ARMY CHESS

COMPUTER HARDWARE, ENTERPRISE SOFTWARE AND SOLUTIONS

INFORMATION TECHNOLOGY SERVICES – SMALL BUSINESS (ITS-SB)

ORDERING GUIDE

June 2016

ARMY CHESS ITS-SB

PEO EIS
PEO Enterprise Information Systems

FORWARD

These ordering guidelines contain the information needed to obtain Information Technology (IT) services against the Information Technology Services-Small Business (ITS-SB) contracts. These contracts were awarded under the Federal Acquisition Streamlining Act (FASA) and Clinger-Cohen Act, and Section 803 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2002, which requires that the prime contractors be provided a fair opportunity to be considered for task order (TO) awards. The contracts are structured as Indefinite Delivery/Indefinite Quantity (ID/IQ) contracts, using TOs for acquisition of specified services.

These contracts are available to the Army, Department of Defense (DOD), and other federal agencies. In addition, government support contractors may place orders against the contracts in support of their government customers, in accordance with (IAW) FAR Part 51.

Questions regarding these guidelines and procedures for placing orders against the contracts should be directed to Computer Hardware, Enterprise Software and Solutions (CHESS). Questions of a contractual nature should be directed to Army Contracting Command - Rock Island (ACC-RI). These guidelines will be revised, as needed, to improve the process of awarding and managing orders under the ITS-SB contracts.

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Information regarding the ITS-SB contracts, including links to the prime contractors' home pages, can be found at: https://chess.army.mil.

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CHAPTER 1 ITS-SB GENERAL INFORMATION

1. BACKGROUND

The objective of the ITS-SB contracts is to meet the Army's enterprise infrastructure and infostructure goals with a full range of innovative, world-class IT support services and solutions at a reasonable price. ITS-SB is a Multiple Award Indefinite Delivery/Indefinite Quantity (MA ID/IQ) contract vehicle. It is the Army's source of Small Business Service contracts for IT-related services within Continental United States (CONUS). All DOD and other Federal agencies are authorized to use the contracts to satisfy their IT requirements.

Working in partnership with the prime contractors, the CHESS manages the contracts, in coordination with the ACC-RI Contracting Center. Through the use of ITS-SB, users have a flexible means of meeting IT service needs quickly, efficiently, and cost-effectively. Orders may be placed by any contracting officer from the aforementioned agencies. There is no fee to place orders against the ITS-SB contract.

2. SCOPE

ITS-SB contracts encompass a full range of innovative, world-class information technology support services and solutions at a reasonable price. Contract line items (CLINs) cover the following services:

- Firm Fixed Price (FFP), Time and Materials (T&M), and Cost Reimbursement (CR) TOs are authorized under this contract.
- IT solution services
- IT subject-matter expert
- IT functional area expert
- Incidental construction
- Other direct costs
- IT solution equipment
- Travel and per diem
- IT solution software
- IT solution – other direct charges (ODCs)

A listing of the task areas covered in the contracts is in Contract Section C.2.1. Copies of the ITS-SB contracts can be found on the CHESS IT e-mart. The IT e-mart web site is https://chess.army.mil. Services will be acquired by issuing individual TOs. Contract types will be determined IAW the Federal Acquisition Regulation (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS) based on the circumstances of each order.

3. PRIME CONTRACTORS

The following is a list of the ITS-SB prime contractors, their respective contract numbers, business size applicable to the specific contract and links to the prime contractor websites.

Prime Contractor	Contract Number	Business Type
Exeter Information Technology Services, Inc.	W91QUZ-11-D-0005	Small Business
Future Research Corporation	W91QUZ-11-D-0006	Small Business
Link Solutions, Inc.	W91QUZ-11-D-0008	Small Business
M-Cubed Information Systems	W91QUZ-11-D-0009	Small Business
MicroTechnologies, LLC (Micro Tech)	W91QUZ-11-D-0010	Small Business
SNVC, L.C.	W91QUZ-11-D-0013	Small Business
Superlative Technologies, Inc.	W91QUZ-11-D-0014	Small Business
T4, LLC.	W91QUZ-11-D-0015	Small Business
Tantus-OnPoint ATO Systems Support	W91QUZ-11-D-0021	Small Business

NOTE: As a result of re-certification the four vendors listed below are no longer a "Small Business" and will not be eligible to participate in the 26 month extension period, 15 Feb 2016 through 13 April 2018. Existing orders are not effected and remain in effect at this time. Performance under any current task order or task orders issued prior to 15 Feb 2016 must be completed within 24 months of the expiration of the contract per FAR clause 52.216-22(d), which is included in the base contracts.

- ActioNet
- Engineer Services Network
- Enterprise Information Services
- NetCentrics Corporation

4. CONTRACT TERMS/APPROACH

Separate, multiple awards were made for ITS-SB with the following contract terms and provisions:

Contract Terms	ITS-SB
Contract Maximum	• $400,000,000 • The contract maximum represents the total requirement for the life of the contract (including options, if exercised)
Period of Performance - Initial Period of Performance - Extension	• 55 Months: o 31-month based period o One 24-month option period • 26 Months (15 Feb 2016 through 13 Apr 2018)
Pricing Structure	• FFP • T&M • CR

Performance-Based Contracting	• Shall be used to the maximum extent practicable
Fair Opportunity to be Considered	• Subject to FAR 16.505(b) and DFARS 216.505-70(b)
Ordering Guidance and Process	• See Chapter 3 and Contract Section J, Attachment 4 – TO Procedures

5. PERFORMANCE-BASED SERVICE ACQUISITION

Performance Based Service Acquisition (PBSA) is an acquisition structured around the results to be achieved as opposed to the manner by which the work is to be performed. Orders placed under ITS-SB are not required to be performance-based under all circumstances. However, policy promulgated by the NDAA for FY 2001 (PL 106-398, section 821), FAR 37.102, and FAR 16.505(a), establishes PBSA as the preferred method for acquiring services. In addition, for Defense agencies, DFARS 237.170-2 requires higher-level approval for any acquisition of services that is not performance-based. Accordingly, it is expected that most ITS-SB orders will be performance-based. A performance work statement (PWS) or statement of objectives (SOO) should be prepared to accompany the Task Order Request (TOR) to the ITS-SB contractors. See Attachments 2, 3, 4, and 5 for further information on PBSA and specific details and resources for the preparation of a PWS or SOO.

