

PHASE 4 - Post-Award

Type of Feedback	Type of Contract	Feedback Category	Feedback
Best Practice	Commodity (Competitive)	Source Selection	Use of the Bid Evaluation Model (BEM), when validated, is a best practice approach to evaluating competitive, commercial commodities, because it looks at the total delivered price to the consumer. For example, compare to some subsistence buys which do not consider transportation costs.
Best Practice	Competitive Multiple Award Services Contract	Source Selection	Recommend the last paragraph of the Source Selection Decision Document (SSDD) make a statement about all the documents reviewed and the methodology used in making the decision. Consider using some of the language in FAR 15.308 to give context to your decision.
Best Practice	Competitive Multiple Award Services Contract	Post Award Admin	Best practice of this government organization deals with the process of awarding urgent requirements. While the use of urgent and compelling procedures to award a task order on a sole source basis is thoroughly vetted and kept to a minimum, the program employs a rotational round robin order among the contractors regarding whose turn it would to handle the requirement. If it is a contractor's 'turn' to accept an urgent or compelling order, they cannot refuse an urgent or compelling order; to refuse an order would result in this organization not exercising the contractor's option.
Best Practice	Competitive Multiple Award Services Contract	Post Award Admin	The peer review team noted that in evaluating the offerors who were ultimately awarded contracts under this IDIQ arrangement, the program used sample tasks and simulated the amount of turnaround time with offerors that a contractor would have to respond to actual orders.
Best Practice	Competitive Multiple Award Services Contract	Post Award Admin	The Post Award Performance Plan (PAPP) specifies how to evaluate and assess contractor performance. It utilizes the following performance measurement tools: customer feedback/complaints, periodic inspection, random inspections, 100% inspections, quarterly surveillance reports, semi-annual award fee review board, and annual CPARS reports. Quality Assurance Evaluators (QAEs) provide monthly PARs on contract performance and the government organization has real time access to task order level cost performance data through contractor automated cost management systems. QAEs and Contracting Officer Representatives (CORs) are provided by the requiring offices and are assigned prior to award of each task order. All are government employees. Each assigned QAE/COR receives contract specific training to accomplish their duties assigned. Multi-functional, on site, surveillance teams are assigned to monitor contractor task order performance, as required.
Best Practice	Competitive Multiple Award Services Contract	Post Award Admin	Best Practice: The Contract Performance Plan (CPP) identifies how contractor performance will be addressed/evaluated. The contractor's performance is assessed through monthly program assessment reports (PARs) filed by the Quality Assurance Evaluators (QAEs) with the Program Management Office (PMO). The PMO has real time access to task order level cost performance data through contractor automated cost management systems. This approach of getting a PAR accomplished before paying the contractor is considered a best practice. It ensures that the contractor gets paid only for what he delivered, establishes an observable trend in performance and affords the government an opportunity to tie together the PARs, CPARS, and PPIRS in assessing overall contract performance and also makes effective award fee determinations in those instances where award fees apply at the task order level.
Best Practice	Competitive Multiple Award Services Contract	Post Award Admin	The contracting office provides organizational conflict of interest (OCI) training to the technical team to ensure that they recognize potential and real OCI issues.

