



FirstSource Ordering Guide



**Homeland
Security**

**Office of the Chief Procurement Officer
Office of Procurement Operations**

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Foreword

The Information Technology Acquisition Center (ITAC), within the Office of Procurement Operations of the Department of Homeland Security (DHS) Chief Procurement Officer, has established Department-wide contracts for information technology (IT) commodity products and services under the program names FirstSource and EAGLE (Enterprise Acquisition Gateway for Leading Edge solutions) respectively. The procurements have been conducted by the ITAC in cooperation with the DHS Chief Information Officer (CIO) and the Component IT and procurement communities.

The FirstSource contracts were awarded under the Federal Acquisition Streamlining Act of 1994 (FASA), and the Clinger-Cohen Act, which require that the prime contractors be provided a fair opportunity to be considered for delivery/task order awards. The contracts are structured as indefinite delivery/indefinite quantity (ID/IQ) contracts, using delivery orders for the acquisition of specified supplies. The FirstSource contracts are available to DHS and all Components, and any other Federal Agency whose work is deemed mission-related to DHS programs or projects. The contracts are also available to any other federal agencies if their work is deemed mission-related to DHS programs or projects.

This FirstSource ordering guide contains all the information required to use the contracts to obtain IT commodities DHS-wide. The guidelines for using the EAGLE contracts are in a separate document available from the Enterprise Solutions Office (ESO) within ITAC. Questions regarding these guidelines and procedures for placing orders against the contracts should be directed to the ESO. The ESO will revise these guidelines, as needed, to improve and streamline the process of awarding and managing orders under the FirstSource contracts.

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Information regarding the FirstSource Contracts can be found at: www.dhs.gov/openforbusiness/ then click on Information Technology Acquisitions, then on FirstSource.

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1. General Information

1.1 Background

The FirstSource initiative is a multiple-award, ID/IQ contract vehicle, specifically designed as the preferred source to acquire information technology (IT) commodity products that are required to meet the vast majority of the Department of Homeland Security's (DHS') enterprise infrastructure needs. (See Appendix A: Glossary of Terms.) FirstSource is a complementary Program to the EAGLE IT services contracts. Working in partnership with the prime contractors, the Enterprise Solutions Office (ESO), as part of the Information Technology Acquisition Center (ITAC), manages the contracts, in coordination with ITAC Contracting Officers (COs) and the DHS Office of Procurement Operations.

DHS requiring activities are encouraged to use FirstSource and EAGLE contracts not only because they are “mandatory for consideration,” but also because they offer:

- A total array of IT commodity products and services
- Commercial-type pricing
- Ongoing competition between qualified contractors
- Ease of use
- Total reporting capabilities.

FirstSource contracts will be centrally managed and administered by the OPO/ITAC with decentralized ordering by the Component organizations. Orders may be placed by any CO in the aforementioned organizations. Tools are available to assist the COs with ordering and meeting competition and reporting requirements (i.e. FedBid and FedConnect - available to PRISM users). FirstSource and EAGLE contracts encompass all IT requirements, including hardware, software, peripherals, networking, and infrastructure support services. Because both initiatives are multiple-award vehicles, they provide Components with a flexible means of meeting IT needs quickly, efficiently, and cost effectively. As such, using these contracts might serve to reduce the overhead associated with multiple acquisitions. In addition, aggregation of demand provides the Government with buying leverage and encourages vendors to offer the best possible prices resulting from economies of scale. This factor is especially effective for maintaining better pricing and quality.

1.2 Purpose

This document provides procedures for ordering commodities under FirstSource, and defines the roles and responsibilities of the major parties involved in the ordering process. Orders against FirstSource may be placed by the ITAC for use on its own behalf or on the behalf of Component activities, or can be placed by the Components themselves.

1.3 Scope of the IT Contracts

As stated above, the scope of the FirstSource and EAGLE contracts encompasses all IT requirements including a wide array of commodity products (hardware and software) and the full range of support services.

FirstSource provides DHS with access to contractors’ commercial catalogs which offer a full array of IT commodity products available in the commercial marketplace from multiple original equipment manufacturers, producers, and suppliers. The FirstSource contracts also offer associated IT services. These contracts include, but are not limited to:

- Configuration consulting and design
- Systems integration
- Installation of multi-vendor equipment
- Customization of hardware and software
- Training
- Product technical support
- Product maintenance
- End-user support

EAGLE provides for a wide range of IT services necessary to support Chief Information Officer (CIO) requirements for IT solutions within the DHS. Multiple prime-contractor teams are available to provide solutions in each of the following five comprehensive functional categories (FCs) of services:

- FC1 – Engineering Design, Development, Implementation, and Integration
- FC2 – Operations and Maintenance
- FC3 – Independent Test, Evaluation, Validation, and Verification
- FC4 – Software Development
- FC5 – Management Support Services.

1.4 Prime Contractors

The following 11 prime contractors were awarded FirstSource contracts and are available to provide IT commodity solutions to DHS:

| FIRSTSOURCE CONTRACTORS | CONTRACT NUMBER | DUNS NUMBER |
|--------------------------------|------------------------|--------------------|
| ALL POINTS LOGISTICS, INC. | HSHQDC-07-D-00020 | 968451591 |
| COMPUTER WORLD SERVICES, CORP. | HSHQDC-07-D-00021 | 621796044 |
| EG SOLUTIONS, LLC | HSHQDC-07-D-00023 | 136483802 |
| GOVERNMENT ACQUISITIONS, INC. | HSHQDC-07-D-00024 | 603814054 |
| GOVPLACE | HSHQDC-07-D-00025 | 957050883 |
| iGov | HSHQDC-07-D-00026 | 942408766 |
| MULTIMAX ARRAY | HSHQDC-07-D-00027 | 614767403 |
| NCS TECHNOLOGIES, INC. | HSHQDC-07-D-00028 | 961003720 |
| NET DIRECT SYSTEMS, LLC | HSHQDC-07-D-00029 | 054007823 |

| | | |
|--------------------------------|-------------------|-----------|
| ST NET-APPTIS | HSHQDC-07-D-00030 | 615381907 |
| WILDFLOWER INTERNATIONAL, LTD. | HSHQDC-07-D-00022 | 619719693 |

1.5 Enterprise Solutions Office (ESO) Best Practices

The ordering guidelines contained herein are in compliance with the best practices guidance of the Office of Federal Procurement Policy (OFPP), Office of Management and Budget (OMB), and Homeland Security Acquisition Manual (HSAM) policy. Specifically, in promoting EAGLE and FirstSource, the ESO focuses on the following elements:

- Establishing simplified ordering procedures and award documentation.
- Managing a reasonable number of EAGLE and FirstSource awards with highly skilled, responsible prime contractors (Large, Small, Small Woman-Owned, Small Disadvantaged, Service-Disabled Veteran-Owned Small Businesses and HUBZones, etc.) who possess a wide variety of expertise.
- Promoting performance-based work statements.
- Improving the efficiency of the ordering process by implementing automated tools to support FirstSource. PRISM, coupled with the FedConnect module encompasses requisitioning, soliciting, ordering, contract/order/solicitation management, award and closeout. FedBid is a reverse auctioning tool/marketplace where buyers can procure commodity-type commercial items such as the IT products available through FirstSource.
- Ensuring the availability of ITAC ESO acquisition, technical, program, and contracting personnel to provide advice and guidance, at no cost to the Component level ordering office.
- Scheduling periodic meetings between the ESO, the EAGLE and FirstSource prime contractors, and the appropriate DHS Components to discuss administrative matters, future requirements, and needed improvements in the ordering process.
- Through post-award monitoring of contractor performance and pricing, ensuring that FirstSource continues to provide value to DHS customers.
- Providing the necessary information and guidelines to ensure Section 508 compliance for acquired electronic and information technology items via identifying applicable exceptions to Section 508, or applicable technical standards and functional performance requirements, and selecting the item(s) which “best meet” the applicable technical standards and functional performance criteria. See Section 3.4.2.5 of this document for more information on Section 508.

1.6 FAR and FASA Relationship to FirstSource Contracts

The Federal Acquisition Streamlining Act of 1994 (FASA) has established a "general" preference for use of multiple awards, and in doing so:

- Authorizes exemption from the public notice requirement when placing orders;
- Limits protests in connection with the issuance of orders except on the grounds that the order increases the scope, period, or maximum value of the contract; and

- Mandates that multiple awardees have a fair opportunity to be considered for orders in excess of \$3,000.

Pursuant to Federal Acquisition Regulation (FAR) requirements, FirstSource requires that each prime contractor be afforded a “fair opportunity to be considered” for each delivery order. Unless one of the exceptions cited at FAR 16.505 applies, the CO for the individual delivery order will announce each requirement to all FirstSource prime contractors.

The appropriate FAR clauses have been incorporated in the FirstSource contracts; see Chapter C of the contract, entitled Contract Terms and Conditions.

2. Roles and Responsibilities

The following describes the roles and responsibilities of the primary ITAC and ESO points of contact (POC) on matters regarding FirstSource contract management and administration, as well as other administrative information.

2.1 Enterprise Solutions Office (ESO)

As stated earlier, ITAC, within the Office of Procurement Operations (OPO) of the DHS Chief Procurement Office, has established Department-wide contracts for IT commodity products under the Program name FirstSource. The procurement has been conducted by ITAC in cooperation with the DHS CIO and the Component IT and procurement communities. Overall responsibility for managing and administering the FirstSource contracts rests with the ITAC CO.

The ESO, under the ITAC, is chartered to provide acquisition program/project management leadership, guidance, and support to the Chief Procurement Officer, CIO and the Components, and internal/external offices. In addition, the ESO provides performance management, quality assurance, and compliance expertise.