6. FAIR OPPORTUNITY (See FAR 16.505, AFARS 5116.5, DFARS 216-505-70)

- IAW FAR 16.505(b), the contracting officer must provide each ITS-SB contractor a fair opportunity to be considered for each order exceeding $3,000 unless an exception applies.
- In addition, for orders placed by or on behalf of DOD exceeding $150,000, the requirement to place orders on a competitive basis is met only if the ordering contracting (i) provide a fair notice of the intent to make the purchase, including a description of the supplies to be delivered or the services to be performed and the basis upon which the contracting officer will make the selection, to all ITS-SB contractors; and (ii) afford all contractors responding to the notice of fair opportunity to submit an offer and have that offer fairly considered.
- FAR 16.505, DFARS 216.5, and Chapter 3, Paragraph 9, below contain procedures on exceptions to the fair opportunity process, as well as details on the applicability and implementation of fair opportunity to be considered.
- IAW DFARS 216-505-70, Orders under multiple award contracts, if only one offer is received in response to an order exceeding the simplified acquisition threshold that is placed on a competitive basis, the contracting officer shall follow the procedures at 215.371.

7. SITUATIONS REQUIRING HARDWARE OR SOFTWARE ACQUISITION

Software

In situations where it is necessary to purchase new commercial software, including preloaded software, to satisfy the requirements of a particular TO, the contractor will first be required to review and utilize available DOD Enterprise Software Initiative (ESI) agreements.

If software is not available to the contractor through a DOD ESI source, the contractor shall be authorized to obtain the software through an alternate source. For Army users, a Statement of Non-Availability (SoNA) is required from CHESS when acquiring non ESI software regardless of the dollar value. The customer shall access the SoNA process;

located on the IT e-mart at https://chess.army.mil/Content/Page/SONA. The SoNA should be included in the TO upon award.

The requirement for a Determination of Best Procurement Approach for acquisitions >SAT is not required for ESI software.

Commercial off-the-shelf (COTS) Hardware and Related Software
If hardware and related software are required for a particular TO, the CHESS hardware contracts are the preferred source of supply. For Army users, it is the mandatory source for hardware and software IAW Army Federal Acquisition Regulation Supplement (AFARS) 5139.101. CHESS also has a representative sample list on their web site of Commercial IT Products and Services authorized for use by customers worldwide. A request for quote may be submitted for products not found on the CHESS site. If the hardware and related software required is not available from a CHESS contract or the authorized list, the contractor shall be authorized to obtain the hardware through an alternate source.

For Army users, a SoNA is required if for purchase of products from another source regardless of dollar value. The listing of COTS hardware available from CHESS sources can be viewed on the IT e-mart at https://chess.army.mil. The customer shall access the SoNA process, located on the IT e-mart at https://chess.army.mil/Content/Page/SONA. The SoNA should be included in the TO upon award.

8. PROTEST

FAR 16.505(a) (1) (10) states,
(i) No protest under Subpart 33.1 is authorized in connection with the issuance or proposed issuance of an order under a TO contract or delivery-order contract, except for

(A) A protest on the grounds that the order increases the scope, period or maximum value of the contract; or
(B) A protest of an order valued in excess of $10 million. Protests of orders in excess of $10 million may only be filed with the Government Accountability Office (GAO), IAW the procedures at 33.104.

(ii) The authority to protest the placement of an order under this (a)(10)(i)(B) of this section expires on September 30, 2016, for DOD, National Aeronautics and Space Administration and the Coast Guard (10 U.S.C. 2304a (d) and 2304c (e)), and on September 30, 2016, for other agencies (41 U.S.C. 4103(d) and 4106(f)).

CHAPTER 2 ITS-SB ROLES AND RESPONSIBILITIES

The following is a summary of the roles and responsibilities for the primary organizations in the ITS-SB contract process.

1. ARMY CONTRACTING COMMAND – ROCK ISLAND

The ACC-RI roles and responsibilities are as follows:

- Serves as the ACO for the ITS-SB contracts. The ACO has overall contractual responsibility for the ITS-SB contracts. All orders issued are subject to the terms and conditions of the contract. The contract takes precedence in the event of conflict with any order.
- Provides advice and guidance to requiring activities (RAs), Ordering contracting officers (OCOs), and contractors regarding contract scope, acquisition regulation requirements, and contracting policies.
- Approves and issues contract modifications.
- Represents the contracting officer position at various contract-related meetings.

2. COMPUTER HARDWARE, ENTERPRISE SOFTWARE AND SOLUTIONS

The CHESS roles and responsibilities are as follows:

- Is the requiring activity/ACOR for this acquisition
- Maintains the IT e-mart, a web-based, e-commerce ordering and tracking system, which provides a no-fee flexible procurement strategy through which an Army user may procure COTS IT hardware, software and services. The CHESS IT e-mart website is: https://chess.army.mil.
- With support from Information Systems Engineering Command, Technology Integration Center, assists Army organizations in defining and analyzing requirements for meeting the Army's enterprise infrastructure and infostructure goals.
- Works with other RAs, including those outside of the Army, to help them understand how ITS-SB can best be used to meet their enterprise requirements.
- Conducts periodic meetings with the prime contractors, e.g., quarterly In-Process Review, as needed to ensure requirements, such as approved DOD standards, are understood.

3. REQUIRING ACTIVITY

RA is defined as any organizational element within the Army, DOD, or other Federal Agencies. The RA roles and responsibilities are as follows:

- Adheres to the requirements and procedures defined in the ITS-SB contracts and these ordering guidelines.
- Defines requirements.
- Prepares TO requirements packages.
- Funds the work to be performed under ITS-SB orders.
- Provides personnel to evaluate proposals submitted.
- Provides past performance assessments.
- Monitors and evaluates contractor performance.
- Provides justification and rational for all requests to limit competition and when requiring a brand name. Preferred method is brand name or equal.

