restoration, authentication, non-repudiation, protection, detection, monitoring, and event reaction capabilities. A non-exhaustive list of examples of the type of work to be performed under this task area is:

- (a) Critical Infrastructure Asset Identification

- (b) Information Assurance of Critical Infrastructure
- (c) Risk Management (Vulnerability Assessment and Threat Identification)
- (d) Critical Infrastructure Continuity and Contingency Planning
- (e) Physical Infrastructure Protection
- (f) Information Systems Security
- (g) Information Assurance
- (h) Emergency Preparedness
- (i) Training and Awareness Programs
- (j) Exercises and Simulation
- (k) Disaster Recovery
- (l) Security Certification and Accreditation
- (m) Crypto Systems
- (n) Record Management
- (o) Public Key Infrastructure
- (p) Electronic Messaging
- (q) Digital Libraries
- (r) Intelligent, Automated Data Collection and Analysis

Digital Government (Task Area 6)

Digital government is the provision of government services through digital, electronic means. A non-exhaustive list of examples of the type of work to be performed under this task area is:

- (a) Business Intelligence
- (b) Customer Care
- (c) Customer Relationship Management
- (d) Data Mining
- (e) Data Warehousing
- (f) Decision Support/OLAP
- (g) Electronic Commerce (EC)/Electronic Data Interchange (EDI)
- (h) Internet/Intranet/Extranet
- (i) Knowledge Management (IT-based sharing/storing of agency individuals' knowledge)
- (j) Performance Measurement
- (k) Personalization (IT-Enhanced Customer Interaction)
- (l) IT-Enhanced Public Relations
- (m) Strategic Planning
- (n) Web Development and Support
- (o) Workflow Management
- (p) Records/Document Management
- (q) IT-Enhanced Public Outreach Services

(r) B2G Solutions

Enterprise Resource Planning (ERP) (Task Area 7)

ERP is an integrated set of software applications used to control, monitor, and coordinate key business activities across an enterprise. ERP applications generally fall into the following categories: Financials, Human Resources, Supply Chain Management, Manufacturing, Projects, and Front Office. A non-exhaustive list of examples of the type of work to be performed under this task area is:

- (a) Business Transformation (BT)
- (b) IT Software Package Selection (PS)
- (c) ERP Package Implementation
- (d) Supply Chain Package Implementation
- (e) Streamlined Package Implementation
- (f) ERP IT Infrastructure
- (g) ERP End User Training
- (h) Networking Planning
- (i) ERP Installation and Tuning
- (j) Capacity Planning and Performance Load Testing

Clinical Support, Research, and Studies (Task Area 8)

The contractor shall operate and maintain IT systems, IT equipment, hardware, software, IT processes, and IT procedures that support Government clinical and research activities. The objective is to directly support researchers and clinicians by performing health care systems studies, and providing operational, technical, and maintenance services for the systems, subsystems, and equipment that interface with and are extensions to information systems. This task area provides support to intramural researchers (computational bio-science, etc.).

Software Development (Task Area 9)

This task area addresses customized software applications, database applications, and other solutions not available in off-the-shelf modular software applications. A non-exhaustive list of examples of the type of work to be performed under this task area is:

- (a) Administrative and General Decision Support Software
- (b) Program Evaluation Software
- (c) Clinical Protocol and Quality Assurance Decision Support Software
- (d) GIS-Enhanced Planning and Program Evaluation Software
- (e) Multimedia Software for Patient Education
- (f) Multimedia Software for Staff Education
- (g) SEI/CMM Analyses and Implementation Support

APPENDIX C: LINKS TO TASK ORDER WORK FLOW DOCUMENTS

[Statement of Work](#)

[Independent Government Cost Estimate - FFP; T&M](#)

[Independent Government Cost Estimate - CPFF; CPAF; CS](#)

[TORP Transmittal Letter](#)

[Posting Notice](#)

[Solution Recommendation Document \(SRDP Form\)](#)

[Approval Letter](#)

[Performance Evaluation - Word Doc](#)

Security-Specific Documents for HHS Customers:

[TORP Security Certification Not Applicable](#)

[TORP Security Certification](#)

[Prospective Offeror Non-Disclosure Agreement](#)

[SRDP Security Certification](#)

[Contractor Employee Non-Disclosure Agreement \(Contractor Commitment to Protect Non-Public Information\)](#)

[Employee Separation Checklist](#)

[Roster of Employees Requiring Suitability Investigations](#)

[HHS Information Security Program Policy](#)

APPENDIX D: CIO-SP2 PRIME CONTRACTORS RECEIVING AWARDS AND THEIR TASK AREAS

A list of the CIO-SP2i Prime Contractors, with links to their Web sites, is maintained on the NITAAC Web site at <http://nitaac.nih.gov/CIO-SP2PrimeContractorListing.asp>.

