

## **SECTION M**

### **EVALUATION FACTORS FOR AWARD**

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## **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 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.

## **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 implementation 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 implementation 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 implementation proposal over another. Thus, to the extent that Offerors' capabilities and implementation 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 IMPLEMENTATION EVALUATION FACTORS**

The Capabilities and Implementation Evaluation Factors are listed below.

<b>Capabilities and Implementation Evaluation Factors</b>	
<b>Factors</b>	<b>Description</b>
A.	Implementing a Science Vision
B.	Managing and Operating the Laboratory
C.	Past Performance
D.	Transition Plan

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

### **M.4 CAPABILITIES AND IMPLEMENTATION EVALUATION FACTORS**

The Factors, which comprise the following “Capabilities and Implementation 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 Implementation 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: Implementing a Science Vision**

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, and the degree to which the Offeror’s approach to implementation demonstrates an understanding of the Laboratory’s current major research programs and projects, identifies any new directions that the Laboratory might take, and articulates the Laboratory’s transition to a thriving multi-program laboratory.

The Government shall evaluate the comprehensiveness, innovativeness, efficiency, and feasibility of the Offeror’s planned implementation of its

science vision. Areas to be evaluated include, but are not limited to, the Offeror's:

- Articulation of its science vision;
- Understanding of the DOE and relevant SC program missions, and the planned approach for implementing its science vision to achieve those missions;
- Realizing leadership in multiple science missions, including how it will transition TJNAF from a single-program to a multi-program Laboratory, leveraging core capabilities, DOE programs, and external partnerships that will establish TJNAF as a recognized leader in transformational and breakthrough science across multiple SC programs;
- Implementation of a conduct of operations and maintenance modernization at CEBAF to ensure safe, efficient, and reliable operations of this SC user facility to best meet mission need;
- Implementation of partnerships to deliver the Electron-Ion Collider (EIC) and High Performance Data Facility (HPDF) projects, including how it will successfully implement the EIC project, in partnership with Brookhaven National Laboratory, and the HPDF project, in partnership with Lawrence Berkeley National Laboratory, and how it will prepare for their future operations and possible upgrades; and
- Engagement with stakeholders, including how it will lead and coordinate multilateral scientific activities at TJNAF and across the DOE complex, nationally and internationally, and foster and maintain effective strategic engagements and positive relations with DOE and other critical stakeholders (i.e., other national laboratories, universities, industry, and its user communities).

(b) Factor B: Managing and Operating the Laboratory

The Government shall evaluate the degree to which the Offeror has demonstrated an integrated approach to managing and operating the Laboratory that is 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 and while transitioning the Laboratory from a single-program to a multi-program laboratory. Areas to be evaluated include, but are not limited to, the Offeror's:

- **Operations Vision:** The Government shall evaluate the Offeror's planned approach to managing and operating the Laboratory and any teaming arrangements that will support the implementation.
- **Organizational Structure and Governance Approach:** The Government shall evaluate how the proposed organization and leadership structure will promote effective management practices across the laboratory, and 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, accountabilities, and decision-making processes in the Offeror's overall management structure.

The Government shall evaluate how the Offeror's overall management and governance approach enhances its ability to effectively communicate, cooperate, and partner with DOE and TJNAF's peer DOE National Laboratories.

The Government shall evaluate the benefit of the linkage(s) to the parent organization(s) and the Offeror's onsite TJNAF management team.

The Government shall evaluate the credibility and benefit of the value added by the parent organization(s) in executing partnerships and achieving world-class excellence in research, user facility operations, and operations and business management.

- **Key Personnel:** The Offeror's required Key Personnel, which includes the Laboratory Director, Chief Operating Officer, and Chief Research Officer, will be evaluated based on their qualifications and experience relevant to the functions they will manage, as well as their proposed management and leadership strategies for the Laboratory.

The Government will assess the suitability of these Key Personnel based on several criteria including their education, professional licenses, certifications, and affiliations, technical and leadership abilities, and relevant experience. Past performance will also be taken into account. This evaluation will focus on how their skills contribute to the management of the Laboratory and their collaboration with DOE. Additionally, it will assess their understanding of their roles, responsibilities, accountabilities, and

authorities within the Laboratory's management structure, along with their ability to work together effectively.

Furthermore, the evaluation will examine their approaches to overcoming scientific and business operational challenges, their communication and collaboration skills with each other, their interactions with DOE, and their overall understanding of the DOE's requirements. DOE will compare the oral presentations with the submitted written materials to ensure consistency. The Government will evaluate how well the Key Personnel interact and demonstrate their knowledge individually and collectively during the assigned problem-solving exercise in the oral presentation.

The required Key Personnel will be evaluated based on their submitted resumes, oral presentations, and participation in the problem-solving exercise. The Government may also conduct reference checks and obtain information from third parties regarding the Key Personnel's qualifications. Failure to submit required letters of commitment will negatively affect the overall evaluation.

- **Staffing Plan and Corporate Reach-Back:** The Government shall evaluate the proposed approach for attracting, developing, and retaining a highly skilled workforce of existing and new scientific personnel with high stature in their disciplines, including the value added by the parent organization(s) and any partners in managing and operating the Laboratory.
- **Contractor Assurance:** The Government shall evaluate the proposed approach to contractor assurance, including how it will implement a robust, broad scope contractor assurance system to self-assess overall performance, promote the tri-party (i.e., Offeror, TJNAF leadership, and DOE) relationship, and generate feedback to drive continuous improvement of Laboratory operations and management.
- **Integrated Operational Systems Implementation:** The Government shall evaluate the proposed approach to implementing an integrated management system for the efficient and effective management of Laboratory strategic planning, ES&H, business processes, project management, Laboratory facilities and infrastructure, safeguards and security, cyber security, emergency operations, and waste operations.
- **Offeror's Commitments:** The Government shall evaluate the credibility and liability to the Government, Governmental action

required, and expected benefit of the Offeror's proposed commitments as defined in Section L Provision entitled "Managing and Operating the Laboratory", if any, to TJNAF. 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).

(c) Factor C: 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 responsibilities. 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.

(d) Factor D: 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 DOE portion of the required Key Personnel's base salaries for the first year (June 1, 2026 through May 31, 2027) after completion of the transition period, which ends May 31, 2026. The Government will determine the probable cost of both of the above. 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-year base period, along with the probable cost for transition, and the probable cost for the DOE portion of the required Key Personnel's base salaries for the first year (June 1, 2026 through May 31, 2027) after completion of the transition period, which ends May 31, 2026.