SECTION M

EVALUATION FACTORS FOR AWARD

TABLE OF CONTENTS

M.1 EVALUATION OF PROPOSALS

(a) This acquisition will be conducted using the policies and procedures in FAR Part 15, DEAR Part 915, and DEAR Subpart 970.15. A Source Evaluation Board (SEB) will evaluate proposals using the Factors in this Section M. The Source Selection Authority (SSA) will select an Offeror for contract award using the best value analysis described in this Section M.

(b) The instructions set forth in Section L entitled “Instructions, Conditions, and Notices to Offerors” are designed to provide guidance to the Offeror concerning documentation that will be evaluated by the SEB. The Offeror shall furnish adequate and specific information in its response. A proposal shall be eliminated from further consideration before the initial ratings if the proposal is so grossly and obviously deficient as to be totally unacceptable on its face. For example, a proposal will be deemed unacceptable if it does not represent a reasonable initial effort to address the essential requirements of the solicitation, or if it clearly demonstrates that the Offeror does not understand the requirements of the solicitation. A significant deficiency or multiple deficiencies in one (1) evaluation Factor may also result in elimination of the proposal from further consideration regardless of the rating of the other Factors. In the event a proposal is rejected, a notice will be sent to the Offeror stating the reason(s) the proposal will not be considered for further evaluation under this solicitation.

(c) The Government intends to evaluate proposals and award a contract without discussions with Offerors (except clarifications as described in FAR 15.306(a)). The Government reserves the right to conduct discussions if the Contracting Officer later determines discussions to be necessary. Any exceptions or deviations by the Offeror to the terms and conditions stated in this solicitation for inclusion in the resulting contract may make the offer unacceptable for award without discussions. If an Offeror proposes exceptions to the terms and conditions of the contract, the Government may make an award without discussions to another Offeror that did not take exception to the terms and conditions of the contract.

(d) Prior to selection for award by the SSA, the Contracting Officer will make a finding whether any potential Organizational Conflict of Interest (OCI) exists with respect to the apparent successful Offeror or whether there is little or no likelihood that such conflict exists. In making this finding, the Contracting Officer will consider the Offeror’s representation and disclosure statement required by the contract’s Section K Clause entitled “DEAR 952.209-8 – Organizational Conflicts of Interest Disclosure-Advisory and Assistance Services”. Subparagraph (c)(1) of DEAR 952.209-8, requires a statement, if applicable, from the Offeror of any past, present, or currently planned financial, contractual, organizational, or other interests relating to the Statement of Work. The Offeror should note that paragraph (c)(1) requires that the Offeror provide enough information in the statement to allow a meaningful evaluation by the Government of the potential effect of the interest on the performance of the Statement of Work. For any actual or significant potential organizational conflict of interest, the Offeror shall also submit a plan of actions/activities to avoid, neutralize, or mitigate such conflict. An award may be made if there is no OCI or, if any, OCI can be appropriately avoided or mitigated.

(e) A Performance Guarantee Agreement in accordance with the requirement of the Section H Clause entitled “Separate Entity and Corporate Guarantee”, will be a condition of the award of this contract.

(f) The Government will review all relevant past performance information submitted by the Offeror. The Government may also contact the individuals identified in the completed Section L, Appendix 1, Past Performance Information Forms. The Government may contact sources other than those identified by the Offeror. The Government may also obtain and consider relevant past performance information from available Federal Government electronic databases and data obtained or provided through other sources that the Government considers current and accurate.

(g) Risk will be evaluated by the Government as part of the evaluation of all Factors but will not be separately evaluated as its own Factor.

(h) The Government will not evaluate the Offeror’s answer to the hypothetical problem-solving exercise during oral presentations. The Government will however evaluate the interactions and knowledge of the Offeror’s résuméd Key Personnel in their resolution of the problem during oral presentations.

M.2 BASIS FOR CONTRACT AWARD

The Government intends to award one (1) contract to the responsible Offeror whose proposal is acceptable and is determined to be the best value to the Government. Selection of the best value to the Government will be achieved through a process of evaluating the strengths and weaknesses of each Offeror’s capabilities and approach proposal using the evaluation Factors described below which when combined, are significantly more important than the total evaluated price. The Government is more concerned with obtaining a superior capabilities and approach proposal than making an award at the lowest total evaluated price. However, the Government will not make an award at a total evaluated price premium it considers disproportionate to the benefits associated with the evaluated superiority of one capabilities and approach proposal over another.

Thus, to the extent that Offerors' capabilities and approach proposals are evaluated as close or similar in merit, the total evaluated price is more likely to be a determining factor.

M.3 OVERALL RELATIVE IMPORTANCE OF CAPABILITIES AND APPROACH EVALUATION FACTORS

The Capabilities and Approach Evaluation Factors are listed below.