COMPANIES RECEIVING AWARDS IN ALL NINE TASK AREAS

AC Technologies, Inc.
ACS Government Solutions Group
Andersen Consulting
Anteon Corporation
A-Tek, Inc.
Averstar, Inc.
Booz-Allen & Hamilton
Computer & Hi - Tech Management, Inc.
Computer Sciences Corporation
Digicon
DynCorp Information Systems
Federal Data Corporation
Fuentez Systems Concepts, Inc.
General Dynamics Electronic Systems
KPMG Consulting
Lockheed Martin
Logicon
OAO
PRC, Inc.
Raytheon Technical Service Company
SAIC
Sherikon, Inc
Signal Corporation
SRA
STG, Inc.
Sytel
TRW
The Orkand Corporation
Unisys Corporation
Universal Hi - Tech Development, Inc.

Companies Receiving Awards in Less Than Nine Task Areas

Company	Task Areas								
	1	2	3	4	5	6	7	8	9
Alphatech			X	X	X	X			
AMDEX Corporation			X	X					X
CITI - Creative Information Technology, Inc.			X	X		X			X
CNSI - Client Network Services		X	X	X	X	X		X	
Computech				X		X			X
Daston Corporation			X						
InfoPro Incorporated			X	X		X			
Ingenium		X	X		X	X			
ITS Services, Inc.		X	X			X			
Kathpal Technologies		X	X	X	X	X			X
KBM Group			X			X			X
Multimax	X	X	X		X	X			
People Processing Information		X	X	X	X	X			X
Premier Technology Group, Inc.	X	X	X		X	X	X		
Project Performance	X		X	X	X	X			X
RG II Technologies	X	X	X						
RS Information Systems, Inc.	X	X	X	X	X	X			X
System Plus, Inc.			X		X		X		

Task Legend

Task Area 1.	Chief Information Officer (CIO) Support
Task Area 2.	Outsourcing
Task Area 3.	IT Operations and Maintenance
Task Area 4.	Integration Services
Task Area 5.	Critical Infrastructure Protection and Information Assurance
Task Area 6.	Digital Government
Task Area 7.	Enterprise Resource Planning
Task Area 8.	Clinical Support, Research, and Studies
Task Area 9.	Software Development

APPENDIX E: EXCEPTIONS TO THE FAIR OPPORTUNITY PROCESS

In accordance with FAR 16.505(B) (2), the *only* exceptions to the requirement to provide each awardee a FOC for each order exceeding \$2,500 are:

- 1) The agency need for the supplies or services is so urgent that providing a fair opportunity would result in unacceptable delays;
- 2) Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized;
- 3) The order must be issued on a sole-source basis in the interest of economy and efficiency as a logical follow-on to an order already issued under the contract, provided that all awardees were given a FOC for the original order; or
- 4) It is necessary to place an order to satisfy a minimum guarantee.

APPENDIX F: SAMPLE OUTLINE OF A 10-PAGE “WHITE PAPER”

The following is a sample outline of a 10-page “white paper” that could be used in a multi-phase process. In this outline, there are five sections identified, with each section having a page or word limit. The *Statement of the Problem* and the *Critical Issues* sections are prepared by the contractor based on his/her reading of the TORP, familiarity with similar problems, and knowledge of the customer’s environment. The *Project Approach* section describes the technical approach advocated by the contractor to solve the problems/issues confronting the customer. The *Suggested Timeline* might only be the contractor’s best estimate of the project’s duration or it might include subprojects and show their durations and interdependencies. The last section, *Relevant Past Experience*, is a short summary of the experience of the contractor that may be directly relevant to the customer’s problem.