4. ORDERING CONTRACTING OFFICER

The OCOs roles and responsibilities are as follows:

- OCOs within the Army, DOD, and other Federal agencies are authorized to place orders within the terms of the contract and within the scope of their authority.
- They are not authorized to make changes to the contract terms. The OCOs authority is limited to the individual orders.
- Serves as the interface between the contractor and the Government for individual orders issued under the ITS-SB contracts.
- Responsible for determining if bundling of requirements, (see FAR 2.101), is in compliance with FAR 7.107.
- Responsible for determining whether consolidation of requirements, compliance, and approval are IAW DFARS 207.170.
- Responsible for requesting, obtaining and evaluating proposals/quotations and for obligating funds for orders issued.
- The OCO is the only person authorized to make any changes to their individual TO.
- Serves as the local contracting focal point for coordination and awarding TOs for customers.
- Ensure TO requirements are within the ITS-SB contract scope.
- Ensures appropriate documents have been obtained prior to issuance of TOR.
- Ensures approval IAW FAR 16.602 for the T&M Determination and Finding (D&F); if the PWS is not performance-based, ensures approval by the designated authority as specified in DFARS 237.170-2, etc.
- Coordinates Defense Department (DD) Form 2579 through the Small Business Administration Local Procurement Center Representative.
- Complies with fair opportunity for consideration of a requirement and competes all TOs among MA ID/IQ contractors.
- Keeps contractor submission requirements to a minimum.
- Uses streamlined procedures, including oral presentations.
- Establishes the TOR time IAW established milestone procedures. The length of time between release of the TORs and submission of Task Order Proposals (TOPs) shall be commensurate with the complexity of the requirement.
- Develops evaluation factors/subfactors and establishes weights among factors in coordination with customer requirements.
- Ensures Contractor Manpower Reporting (CMR) requirement is part of the TOR requirements package and that the requirement is included in the PWS of the resultant task order.
- Ensures quality assurance surveillance plans (QASPs) and TO metrics are part of the TOR and that the requirements are included in the award.
- Coordinates TORs with the Principle Assistant Responsible for Contracting (PARC) at the appropriate threshold, and obtain approvals prior to execution.
- Issues and awards TORs, monitors TO metrics and closes out TOs.
- Receives TOPs; convenes evaluation boards; conducts negotiations; writes TO Decision Documents.
- Coordinates award of TORs with the PARC at the appropriate threshold, and obtains approvals prior to execution.
- Notifies unsuccessful offerors and debriefs offerors.
- Appoints COR at the Order Level IAW Army Regulation 70-13.
- Prepares a Contractor Performance Assessment Report if required

- Notifies contracting officer and CHESS of any performance issues on any TOs at any dollar value.

5. ORDERING CONTRACTING OFFICER'S REPRESENTATIVE

The Order CORs roles and responsibilities are as follows:

- Order CORs will be designated by letter of appointment from the OCO.
- Serves as the focal point for all task activities, and primary point of contact (POC) with the contractors.
- Provides technical guidance in direction of the work; not authorized to change any of the terms and conditions of the contract or order.
- Shall use the measures and standards set forth in the QASP to assess contractor performance, thereby ensuring the quality of services required by the TO are met.
- Obtains required COR training. Note: The Army Contracting Command (ACC), COR Guide provides a list of approved COR training courses: https://www.us.army.mil/suite/doc/24452057&inline=true.
- Ensures the contractor completes their CMRs as required.

6. CONTRACTORS

The principal role of the contractors is to perform services and/or deliver related products that meet requirements and/or achieve objectives/outcomes described in orders issued under the ITS-SB contracts. These contractors are all highly technically qualified and have satisfied the full competition and past performance requirements of the MA ID/IQ award process. Additional roles and responsibilities for the Contractor are:

- Ensures performance and deliverables meet the requirements set forth in the master contract and individual TOs.
- Performs work and provides the services/supplies IAW the terms and conditions of the TO and prescribed levels of quality control.
- Segregates cost data by TO and within each TO pursuant to the terms of the TO.
- Submits a TOP IAW the request from the ordering office.
- Notifies the OCO in writing stating no bid (when the contractor decides to not submit a TOP).
- Collect and report data for the CMR for Army requirements.

7. OMBUDSMAN

IAW 10 U.S. Code 2304c(e) and FAR 16.505(b)(5), ITS-SB contractors that are not selected for award under a TO competition may seek independent review by the designated Ombudsman for the ITS-SB contracts. The ACC-RI Ombudsman will review complaints from the contractors on all TOs issued by ACC-RI and ensure that all contractors are afforded a fair opportunity to be considered for each TO, consistent with the procedures in this contract. The ACC-RI designated Ombudsman is identified in paragraph A.2. The Ombudsman for TOs not issued by ACC-RI will be the Ombudsman that supports the OCO. The designated Ombudsman for the ITS-SB contracts issued by ACC-RI is:

Gregory J. Tetter
Army Sustainment Command
1 Rock Island Arsenal
Rock Island, IL 61299-6500
309-782-7287
Gregory.j.tetter.civ@mail.mil

Note: IAW FY08 Authorization Act, Section 843, the U.S. GAO will entertain a protest filed on or after May 27, 2008, for delivery orders valued at more than $10M. Procedures for protest are found on 4 Code of Federal Regulations Part 21 (GAO Bid Protest Regulations).

CHAPTER 3 ITS-SB ORDERING GUIDANCE

1. GENERAL

All ITS-SB contracts contain TO Procedures in Section J, Attachment 4. Additional detailed procedures are included herein.