The ESO was established with the following responsibilities:

- Ensuring that customers are aware of their responsibilities and the scope of the FirstSource contracts;
- Addressing and satisfying the needs of all participants in the process;
- Maintaining a level of program integrity that prevents contractual or programmatic problems; and
- Soliciting feedback and providing continuous process improvement.

The ESO is available to work directly with customers and FirstSource prime contractors, throughout the acquisition process, to provide assistance, support, and overall contract management/administration. As such, the ESO is guided by directives from other organizations (e.g., Management Directive 1400), and develops, employs, and promulgates procedures and templates that support these directives.

2.2 Requiring Activity

Requiring activities include the following:

- DHS HQ and Components; and
- Other Federal agencies with DHS mission-critical programs.

The requiring activity is responsible for preparing the purchase request, along with all ancillary information, including the following:

- Complete description of the requirement;
- Independent Government Cost Estimate (IGCE);
- Evaluation criteria and Source Selection Plan (best value; technically acceptable, low-price);
- Name, title, address, phone number, e-mail, and fax of requisitioner;
- Proposal instructions (including proposal due dates);
- Fair opportunity exception, if applicable (See Appendix B, Attachment 1); and
- Other pertinent statutory/regulatory requirements, including applicable Section 508 requirements or exceptions. See Section 3.4.2.5 of this document for more information on Section 508.

The information and guidelines provided herein does not supersede or negate established business practices necessary to obtain approvals required for normal acquisition within the requiring activity.

2.3 Contracting Officer – FirstSource Contract

The ITAC CO has the overall responsibility for FirstSource contract management and administration. The ITAC CO is the only individual authorized to take actions on behalf of the Government to amend, modify, or deviate from the contract terms, conditions, requirements, specifications, details, and/or delivery schedules. The ITAC CO may delegate certain specific responsibilities to its authorized representative who is the contracting officer's technical representative (COTR). The ITAC CO may also designate an alternate COTR for this contract.

The CO will identify the COTR for this contract through a written designation. A copy of the letter of designation, with specific duties and responsibilities, will be provided to the contractor.

The ITAC CO is responsible for overall management and administration and the final closeout of the contract, and when necessary, shall:

- Provide scope oversight;
- Serve as liaison between the FirstSource contractors and DHS;
- Ensure compliance with contract requirements;
- Issue the CO's final decision and handle all contract-level contractual disputes under the Contract Disputes Act; and
- Issue all modifications against the contract.

The ESO is responsible for administering the governance policies that relate to use of FirstSource contracts.

2.4 Contracting Officer – Delivery Order Level

IT commodity products and associated services offered under the FirstSource contracts will be ordered via delivery orders issued by the Delivery Order Contracting Officers (DO COs) within the DHS Headquarters or Component's organization, who must follow the ordering procedures set forth below and in FAR 52.216-18 (Section I of the FirstSource contract). All warranted COs of the DHS, including its Components, are authorized DO COs. All DHS operating Components are authorized to purchase IT commodity products (hardware and software) from this contract in order to fulfill DHS requirements. DHS reserves the right to place orders under this contract for the benefit of other Federal agencies, as a servicing agency under an interagency agreement, or for other agencies and institutions as permitted by law. The ITAC is available to conduct acquisitions on behalf of Components, in particular for those without an organic procurement capability. Such actions should be coordinated with the ESO (see Attachment 3 of Appendix B for a template cover memorandum for use when forwarding a requirement to the ESO).

The DO CO will be responsible for preparing the Delivery Order Request For Proposals (DO RFP) and for establishing the technical and price/cost evaluation teams associated with each delivery order. The DO CO will also formulate appropriate evaluation criteria and factors to ensure quality competition and provide the best value for each effort. In no event will a delivery order change the requirements of the FirstSource contracts. Should the contract user require such a change, specific approval must first be obtained from the ITAC CO.

The DO CO shall be responsible for:

- Issuing delivery orders and ensuring they contain the information listed in Chapter B, Section G.4 of the contract (See Appendix G)
- Completing, with the contractor, any and all administrative contractual actions concerning individual delivery orders;
- Terminating delivery orders, for convenience or cause, and canceling delivery orders at no additional cost to the Government;
- Ensuring that delivery orders are within the scope of the contract;
- Approving or withholding payments, or authorizing partial payments of invoices;
- Completing periodic past performance reports, with input from the assigned COTR;
- Administration and final closeout of delivery orders; and
- Forwarding an end of fiscal year notification to the ITAC CO (either by memo, letter, or electronically), stating which delivery orders awarded in the preceding fiscal year are closed with final disposition complete, including release of claims letters (if applicable).

DHS EAGLE and FirstSource are intended for use by DHS only. These vehicles are not Government-Wide Acquisition Contracts (GWACs). DHS Components that use another Federal service provider for contracting support may delegate procurement authority to allow that agency to use EAGLE and FirstSource on the Component's behalf. The respective Head of the Contracting Activity (HCA) is accountable for the actions taken by the service provider. It is the DHS Component's responsibility to ensure that the delegation:

- (1) Places responsibility on the servicing provider for all pre- and post-award activities related to the task/delivery order being awarded, including compliance with EAGLE and FirstSource ordering procedures;
- (2) Precludes orders placed on the contracts for non-DHS agencies; and
- (3) Requires that awarded orders are included in the monthly contractor activity reports.

Contracting Officer's Technical Representative (COTR) – Delivery Order Level

DO COs shall designate COTRs, in writing, who will be responsible for the day-to-day technical management and coordination of individual delivery orders. It is the DO CO's responsibility to confirm that the designated person is a trained, certified COTR. A copy of the letter of designation, identifying specific duties and responsibilities, must be provided to the contractor.

- The COTR will represent the DO CO in the administration of technical details within the delivery order's scope. The COTR is also responsible for the final inspection and acceptance of all delivery order deliverables and reports, and such other responsibilities as may be specified in the delivery order – including review of Section 508 compliance testing results. The COTR shall provide input to the DO CO for the preparation and submission of required past performance reports. The COTR is not otherwise authorized to make any representations or commitments of any kind on behalf of the DO CO or the Government. The COTR does not have the authority to alter the contractor's obligations or to change the delivery order specifications, pricing, terms, or conditions. If, as a result of technical discussions, it is desirable to modify delivery order requirements or specifications, changes will be issued in writing and signed by the DO CO.

2.5 Delivery/Task Order Contract Ombudsman

In accordance with FAR Part 16.505(a) (9) a contractor protest under subpart 33.1 is not authorized in connection with the issuance or proposed issuance of an order under a multiple award contract, except for a protest on the grounds that the order increases the scope, period or maximum value of the contract. Contractors shall contact the Task/Delivery Order Level Competition Advocate of the appropriate Component to express concern with the issuance or proposed issuance of a task/delivery order on the grounds stated previously. The Task Order/Delivery Order Level Ombudsmans' responsibilities are to:

- Address contractor concerns regarding compliance with task/delivery order award procedures;
- Review contractor complaints on task/delivery order contracts;
- Ensure all contractors are afforded a fair opportunity to be considered for each task/delivery order, consistent with FAR 16.505(b); and
- When requested, maintain strict confidentiality of the contractor requesting assistance.

Ombudsmen shall not participate in the evaluation of proposals submitted on the basic contract; the source selection process on the basic contract; or the adjudication of formal contract disputes arising under the basic contract or any individual order issued under it.

The Contract Level Ombudsman for this contract is the DHS Headquarters Competition Advocate, within the Office of the Chief Procurement Officer (OCPO). The Contract Level Ombudsman is responsible for the final recommendations/decisions for all orders under this contract, when resolution cannot be determined at the Component level.

3. FirstSource Ordering Procedures

3.1 Scope of FirstSource Delivery Orders

The FirstSource contracts are structured as commercial item ID/IQ contracts under FAR Part 12, “Acquisition of Commercial Items”, utilizing firm-fixed price (FFP) delivery orders. The contracts are “mandatory-for-consideration” throughout DHS, and awarded as 100% small business set-asides using North American Industry Classification System (NAICS) Code 541519, Footnote 18, with a small business size standard of 150 employees.

A key feature of the FirstSource contracts is that the contractors provide and maintain a DHS-specific pricing structure to assure DHS of commercial marketplace-type prices during the entire term of the contracts. The FirstSource contracts require that each delivery order issued under the base contracts will be priced at this level or lower in DO RFP competitions. FirstSource contractors are also required to provide ordering offices with a web-based capability to directly access and purchase the full array of contractors’ IT commodity products and associated services, directly from contractors’ catalogs.

Delivery orders will be issued that identify the IT commodities required, provide specific technical details (including the schedule for all deliverables and the identification of any applicable government-furnished property, government-furnished information and/or government-furnished workspace), and authorize performance. This chapter defines the process by which delivery orders will be developed, processed, priced, and issued.

3.2 Purchase Request Preparation

3.2.1 Independent Government Cost Estimate (IGCE)

The IGCE should be developed by the customer and submitted to the DO CO as part of the delivery order request package which will be used to assist the DO CO in determining the reasonableness of a contractor’s cost and technical proposals. The IGCE is for GOVERNMENT USE ONLY and should not be made available to FirstSource contractors. Customers can obtain information from the FirstSource contracts to develop an IGCE.

3.2.2 Acquisition Plans

The requirement for Acquisition Plans (APs) in support of individual acquisitions is based on the requirements of internal Component directives and the HSAM. If required, a draft AP will be prepared and included with the delivery order request package. See Appendix A in Chapter 3007 of the HSAM for guidance on AP format and thresholds.