- 1) **Statement of the Problem** - A brief restatement or elaboration by the contractor of the customer’s problem (1 page or no more than 500 words)
- 2) **Critical Issues** - Discussion by the contractor of critical issue(s) and limitations the customer might face in trying to solve the problem (2 pages or no more than 1000 words)
- 3) **Project Approach** - A description of the technical approach recommended by the contractor and of how it will address each of the critical issues (5 pages or no more than 2500 words)
- 4) **Suggested Timeline** - The contractor’s best estimate of how long the project would take, to include a timeline if scheduling is a critical issue (1 page or no more than 500 words)
- 5) **Relevant Past Experience** - A summary of the contractor’s past experience that is directly relevant to the current problem. Provide the names of organizations, contacts, and current phone numbers. (1 page or no more than 500 words)

Table 3. displays sample evaluation criteria for white papers that use this outline and a simple scoring sheet that might be used to compute a weighted total score for each contractor.

Table 3. Sample Evaluation Criteria and Scoring Sheet

Criterion	Grade [1 → 5] Low → High	Weight [1 → 3] Low → High	Total Score for each Criterion ⁶
1. Degree of understanding of the problem and the critical issues confronting the customer		1	
2. Realism of the proposed technical approach		2	
3. Innovativeness of the proposed approach		2	
4. Realism of the suggested timeline		1	
5. Depth of directly relevant past experience		3	
Contractor’s Total Score			

⁶ The total score for each criterion is computed by multiplying the assigned grade by the weight. A contractor’s total score is the sum of the total scores for each criterion.

APPENDIX G: SAMPLE STATEMENTS FOR SECTION 508 COMPLIANCE

AGENCY SAMPLE

Federal Government agency procurements must comply with Section 508 of the Rehabilitation Act of 1973. Refer to Section 1.11 for background information. A contracting agency may use the following sample statements in the Statement of Work to meet the requirements of Section 508 (Electronic and Information Technology Accessibility for Persons with Disabilities). With reference to the NITAAC SOW template, these may be placed in paragraph 15, *Other Pertinent Information or Special Considerations*.

Section 508 Compliance Instructions

Section 508 of the Rehabilitation Act of 1973 requires that Federal agencies' electronic and information technology (EIT) is accessible to people with disabilities. The Federal Acquisition Regulations (FAR) Final Rule for Section 508 (EIT Accessibility) can be found at www.section508.gov and at the Access Board's Web site at <http://www.access-board.gov/sec508/standards.htm>.

Unless it is an "undue burden" or compliant products or services do not exist, the products must conform with Section 508. The contractor should state that they will comply with the requirements of Section 508 or cite a justifiable reason for an exception. If any additional costs for compliance are anticipated, these should be identified. Also, if significant difficulty or expense is involved, a commercial non-availability is declared.

The contractor must ensure that all EIT products that are less than fully compliant are offered pursuant to extensive market research, which ensures that they are the most compliant products and services available. For every EIT product that does not comply with 36 CFR Part 1194, the contractor shall on 30 days notice, make every effort to replace or upgrade it with a compliant equivalent product or service, if commercially available and cost neutral.

For existing systems, the contractor may not be able to identify all costs for compliance if the contractor did not develop that system, but should state that any development performed during the course of this TO will be compliant. If significant difficulty or expense is involved, a commercial non-availability is declared. Within 30 days of task award, the contractor should provide a plan for compliance for the system as a whole, including any costs associated with compliance.

Standards

The contractor shall comply with all required Federal or agency standards as specified in the individual TO.

The Federal Electronic and Information Technology Accessibility Standards (36 CFR 1194) are incorporated into and made a part of this contract. These standards are found in their entirety at [The Section 508 Standards Page](#). A printed copy of the standards will be supplied upon request. The contractor must comply with the above referenced standards in performing this contract.

CONTRACTOR SAMPLE

The following is a sample 508 compliance statement that a contractor may include in response in a proposal.

(a) The contractor represents by signing this offer that the supplies and services offered in response to this solicitation, except for those identified in paragraph (b), comply fully with the Electronic and Information Technology Accessibility Standards at 36 CFR 1194. (See [The Section 508 Standards Page](#)). Each supply or service that will not be totally compliant at time of delivery or is only partially compliant is listed in paragraph (b).

(b) All noncompliant and partially compliant supplies or services are listed below. In addition, for each supply or service that is not in full compliance, or is partially compliant, a detailed discussion of which standards are satisfied and which standards are not satisfied by the offered supply or service is included. Also, any qualifications or conditions that might affect

compliance with Section 508 of the proposed supplies or services are described. The list will be kept current during the period of performance.

APPENDIX H: SECURITY-SPECIFIC ACTIONS FOR HHS TASK ORDERS