- Ordering is decentralized for all ITS-SB requirements. Ordering under the contracts is authorized to meet the needs of the Army, DOD, and other Federal agencies. There are no approvals, coordination, or oversight imposed by the PCO on any OCO. OCOs are empowered to place orders IAW the terms and conditions of the contracts, ITS-SB ordering guidelines, the FAR, DFARS (as applicable), and their own agency procedures.
- The OCO shall obtain an approved Acquisition Strategy in support of their TOR if the TOR meets the requirement for an Acquisition Strategy.
- The PCO will not make judgments or determinations regarding orders awarded under the ITS-SB contracts by an OCO. All issues must be resolved consistent with individual agency procedures and/or oversight.
- Upon request, the PCO is available to provide guidance to OCOs executing orders under the ITS-SB contracts.
- The CHESS IT e-mart at https://chess.army.mil is available to make price comparisons among all awardees and solicit competitive quotes. The OCO will initiate the TOR process by issuing a TOR to all awardees via the CHESS IT e-mart. OCOs MUST issue the Request for Proposal (RFP)/TORs via the IT e-mart.
- When posting an RFP/TOR, requiring activities are not to simply submit a vendor's quote as an RFP/TOR.
- When posting a TOR, customers will identify specific delivery instructions for proposal responses. Contractors will indicate their interest via the CHESS IT e-mart; however, proposal packages shall be delivered by means identified in the TOR.

2. TASK ORDER TYPES

- The types of TOs allowed under the ITS-SB contracts are FFP, CR, T&M, or a hybrid of any of those three types. The preferred contract type is FFP.
- When selecting the TO type, consider the contract administration requirements and ensure the contract administration team is capable of supporting the contract type selected.
- If T&M TOs are used, FAR 16.601(d) provides that a T&M contract may be used only if the contracting officer prepares a D&F that no other contract type is suitable and the D&F is approved at the appropriate level. Pursuant to FAR 16.601(d) (1) (ii), the head of the contracting activity (HCA) must approve the D&F prior to the execution of the base period when the base period plus any option periods exceeds three years. Therefore, before a TO can be awarded, ordering offices shall prepare and have approved a D&F for use of a T&M TO.
- The OCO is responsible for all necessary approvals to use a T&M type contract.

3. ORDER LIMITATIONS

The total amount of all orders placed against all contracts, awarded from this solicitation, shall not exceed $400,000,000 the period of performance which expires on 18 April 2018. The contract maximum represents the total requirement for the life of the contract including all exercised options and extensions to the ordering period.

FAR Clause 52.216-19, Order Limitations:

- When the Government requires supplies or services covered by this contract in an amount of less than $50.00, the Government is not obligated to purchase, nor is the Contractor obligated to furnish, those supplies or services under the contract.
- The Contractor is not obligated to honor:
    1. Any order for a single item in excess of CLIN/SubCLIN estimated per contract period;
    2. Any order for a combination of items in excess of $10,000,000; or
    3. A series of orders from the same ordering office within 3 calendar days that together call for quantities exceeding the limitation in subparagraph (1) or (2) above.
- Notwithstanding (1), (2), (3) above, the Contractor shall honor any order exceeding the maximum order limitations, unless that order (or orders) is returned to the ordering office within 5 working days after issuance, with written notice stating the Contractor's intent not to ship the item (or items) called for and the reasons. Upon receiving this notice, the Government may acquire the supplies or services from another source.

4. PRICING

- CLINs allow for pricing of TOs on a FFP or T&M basis. All TOs awarded pursuant to this contract, whether awarded on a FFP or T&M must be priced IAW the pricing set forth in the Labor Rate Table, Contract Section J, Attachment 1 and Labor Category Descriptions, Contract Section J, Attachment 2. The labor rates in the labor rate table reflect the fully burdened composite rates for each labor category and will apply to all direct labor hours. The composite rates include separate rates for work performed at the contractor site and at the Government site for each labor category. An ITS-SB contractor may propose labor rates that are lower than those specified in its Labor Rate Table but may not exceed the labor rates in its Labor Rate Table.

- The Government's minimum requirements for each labor category are identified in Labor Category Descriptions. Contractors may augment their labor categories and job descriptions on a TO basis. If a contractor decides to augment a labor category, the labor type and cost shall not change. Augmenting a labor category is not defined as adding a new labor category. TO proposals shall be limited to only those labor categories contained within the base contract. The contractor may propose to the Government, at its discretion, additional labor categories and job descriptions within the scope of ITS-SB. The MA ID/IQ contracting officer is the only official authorized to add a labor category to the base contract via contract modification.

- Unlike other labor categories, the IT subject-matter expert (SME), IT functional area expert (FAE) and incidental construction category may only be used if no other labor category can satisfy the requirement. If the ITS-SB contractor proposes these categories when not directed by the OCO, fixed labor rate (actual direct and indirect costs, excluding profit/fee) will be negotiated in individual TOs. OCOs are discouraged from directing the use of FAEs and SMEs. However, if the OCO deems it necessary to direct the ITS-SB contractor to propose these categories, a fixed fee of 3% is allowable (refer to B.4 (b), (c) and (d) of the MA ID/IQ contracts). ITS-SB contractors are required to seek and obtain approval from the OCO for the use of these categories when proposed in a TO. There is no fixed labor rate associated with the SME, FAE, and incidental construction categories.

- Contractor costs for ESI source software shall be reimbursed at the prices charged to the contractor, with no mark-up percentage for loadings, fee or profit, regardless of whether the contract type of a TO is FFP, T&M or CR. For CHESS contract source equipment, a fixed mark-up percentage for associated indirect loading shall be applied to the CHESS contract source equipment for FFP or T&M TOs; profit or fee shall not be allowed.

5. ORDER FORMS AND NUMBERING

- An appropriate order form (DD Form 1155, Order for Supplies or Services, or Non-DOD Federal agencies equivalent) shall be issued for each TO.
- OCOs shall not issue any order beginning with “0001” thru “9999” which are reserved for ACC, National Capitol Region or beginning with “BA”, which are reserved for ACC-RI. DOD agencies should use ordering numbers as specified in DFARS 204.7004(d)(2)(i). Non-DOD Federal agencies may use any numbering system provided it does not conflict with either of these numbering systems.