3.2.3 Acquisitions \$2.5M and Above

Management Directive (MD) 0007.1 establishes the Department of Homeland Security's (DHS) vision, authorities, and responsibilities of the Department's and Components’ Chief Information

Officers (CIO). It mandates DHS CIO approval of all acquisitions of Information Technology (IT) products and services of \$2,500,000 (\$2.5 M) and above. The amount of the procurement includes the base award plus all options. The DHS CIO has 10 business days to conduct the review.

The DHS CIO must review, approve and comment on all IT acquisitions of \$2.5 M and above (inclusive of options) regardless of whether they originate from an IT investment or a non-IT investment. Moreover, the CIO will review, approve and comment on IT acquisitions of \$2.5M and above regardless of the line of business or DHS organization in which they originate. By reviewing and approving each IT acquisition, the DHS CIO intends to improve the alignment of IT purchases to the DHS mission and target architecture.

To support the DHS CIO review of IT acquisitions, MD 0007.1 requires Component CIOs to: A) Ensure that prior to any acquisition of IT equipment, software, services, or programs, of \$2.5 M or more (inclusive of options), the DHS CIO has approved the acquisition; and, B) Ensure that these acquisitions are aligned with the Administration and Congressional priorities, and the DHS mission in advance (conducting the review during acquisition planning prior to the commencement of the formal procurement process) to prevent an untimely delay in the purchase or acquisition.

MD 0007.1 provides Component CIOs the authority to determine IT and non-IT investments, and at their discretion, institute a lower threshold for DHS CIO approval to better act as agents of the Department CIO to ensure alignment of IT acquisitions to DHS' target architecture.

3.2.4 Delivery Order Request Package

The contents of the delivery order request package is intended to provide the information required by the DO CO. This information is intended to define the supplies/services required and the amount and type of funds committed. This request package also furnishes the information required by the prime contractors to prepare a proposal in response to the DO RFP. Requirements offices are encouraged to contact the ESO to discuss projected delivery order requirements and to obtain guidance in the preparation of complete and acceptable documentation. The delivery order request package must also provide the name, title, address, phone number, e-mail, and fax number of the proposed COTR (See Appendix B for template).

The request package must include all of the technical information the prime contractors will need to prepare and submit a proposal and it should include special instructions that should be highlighted in the initial announcement to the prime contractors. In those instances where a delivery order solicitation process is used (paragraph 3.4.2 below), proposal due dates are left to the discretion of the DO CO. However, it is recommended that offerors be allowed 10-20 business days for submission of their respective offer. The proposal request must also include specific instructions for the submission of proposals, source selection factors, the factors' order of importance, and other information deemed appropriate.

Note: Applicable Section 508 technical standards and functional performance criteria or exception justifications must be identified in the request package to allow the contractors to provide accurate information in response to the solicitation.

3.2.5 Enterprise Solutions Office (ESO) Assistance

Upon request of the DO CO, the ESO will assist with the creation of the delivery order request package, or review a request package developed by the ordering activity. The ESO can offer advice regarding one or more of the following issues:

- Applicability of the delivery order request package with respect to scope;
- Adequacy of the evaluation criteria;
- Realism of the IGCE; and
- If applicable, adequacy of the justification used for the exception to the requirements for fair opportunity to be considered.

3.3 Fair Opportunity

3.3.1 Fair Opportunity Exceptions

In accordance with the FASA and FAR Part 16.505(b) (2), the DO CO will provide all awardees a fair opportunity to be considered for each order in excess of \$3,000, unless one of the conditions below applies:

- The agency need for such commodities is so urgent that providing a fair opportunity would result in unacceptable delays;
- Only one awardee is capable of fulfilling the Government's requirements, with the necessary level of quality, because the supplies and/or services ordered are unique or highly specialized;
- The order must be issued on a sole-source basis, in the interest of economy and efficiency because it is a logical follow-on to a delivery order already issued under this contract (provided that all awardees were given a fair opportunity to be considered for the original order) (see Note below); and/or
- It is necessary to place an order to satisfy a minimum guarantee.

Note: If the order is a follow-on to a delivery order that was not issued under FirstSource, or to a delivery order for which the FirstSource awardees were not given the opportunity to compete, this exception CANNOT be used.

In accordance with FAR Part 16.5, when an exception to the fair opportunity to be considered rule exists, the delivery order will be processed as a sole-source procurement and thus supported by a sole source justification. Given that FAR 16.505(b) (1) (ii) states, "The competition requirements in part 6 . . . do not apply to the ordering process," there is no need for the creation of a Justification and Approval prepared in accordance with FAR 6.3 to support a sole source procurement. The contract file shall document the fair opportunity exception used, and the basis and rationale for use of that exception (see Appendix B, Attachments 1 and 2 for guidance).

If any FirstSource contractors are eliminated from competition for any reason (e.g., conflict of interest), the delivery order request package should include the rationale for the elimination.

Enterprise Solutions Office (ESO) Review of Exceptions to the Fair Opportunity Process

The DO CO should provide a courtesy copy of approved exceptions to the fair opportunity process. ESO review of such exceptions shall be conducted for the purpose of quality assurance, trend analysis, and potential training opportunities. If the ITAC/ESO has any questions, they will be addressed to the TO CO directly. The DO CO must address ITAC/ESO questions.

3.4 Delivery Order Process

This section defines the process by which fair opportunity will be afforded, both through review of contractor catalogs as well as the solicitation/proposal process, and how a delivery order will be processed, priced, and awarded. Delivery order request packages must indicate funding approval prior to further processing of proposed delivery orders. Upon completion of all required approvals, the delivery order request package must be forwarded via the PRISM system. An ESO system-generated delivery order tracking number will be assigned to each delivery order requirement.

The following describes the two approaches available in conducting competitions under FirstSource: catalog-based competitions and the solicitation process. A diagram depicting the workflow process associated with issuance of a delivery order under FirstSource can be found at Figure 1, page 22.

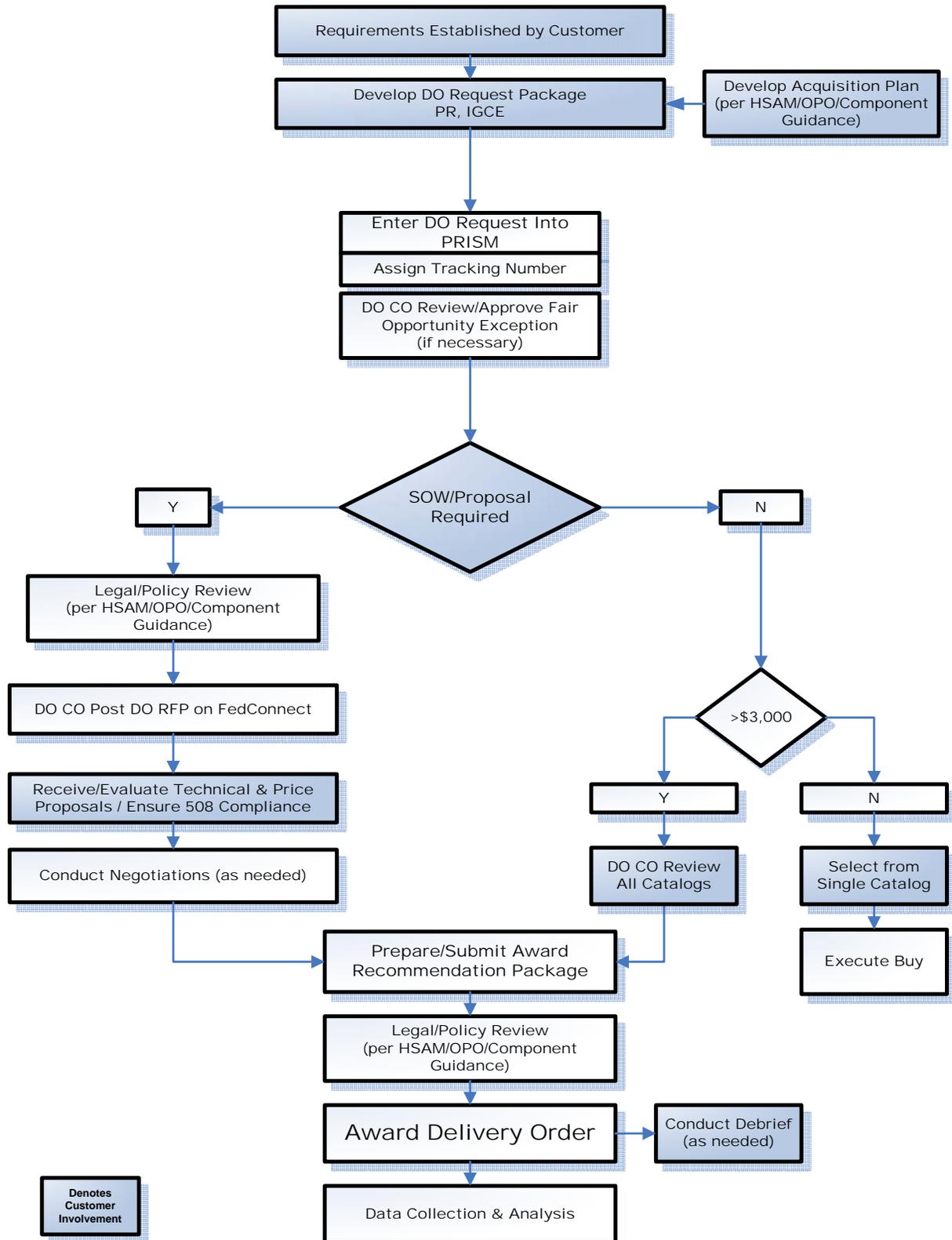
3.4.1 Catalog-Based Competition

Under FirstSource, pricing offered by contractors is set forth in published commercial price catalogs, or schedules of list prices, in a form regularly maintained by the equipment manufacturer or FirstSource contractor. The FirstSource contract states the following:

“The Contractor shall provide, at no additional cost, its standard commercial ‘punch-out’ [shopping cart] capability for the order input and tracking process which DHS customers can access through the secure, DHS provided web-portal. The order processing capability shall include the following functions at a minimum:

- 1) Access to on-line order input
- 2) Capability to process written orders
- 3) On-line order tracking capability that shows order acknowledgement, status, and estimated delivery dates
- 4) Capability to produce DHS status data as described in C.4.2.7
- 5) Complete, current catalog with product information, prices, model numbers, technical compatibility requirements, etc.
- 6) On-line warranty tracking capability that shows request acknowledgement, status, and estimated repair dates.” (paragraph C.4.2.7 of the contract)”

Figure 1. FirstSource Delivery Order Process



Chapter B, section G.5 of the FirstSource contracts, in compliance with FAR 16.505(b), allows for broad discretion on the part of the CO in the development of order placement procedures, as long as “each awardee is provided a fair opportunity to be considered for each order.” The published catalog/list pricing includes discounts offered by the contractor in the course of the FirstSource competition, and is made available to all DO COs. Through the use of these catalogs, DO COs are able to select the products that best satisfy their needs and take advantage of the marketplace’s competitive forces. Requests for, and submission of, competitive proposals are not required to fulfill the requirement of fair opportunity, nor is the conduct of negotiations required before award of a delivery order resulting from a catalog-based competition. Unless the DO CO concludes that the information in the catalogs is insufficient to make an award in the best interests of the Government or, based on the quantities required or other circumstances, the catalogs do not offer the best value available, FirstSource awardee catalog comparisons fulfill the FAR requirement to grant fair opportunity to all awardees.

3.4.1.1 Purchases Not Exceeding the Micro-Purchase Threshold

Pursuant to FAR 13.202 and 16.505(b) (1) (i), the DO CO may make an award, at or under the micro-purchase threshold, without seeking competitive quotations. For a micro-purchase requirement, a DO CO can simply access a single catalog to select the commodities that best meet the Government’s needs and execute the buy, either through use of a purchase card or issuance of a delivery order.

3.4.1.2 Purchases Exceeding the Micro-Purchase Threshold

While FAR 16.505 (b) (1) (ii) states that “the contracting officer need not contact each of the multiple awardees under the contract before selecting an order awardee,” the requirement exists to consider all awardees for each order. This requirement can be accomplished through the comparison of pricing posted on awardees’ catalogs. Before vendor selection, Section 508 compliance information must be compared to determine which proposal best meets both Section 508 standards and the organization’s business needs. See Section 3.4.2.5 of this document for more information on Section 508. Unless a fair opportunity to be considered exception applies, pursuant to FAR 16.505(b) (2), the DO CO shall review the catalogs of all FirstSource contractors offering supplies and services which meet the Government’s requirements. The source selection decision in this scenario will be based on a “technically-acceptable/low-price” determination. That is, the award will be made to the lowest-price vendor (after application of the Dynamic Pricing Model as described in the solicitation/contract), capable of meeting DHS’ minimum needs. See Appendix A for additional information relative to the Dynamic Pricing Model. It is noted that the pricing in awardees’ catalogs should be considered ceiling prices, generally available for use in fulfilling urgent or low dollar-value requirements. For larger procurements, the Government should be able to achieve more favorable pricing through the competitive process described in 3.4.2 below. An example would be issuance of a DO RFP to all FirstSource contractors followed, if necessary, by negotiations and final proposal revisions. Dollar thresholds for review of the source selection decision by policy and/or counsel shall be those in effect for the Component or DHS headquarters at the time of the decision.

3.4.2 Solicitation Process

While not required, DO COs are encouraged to seek competitive quotations and conduct negotiations for procurements exceeding \$100,000. The following section describes the process of conducting a delivery order competition among FirstSource contract holders.

3.4.2.1 Fair Opportunity

Unless one of the exceptions at FAR Part 16.505(b) (2) applies, or one of the approaches described in section 3.4.1 above is used, the DO CO will announce/post each delivery order requirement to all FirstSource contractors using FedConnect or the e-procurement system of that particular requiring activity. This announcement satisfies the requirement for a fair opportunity to be considered. If an e-procurement system is not available, a manual solicitation approach (e-mail or hard copy DO RFP) will be used. Each contractor will then evaluate the opportunity and determine whether or not to submit a proposal. The announcement will include, at a minimum, the following information:

- Delivery order tracking number;
- Date of announcement;
- End user customer organization;
- List/description of IT commodities and associated value-added services required;
- Proof of funds availability;
- Evaluation criteria and factors, if required;
- Contracting agency POC information (DO CO and contract specialist): name, phone number, e-mail address, and fax number; and
- Proposal due date.

3.4.2.2 Delivery Order Solicitation

Depending on the nature and estimated dollar value of the acquisition, a legal and/or policy review of the DO RFP might be required – subject to DHS and Component directives. The DO CO will make a DO RFP available to all FirstSource contractors, unless a fair opportunity exception applies or a catalog-based competition (3.4.1 above) is appropriate. The solicitation process will be conducted either manually, or via an electronic process, if available. The proposal request will set forth the Government’s specific IT hardware requirements, a detailed description of the services required (if applicable), all data deliverables, and the due date for proposal submission(s). The proposal request will also include specific instructions for proposal submissions. See Appendix D for a sample proposal request letter.

Some elements of the awarded FirstSource contracts were left to be determined or specified at the delivery order level and must be solicited in the DO RFP, examples of which are requirements for: leasing, equipment power, accessibility for users with disabilities, software licensing, imaging, warranty, performance metrics, delivery schedules, acceptance testing, and equipment for evaluation.

Contractors will be provided adequate time to prepare and submit responses. The DO CO will determine the appropriate amount of time based on the estimated dollar value and complexity of the proposed delivery order. The due date for proposal submission(s) will be set forth in each DO RFP.

3.4.2.3 Delivery Order Proposals

The DO RFP must be developed with the following instructions and elements of proposals considered:

Technical Proposals

Technical proposals submitted in response to DO RFPs will be streamlined and succinct, to the extent practical, and in line with the estimated dollar value and complexity of the work. Responses will indicate either compliance with, or exception to, requirements, risks, assumptions, and conflict of interest issues. Both oral and written technical proposals shall address, as appropriate:

- Proposed IT hardware (make and model);
- Proposed value-added services;
- Other proposal elements (materials and supplies, travel, training, etc.);
- Delivery dates;
- Teaming arrangement (including subcontracting);
- Other pertinent data, (e.g., potential conflict of interest issues);
- Electronic Products Environmental Assessment Tool (EPEAT) compliant. See Section 3.4.2.6 of this document for more information on EPEAT compliance; and
- Applicable Section 508 technical standards and functional performance criteria.

Note: Exceptions to Section 508 will be identified by the Government during the DO RFP phase.

Price Proposals

The DO RFP shall require a written firm-fixed price proposal. This part of the proposal shall include detailed pricing for all resources required to accomplish the effort. When competing for delivery order awards under the delivery order solicitation process, the contractor is permitted to propose hardware pricing that is lower than originally proposed and established in the First-Source contract. The contractor shall explain fully the basis for proposing lower prices. The reduced pricing will apply only to the respective delivery order(s).

Other Relevant Information

This information shall always be in writing and shall address relevant information as required by the contract or requested by the DO RFP. The contractor shall assume all costs (as an indirect charge) associated with proposal preparation for delivery order awards under the fair opportunity process. The Government will not reimburse awardees for direct charges on fair opportunity proposals.

No Response

If a prime contractor is unable to or chooses not to respond to a requirement, a NO RESPONSE must be submitted by the contractor. All NO RESPONSES shall include a brief explanation as to why the prime contractor has elected to forego the opportunity (e.g., conflict of interest). A NO RESPONSE might take the form of an e-mail transmitted to the DO CO and DO COTR.

3.4.2.4 Evaluation of Delivery Order Proposals

Evaluation and Discussions

Delivery order proposals will be evaluated in accordance with the evaluation criteria set forth in the DO RFP (see Appendix C for evaluation plan template) and the source selection plan. It is anticipated that the vast majority of delivery order awards made under FirstSource will be based on a technically acceptable/low price source selection approach. In addition to an assessment of the proposed technical solution, a determination of technical acceptability will include compliance with the requirements of Section 508 of the Rehabilitation Act, and the offeror's past performance record. If an initial evaluation reveals differences between the Government's requirements and an otherwise acceptable prime contractor's proposal, discussions between the DO CO and the contractor will be necessary. Discussions might range from informal meetings to discuss minor discrepancies in the offerors' technical approaches, to formal negotiations with multiple prime contractors.

Proprietary Information

The ordering activity 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.

Award Recommendation Documentation

After completion of the evaluation and any discussions, the DO CO shall prepare a complete award recommendation package (see Appendix E) to document the selection process. The package will also serve as evidence that the fair opportunity to be considered rule was applied, unless an exception was taken under FAR Part 16.505(b) (2). At a minimum, the required documentation shall include:

- A statement that an announcement of the delivery order requirement was made to all contractors eligible for receiving an award for the delivery requirement, or if an exception to the fair opportunity to be considered rule was cited (cite the exception);
- The selection criteria/methodology used to evaluate the competing contractors;
- The results of the evaluation; and
- The rationale for the recommendation of the delivery order awardee, including a summary of the price analysis and any negotiations conducted. The narrative must clearly support the final recommendation, and address the rationale for the decision. The narrative must ensure that all offerors were evaluated in accordance with the cited criteria only – and that the cost/price element was not overlooked.

