THE INS AND OUTS OF A GOVERNMENT RFP

MARCH 5, 2019

PRESENTED BY:
WILLIAM HETTCHEN - RETIRED USACE
BARBARA PETILLI - INFLECTION POINT LAW
AGENDA
(QUESTIONS ANYTIME)

• Types of Government contracts (typically awarded for Construction/Design)
• Parts of a typical RFP
• What to submit - Sections of the Bid/Proposal
• Color Team Reviews
• Proposal Pitfalls
• The selection process
• Contract performance
TYPES OF CONTRACTS
(TYPICALLY AWARDED FOR CONSTRUCTION)

• MATOC IDIQ construction contracts
• SATOC IDIQ construction contracts
• Best Value
• IFB (no selection process)
• Negotiated (pre-selected)
• construction contracts can be design-bid-build, design-build, or (rarely) requirements type.
This is a Small Business Set Aside acquisition in accordance with FAR 6.203.
The contractor shall provide all of the labor, supervision, materials, equipment and supplies to complete the replacement of the shingle roof of the Raystown Lake Visitors Center located in Hesston, PA.

NAICS Code: 238160
Business Size: $15,000,000.00
Construction Magnitude: FAR 36.204(c) Between $100,000.00 & $250,000.00.

Site visit is scheduled for Tuesday, 29 January 2019, 10:00 AM (EST) at the Raystown Lake Maintenance Building located at 6145 Seven Points Rd., Hesston, PA 16647. You can contact Mr. Dean Whitmore at 814-658-6800 or 814-599-0563.

Request for Information (RFI's) are due on Friday, 1 February 2019 by 11:00 AM (EST) to Ms. Renee McMillan-Cox at melissa.r.mcmillan-cox@usace.army.mil.

Proposal due date is Wednesday, 13 February 2019 at 12 PM (EST) to Ms. Renee McMillan-Cox at melissa.r.mcmillan-cox@usace.army.mil.

Performance and Payment Bonds are required.

The period of performance (POP) is 180 days from notice to proceed (NTP).

SOLICITATION, OFFER, AND AWARD

4. CONTRACT NO. W912DR19R0020
5. REQUISITION/PURCHASE REQUEST NO.
6. PROJECT NO. W912DR

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

10. THE GOVERNMENT REQUIRES PERFORMANCE OF THE WORK DESCRIBED IN THESE DOCUMENTS

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11. The Contractor shall begin performance within _______ 10 _______ calendar days and complete it within _______ 180 _______ calendar days after receiving award. X notice to proceed. This performance period is _______ mandator y, _______ negotiable. (See _________________________)

12. A. THE CONTRACTOR MUST FURNISH ANY REQUIRED PERFORMANCE AND PAYMENT BONDS? X YES MD

13. ADDITIONAL SOLICITATION REQUIREMENTS:

A. Sealed offers in original and _______ 1 _______ copies to perform the work required are due at the place specified in Item 7 by _______ 12:00 PM _______ (hour) local time _______ 13 Feb 2019 _______ (date). If this is a sealed bid solicitation, offers must be publicly opened at that time. Sealed envelopes containing offers shall be marked to show the offeror’s name and address, the solicitation number, and the date and time offers are due.

B. An offer guarantee X is, is not required.

C. All offers are subject to the (1) work requirements, and (2) other provisions and clauses incorporated in the solicitation in full text or by reference.

D. Offers providing less than _______ 30 _______ calendar days for Government acceptance after the date offers are due will not be considered and will be rejected.

SOLICITATION, OFFER, AND AWARD (Construction, Alteration, or Repair)
- A sample bid schedule
PARTS OF A TYPICAL RFP
INSTRUCTIONS TO BIDDERS

- Instructions include:
  - Format
  - Due date
  - Site visits
  - Evaluation criteria

INSTRUCTIONS TO OFFERORS

1. This Request for Proposal (RFP) solicits for the Visitor Center Roof Replacement at the Raystown Lake Project in Hesston, PA. (See Scope of Work and Evaluation Criteria for more detail).
2. This is a Small Business Set-Aside, Lowest Price Technically Acceptable (LPTA).
3. The award will be a single Firm-Fixe-Price, LPTA.
4. The purpose of these instructions is to establish a uniform submission format and evaluation procedures for the evaluation of each offeror’s proposal.
5. A PRE-BID TOUR IS SCHEDULED FOR:
   Tuesday, 29 January 2019; 10:00 A.M. (EST) at the RAYSTOWN LAKE Maintenance Building located at 6345 Seven Points Road, Hesston, PA 16647. Points of Contact for this project in Mr. Dean Whitmore, he can be reached at (814) 658-6800 or 814-599-0763. For questions pertaining to the Pre Bid tour.
6. REQUEST FOR INFORMATION (RFI’S):
   Technical inquiries and questions relating to this RFP are to be submitted to: No Later Than (NLT) 11:00 A.M. (EST), Friday, 1 February 2019 to: Renee McMillan-Cox Contract Specialist melissa.a.mcmillan-cox@usace.army.mil

7. The PROPOSAL SUBMISSIONS shall be submitted to: No Later Than (NLT) 12:00 PM EST on Wednesday, 13 February 2019 to: Renee McMillan-Cox Contract Specialist melissa.a.mcmillan-cox@usace.army.mil

8. SUBMISSION REQUIREMENTS:
   - Title Page. Include the title of the solicitation, solicitation number, Offeror name and date of the submittal. Be sure to include page numbers in each Volume of your submission.
   - Table of Contents. Each volume shall contain a table of content.
   - Offerors shall submit the following. Volumes are to include:
     Volume I
     TAB A: Factor 1 - Technical Approach
     TAB B: Factor 2 - Past Performance
     Volume II Factor 3 – Price
   - Electronic Submission. Written portions of the proposal should be in MS Word or Adobe Acrobat PDF format. Volume I shall be tabbed as listed above for Factor 1 and Factor 2.
   - The Offerors submission must meet the criteria stated in the RFP in order to be eligible for award, to include responsiveness, technical acceptability and responsibility.
   - Award will be made to that Offeror whose proposal contain the combination of those criteria offering the best value to the Government. Best value will be determined by a comparative assessment of the proposals against all criteria in the RFP and each other.
   - When combined, all non-price factors (Factors 1 & 2) are of equal important of price (Factor 3). All non-price factors are in descending order of importance (i.e. Factor 1 is more important than Factor 2).

