

QUESTIONS AND ANSWERS – JUNE 16 2016 INDUSTRY DAY

DOD INFORMATION ANALYSIS CENTERS

IAC TECHNICAL AREA TASK CONTRACT (IAC TAT)

1. Q – What are the planned technical focus areas for the RFP Section L and M Sample TATs?

1. A – The areas contemplated at this time (not yet definite) are: 1) Modeling & Simulation, 2) Survivability and 3) Reliability, Maintainability, Quality, Supportability and Interoperability (RMQSI)

2. Q- Will the IAC TAT contract vehicle be open to ordering by all federal agencies?

2. A – All federal agencies and other registered users of DTIC services are authorized to acquire services off the contract, however actual ordering will be limited to the Air Force Installation Contracting Activity/KD (AFICA/KD) or other ordering offices appointed by AFICA/KD. Starting in FY17 and for the foreseeable future, all ordering will be centralized to AFICA/KD.

3. Q – A comment was made by the Contracting Officer at Industry Day that the Government was considering not having a cost factor for the evaluation of the IAC TAT proposals. Without a cost element in your best value trade-off, how would you plan to limit the number of awards, since you plan to evaluate the “Technical” factor as pass/fail (acceptable/unacceptable)?

3. A – The Contracting Officer intends to include price reasonableness/cost realism as an evaluation factor for IAC TAT, in accordance with FAR 15.304(c)(i).

4. Q – Will small businesses be required to work all 21 scope (technical focus) areas?

4. A – At this time, three award pools are contemplated; two of these would each cover the same 21 technical focus areas (Pool 1- Full and Open Competition/Unrestricted and Pool 2 – Small Business Set Aside). For small businesses bidding on Pool 1, just as for large businesses, small businesses will be evaluated on their technical capability and past performance in all 21 technical focus areas. For Pool 2, the solicitation will most likely require capability in fewer than 21 technical focus areas. For all pools, minimum requirements to be considered eligible for award will be stated in the IAC TAT draft solicitation.

5. Q – Does the requirement for a Capability Maturity Model Integration (CMMI) certification or International Organization for Standardization (ISO) 9000 certification apply to small businesses (as a criterion for receiving contract award)? Will these be a requirement for each prime contractor to possess or can they be met by a member of the prime’s team having these capabilities?

5. A- This has yet to be determined. The Government will take into account the results of its market research in establishing solicitation requirements for CMMI and ISO.

6. Q – Please explain how “On Ramps” will work for the IAC TAT multiple award contract. How soon after award will an On Ramp be offered, how many will there be, will they be established by technical focus area?

6. A – On-Ramps will be utilized, details on how they will be executed have not been finalized and will be included in the draft solicitation.

7. Q – Can an awardee add new subcontractors to its team post-award [that were not on its initial team at the time it proposed on and was awarded the overall contract]?

7. A – Yes, subject to FAR Part 44 requirements.

8. Q – If a Joint Venture (JV) is formed via the Small Business Administration (SBA) “8(a) mentor/protégé” program, will a large business “mentor” member of the Joint Venture be able to win the contract and be considered “small” under the contemplated NAICS code of 541712 (small business size standard = 1000 employees), assuming the protégé is small for this NAICS code? Alternatively, would the Joint Venture contractor be considered both large and small?

8. A – When a joint venture proposes on a contract, the joint venture entity is the prime contractor, not its individual members. Per 13 Code of Federal Regulations (CFR) §124.520(d), Benefits, (1):

*“A mentor and protégé may joint venture **as a small business** for any government prime contract or subcontract, including procurements with a dollar value less than half the size standard corresponding to the assigned NAICS code and 8(a) sole source contracts, provided the protégé qualifies as small for the procurement...*

(i) SBA must approve the mentor/protégé agreement before the two firms may submit an offer as a joint venture on a particular government prime contract or subcontract in order for the joint venture to receive the exclusion from affiliation.

(ii) In order to receive the exclusion from affiliation for both 8(a) and non-8(a) procurements, the joint venture must meet the requirements set forth in § [124.513\(c\)](#).”

This above cited “exclusion to affiliation” allowed for the large and small business JV members only applies to SBA 8(a) joint ventures set up in accordance with 13 CFR §124.520. When companies are excluded from affiliation this means their combined sizes are not aggregated together when determining whether they are below the applicable NAICS size standard. There can only be one size status assigned to the joint venture.

9. Q – Are there different regulations or policies for a large business teaming with Historically Black Colleges and Universities (HBCUs)?