Based upon the dollar thresholds in effect at the time of the individual procurement action, the award recommendation documentation resulting from the solicitation process should be reviewed by policy and/or general counsel.

Notification to the ITAC CO and Enterprise Solutions Office

A copy of the approved award recommendation shall be submitted to the ITAC CO within ten business days of award. Electronic copy is preferred and should be sent to: DHSESO@dhs.gov.

3.4.2.5 Section 508 Compliance

Section 508 of the Rehabilitation Act, as amended by the Workforce Investment Act of 1998 (P.L. 105-220), requires that when Federal agencies develop, procure, maintain, or use electronic and information technology (EIT), they must ensure that it is accessible to people with disabili-

ties. Federal employees and members of the public who have disabilities must have equal access to and use of information and data comparable to that enjoyed by their non-disabled counterparts.

When acquiring EIT products or services, the requiring activity (e.g. requiring official), must take the appropriate steps to ensure compliance with Section 508. This requirement exists regardless of method used to acquire the EIT product or service, but FirstSource has taken steps to ease the information collection and measurements required to make informed decisions.

FirstSource Implementation

To expedite and assist the requiring activity in addressing Section 508, the FirstSource Contracting Officer has required each FirstSource contractor, in coordination with the subcontracted OEMs, to complete a Product Accessibility Template (PAT), which describes the degree of accessibility, for each of its offered products. Contractors are required to update this information, as products are added or deleted in the catalog. This data will be made available by FirstSource contractors in conjunction with (but separate from) their published commercial catalogs, unless such information is normally incorporated in their commercial catalog.

The Section 508 requirement for EIT procured using the FirstSource or “other” acquisition processes is that all delivery orders or task orders identify the requirements for Section 508 including applicable standards, functional performance criteria, and exceptions. When purchasing items the requiring official will need to ensure that compliance with Section 508 is accomplished. Appendix H of this Guide contains a form that must be completed and signed by the requiring activity and submitted as part of the acquisition contract file.

All EIT acquisitions require the identification of applicable standards and exceptions. The following information is provided as a guide:

- 1) Identify all applicable technical standards from the following:
 - a. 1194.21 Software Applications and Operating Systems – Applies to all EIT software applications and operating systems procured or developed including but not limited to GOTS and COTS software. In addition, this standard is to be applied to Web-based applications when needed to fulfill the functional performance criteria. This standard also applies to some Web based applications as described within 36 CFR 1194.22 below.
 - b. 1194.22 Web-based Intranet and Internet Information and Applications – Applies to all Web-based deliverables, including documentation and reports procured, developed or delivered. When any Web application uses a dynamic (non-static) interface, embeds custom user control(s), embeds video or multimedia, uses proprietary or technical approaches such as, but not limited to, Flash or Asynchronous Javascript and XML (AJAX) then “1194.21 Software” standards also apply to fulfill functional performance criteria.
 - c. 1194.23 Telecommunications Products – Applies to all telecommunications products including end-user interfaces such as telephones and non end-user interfaces such as switches, circuits, etc. that are procured, developed or used by the Federal Government.

- d. 1194.24 Video and Multimedia – Applies to all video and multimedia products that are procured or developed. Any video or multimedia presentation shall also comply with the software standards (1194.21) when the presentation is through the use of a Web or Software application interface having user controls available.
 - e. 1194.25 Self Contained, Closed Products – Applies to all EIT products such as printers, copiers, fax machines, kiosks, etc. that are procured or developed.
 - f. 1194.26 Desktop and Portable Computers – Applies to all desktop and portable computers including servers and hand-held computing devices.
- 2) Fulfill the Functional Performance Criteria as well as the Information, Documentation and Support requirements:
- a. 1194.31 Functional Performance Criteria – All applications shall be accessible to end-users with vision, hearing, speech, or motor-control disabilities. They shall be accessible by themselves or support assistive technologies used by people with disabilities. The requirement is that all the above “applicable technical standards” be selected that will result in fulfilling the functional performance requirements, regardless of technology chosen.
 - b. 1194.41 Information, Documentation and Support - Applies to all documents, reports, as well as help and support services. To ensure that documents and reports fulfill the required “1194.31 Functional Performance Criteria”, they shall comply with the technical standard associated with Web-based Intranet and Internet Information and Applications at a minimum. In addition, all help and support services shall meet the needs of all end users, including telephone support systems by having Text Teletype (TTY) capabilities for users with speech and hearing disabilities at a minimum.
- 3) Exception Determination:

All EIT is required to comply with applicable technical standards and meet the functional performance criteria. In some instances, exceptions will apply based on the requirements of the product or service or based on the use of the EIT itself. The following are the exceptions and the requirement for use:

- a. 36 CFR 1194.2(b) – (COTS/GOTS products), When procuring a product, each agency shall procure products that comply with the provisions in this part when such products are available in the commercial marketplace or when such products are developed in response to a Government solicitation. Agencies cannot claim a product as a whole is not commercially available simply because no product in the marketplace meets all applicable standards. If products are commercially available that meet some but not all of the standards, the agency must procure the product that best meets the standards.

When applying this standard, all procurements of EIT shall have documentation of market research that identify a list of products or services that first meet the agency business needs, and from that list of products or services, an analysis that the selected product met more of the accessibility requirements than the non-selected products as required by FAR 39.2. Any selection of a product or service that meets less accessibility standards due to a significant difficulty or expense

shall only be permitted under an undue burden claim and requires approval from the DHS Office on Accessible Systems and Technology (OAST) in accordance with DHS MD 4010.2.

- b. National Security: Any claim for National Security requires approval from OAST as required by DHS MD 4010.2.
- c. Fundamental Alteration: This exception applies to the portions of an EIT product where the item requires changes to comply with Section 508 and would render the item useless for its intended purpose clearly defined by business requirements. This exception is rare and when applied, only applies to parts of an EIT product, rarely a whole product. It is expected that DHS and Components define accessibility for all Federal employees and members of the public within all acquisitions of EIT.
- d. Back Office: Applies to any EIT item that will be located in spaces frequented only by service personnel for maintenance, repair, or occasional monitoring of equipment. This exception does not include remote user interfaces that are accessible outside the enclosed “space” as well as items used to transmit or conduct information such as circuits and switches used in areas such as telecommunications transactions.
- e. Undue Burden: As mentioned in the exception for COTS/GOTS products, it is probable that a product may not “fully comply” with the applicable technical standards or meet the functional performance criteria. Also mentioned is that trade-offs for accessibility is not permitted for products that meet lesser degree of accessibility based on expense or difficulty. Making such a trade off would require the approval for an “Undue Burden” claim that requires approval from OAST per DHS MD 4010.2. OAST will review all claims in accordance with FAR 39.2 and the requiring activity will need to submit the following information to OAST:
 - i. Documentation addressing how compliance would impose a significant difficulty or expense and evaluation of the Agency resources available to the Program or Component (addressing the basis of the claim and required documentation) (Ref: FAR 39.204(e)).
 - ii. Documented “plan” of alternative means of access as required by FAR 39.201(a) – USC 794(d)(a)(1)(B) with the following information:
 - 1. Evaluation of the item or service that identifies which disabilities will be without access.
 - 2. Operational plans that fully outline how those identified disabilities will be provided the information or data not available through the procured item.

Evaluating Vendor Documentation and Product Selection Procedure

FirstSource contractors are required to make available Product Accessibility Templates for all relevant products listed in their respective catalogs. Product Accessibility Templates (PATs) are

industry and government accepted documents that explain how a product meets Section 508 requirements. The format of these documents should have two parts, the technical standards and the functional performance criteria. The technical requirements will vary depending upon the technologies used. For example, a desktop software application would apply “software standards” while a telephone system would apply “telecommunications” standards. The functional performance criteria apply universally to all products, regardless of the technologies used, and are achieved when the correct technical standards are applied.

Step 1: Identify products that satisfy defined business needs. – Section 508 applies after a product is identified that meets the business requirements.

Step 2: Determine if an exception applies. – Using the explanations of exceptions above, determine if the product(s) to be purchased qualifies for an exception. If so, go to Step 5. (Note - National Security and Undue Burden exceptions require prior approval from OAST.) If no exception applies, go to Step 3.

Step 3: Obtain a PAT for each item being considered for purchased. FirstSource contractors are required to maintain up-to-date PATs for all relevant EIT products they offer to DHS. If no PAT is made available for a particular item, that item is considered non-compliant and cannot be considered for purchase.

Step 4: Select the “most compliant” product(s) based upon information provided in PATs obtained in Step 3. Compare PAT results for each product being considered for purchase and select the item(s) that best meet the business need **and** is the most Section 508 compliant.

Step 5: Document product selection decision(s) using the DHS Section 508 Compliance Determination Form found in Appendix H. Complete the form and check appropriate boxes. Sign the form and include it and all supporting documents, including PATs, with the acquisition file. Note: Use a separate form for each item to be purchased. By signing the form the requiring activity affirms that they have done due diligence to ensure that the information provided, including all supporting documentation, is accurate.