   Technical Approach
   Past Performance of Similar Projects Price

   After all of the evaluations have been completed the Procuring Contracting Officer (PCO) will consider all factors to determine which Offeror submitted the proposal that represents the “best value” to the Government for this project.

   The Government reserves the right to accept other than the lowest priced offer and to reject any and all offers.
9. TECHNICAL EVALUATION CRITERIA:

THE OFFEROR MUST RECEIVE AN ACCEPTABLE RATING FOR BOTH THE TECHNICAL AND PAST PERFORMANCE FACTORS TO BE CONSIDERED FOR THIS CONTRACT.

Factor 1 – Technical Approach (TAB – A in Volume I)

The contractor shall provide sufficient detail to support the proposed performance work statement and show they can realistically meet the requirement. The contractor shall describe their plan to provide the necessary equipment and their availability to meet the scheduled work requirements.

Factor 2 - Past Performance (TAB – B in Volume I)

Past performance information is required for this solicitation. Past performance information refers to the Contractor’s recent and relevant projects. In this solicitation, “recent” is considered to be within the past three (3) years, and “relevant” is considered to be “of similar size, scope and complexity” to the current requirement. Provide at a minimum at least two (2) past performances. The information regarding the projects that is required to be supplied is identified on the form entitled “CONTRACTOR PAST EXPERIENCE” (Attachment A). The Offeror shall provide formal performance evaluation if available. Formal performance evaluations are those similar to the Department of Defense Performance Evaluation (Construction) Form DD 2626. The Government’s preference is the formal evaluation. If a formal evaluation is unavailable, the contractor shall obtain the information using the NAVFAC/USACE Past Performance Questionnaire (Form PPQ-0) (Attachment B). The completed Questionnaires should be submitted with your proposal. If the client request, questionnaires may be submitted directly to the Government’s point of contact, Renee McMillan-Cox via email at melissa.r.mcmillan-cox@usace.army.mil prior to proposal closing date.

<table>
<thead>
<tr>
<th>Adjectival Rating</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acceptable</td>
<td>Project meets the requirements of this notice.</td>
</tr>
<tr>
<td>Unacceptable</td>
<td>Proposal does not meet the requirements of this notice.</td>
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Factor 3 – Price (Volume II)

The Offeror shall submit the price schedule for this factor.
WHAT TO SUBMIT
SECTIONS OF THE BID/PROPOSAL

• Company Information
  • Business profile and capability statement (if required)
  • Small business documentation (if small business)
  • Authority to submit
  • Reps & Certs
WHAT TO SUBMIT (2)
TECHNICAL PROPOSAL

- Technical Proposal:
  - Performance Plan
  - Teaming Partners
  - Past Performance
  - Approach/Schedule (only sometimes required)
- Costs and Pricing Proposal - Price usually submitted separately (sometimes two-step)
COLOR TEAM REVIEWS
IMPROVING THE QUALITY OF THE PROPOSAL

- **Pink** – Discuss critical solution approach
- **Blue**  – Ensures outline of proposal is on point
- **Green** – Reviews price solution
- **Black** – High-level review of competitive intelligence
- **Red**  – Final draft review before sending to evaluators
- **Gold** – Focuses on contractual terms
- **White** – page by page review of format, graphics or printing
PROPOSAL PITFALLS
WHAT TO AVOID

• Focus on Express terms of RFP
• Follow Instructions
• Watch experience requirements
• Late means late
• Avoid Organizational Conflicts of Interest
PROPOSAL PITFALLS
WHAT TO AVOID

• Note evaluation criteria.
• Unqualified key personnel.
• Terms need to reflect intent of parties.
• Joint Venture/Mentor Protege issues.
• Ethics
SELECTION PROCESS
PROCEDURE

• RFP issued.
• RFI period/clarifications.
• A technical review board evaluates proposals.
• Proposals are rated per evaluation factors.
• Proposals evaluated separately for cost.
PROCEDURE

• Source selection board discusses proposals, makes recommendation for award.

• Source selection authority (usually KO) makes final decision.

• Contractors advised of selection, Congressional notifications made.

• Bid protests can delay award.

• Debriefs of non-selectees.

• Selections are done by humans.
PERFORMANCE
RFPS ARE THE START, NOT FINISH

• Streaking at halftime - don’t make that bet
• Performance record
• Know your partners & subs capabilities.
• Be ready to perform the instant contract is awarded.
DISCUSSION

THOUSANDS OF EXCELLENT PROPOSALS, BUT NOT ONE USES OUR IMPROVED FORMAT!
CONTACT US

William Hettchen
USACE Baltimore Contracting Officer, Retired
willhettchen@me.com
202-437-8240

Barbara Petilli, JD
Inflection Point Law, Inc.
barbara@inflectionpointlaw.com
301-356-3048