9. A – No. The legal authority (10 U.S.C. 2323) that established HBCU goals and the HBCU contracting program for DoD, which also affected the small business subcontracting plans and goals of large business primes, expired. Subsequently, HBCU contracting program requirements in DFARS 226.70 were deleted. A large business planning to team with (subcontract to) an HBCU should report the size status

of the HBCU subcontractor in accordance with the HBCU's size standard certification in the U.S. System for Award Management.

10. Q – Will the IAC TAT solicitation establish specific percentage goals or requirements for prime contractors to subcontract to various socio-economic categories of subcontractors, for example, Service Disabled Veteran Owned Small Businesses (SDVOSB), Historically Underutilized Business Zone (HUB Zone) Small Businesses, etc.? Or will the Government consider making a 100% or partial set aside on the overall IAC TAT contract vehicle for other socio-economic categories?

10. A – The solicitation will establish small business subcontracting goals or requirements for large business primes and possibly for small business primes. The socio-economic categories to which these goals or requirements will apply have not been determined yet. For the overall contract, a decision to set aside all or a portion of it to any small business socio-economic category(ies) will be made based on FAR Part 19 requirements and the results of market research.

11. Q – Will the list of Industry Day attendees and companies be made available?

11. A – Yes, they will be posted at www.fbo.gov under solicitation FA8075-17-R-0001 and also on the IAC website which is <http://iac.dtic.mil> under "About Us" "Business Opportunities". See link at: http://iac.dtic.mil/business_opportunities.html

12. Q- On the current IAC Cyber Security and Information Systems TAT contract (CS TAT), our small business prime contractor advised that the prime was required to perform at least 50% [of the cost incurred for labor] on each TAT. We believe that the requirement is for 50% small business participation, is that correct?

12. A- This is a changing area of the regulations. The clause in question is FAR 52.219-14 Limitations on Subcontracting. The November, 2011 version (current version as of June 24, 2016) of the clause requires that small business prime contractors performing on a small business set-aside contract perform at least 50% of the cost of contract performance incurred for personnel with its own employees. The Air Force has determined that until the FAR is changed and this clause is updated, the current November, 2011 FAR clause will be used in this IAC TAT solicitation, just as it is applied on other IAC contracts such as CS TAT.

On 31 May 2016, the Small Business Administration (SBA) published a final rule in the Federal Register "Small Business Government Contracting and National Defense Authorization Act of 2013 Amendments" updating 13 CFR Part 125, i.e., the regulations that form the basis for FAR 52.219-14. The new SBA regulations take effect on 30 June 2016 but have not yet been incorporated into FAR 52.219-14. When 52.219-14 is updated in the FAR, that version of the clause will be incorporated into the IAC TAT solicitation or contract, as required (and in accordance with the FAR Acquisition Circular instructions for amendments/modifications). The new SBA regulations cannot be adequately summarized here, but briefly stated, will allow small business prime contractors to count the work performed by "similarly situated small business subcontractors" towards meeting the 50% requirement. The complete regulation is available at: <https://www.federalregister.gov/articles/2016/05/31/2016-12494/small->

[business-government-contracting-and-national-defense-authorization-act-of-2013-amendments?utm_campaign=subscription+mailing+list&utm_medium=email&utm_source=federalregister.gov](https://www.federalregister.gov/?utm_campaign=subscription+mailing+list&utm_medium=email&utm_source=federalregister.gov).

13. Q – Will a small business be required to recertify during the life of the IAC contract?

13. A – Size status recertification requirements are stated at FAR 19.301-2. If any of these triggers occur during the life of the IAC TAT contract, the prime contractor will be required to re-certify its size.

14. Q – With respect to the contemplated small business subcontracting goals or requirements that large business primes will have to meet, the Government has stated these will likely be expressed as a percentage of funds obligated on TATs. When calculating “funds obligated” will only funds obligated for labor costs be taken into account? How will this be measured versus the FAR clause preventing excessive pass through of primes to subcontractors, i.e., FAR 52.215-23 “Limitations on Pass Through Charges”.

14. A – No, it will be calculated based on all funds obligated (on all the contractor’s TATs combined), regardless of which cost element(s) the funds pay for. However, it is noted that historically, labor has accounted for a very large portion of overall costs on IAC TATs. The cost calculations required by FAR 52.215-23 are intended to avoid excess cost charging to the Government; they are separate and unrelated to the subcontracting cost calculations and reporting performed for small business subcontracting plan purposes.

15. Q – Will the IAC TAT contract task orders be primarily cost plus fixed fee (CPFF) completion or cost plus fixed fee (CPFF) term?