Additional information on Section 508 can be found at:

- <http://www.section508.gov/>
- <http://www.access-star.org/ITI-VPAT-v1.2.html> (EIT template)
- <http://www.buyaccessible.gov/>

DHS Section 508 Contact Information:

- DHS Office on Accessible Systems and Technology
- 202-447-0476
- TTY: 202-447-5857
- 508@dhs.gov

3.4.2.6 *Electronic Products Environmental Assessment Tool (EPEAT)*

EPEAT is a system to help purchasers in the public and private sectors evaluate, compare, and select desktop computers, notebooks and monitors based on their environmental attributes. EPEAT also provides a clear and consistent set of performance criteria for the design of products, and provides an opportunity for manufacturers to secure market recognition for efforts to reduce the environmental impact of its products. The following key facts have led to the need for EPEAT:

- The Federal Government is one of the world's largest purchasers of electronics
- The average life span of a federal computer is 3 years
- Approximately 10,000 federally owned computers could be deemed excess or surplus each week
- Electronics represent serious environmental costs and opportunities
 - Contribute to our energy use/costs
 - Contribute to our warehouse rental costs and/or staff costs during proposal
 - May contain toxic or hazardous substances when if not properly disposed of can harm public health and the environment
 - Can result in environmental liabilities if not disposed of properly

Per Executive Order 13426, section 2(h), the Energy Policy Act of 2005, and the Federal Acquisition Regulations (FAR) subpart 23.703, all desktops, laptops, and computer monitors provided under this contract are required to have achieved Silver registration or higher under the Electronic Products Environmental Assessment Tool (EPEAT). EPEAT is a procurement tool designed to help large volume purchasers evaluate, compare, and select desktop computers, laptops, and monitors based upon their environmental attributes as specified in the consensus-based Institute of Electrical and Electronics Engineers (IEEE) Standard for the Environmental Assessment of Personal Computer Products (1680). Additional consideration will be provided for products that have achieved EPEAT Gold registration. The registration criteria and a list of all registered equipment are provided at <http://www.epeat.net>.

3.4.3 Purchase Card Use

FirstSource contractors are authorized to accept Government purchase card orders in accordance with FirstSource contract Chapter B, section G.6. Contractors are required to report all such orders to the ESO for tracking purposes. There is no FirstSource contractual limit on purchase card orders. Purchase card limits are based on the Component's guidance and the limitations placed on the individual card holder.

3.5 Delivery Order Issuance

Delivery orders may be issued by e-mail, USPS mail, fax, Optional Form 347, or an agency prescribed form, FedConnect, or FedBid. The award decision will be announced to all FirstSource prime contractors. This decision announcement includes awards made under one of the exceptions to the fair opportunity to be considered rule. Under no circumstances is the contractor authorized to commence performance before issuance of a signed delivery order or other written approval provided by the DO CO. Unfunded delivery orders are prohibited.

Delivery Orders issued under this contract will contain the following information:

- (a) Date of order
- (b) Contract number and Delivery Order number
- (c) Catalog description, quantity ordered and contract price
- (d) Desired delivery date
- (e) Required delivery date
- (f) Place of delivery
- (g) Accounting and appropriation data
- (h) Any other pertinent information such as name and address of Contractor
- (i) Specific billing address for each destination especially for multiple destination orders
- (j) Items for which partial deliveries are acceptable.

3.6 Debriefings

If not selected for a DO award, contractors may contact the DO CO to discuss the reasons for non acceptance. The DO CO and the unsuccessful contractor may discuss the reasons for non-selection; however, the DO CO may not:

- Discuss the other contractors' proposals;
- Compare contractors' proposals; or
- Allow a non-selected contractor access to the award decision documentation.

See FAR 15.5 for further guidance.

3.7 Delivery Order Protests

In accordance with FAR Part 16.505(a) (9), no protest under FAR Subpart 33.1 is authorized in connection with the issuance or proposed issuance of a delivery order under this contract. The only exception is a protest based on the grounds that the order increases the contract's scope, period, or maximum value. See section 2.6 above for a discussion of the ombudsman's role in addressing contractor concerns regarding compliance with award procedures and affording offerors fair opportunity.

3.8 Contractor Access to EAGLE

This section describes recommended actions in those cases in which a FirstSource contractor can, or must, provide IT services to fulfill its contractual requirements, desires to subcontract that effort, and determines that such services are available under the EAGLE contract.

In the event IT services are required under a FirstSource requirement, the DO RFP should encourage the FirstSource competitors to request quotes from: (a) at least one EAGLE contractor; and (b) at least one of its normal sources of IT services. All such quotes received should be included in the FirstSource offerors' proposals. When displaying these quotes for comparison purposes in their proposals, each offeror should identify its standard indirect rate applicable to subcontracted efforts. The DO CO should compare the prices proposed for the required IT services, and choose one of four alternative courses of action:

- 1) If the lowest total price, including applicable burden, from the FirstSource offeror's own IT services source is less than the lowest price quoted by the EAGLE contractors, and

that FirstSource offeror is selected for award of the DO, that offeror should be authorized to purchase said IT services from its identified sources.

- 2) If the lowest quoted price, without burden, of an EAGLE prime contractor is much lower than the lowest quote from the FirstSource contractor's sources with burden, the DO CO may extract that element from the FirstSource requirement and proceed to conduct a competition under EAGLE (*unless an exception to Fair Opportunity applies*) and place a DO for those services to the successful offeror.
- 3) If the EAGLE quote offers the lowest price, but the difference in quoted prices is sufficiently small that the benefits of awarding the entire requirement to a single contractor, under FirstSource, outweighs the potential savings of splitting awards between EAGLE and FirstSource contractors, the DO CO should document the file with such a determination and award the entire requirement to the successful offeror under FirstSource.
- 4) If EAGLE pricing for IT services is lower than pricing available from the FirstSource contractor's own sources, the DO CO may still determine it to be in the best interests of the Government to retain the IT services element in the FirstSource requirement (rather than extract it as described in the second alternative above) and award the entire requirement under FirstSource. In this scenario, the FirstSource contractor would subcontract with the EAGLE contractor directly through its purchasing system (not through the EAGLE contract) and the FirstSource contractor's proposed and billed amounts could include applicable burden.

Appendix A. FirstSource Glossary of Terms

Best Value – The expected outcome of an acquisition that, in the Government’s estimation, provides the greatest overall benefit in response to the requirement. It involves the analysis of technical and cost proposals to determine which proposal offers the best trade-off between price/cost and performance whereby quality is considered an integral performance factor. See FAR Part 15.101.

Debriefing – May be either oral or written and are held with successful or unsuccessful offerors, if requested. At the debriefing, the information in evaluations, which is based solely on the factors in the solicitation, is used to explain how the offeror’s proposal was rated under each specific evaluation criterion. The evaluation criteria discussed at the debriefings must include only those that can fairly and properly be used for determining source selection and shall only include information that pertains to the offeror being briefed (i.e., information shall not be provided relative to other offerors’ proposals or scoring thereof). See FAR 15.505 and 15.506. Note that the names of individuals providing reference information about an offeror’s past performance must not be revealed.

Delivery Order – An order for supplies placed against an established contract or with Government sources. In the case of the FirstSource acquisition, delivery orders are orders for supplies placed against contracts awarded under the FirstSource solicitation.

Dynamic Pricing Model – The Dynamic Pricing Model (DPM) is the offeror’s proposed pricing mechanism devised to continuously assure that DHS is receiving the lowest prices available for offered products in published product catalogs for the duration of the contract. The DPM shall maximize DHS’s Department-wide buying power and shall apply to all Delivery Orders issued under the base contracts for their full terms, unless one-time special pricing (less than the DPM prices) is offered in response to individual Delivery Order Requests for Proposals (DORFP).

“Fair-Opportunity-to-be-Considered” Rule – All prime contractors (including their designated subcontractors, if applicable) are considered to possess the basic qualifications for success in the IT Commodities contracts awarded to them. Therefore, the statutory and regulatory requirement for “fair opportunity to be considered” (based on the Federal Acquisition Streamlining Act and FAR 16.5) will be deemed to have been met by the announcement (through the designated Internet website or e-mail) of all delivery orders that do not fall under one of the exceptions at FAR 16.505(b)(2) (See Appendix B, Attachment 1 for the exceptions).

FedBid – An online reverse auctioning tool where buyers can procure commodity type commercial items and satisfy competition, publicizing and reporting requirements. The “marketplace” can be restricted to the FirstSource vendors. See www.fedbid.com

Federal Acquisition Streamlining Act (FASA) – FASA (Public Law 103-355) was enacted in October 1994, and was designed to simplify and streamline the federal procurement process. FASA raised the small purchase threshold from \$25,000 to \$100,000 and designated this as the simplified acquisition threshold.

FirstSource – A multiple-award contract vehicle that provides the DHS with access to a wide variety of commercial catalogs for IT commodity products from multiple original equipment

manufacturers (OEMs), producers, and suppliers. The FirstSource contracts include commodities such as: IT equipment and software; networking equipment; wireless technology; imaging products; voice recognition technology; on-line data reporting services for order, delivery, warranty, asset, and spend tracking; and associated product maintenance, installation, and support.

Firm-Fixed Price Contracts – A type of contract suitable for acquiring commercial items, or for acquiring supplies or services, on the basis of reasonable definite functional or detailed specifications and when the contracting officer can establish fair and reasonable prices at the outset, such as when:

- There is adequate price competition;
- There are reasonable price comparisons with prior purchases of the same or similar supplies or services, made on a competitive basis or supported by valid cost or pricing data;
- Available cost or pricing information permits realistic estimates of the probable costs of performance;
- Performance uncertainties can be identified and reasonable estimates of their cost impact can be made; and
- The contractor is willing to accept a firm-fixed price representing assumption of the risks involved.

Homeland Security Acquisition Manual (HSAM) – A manual of DHS-wide acquisition policy and procedures. The electronic version of HSAM is provided at www.dhs.gov and DHS online.

HUBZone (Historically Underutilized Business Zone) Concern – A small business concern that appears on the “List of Qualified HUBZone Small Business Concerns” maintained by the Small Business Administration (SBA).