Best Practice	Competitive Multiple Award Services Contract	Post Award Admin	The contracting officer (CO) maintains sole ordering authority. This ensures the requirement is within scope and is sufficiently well defined to ensure good performance.
Best Practice	Competitive Multiple Award Services Contract	Post Award Admin	All requirements are vetted through the agency's commands to ensure no duplication of effort and to further ensure that the anticipated contract is indeed the best contract vehicle for the requirement.
Best Practice	Competitive Multiple Award Services Contract	Post Award Admin	The agency continues to transition all task orders to fixed priced orders as requirements are better defined. Notably, the program does not utilize time and materials (T&M) arrangements and there is no pre-pricing under the basic contract (pricing is accomplished with each order).
Best Practice	Competitive Multiple Award Services Contract	Post Award Admin	The agency ensures support by its customer community for contract execution through an agreement that identifies the necessity for the correct type of funding, an onsite quality assurance and project manager, periodic written evaluations for contractor performance, contracting officer technical representatives, disposition instructions for Government Owned Property (GOP), and other such issues.
Best Practice	Competitive Multiple Award Services Contract	Post Award Admin	Only absolutely urgent requirements are placed on contract without being fully priced. Even in those situations, the definitization occurs well before the prescribed date. The Peer Review Team (PRT) was told that such orders are generally definitized within 30 days.
Best Practice	Competitive Multiple Award Services Contract	Post Award Admin	The Command conducts annual oversight of acquisition of services reviews by the designated reviewing official at each of the major commands.
Lesson Learned	Weapon System Development	Source Selection	The Peer Review Team (PRT) recommended the contracting officer incorporate language into the source selection evaluation board (SSEB) report to explain how the source selection team (SST) determined which weaknesses would be discussed. The recommendation was followed and it proved to be highly beneficial during post award debriefings. Each of the unsuccessful offerors asked for clarification regarding the method the Government applied for bringing forth weaknesses during discussions and the contracting officer was able to quote directly from the SSEB report in response. No protests were filed.
Lesson Learned	Competitive Multiple-Award IDIQ Supplies Contract	Source Selection	The initial production delivery order (IPDO) source selection will use information received during the Indefinite Delivery/Indefinite Quantity (ID/IQ) competition. As a lesson learned from other source selections, evaluators must reaffirm any analysis or assessments done for the award of the IDIQ contracts is still valid and appropriately applies to the Fair Opportunity evaluation. The team recommends the documentation package for the IPDO award not bring forward existing documentation but rather recreate a new stand alone document.
Recommendation	Non-Competitive Multiple Award Services Contract	Post Award Admin	Heavy use of time and materials (T&M) task orders is a concern and is more than double the use anticipated in the acquisition strategy. Immediate action is needed to move away from T&M task orders. Cost type Contract Line Item Numbers (CLINs) should be added and used in preference to T&M CLINs when work is not appropriate for firm fixed price (FFP).
Recommendation	Non-Competitive Multiple Award Services Contract	Post Award Admin	Contractor (actual realized) profitability on time and materials (T&M) line items has been a significant issue across the Department of Defense. Recommend DCAA conduct a detailed analysis to determine actual profit.

Recommendation	Non-Competitive Multiple Award Services Contract	Post Award Admin	The program manager (PM) is updated weekly on the financial performance of the contract. But the Peer Review Team (PRT) did not find at the PM level, performance metrics against the hours negotiated for the time and materials (T&M) task orders. However, in the discussion, it was clear that the PM understood well when there were performance issues. The program team should think through how to flow performance metrics against deliverables (hours for T&M work) up to the PM level.
Recommendation	Non-Competitive Multiple Award Services Contract	Post Award Admin	The contracting officer (CO) should insist on documentation at the subcontract level before accepting proposed costs (under task orders). In price negotiation memorandums reviewed, there was no indication that the prime contractor competed the work.
Recommendation	Non-Competitive Multiple Award Services Contract	Post Award Admin	Recommend the contracting officer (CO) verify that subcontractors are not billing for material (the Peer Review Team (PRT) was told that all material charges on Time & Materials (T&M) task orders were incurred by the prime contractor and that material charges were not incurred by subcontractors). If subcontractors are billing for material, then a review of the loadings made by both the subcontractor and the prime should be reviewed to ensure they are appropriate.
Recommendation	Non-Competitive Multiple Award Services Contract	Pricing	Contract file documentation should include a consistent, easily located source to document the proposed, negotiated and settlement prices. There was no record in the contract file (Price Negotiation Memorandum (PNM), technical evaluation, task order) that consistently documented the cost element breakdown/buildup to support "fair and reasonable" determinations by the contracting officer for task orders.
Recommendation	Non-Competitive Multiple Award Services Contract	Pricing	Time and materials (T&M) task orders should specify the labor hours and labor categories purchased to enable audit traceability, thus ensuring appropriate categories are being used.
Recommendation	Non-Competitive Multiple Award Services Contract	Pricing	In support of task order negotiations, the Peer Review Team (PRT) recommended the contractor be required to provide their basis of estimate (BOE) and any historical information used to support the BOE.
Recommendation	Non-Competitive Multiple Award Services Contract	Pricing	Recommend tying professional rates on the contract to an industry index (downward adjustment only) that fluctuates with economic changes so the contract payments more accurately reflect market salaries. [The Peer Review Team (PRT) found that the program office used professional rates that were escalated by X% for the life of the contract.]
Recommendation	Non-Competitive Multiple Award Services Contract	Post Award Admin	Recommend the contracting officer (CO) reassess use of firm fixed priced (FFP) performance based tasks when full-time, on-site personnel are required. The Peer Review Team (PRT) observed that FFP effort is supported by performance based statements of work (SOW) and there is an opportunity for personnel funded under these FFP orders to also perform T&M tasks and the prime contractor can legitimately charge twice.
Recommendation	Non-Competitive Multiple Award Services Contract	Post Award Admin	Recommend the program office revisit and strengthen training for task order representatives (TORs) to be more akin to the contracting officers representative (COR) training requirements, or even better, have the TORs complete all the COR training.