15. A – Most IAC TAT contract Task Orders are Cost Plus Fixed Fee (CPFF) completion. All Task Orders require the contractor to deliver a Final Technical Report upon completion of the Task Order.

16. Q – How will the program set aside goals be met for service disabled veteran owned small businesses (SDVOSB)? What percentage will be set aside for SDVOSBs? Have the SDVOSB goals been met?

16. A – The Government will use the results of market research and determine whether the IAC TAT contract vehicle can be set aside, either wholly or partially, for SDVOSBs or any other type of small business. With respect to small business subcontracting, subcontract awards to SDVOSBs is an area that will be reviewed and evaluated by the Contracting Officer when reviewing the small business subcontracting plans and participation approaches of those offerors who will be required to submit them in their proposals. Information about the Air Force’s SDVOSB program can be found at: <http://www.airforcesmallbiz.org/>

17. Q – Are business opportunities forecast on the IAC TAT vehicle for recycling and weapon disposal?

17. A – This is not a common recurring requirement (based on historical TAT information) but it could potentially fall within the scope of an IAC TAT if the services were related to a research and

development requirement and/or any task with an analytical component that will produce scientific and technical information (STI). Commonplace non-developmental recycling and weapons disposal services that do not advance the technical state of the art and do not produce STI would not fall within the scope of the IAC TAT vehicle.

18. Q – Are task orders proactively brought to DTIC by Government agency customers, or are task orders reactive to Government customers and incumbent contractors already working with the IAC program?

18. A – Requirements are identified by government customers and brought to DTIC to determine if the requirement fits within the DTIC structure. Once it is determined to fit under the DTIC program, DTIC assists the government customer to refine their requirements into a solicitation package. All requirements are issued to each IAC MAC contract holder utilizing Fair Opportunity as detailed in FAR 16.505(b)(1). Additionally, the DoD Information Analysis Center Contracts are the preferred/first use contract vehicle as detailed in the memorandum, dated 26 January 2015 and signed by Mr. Richard Gimman, Director, Defense Procurement and Acquisition Policy and Mr. Alan Shaffer, Principal Deputy Assistant Secretary of Defense.

19. Q – Would the Government be in favor of establishing the guaranteed minimum (required for indefinite delivery/indefinite quantity contracts) by “technical focus area”? If so, could minimum amounts above \$1 million per year be established?

19. A – It is unlikely that minimums will be established by technical focus area because the IAC Program Management Office (PMO) cannot guarantee, and has very limited foresight into, the dollar value of future requirements that will arise in each technical focus area. However, an annual minimum of \$2500 will be established for each prime on the IDIQ contract.

20. Q – The Government has stated C4ISR will be a stand-alone technical focus area on IAC TAT. Please expand discussion!

20. A -- Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance (C4ISR) has been a requirement of IAC customers in the past. A program decision was made to explicitly identify C4ISR as a stand-alone technical focus area.

21. Q – Will the IAC TAT Request for Information (RFI) be released on www.fbo.gov?

21. A – Yes, it was posted on June 17, 2016 under solicitation FA8075-17-R-0001.

22. Q – Can a qualified small business propose on both the contemplated Pool 1 (full and open/unrestricted) and Pool 2 (small business set aside)?

22. A – Yes, for the purpose of competing for a position on the IDIQ itself.

23. Q – Once the IAC TAT vehicle is awarded, will the IAC program require prime contractors to bid on a certain number of TATs over time, or maintain a certain minimum level of performance quality on TATs being performed, as a condition of maintaining their contract?

23. A – There is no plan to establish such a requirement. However, all prime contractors undergo performance evaluations through the Contractor Performance Assessment Reporting System (CPARS), and a recurring pattern of poor performance on TATs could be a basis for contract termination or non-renewal, or short of that, not being selected for new TAT awards.

24. Q – Will contractor travel require pre-approval? If so, at what level? Will it be established by contract line item number (CLIN), time period (i.e., quarterly) or each trip?

24. A – When travel is anticipated on a TAT, a dedicated travel CLIN is typically established on the order. Almost all IAC TATs require the contractor to obtain travel pre-approval from the Alternate Contracting Officer Representative (ACOR) appointed to oversee the order. The specific approval procedures differ from TAT to TAT and are established and communicated to the contractor by the ACOR during the TAT pre-award stage or at the post-award conference.

25. Q- For awardees in Pool 1 - Full and Open/Unrestricted, what percentage of the work will the prime contractor need to perform using its own employees?