Independent Government Cost Estimate (IGCE) – Assists the delivery order contracting officer (DO CO) in determining the reasonableness of a contractor’s cost and technical proposals. The IGCE is prepared by the requisitioner and submitted as part of the delivery order request package. It is for GOVERNMENT USE ONLY and should not be made available to the FirstSource contractors. Requisitioners can obtain information for developing an IGCE from Section B of the FirstSource contracts.

Indefinite Delivery/Indefinite Quantity (ID/IQ) Contracts – Contracts for supplies/services that do not require or specify a firm quantity of supplies/services (other than a minimum or maximum quantity), and/or are used when the exact times of future deliveries are not known at the time of contract award. ID/IQ contracts are also known as delivery order or task order contracts that provide for the issuance of orders for the performance of tasks during the period of the contract.

Information Technology Acquisition Center (ITAC) – Located within the Office of Procurement Operations of the DHS Chief Procurement Office. ITAC’s purpose is to enable, execute, and manage the timely, flexible, and cost-effective acquisition of IT products and services in order to achieve DHS’ mission and goals. The ITAC is responsible for establishing department-wide contracts for IT supplies under the FirstSource and EAGLE programs.

ITAC CO – The ITAC CO is the contract-level Contracting Officer for the FirstSource Contract.

Original Equipment Manufacturer (OEM) – A producer/manufacturer that provides a product to its customers (Value Added Resellers [VAR]), who then proceed to modify or bundle it before distributing it to their customers.

Small Business Administration Procurement Center Representative (SBA PCR) – Procurement professionals, located in SBA area offices, responsible for the review and evaluation of small business programs in federal agencies. This office also assists small businesses in obtaining federal contracts and subcontracts. An SBA PCR reviews proposed procurement opportunities and subcontracting plans to ensure compliance with applicable laws and regulations.

www.dhs.gov/openforbusiness –The DHS website that provides information regarding the First-Source contracts which includes links to the prime contractor's home page or portal (at the website, click on Information Technology Acquisitions, then on FirstSource).

Appendix B. Delivery Order Request Checklist

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| FIRSTSOURCE DELIVERY ORDER REQUEST CHECKLIST |
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This form constitutes a request for contract support under the FirstSource contracts. The requiring activity shall complete this form, together with the associated attachments, and forward the entire package to the appropriate FirstSource delivery order contracting officer (DO CO) for processing (See Attachment 2 to this Appendix for a template of a cover letter to be used when a request is being forwarded to Enterprise Solutions Office (ESO) for contract action).

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--------------------------|--------------------------|--|--|--------------------------|--------------------------|--------------------------|--|--------------------------|--------------------------|--------------------------|----------------------------|--------------------------|--------------------------|--------------------------|--|--------------------------|--------------------------|--------------------------|----------------------------------|--------------------------|--------------------------|--------------------------|--|--------------------------|--------------------------|--------------------------|--|--------------------------|--------------------------|--------------------------|---|--------------------------|--------------------------|--------------------------|---|--------------------------|--------------------------|--------------------------|--|--|--|
| 1. Delivery Order Title. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2. Requiring Activity Point of Contact. Include name, title, organization, phone numbers for voice and fax, and email address: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3. Designated Order Contracting Officer's Technical Representative. Include name, title, organization, phone numbers for voice and fax, and email address: <i>(If same as Block 2, type "same")."</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4. Attachments Checklist. Complete package must include <u>all</u> of the items listed in this block as required or applicable. Send files electronically via e-mail or fax to the DO CO or attach all documentation in PRISM if available. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Y</td> <td style="text-align: center;">N</td> <td style="text-align: center;">NA</td> <td></td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Acquisition Plan or Copy of Advance Acquisition Plan</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Description of Requirement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Enterprise Architecture Board Approval</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Investment Review Board Approval</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Technical Reference Model Standard Documentation</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Market Research (<i>vetting other vendors</i>) and Section 508 Determination</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Funding Document(s) (scanned or other electronic version is preferable)</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Independent Government Cost Estimate (IGCE)</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Proposal Evaluation Plan/Criteria (See Appendix C)</td> </tr> </table> | Y | N | NA | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Acquisition Plan or Copy of Advance Acquisition Plan | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Description of Requirement | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Enterprise Architecture Board Approval | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Investment Review Board Approval | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Technical Reference Model Standard Documentation | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Market Research (<i>vetting other vendors</i>) and Section 508 Determination | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Funding Document(s) (scanned or other electronic version is preferable) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Independent Government Cost Estimate (IGCE) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Proposal Evaluation Plan/Criteria (See Appendix C) | | |
| Y | N | NA | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Acquisition Plan or Copy of Advance Acquisition Plan | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Description of Requirement | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Enterprise Architecture Board Approval | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Investment Review Board Approval | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Technical Reference Model Standard Documentation | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Market Research (<i>vetting other vendors</i>) and Section 508 Determination | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Funding Document(s) (scanned or other electronic version is preferable) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Independent Government Cost Estimate (IGCE) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Proposal Evaluation Plan/Criteria (See Appendix C) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5. FASA (Fair Opportunity to be Considered) Exception. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> The agency need for services is of such urgency that providing such opportunity would result in unacceptable delays <input type="checkbox"/> Only one such contractor is capable of providing services required, at the level of quality required, because they are unique or highly specialized <input type="checkbox"/> The order should be issued on a sole-source basis in the interest of economy and efficiency as a logical follow-on <input type="checkbox"/> It is necessary to place an order to satisfy a minimum guarantee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| If applicable, a FASA exception justification must be provided (see Attachment 2 to this Appendix for a template). | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

APPENDIX B – ATTACHMENT 1

Fair Opportunity Exceptions

FAR 16.505(b) (2) cites four exceptions to competition (fair opportunity to be considered) under multiple-award indefinite delivery/indefinite quantity delivery order requirements. The exceptions are listed below, along with policy interpretations.

Urgency

This exception applies under circumstances involving a “public exigency.” The agency need for such commodities is so urgent that providing a fair opportunity would result in unacceptable delays. However, the user must demonstrate objectively that the public interest would suffer if the requirement were not fulfilled, e.g., failure to develop a program by a date mandated by Congress, etc. A failure to meet established work requirements is not a sufficient justification unless it can be demonstrated that some public interest is threatened.

Unique Requirements

This exception applies when only one awardee is capable of providing the required supplies or services, at a sufficient quality level, because the requirement is unique or highly specialized.

Follow-on Requirement

In this case, the order must be issued on a sole-source basis, in the interest of economy and efficiency, because it is a logical follow-on delivery order already issued under the FirstSource contract. All awardees must have been given a fair opportunity to be considered for the original order. The following must be provided: (a) reference to the prior delivery order under FirstSource, (b) reference to the competition that was conducted under FirstSource that resulted in the incumbent’s award, and (c) some evidence that the project is a continuation of ongoing efforts toward the same ends.

Guaranteed Minimum

This exception occurs when it is necessary to place an order to satisfy a minimum guarantee under the contract.

APPENDIX B – ATTACHMENT 2

MEMORANDUM

From: Requiring Activity

To: Delivery Order Contracting Officer

In accordance with FAR 16.505 (b) (2), the following is provided as justification to support an exception to the fair opportunity process under FirstSource (only one exception should apply).

Urgency – The agency need for such commodities is so urgent that providing a fair opportunity would result in unacceptable delays.

Contractor Name:

Rationale (enter justification here):

Unique Requirements – 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.

Contractor Name:

Rationale (enter justification here):

Follow-on – 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 this contract, provided that all awardees were given a fair opportunity to be considered for the original order.

Contractor Name:

Contract Number:

Task Order Number:

Rationale (enter justification here):

Minimum Guarantee – It is necessary to place an order to satisfy a minimum guarantee under the contract.

Contractor Name:

Rationale (enter justification here):

The sample provided below is applicable to situations where a Component requests contracting support from the Information Technology Acquisition Center (ITAC). A tailored version may be used internally by individual Components when placing their own delivery orders.

APPENDIX B – ATTACHMENT 3

MEMORANDUM

FROM: Component XX

TO: Enterprise Solutions Office (ESO)

Attn: APM Responsible for Component XX/ Delivery Order Contracting Officer

1. The purpose of this memorandum is to request that a delivery order request for proposals be competed among the FirstSource contractors in accordance with the fair opportunity provisions for the support described in the attached delivery order request package. All required supporting documents are attached as specified on the “FirstSource Delivery Order Request Checklist,” and in accordance with the instructions and ordering guidelines found in the *FirstSource Information Technology Commodities Ordering Guide*.
2. My point of contact for this action is [insert name], who can be reached at the following e-mail address: [insert address] or phone number: [insert number].