Capabilities and Approach Evaluation Factors	
Factors	**Description**
A.	Science Vision and Implementation Plan
B.	Laboratory Operations
C.	Offeror Engagement
D.	Past Performance
E.	Transition Plan

Factors A and B are of equal importance to each other, and are individually of more importance than Factors C, D, and E individually. Factor C is of greater importance than Factor D. Factor D is of greater importance than Factor E. Collectively, these Capabilities and Approach Evaluation Factors are significantly more important than the total evaluated price.

M.4 CAPABILITIES AND APPROACH EVALUATION FACTORS

The Factors, which comprise the following "Capabilities and Approach Evaluation Factors," are not listed in order of importance. Their relative importance is reflected above in Section M Provision entitled "Overall Relative Importance of Capabilities and Approach Evaluation Factors". Each Factor will be separately rated. The individual descriptors provided below (i.e., subsections and bulletized text) are not "subfactors" as used in FAR 15.304, Evaluation Factors and Subfactors, and will not be separately rated.

(a) Factor A: Science Vision and Implementation Plan

<u>Science Vision</u>

The Government shall evaluate the likelihood and degree to which the

Offeror's vision for the Laboratory will: create the conditions to enable achievement of the DOE mission, transformational and breakthrough science, and the delivery and optimization of FNAL's world class scientific facilities; enhance the Laboratory's leadership in the national and international arena for research and development; foster its central role in the international research ecosystem to deliver breakthrough science results; attract, develop and retain a highly skilled workforce; cultivate and sustain a diverse, equitable, inclusive, and accessible Laboratory culture; and, effectively coordinate scientific activities within the DOE complex, nationally, and internationally.

Implementation Plan

The Government shall evaluate the comprehensiveness, innovativeness, efficiency, and feasibility of the Offeror's approach to implementing its Science Vision, including, but not limited to the Offeror's:

- Planned approach to enable achievement of the DOE mission and leverage programs to foster transformational and breakthrough science;

- Planned approach for bringing on-line a robust implementation of the LBNF/DUNE and PIP II projects and approach for their future operations and possible upgrades;

- Planned approach for maintaining, enhancing and developing cooperative and collaborative partnerships with universities and industry, including emerging research institutions, to enhance the Laboratory's leadership in the national and international arena for research and development;

- Planned approach for fostering the Laboratory's central role in the international research ecosystem to deliver breakthrough science results;

- Planned approach for attracting, developing, and retaining a highly skilled workforce of existing and new scientific personnel with high stature in their disciplines; plan for joint appointments (if applicable); and how the Offeror would use the resources of the Laboratory to help develop and educate the next generation of scientists and engineers;

- Planned approach for cultivating and sustaining a diverse, equitable, inclusive, and accessible Laboratory culture;

- Planned approach to support technology transfer and enhance the Strategic Partnership Projects portfolio; and

- Planned approach to leading and coordinating scientific activities at FNAL and within DOE, nationally and internationally; and the Offeror's approach to maintain engagement and positive relations and communications with DOE and other interested stakeholders.

(b) Factor B: Laboratory Operations

The Government shall evaluate the degree to which the Offeror has demonstrated a thorough understanding of Laboratory Operations necessary to successfully accomplish Sections C.4(c) and C.4(d) of the Statement of Work. In doing so, the Government's evaluation will assess the feasibility, comprehensiveness, innovativeness, and quality of the Offeror's approach for achieving excellence in all areas of operations and business management while maintaining compliance with DOE and other applicable requirements. Areas to be evaluated include:

- The Offeror's planned approach for providing integrated ES&H programs and processes that demonstrate a commitment at all levels within the Laboratory to the safety and health of workers and the public, as well as the protection and restoration of the environment. [see C.4(c)].

- The Offeror's planned approach for providing an integrated management system capable of producing implementation-level plans, programs and procedures for the management and operation of the Laboratory.

- The Offeror's planned approach for providing a robust, broad scope contractor assurance program to self-assess overall performance and drive continuous improvement of Laboratory operations and management.

- The Offeror's planned approach for providing business management systems [see Section C.4(d)(2)] that ensure efficient and effective operation, protection and maintenance of the Laboratory's assets, and ability to function as a DOE laboratory.

- The Offeror's planned approach for providing systems for the efficient and effective management of all Laboratory facilities and infrastructure, safeguards and security, cyber security, emergency operations, waste operations, sustainability, and Laboratory strategic planning.

- The Offeror's planned approach for engaging small business in meaningful contract performance, including the extent, variety, and complexity of the work to be performed.

- The Offeror's planned approach for developing and maintaining positive community relations and communications with DOE and other interested stakeholders.

- The Offeror's planned approach for advancing diversity, equity, inclusion and accessibility at the Laboratory.

- The Offeror's planned approach for delivering the Laboratory's project portfolio.