25. A – Contractors will be subject to FAR 52.215-23, “Limitations on Pass Through Charges”.

26. Q- How many awards does the Government seek to make in Pool 3 (Chemical, Biological, Radiological and Nuclear Defense)?

26. A- This has not yet been decided and will be based on the results of market research and program objectives.

27. Q – Will there be any restrictions on cross teaming?

27. A – The Government does not plan to include any blanket restrictions on cross teaming in the solicitation/contract. However, if a particular cross-teaming arrangement presents organizational conflict of interest (OCI) concerns, the Contracting Officer may require submission of a satisfactory OCI mitigation plan from the proposing contractor as a condition of contract or TAT award, or may disapprove the cross teaming arrangement.

28. Q – Will there be any restrictions on TAT prime contractors serving as subcontractors to a Basic Center of Operations (BCO) prime contractor?

28. A – Again, there will be no blanket restriction stated in the solicitation/contract against this type of arrangement. However, all TAT and BCO prime contractors will be contractually required to alert the Contracting Officer of any actual, potential, or the appearance of an OCI that arises or may arise related to their TAT or BCO work. The Contracting Officer may determine an OCI cannot be satisfactorily mitigated and restrict a TAT prime contractor from serving as a BCO subcontractor on that basis. To

meet the definition of a subcontractor, a vendor/supplier does not necessarily have to perform services directly received by, or billable to a government client. An example of a case where a TAT prime contractor selling services to a BCO contractor would technically meet the definition of subcontractor but would **not** be likely to present an IAC program OCI concern would be where the TAT contractor was hired by the BCO contractor for a short term project to upgrade a database in the BCO contractor's back-office HR system.

29. Q- Will consideration be given to making a small business set aside in the CBRN defense Pool 3?

29. A – Yes, the Government will consider the results of market research and the requirements of FAR Part 19 in determining whether a set-aside can be made for Pool 3.

30. Q - Does the 30% rule for prime contractors to perform work with their own employees (in accordance with FAR 52.215-23 Limitations on Pass Through Charges), apply to the overall IDIQ contract or is it enforced at the TAT level?

30. A – It is evaluated for every individual TAT.

31. Q – Did I understand you to say that the DoD uses the CS, DS, and HD TATs approximately 90% of the time? What other non-DoD customers does the IAC program support?

31. A - About 98% of the government users of the IACs contract are DoD users. Examples of non-DoD IAC TAT federal customers include the Centers for Disease Control/Department of Health and Human Services, the Department of Homeland Security and the Department of Energy. Academic institutions, state and local governments, and contractors/grantees are also authorized to initiate TAT requirements as long as they are registered DTIC users.

32. Q- On the current IAC multiple award TAT contracts, with virtually no small business TAT awards on any of them yet (DS TATs, HD TATs and CS TATs), why would a small business invest in the effort to incur bid and proposal costs and submit a proposal for IAC TAT?

32. A - The Government is continually striving to increase TAT awards to small businesses on the current IAC TAT contracts. The IAC program has exceeded its small business goals for FY14 and FY15, and is on track to exceed them again for FY16. Nevertheless, the Government is hoping to significantly improve small business prime participation on IAC TAT, which is why we are considering establishing an automatic set aside requirement by dollar value instead of scope area and increasing it significantly over the \$3.5M CS TAT threshold. Additionally, because the small business size standard for NAICS 541712 was very recently doubled to 1000 employees, and because the FAR clause 52.219-14 (see answer to Question 12) could soon make it significantly easier for small business primes to perform TATs, we believe small business prime participation on IAC TAT has the potential to be significantly higher than it has been on the current MAC TATs.

33. Q – Will the Government evaluate the past performance experience of subcontractors when evaluating proposals for the IAC TAT contract award, or will the solicitation require all past performance submissions to come from the prime?

33. A – This has not yet been decided but it is likely that the past performance of subcontractors can be included.

34. Q – For Pools 1 and 2, will the evaluation of Offerors’ responses to Sample Tasks (as part of the overall evaluation of proposals for award of the IAC TAT vehicle Pool 1 and Pool 2) include the factors Technical, Past Performance and Cost? And does each offeror proposing on these pools have to respond to all three Sample Tasks (as a condition of award)?

34. A – The specific details as to how the three Sample Tasks will be evaluated has not been determined yet but will be published in the draft solicitation.

35. Q – Will the CS TAT contract be allowed to run through its entire period of performance (i.e., November 30, 2020) even after this new IAC TAT vehicle is awarded?

35. A – The Government can never guarantee in advance that a contract’s option periods will definitely be exercised or what volume of task orders will be issued against an IDIQ contract. The plan at this time for transitioning cyber security and information systems requirements to the IAC TAT vehicle is still being worked out.