6. CONTRACT LINE ITEM NUMBER STRUCTURE

CLIN structure shall follow DFARS 204.71 Uniform CLIN Numbering guidance and shall be IAW the format of the MA ID/IQ contract. If applicable, the CLINs also shall be structured to facilitate progress payments. In order to obtain better visibility of the Contractor service workforce from Contractors supporting the Army, TOs funded by the Army must include a separate CLIN for CMR.

7. DELIVERY REQUIREMENTS

Delivery of services shall be IAW individual orders.

8. SECURITY CONSIDERATIONS

Contract Section H.8 requires that the level of classified access be incorporated into individual TOs as necessary. If determined necessary based on the level of classification, a DD Form 254, Contract Security Classification Specification, should be prepared and included in the TO request and resulting order.

9. FAIR OPPRORTUNITY (See FAR 16.505, AFARS 5116.5, DFARS 216-505-70)

IAW FAR 16.505(b) Ordering, the OCO must provide each MA ID/IQ contractor (or contractor in the appropriate suite) a fair opportunity to be considered for each TO exceeding $3,000, except as provided for at FAR 16.505(b)(2). Pursuant to FAR 16.505(b)(1)(iii), Orders Under Multiple Award Contracts, each order exceeding $150,000 shall be placed on a competitive basis IAW paragraph FAR 16.505(b)(1)(iii)(B), unless this requirement is waived on the basis of a justification that is prepared and approved IAW FAR 16.505(b)(2) and includes a written determination that one of the circumstances described at FAR 16.505(b)(2)(i)(A) through (E) applies to the order. Follow the procedures at Procedures, Guidance and Information 216.505 if FAR 16.505(b)(2)(i)(B) or (C) is deemed to apply.

Single Offer Receipt (Applicable to Army TORs only)

The length of time between release of the TORs and submission of TOPs shall be commensurate with the complexity of the requirement.

However, IAW DFARS 216-505-70, orders under multiple award contracts, if only one offer is received in response to an order exceeding the simplified acquisition threshold that is placed on a competitive basis, the contracting officer shall follow the procedures at 215.371.

As a further constraint to ensure fair opportunity, the MA ID/IQ Contracting Officer, as applicable, may consider revoking the privileges of any ordering office whose requirements consistently impede competition.

- IAW FAR 16.505(b)(2), for all orders exceeding $3,000 but less than $150,000, the OCO shall give every ITS-SB contractor a fair opportunity to be considered for a TO unless one of the exceptions to fair opportunity applies. (See below for exceptions to fair opportunity.) This means the OCO must consider all ITS-SB contractors for the work though he/she is not necessarily required to contact any of them. The OCO must document his/her rationale if applying one of the exceptions to fair opportunity; however, no special format is required.
- All orders exceeding $150,000 for defense agencies must be placed on a competitive basis IAW FAR 16.505 and DFARS 216.505-70(c) unless a written waiver is obtained, using the Justification for an Exception to Fair Opportunity format in FAR 16.505(b)(2)(ii)(c). Refer to your agency's approval authorities for placing orders on other than a competitive basis. This competitive basis requirement applies to all orders by or on behalf of DOD. Each non-DOD agency shall comply with its own agency's procedures.

In making the award, the OCO must document his/her selection and the selection must consider price. Finally, though not required, the OCO should consider past performance on earlier orders under ITS-SB and use streamlined procedures.

Exceptions to Fair Opportunity

As provided in FAR 16.505(b)(2) and DFARS 216.505-70, the OCO may waive the requirement to place an order on a competitive basis with a written limited sources justification and approval if one of the following circumstances applies:

- The agency's need for the supplies or services is so urgent that providing a fair opportunity would result in unacceptable delays. Use of this exception requires a justification that includes reasons why the ITS-SB processing time for a fair opportunity to be considered will result in an unacceptable delay to the agency. The justification should identify when the effort must be completed and describe the harm to the agency caused by such a delay.
- Only one contractor is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized. Use of this exception should be rare. When using this exception, explain (1) what is unique or highly specialized about the supply or service, and (2) why only the specified contractor can meet the requirement.
- The order must be issued on a sole-source basis in the interest of economy and efficiency because it is a logical follow-on to an order already issued under these contracts, provided that all awardees were given a fair opportunity to be considered for the original order.
- A statute expressly authorizes or requires that the purchase be made from a specified source.

FAR 16.505(b)(1)(ii) provides that the OCO is not required to contact each of the awardees if information is available that will ensure that each awardee is provided a fair opportunity to be considered for each order.

The OCO must follow his/her agency's procedures for documenting the process and rationale for selection of the awardee for each TO. At a minimum, the OCO must document his/her selection and the selection must consider price.

10. ORDERING PROCEDURES

Task Order Request

- The RA prepares the TOR package and submits it to the OCO. Attachment 1 is an example of a TO checklist.

NOTE: When submitting requests ensure that the customer and/or site address is correct and includes as much information as possible to allow for an accurate proposal. (i.e. serial numbers, manufacturer/part numbers, quantities, whether the requirement is a renewal or new requirement, customer ID number, contract numbers, renewal contract number or other type of account identifier.)

At a minimum, the package should contain the following:

- Statement of Work (SOW), PWS, or SOO: the RA may select from these work statements, depending on their specific requirements. However, performance-based orders must be used to the maximum extent possible for services as required by FAR 37.102 and FAR 16.505(a) (see Attachment 3).
- Specific formats have been developed to streamline the processing time. See examples of the SOW at Attachment 4, the PWS at Attachment 5, and the SOO at Attachment 6.
    1. The PWS identifies the technical, functional, and performance characteristics of the government's requirements. The PWS describes the work in terms of the purpose of the work to be performed rather than either "how" the work is to be accomplished or the number of hours to be provided.
    2. The SOO is an alternative to the PWS. It is a very brief document (commonly 2-10 pages, depending upon complexity, although there is no maximum or minimum required length) that summarizes key agency goals and outcomes to which contractors respond. It is different from a PWS in that, when a SOO is used, offerors are asked to develop and propose a PWS as part of their solution. Typically, SOO responses would also propose a technical approach, performance standards, incentives/disincentives, and a QASP based upon commercial practices.