(c) Factor C: Offeror Engagement

Key Personnel

The Offeror's résuméd Key Personnel (Laboratory Director, Chief Operating Officer, and Chief Research Officer) will be evaluated for the extent of their qualifications and experience with respect to the functions they are proposed to manage. The Government shall evaluate the Offeror's Laboratory Director and other résuméd Key Personnel, including: how their credentials, technical and leadership capabilities, and relevant experience, including currency and depth and past performance, bring value to managing the Laboratory and interacting with DOE; their understanding of their roles, responsibilities, and authorities in the Laboratory's overall management structure, and of the need to collaborate internally; their understanding and approach for resolving scientific and business management barriers affecting accomplishment of the work, including consistency of their understanding and approach with the written materials submitted; their ability to effectively communicate and cooperate with DOE and each other in order to enhance the successful conduct of the scientific mission and achieve excellence in operations and business management; and their understanding of DOE. The evaluation will include a review of the consistency between the oral presentations and the written materials submitted.

The Laboratory Director and other résuméd Key Personnel will be evaluated based on the submitted resumes, oral presentations, and their participation in the problem-solving exercise. The Government may also evaluate the Laboratory Director and other résuméd Key Personnel based on reference checks and any information received from other references or third parties. Failure to submit required letters of commitment will result in the Laboratory Director and other résuméd Key Personnel not being evaluated, negatively affecting the evaluation results for this Factor.

<u>Organizational Structure</u>

The Government shall evaluate how the organization and leadership structure will enhance the conduct of the scientific mission, achieve excellence in operations and business management, and effectively implement the Offeror's proposed vision for the Laboratory. The Government shall evaluate the clarity of roles, responsibilities, authorities, and decision making in the Laboratory's overall management structure. The Government shall evaluate how the units work together. The Government shall evaluate the organizational approach for resolving scientific and business management barriers affecting accomplishment of the work. The Government shall evaluate how the Offeror's overall management and governance approach enhances its ability to effectively communicate, cooperate, and partner with DOE.

<u>Governance Approach and Corporate Assurance</u>

The Government shall evaluate the comprehensiveness, innovativeness, efficiency, and feasibility of the Offeror's approach for providing governance and corporate assurance. The Government shall evaluate the credibility and benefit of the value added by the parent organization(s) in achieving world-class excellence in research, user facility operations, and operations and business management.

<u>Offeror's Commitments</u>

The Government shall evaluate the credibility, liability to the Government, Governmental action required, and expected benefit of the Offeror's proposed commitments as defined in Section L Provision entitled "Offeror Engagement", if any, to FNAL. Offerors shall only receive credit in the evaluation for commitments that will be incorporated into the contract. No credit in the evaluation will be given for commitment(s) developed and/or funded by the United States Government unless the Offeror has exclusive rights and control of the commitment(s).

(d) Factor D: Past Performance

The Government shall evaluate and assess the Offeror's past performance on recent and relevant contracts, as the terms are defined in Section L Provision entitled "Past Performance", as well as other relevant past performance information submitted by the Offeror or that the Government obtained from other sources, to determine the degree to which the Offeror's past performance demonstrates its ability to successfully perform the proposed contractual requirements. In conducting the past performance evaluation, the Government may use and consider data provided by the Offeror and data obtained or provided through other sources that the Government considers current and accurate, including the CPARS (http://www.cpars.gov/). Per FAR 15.305(a)(2)(iv), if the Offeror does not have a record of recent and relevant past performance information on contracts similar to the Statement of Work or past performance information is otherwise not available, the Offeror will not be evaluated favorably or unfavorably for past performance.

(e) Factor E: Transition Plan

The Government shall evaluate the Offeror's transition plan for the work and the workforce from the beginning of the transition period until assumption of contract responsibilities. The transition plan shall be evaluated with respect to its feasibility, comprehensiveness, efficiency, and effectiveness, including the extent to which it provides a smooth and orderly transition to the proposed approach, identifies key issues and milestones, identifies potential barriers to a smooth transition, proposes solutions to the barriers identified and minimizes impact on continuity of operations.

M.5 COST EVALUATION FACTORS

Cost proposals will be evaluated for price reasonableness and cost realism in accordance with FAR 15.404. **Given the nature of performance-based management and operating contracts, Offerors will not be required to provide, nor will the Government determine, an estimate of overall contract costs.** The cost evaluation, however, will include consideration of the Offeror's proposed transition costs and the résuméd Key Personnel's total compensation costs for the first two (2) years (January 1, 2025 through December 31, 2026) after completion of the transition period, which ends December 31, 2024. The Government will determine the probable cost of both of the above. Additionally, the total amount of the performance fee proposed in Section B Clause entitled "Performance Fee" for the first five (5) years of the contract will also be considered as part of the best value determination.

In summary, for purposes of determining the best value, the total evaluated price will be the total amount of the proposed performance fee for the five (5) year base period, along with the probable cost for transition, and the probable cost for the résuméd Key Personnel's total compensation costs for the first two (2) years (January 1, 2025 through December 31, 2026) after completion of the transition period, which ends December 31, 2024.