36. Q – How will the requirements and evaluation criteria for past performance differ between Pool 1 (full and open/unrestricted) and Pool 2 (small business set aside)?

36. A – They will differ but the specifics have not yet been established. The draft solicitation will provide more information.

37. Q – When evaluating the proposal of a Joint Venture (JV), will the past performance of each JV member be considered the past performance of the “prime” contractor?

37. A - The joint venture entity is always legally the “prime contractor” when a JV proposes on a government contract. A solicitation may permit evaluation of the relevant past performance of individual JV members, it may evaluate the past performance of the JV entity instead of that of its members, or it may allow consideration of both the JV entity’s and the JV individual members’ past performance. The evaluation approach to be used on IAC TAT will be stated in the draft solicitation. In the past, on other IAC MAC TAT solicitations, the evaluation of the prime offeror was conducted as a single integrated assessment of the prime entity, its subcontractors, and (if the prime entity was a JV), the JV’s individual members’ past performance.

38. Q – Did the Government consider selecting a NAICS code with a size standard of 1500 employees? If so, why was it not chosen?

38. A – It’s not clear which NAICS code the questioner is referring to, but there is a NAICS code 541712a “Research and Development in the Physical, Engineering, and Life Sciences/Exception - Aircraft, Aircraft Engines and Engine Parts” which has a size standard of 1500 employees. The Contracting Officer has reviewed all NAICS codes that are related to the work to be performed under this contract and determined that 541712a is not an appropriate NAICS code for this acquisition since the “principle

nature” of services to be performed on IAC TATs are not for R&D related to aircraft. The 541712 NAICS code is contemplated for this requirement.

39. Q – What type of [post-award] task order strategy is the IAC PMO considering for this procurement? Will the IAC PMO provide a forecast of expiring or transitioning task orders/TATs, so that interested companies can prepare [to propose on them]?

39. A—The IAC PMO regularly issues an Advanced Planning Matrix (APM) to all MAC TAT prime awardees, notifying them of upcoming planned TATs, with specific details such as the incumbent contractor, estimated dollar value, a brief scope description and the requiring activity point of contact. We plan to use this same approach for this IAC TAT vehicle.

40. Q – If a small business is awarded a spot on the base IAC TAT multiple award contract in the small business pool 2, will they have the ability to compete for orders in pool 1 (unrestricted/full and open) or will Pool 1 orders be competed only among Pool 1 awardees?

40. A – This matter is still undergoing review but the Government hopes to be able to allow Pool 2 awardees to compete for orders issued under Pool 1. The solicitation will make this clear.

41. Q - Has the solicitation team considered a guaranteed minimum of funding to each small business during the PoP of the contract? Or, has it considered a % requirement for small business awards out of the overall DTIC contract funding levels for each FY?

41. A – Each awardee will receive a guaranteed minimum amount of funding under the contract, this is required by law for all IDIQ contracts, regardless of whether the contractor is large or small. It is unlikely that the guaranteed amounts will differ for large and small businesses. The Government does not plan to guarantee a certain percentage of awards or funds to go to small businesses out of the overall contract funding/awards. The Government must ensure a small business has the capability, experience and resources to perform every task order before placing an order, and this legal requirement takes priority over meeting a percentage guarantee, making it unfeasible to establish a contractual guarantee as a percentage of the overall contract.

42. Q - What has been the level of funding for small businesses on the expiring contract and is there a guaranteed set aside percentage amount for small business?

42. A – The three current IAC MAC contract vehicles were awarded in May 2014 (HDTAT), June 2014 (DS TAT), and December 2015 (CS TAT). As such, due to the short period over which they’ve been in place, the number of awards made to date to small businesses may not be reflective of future ordering patterns. Each contract vehicle has a different small business set aside or reservation feature but none involve a guaranteed percentage.

43. Q - Has funding on the current contract been due to government project managers bringing an opportunity to DTIC to be competed or mostly [do they] want to execute a contract with a specific company in mind through the DTIC contract?

43. A – Most program customers who bring requirements to DTIC are very open to, and actively support and promote competition for follow-on TAT awards. Almost all IAC prime contractors hold numerous other multi-agency IDIQ contract vehicles, so if a customer was merely seeking to steer a requirement to their incumbent contractor, they have many other alternatives besides the IAC contracts. IAC TATs are almost always competed, there have been very few “limited source”, “logical follow-on” and “urgency” exceptions made to the FAR Part 16 competitive Fair Opportunity ordering process.