Recommendation	Design/Build Construction Contract	Source Selection	Compliance Statement in the Request for Proposal (RFP): The Peer Review Team (PRT) noted that if an offeror was "silent" regarding a particular RFP requirement, the evaluation team was relying upon the compliance statement in the RFP to assume the proposal complied with the RFP. The PRT advised the evaluation team not to rely too heavily on the compliance statement. This could be problematic for significant issues that are required to be addressed in order to properly complete the evaluation. The PRT recognized that in a design/build procurement, the offerors are not required to address every element of an RFP. The PRT suggested alternative language for the source selection evaluation documents.
Recommendation	Competitive Services Contract	Terms & Conditions	Defense Acquisition Regulations (DFARS) 252.209-7002(c) requires the offeror to disclose any interest a foreign government has in the offeror when that interest constitutes control by a foreign government. If the offeror is a subsidiary, it must also disclose any reportable interest a foreign interest has in any entity that owns and controls the subsidiary.
Recommendation	Competitive Multiple Award Services Contract	Source Selection	Recommend reviewing the Source Selection Evaluation Team (SSET) source selection documents and adding language to "Section III – Evaluation Results" that summarizes the SSET's assessment of each offeror's proposal against each subfactor evaluation criteria, discussing in more detail explaining how specific information in the proposal is perceived as a strength or weakness.
Recommendation	Competitive Multiple Award Services Contract	Source Selection	The requirement provides specific small business participation/subcontracting goals. One offeror's proposal had a general statement that they will achieve or surpass small business participation/subcontracting specifically outlined in the Request for Proposal (RFP). This is insufficient information to conclude compliance with the requirement. Recommend adding detail from the contractors' proposal to the evaluation documentation to include proposed percentages of dollars in each period and discuss the mixture of small businesses with technical roles of performance.
Recommendation	Competitive Multiple Award Services Contract	Requirements/ PWS/SOW	The Request for Proposal (RFP) calls for a proposed cost and fixed fee for a "Transition Out" effort. Nothing in the statement of work (SOW) appears to address what effort is included in Transition Out (TO). As written, the TO effort could be read as an entitlement of the contractor to be reimbursed for all reasonable, allowable, and allocable shut down costs, without regard to the benefit to the government. The Peer Review Team (PRT) recommended amending the RFP to include a clear description of the required effort and deliverables (e.g., certain data to be provided to incoming contractor) in section C. The PRT also believed that further thought should be given to whether the solicited cost should include a not-to-exceed amount to protect the government from an unfunded, unlimited liability. Alternatively, a fixed price incentive (FPI) contract may be appropriate.
Recommendation	Competitive Multiple Award Services Contract	Source Selection	The contracting officer (CO) indicates that award will not be made by having the offerors sign the SF-30 with their final proposal revisions. The Peer Review Team (PRT) was concerned that this does not meet the requirements of FAR 15.307, which requires that offerors be informed that final proposal revisions must be in writing and the Government intends to award without obtaining further revisions.
Recommendation	Competitive Multiple Award Services Contract	Source Selection	With regard to an approved accounting system, the solicitation requires an approved system at time of award. Some of the offerors were identified as not having an adequate system during evaluation. If there was no discussion of the adequacy of their accounting systems during the discussion period, is there any possibility that their status has changed?

Recommendation	Competitive Multiple Award Services Contract	Source Selection	The Source Selection Decision Document (SSDD) states that "comparatively all proposals offer equal technical merit." Recommend that language be added to the effect that the Source Selection Authority (SSA) agrees with the Source Selection Advisory Council (SSAC) or based on his own comparison of the offeror's strengths, there is no meaningful distinction or benefit between the non-cost price portions of the proposals and therefore, all are considered "technically equal" or offer "equal technical merit."
Recommendation	Competitive Multiple Award Services Contract	Source Selection	Recommend the Source Selection Authority (SSA) address the number of awards being made as being the appropriate number of awardees based upon the criteria set forth in the Request for Proposal (RFP) and tie it to the overall best value to the government. For instance, large number of awards ensures increased competition at the task order level.
Recommendation	Commodity (Competitive)	Pricing	For this competitive procurement, only one offer was received. As such, the acquisition team was advised of the Director, DPAP, memorandum "Improving Competition in Defense Procurement," dated Nov 24, 2010.
Recommendation	Competitive Multiple Award Services Contract	Source Selection	When discussing price in the Proposal Analysis Report (PAR), point out price was the least important factor and that actual prices and cost to the government will be determined at the task order level where significant competition is anticipated both at the component and system level.
Recommendation	Competitive Multiple Award Services Contract	Source Selection	The Peer Review Team (PRT) recommended stating whether or not each weakness was discussed with the offeror. If all weaknesses were discussed, then a short sentence at the start of each report would suffice. If a weakness was not discussed, then recommend explaining why.