        At a minimum, a SOO must contain the following information:
        - Purpose
        - Scope or mission
        - Period and place of performance
        - Background
        - Performance objectives (i.e., required results)
        - Any operating constraints

    Upon award, the winning offeror's solution to the SOO should be incorporated into the resulting TO; the SOO itself is not part of the TO.

- Funding Document: ITS-SB Orders are funded by the RA. Individual OCOs should provide specific instructions as to the format and content.

Evaluation Criteria
All evaluation criteria must be identified and clearly explained in the TOR. The TOR must also describe the relative importance of the evaluation criteria. The OCO, in conjunction with the RA, may consider the following evaluation criteria (price or cost must be a factor in the selection criteria) to evaluate contractors' proposals:

Technical/management approach:
- Understanding of the requirement
- Technical and management approach
- Staffing plan (e.g., skill mix, personnel experience or qualifications and availability of personnel, performance location)
- Areas of expertise
- Past performance on prior TOs under this contract (e.g., approach, personnel, responsiveness, timeliness, quality, and cost control) (**NOTE**: If practicable, automated systems such as Past Performance Information Management System or Past Performance Information Retrieval System should be utilized in lieu of requesting past performance information from the contractors).
- Current distribution of workload
- Knowledge of the customer's organization
- Teaming arrangements (including subcontracting)
- Security (including clearance level)
- Performance-based approach
- Other specific criteria as applicable to the individual TO

Cost/Price
This part of the proposal will vary depending upon the contract type plan for the TO. It should include detailed cost/price amounts of all resources required to accomplish the TO (labor hours, rates, travel, etc.). The contractor may not exceed the labor rates specified in the Labor Rate Table, Section J, Attachment 1 of the MA ID/IQ contracts. However, the contractor is permitted to propose labor rates that are lower than those established in the Labor Rate Table. The contractor shall fully explain the basis for proposing lower rates. The proposed reduced labor rates will not be subject to audit; however, the rates will be reviewed to ensure the Government will not be placed at risk of nonperformance. The reduced labor rates will apply only to the respective TO and will not change the fixed rates in Labor Rate Tables. The level of detail required shall be primarily based on the contract type planned for use, as further discussed below.
- FFP and T&M. The proposal shall identify labor categories IAW the Labor Rate Tables and the number of hours required for performance of the task. The proposal must identify and justify use of all non-labor cost elements. It must also identify any government-furnished equipment (GFE) and/or government furnished information (GFI) required for task performance. If travel is specified in the TOR, airfare and/or local mileage, per diem rates by total days, number of trips, and number of contractor employees traveling shall be included in the cost/price proposal. Other information shall be provided as requested in the proposal request.
- CR. Both "sanitized" and "unsanitized" cost/price proposals will be required for CR-type TOs only. "Unsanitized" cost proposals are complete cost proposals that include

all required information. “Sanitized” cost proposals shall exclude all company proprietary or sensitive data but must include a breakdown of the total labor hours proposed and a breakout of the types and associated costs of all proposed ODCs. Unless otherwise noted, unsanitized proposals will only be provided to the OCO, while sanitized proposals may be provided to the evaluator(s) and other personnel involved in the procurement. Cost/price proposals shall include, at a minimum unless otherwise indicated in the TOR, a complete work breakdown structure that coincides with the detailed technical approach and provides proposed labor categories, hours, wage rates, direct/indirect rates, ODCs, and fees. CR proposals shall be submitted IAW FAR clause 52.215-20 “Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data.”

Cost/price proposals shall include, at a minimum unless otherwise indicated in the TOR, a complete work breakdown structure that coincides with the detailed technical approach and provides proposed labor categories, hours, wage rates, direct/indirect rates, ODCs and fees. CR proposals shall be submitted IAW FAR clause 52.215-20 “Requirements for Cost or Pricing Data or Information Other Than Cost or Pricing Data.”

Evaluation

If a “mini-competition” is being conducted, a panel of evaluators should be appointed to review the proposals submitted by ITS-SB vendors. For each non-price evaluation factor, the evaluators should identify strengths and weaknesses in the proposals and should assign an adjectival rating (e.g., outstanding, good, etc.) for each non-price factor. The evaluators’ findings should be documented in a written evaluation report. The price factor should be evaluated independently from the non-price factors. Individuals who are evaluating non-price aspects of the proposal should not have access to pricing information while performing their evaluations. Evaluations must be conducted fairly and IAW the selection criteria in the solicitation. After an initial evaluation of proposals, negotiations (discussions) may be held. Refer to FAR Part 15 for general guidance on the proper conduct of discussions.

Best Value Approach: Lowest Price Technically Acceptable (LPTA) or Trade-off

Using the LPTA process is appropriate when best value is expected to result from the selection of the technically acceptable TOP with the lowest evaluated price. The LPTA process will allow the user to evaluate the TOPs faster as the basis for award will be made on the lowest evaluated price meeting the acceptability standards for technical factor. State the amount of time that a TO requirement using LPTA should be completed.

When best value trade-off approaches are contemplated, the OCO should consider what is being traded off. For example, for requirements that are routine in nature but require considerable management emphasis to ensure effective and efficient operation under time and fiscal constraints, the Government might consider a trade-off between price and management approach.

Evaluations must be conducted fairly and IAW the selection criteria in the TOR. The OCO shall control all communications with Contractors. A competitive range decision is not required prior to conducting communications, nor must the OCO conduct communications with each Contractor. Upon determination of the apparent TO awardee, the OCO may conduct negotiations to finalize order terms, conditions, and price/cost.

Award

Once evaluations are completed, an authorized selection official must make an award decision and document the rationale for his/her decision. Prior to making a decision, copies of all evaluations must be forwarded to the selection official for his/her review and

consideration. Attachment 10 is an example of the selection recommendation document. The form is signed by the selection official and forwarded to the OCO. This form can also be used to document an exception to the fair opportunity requirements.