Sincerely,

Component Official

Attachments: a/s

Appendix C. FirstSource Proposal Evaluation Plan

| |
|--|
| Basis of evaluation (check one): <input type="checkbox"/> Best Value Trade-Off <input type="checkbox"/> Lowest-Price, Technically Acceptable <input type="checkbox"/> Other |
| Non-Cost Factors Evaluation factors and significant subfactors shall be listed, and their relative order of importance cited in adjectival terms. Numerical ratings shall not be used in the evaluation of FirstSource DO proposals. <i>List the specific areas of your technical/management requirements to be evaluated. These areas should correspond with, and relate to, specific requirements.</i> |
| 1. Technical Management Approach |
| a. |
| b. |
| c. |
| d. |
| <i>List the specific areas of your past performance requirements to be evaluated. These areas should relate to specific work statement requirements.</i> |
| 2. Past Performance |
| a. |
| b. |
| c. |
| d. |
| <i>List any other evaluation criteria important to you, and their relative order of importance, below.</i> |
| 3. Other Factors (if applicable) |
| a. |
| b. |
| c. |
| d. |
| Price/Cost Factor Note that balancing cost against the non-cost factors is how you make your best value trade-off decision, and as a result, a percentage is not applied to the cost factor. Indicate whether all non-cost evaluation factors, when combined: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> <input type="checkbox"/> Are significantly more important than: </div> <div style="width: 10%; text-align: center;"> <input type="checkbox"/> Comparatively equal to: </div> <div style="width: 45%;"> <input type="checkbox"/> More Important than: </div> </div> ...the Cost Factor |

Appendix D. Sample E-Mail Delivery Order Request for Proposal

To: *Contracting Officer or Contract Specialist*

Cc: DHSESO@dhs.gov

Bcc: All FirstSource Contractors [*insert Department of Homeland Security customer's e-mail address*]

Subject: Request for Technical and Cost Proposal
Insert Title of Program/Project

Contractor selection for this acquisition, entitled *Title of Program/Project*, will be made under the FirstSource contract. You are requested to submit a technical and separate full cost proposal for the effort described on the attached *description of requirement/statement of work/statement of objectives/performance work statement*. Responses are due by [*insert time on insert date on which responses are due*]. There will be no exceptions to the time and date on which responses are due, unless determined otherwise by the Government.

Offerors are limited to no more than [*insert page limitation*] pages for your response, subject to adjustment at the discretion of the delivery order contracting officer based on the size, scope, and complexity of the task order. The request may also include an oral presentation if it is determined to be beneficial to the evaluation. A complete price proposal must be submitted – *with no page restrictions*. Also include *whether an oral presentation will be required*.

Your response, technical and price, should be forwarded electronically to the delivery order contracting officer no later than the date specified above. When responding, please include the *Title of Program/Project* on the subject line. To verify receipt of your response, please contact me either by e-mail or telephone.

We would like to thank you for your continued support of the FirstSource Program and for your consideration of submitting a response to this request.

Sincerely,

Insert name of contracting officer/contract specialist
Insert contracting officer/contract specialist's phone number
Insert contracting officer/contract specialist's email address

Attachments (Instructions to Offerors; SOW/SOO/PWS)

APPENDIX D – ATTACHMENT 1

Proposal Submission Instructions and Evaluation Criteria

1. Proposal Submission Instructions

Technical and price proposals shall be separate documents and consist of the following tabs:

NOTE: While the technical proposal must not contain any reference to pricing; resource information must be provided so that the contractor's understanding of the requirements can be evaluated (such as data concerning subcontracts, travel, materials, etc.)

- a. **TAB 1 - Technical Proposal.** Technical proposal information will be streamlined. The page limits are specified below. As an example, technical proposals may address the following elements:

- Technical/management approach (IT solution proposed)
- Key personnel assigned
- Teaming arrangements (including subcontractors)
- Section 508 Compliance
- Risks and risk mitigation plan
- Delivery schedule
- Other pertinent data

(10 pages)

- b. **TAB 2 - Price Proposal (Firm-Fixed Price).** This part of the proposal shall include details for all resources required to accomplish the requirements. If travel is specified in the SOW or PWS, airfare and/or local mileage, per diem rates by total days, number of trips, and number of contractor employees traveling shall be included.

2. Evaluation Criteria

The best value award evaluation criteria will be based on the following factors and order of importance. Note: Numerical weights applied to evaluation factors, to demonstrate their relative order of importance and numerical ratings applied to proposals, are not to be used in the evaluation of proposals submitted in response to FirstSource DO RFPs.

[EXAMPLE ONLY – INSERT AS APPROPRIATE]

Non-Cost Factors

The importance of Factor A in proposal evaluation is SIGNIFICANTLY MORE than that of either Factor B or Factor C. Factors B and C are SUBSTANTIALLY EQUAL in relative importance.

- a. Technical/Management Approach
- b. Past Performance

- c. Other Factors
- d. Cost/Price

In performing the best value trade-off analysis, all non-cost evaluation factors, when combined, are MORE IMPORTANT than cost/price. (*SAMPLE SENTENCE SERVING AS LEAD-IN TO SPECIFIC INSTRUCTIONS ON A COST/PRICE EVALUATION*).

Appendix E. FirstSource Award Recommendation Document

| FIRSTSOURCE AWARD RECOMMENDATION DOCUMENT (ARD) | |
|--|--|
| A. Delivery Order Title: <i>(Enter the title as shown in the work statement)</i> | |
| B. Recommended Prime Contractor: <i>Check the name/number of the FirstSource prime contractor for whom you are recommending an award.</i> | <input type="checkbox"/> Contractor ABC – Contract # 123 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| C. Justification: | <p>Attach a narrative summarizing the results of the evaluation.. Describe the evaluation methodology and best value analysis, if applicable, that led to the recommendation of the prime contractor that should be awarded the delivery order. The justification should be streamlined while containing the following:</p> <ol style="list-style-type: none"> 1. <u>Results of the Past Performance Evaluation.</u> Provide results obtained from the performance evaluation tool, e.g., NIH, PPIRS, or discuss any additional past performance information you have evaluated. 2. <u>Results from the Technical/Management Approach Evaluation.</u> Discuss any information you reviewed for each of the vendors from a) their FirstSource website, and b) the technical proposals you evaluated. 3. <u>Results of the Price Evaluation.</u> Discuss and compare the results of the price proposals from each of the evaluated vendors. |
| D. Authorized Official: | |
| Name, Signature and Date: | |

Appendix F. Sample Letter/Debriefing To Unsuccessful Offeror

[Insert date]

[Insert offeror's name]

Title [Insert offeror's title]

[Insert name of offeror's company/organization]

Street

City, State ZIP

SUBJECT: FirstSource Delivery Order Request for Proposal # [insert DO RFP number]

Dear [insert offeror's name]:

This letter constitutes a written debriefing of your firm's proposal as requested in your e-mail message dated [insert date]. This debriefing will provide information regarding the Government's evaluation of the significant weak or deficient elements of your firm's proposal. This letter contains only that information which the Contracting Officer is allowed by regulation to disclose.

Evaluation Results

After careful consideration, we determined that your firm's proposal was not the most advantageous to the Government for the reasons stated below. The delivery order was awarded to:

[insert successful offeror's name and address]

Your firm's proposal contained significant technical deficiencies, most notably:

1. Did not adequately [insert information].
2. Demonstrated a lack of [insert information].
3. Was deficient in the representation of [insert information].

Additional Considerations

1. Past performance experience is not comparable to [insert information].
2. Your company did not submit [insert information] that was included in the schedule of supplies and services.
3. Your company's offered pricing was substantially higher than the pricing offered by the successful offeror.

Our award decision was based on the technical and price factors identified in the delivery order request for proposals. The Government solicited [insert number] firms and received a total of [insert number] proposals. Award was made for [insert items and quantities awarded] at a total firm-fixed price of \$_____.

I would like to thank you for your participation in this procurement and I hope the information provided above will assist you in future competitions.

Sincerely,

[insert name]

Contracting Officer

Appendix G. DUNS Numbers used to Populate a Bid List in FedConnect

| FirstSource Contractors | DUNS Number |
|--------------------------------|--------------------|
| All Points | 968451591 |
| Computer World Services | 621796044 |
| EG Solutions | 136483802 |
| Government Acquisitions | 603814054 |
| GovPlace | 957050883 |
| iGov (M.A. Federal) | 942408766 |
| Multimax Array | 614767403 |
| NCS Technologies | 961003720 |
| Net Direct Systems | 054007823 |
| ST Net-Apptis | 615381907 |
| Wildflower International | 619719693 |

Duns numbers for creating a Bidders List in FedConnect

FirstSource vendor database is updated from Central Contractor Registration (CCR) and has up-to-date information. Searching by the DUNS number is the preferred method it is crucial that the correct DUNS number is selected for each FirstSource vendor. Selecting the incorrect DUNS number will not allow FirstSource vendors to receive your solicitation through FedConnect.

Creating the bidders list for a FirstSource opportunity means identifying each vendor selected to receive a solicitation. To create the bidders list, select the Vendor tab on the solicitation. This will open up a number of sub-tabs. Next, access the Bidders List sub-tab. On the top of this page, there will be a drop down list called Add Vendor (Select Type) that will allow you to add vendors to your bidders list from a variety of different sources. Select Add Permanent. This action will allow you to browse all of the vendors in the vendor database. Search for the appropriate FirstSource vendors using the search parameters on the left hand side of this page.

Appendix H. DHS Section 508 Compliance Determination Form

| | |
|--|--|
| Requiring Official Name: | Date: |
| Vendor/Product Description: | Contract Number: Delivery Order Number: |
| Select 1 of the two categories: | |
| Category 1: <input type="checkbox"/> Most Compliant (Market Research Complete) I have reviewed the Accessibility documentation of the vendor and the item selected is a COTS product that is less than fully compliant. The item was evaluated against other items that met business needs and determined to be the “most compliant” with Section 508. All of these documents will be included in the contract file. | |
| Category 2: <input type="checkbox"/> Exception Applies I have a copy of the required approval documents provided by OAST when applicable. For exceptions not requiring OAST approval, I have documentation that supports the decision for this exception. All of these documents will be included in the contract file. | |
| EXCEPTION TYPE | |
| OAST Exception Approval received for: <input type="checkbox"/> Undue Burden <input type="checkbox"/> National Security | Exception: <input type="checkbox"/> Fundamental Alteration (OAST consultation applies) <input type="checkbox"/> Back-Office Product |

By signing this form I affirm that I have done due diligence to ensure that the information provided on this form, including all supporting documentation, is accurate.

Signature: _____ Date: _____

UPON COMPLETION OF THIS FORM: Attach a copy of this signed sheet to the contract file along with any other documents such as market research and signed approval letters,