At a minimum, the following information shall be specified in each TO awarded:

- Date of order
- POC (name), commercial telephone and fax numbers, and e-mail address
- OCOs commercial telephone number and e-mail address
- Description of the services to be provided, quantity unit price and extended price, or estimated cost and/or fee (TO INCLUDE THE CLIN FROM PART B). The work statement should be attached; the contractor's proposal may be incorporated by reference.
- Delivery date for supplies
- Address and place of performance
- Packaging, packing, and shipping instructions, if any
- Accounting and appropriation data and Contract Accounting Classification Reference Number (ACRN) (Defense Finance and Accounting Service requires an ACRN(s) on all orders.)
- Specific instructions regarding how payments are to be assigned when an order contains multiple ACRNs
- Invoice and payment instructions
- Any other pertinent information

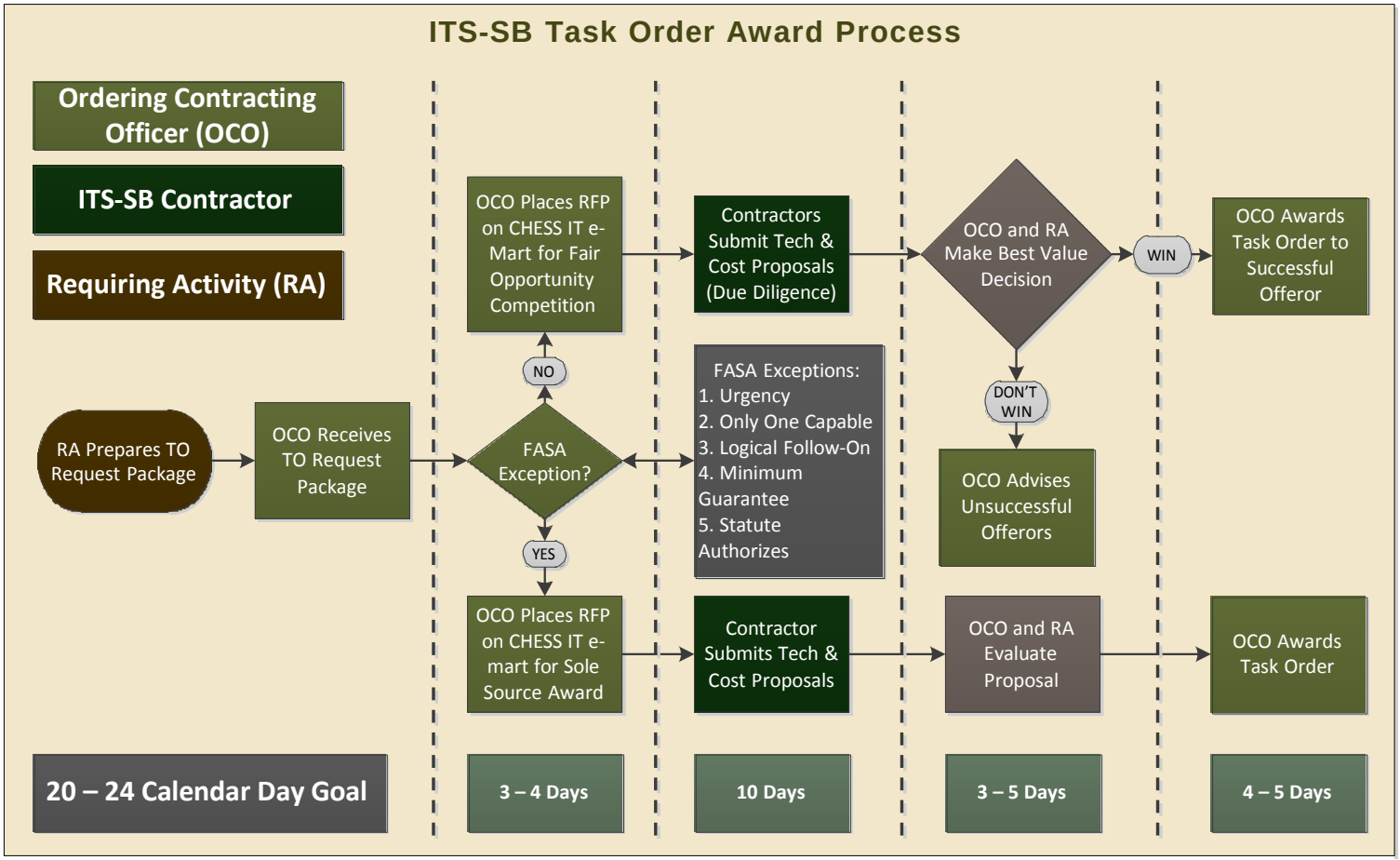
IAW 10 U.S. Code § 2304c(d) and FAR 16.505(a)(10), the ordering agency's award decision on each order is generally not subject to protest under FAR Subpart 33.1 except for a protest that an order increases the scope, period, or maximum value of the contract. In lieu of pursuing a bid protest, ITS-SB contractors may seek independent review by the designated Ombudsman. The Ombudsman will review complaints from the contractors and ensure that all contractors are afforded a fair opportunity to be considered for each order, consistent with the procedures in the contract. The designated Ombudsman is identified in Chapter 2, paragraph 7, of these guidelines.

The executed order will be transmitted via fax, e-mail, or by verbal direction from the OCO. If verbal direction is given, written confirmation will be provided within five working days.

After award, timely notification shall be provided to the unsuccessful offerors and will identify, at a minimum, the awardee and award amount.

Post Award Payment Process Flow

ITS-SB TO award process is illustrated below:



Post Award Debriefing

The ordering contract officer is required under FAR Part 16.505 to provide notifications to unsuccessful offerors. Under 10 USC 2304a, unsuccessful offerors in competitions for TOs exceeding $5 million have the right to a post-award debriefing if they meet certain request deadline requirements. The deadline requirements can be found in FAR 15.506(a)(1). Under FAR 15.506(a)(4), untimely debriefing requests may be accommodated, and 15.506 is not limited to unsuccessful offerors. Timely requests for a post-award debriefing for TOs meeting the threshold above must be honored, and their debriefings must meet the requirements of FAR 15.506. The debriefings may be provided orally, in writing or by any other method deemed appropriate. A best practice is to provide debriefings in writing.

Also, OCOs are encouraged to provide debriefings to untimely offerors under competitions exceeding $5 million and to offer a debriefing to all other offerors under TO competitions, even those valued below the mandatory threshold described above. Non-mandatory debriefings should follow all of the requirements in FAR 15.506(d), (e), and (f). Debriefings may be done orally, in writing, or by any method acceptable to the OCO.

11. EVALUATION OF CONTRACTOR'S TASK ORDER PERFORMANCE

Section G.4 of the contract requires that, at TO completion, the contractor submit a request for a performance evaluation to the Order COR or his/ her designated representative. The

Order COR or his/her designated representative shall complete these evaluations for each TO, regardless of dollar value, within 30 days of completion. Performance evaluations shall also be completed annually for orders that have a performance period in excess of one year. Annual performance evaluations shall be completed within 30 days of TO renewals. Performance evaluations may also be done as otherwise considered necessary throughout the duration of the order (but generally no more than quarterly). The performance evaluations will be located on the CHESS IT e-mart at: https://chess.army.mil/Content/Page/SRV_ITSSB_EVL

ATTACHMENT 1 EXAMPLE

ITS-SB TASK ORDER REQUEST CHECKLIST and INSTRUCTIONS

This form constitutes a request for contract support under the ITS-SB contracts. The Requiring Activity (RA) shall complete this form, together with the associated attachments, and forward the entire package to the appropriate Ordering Contracting Officer (OCO) for processing.

1. Task Order (TO) Title.

2. RA Point of Contact. Include name, title, organization, commercial and DSN phone numbers for voice and fax, and e-mail address:

3. Designated Order Contracting Officer Representative (COR). Include name, title, organization, commercial and DSN phone numbers for voice and fax, and e-mail address (If same as block 2, type "same"):

4. Attachments Checklist. Complete package must include the following items. Send files electronically via e-mail or fax to the OCO.

- ☐ Work Statement (check one)
  - ☐ Statement of Work
  - ☐ Performance Work Statement includes Quality Assurance Surveillance Plan
  - ☐ Statement of Objectives
- ☐ Funding Document(s) (scanned or other electronic version is preferable)
- ☐ Independent Government Cost Estimate
- ☐ Proposal Evaluation Plan Bundling Determination (if needed)
- ☐ Consolidation Determination (if needed)
- ☐ Justification for Work Statement that is not Performance-Based
- ☐ TO unique Defense Department Form 254 (only if security requirements)

5. TO Information

Contract Type (check one) Time & Materials (T&M) and Cost Reimbursement (CR) contract types require justification in accordance with (IAW) Federal Acquisition Regulation (FAR) (the ordering contracting officer makes the final determination of which order type is in the best interest of the government).

- ☐ Firm Fixed Price (no justification required)
- ☐ CR (provide justification in the box, below)
- ☐ T&M (provide justification in the box, below)

Federal Acquisition Streamlining Act (FASA) Exception. If you are citing a FASA exception to fair opportunity competition, designate which one below with a justification.

FASA Exception Justification:

- ☐ The agency need for services is of such urgency that providing such opportunity would result in unacceptable delays.
- ☐ Only one such contractor is capable of providing services required at the level of quality required because they are unique or highly specialized.
- ☐ The order should be issued on a sole-source basis in the interest of economy and efficiency as a logical follow-on to an order already issued under this contract, provided that all ITS-SB contractors were given a fair opportunity to be considered for the original order.
- ☐ A statue expressly authorizes or requires that the purchase be made from specified source.

6. Order COR Training Certification:

Army Order CORs are required to have COR training prior to appointment IAW paragraph 1.7 of the Army Contracting Command (ACC) Acquisition Instruction. Appendix A of the ACC Acquisition Instruction contains a list of ACC-approved training courses. Refer to: https://arc.army.mil/COR/CORHandbooks_SelfServe.aspx

Order COR Training Certification Date:

ATTACHMENT 2

PEFORMANCE-BASED SERVICE ACQUSITION

1. GENERAL

Performance-Based Service Acquisition (PBSA) is the preferred method of contracting for services and supplies. PBSA means an acquisition structured around the results to be achieved as opposed to the manner by which the work is to be performed. Essential elements of PBSA include: (1) performance requirements, expressed in either a performance work statement (PWS) or statement of objectives (SOO). Performance requirements should be described in terms of what the required output is and should not specify how the work is to be accomplished; (2) Performance standards or measurements, which are criteria for determining whether the performance requirements are met; (3) Appropriate performance incentives, either positive or negative; and (4) A surveillance plan that documents the government's approach to monitoring the contractor's performance. These elements are discussed further below.

2. POLICY

Federal Acquisition Regulation (FAR) 37.102 has established the policy to use a PBSA approach, to the maximum extent practicable, for all services. Services exempted from this policy are: architect-engineer, construction, utility, and services that are incidental to supply purchases. Use of any other approach has to be justified to the ordering contacting officer. For Defense agencies, Defense Federal Acquisition Regulation Supplement 237.170-2 requires higher-level approval for any acquisition of services that is not performance-based.

3. CONTRACT TYPE

The order of precedence set forth in FAR 37.102(a)(2) must be followed for all Task Orders (TOs). It is:

- A Firm Fixed Price (FFP), performance-based contract or TO.
- A performance-based contract or TO that is not FFP.
- A contract or TO that is not performance-based. Requiring activities should use the contract type most likely to motivate contractors to perform at optimal levels. FFP is the preferred contracting type for PBSA. Work statements should be developed in sufficient detail to permit performance on a fixed-price basis.

4. PERFORMANCE WORK STATEMENTS

The PWS identifies the technical, functional, and performance characteristics of the government's requirements. The PWS describes the work in terms of the purpose of the work to be performed rather than either how the work is to be accomplished or the number of hours to be provided. The format for the PWS is similar to the traditional statement of work. In addition, the PWS will include performance standards, incentives, and a Quality Assurance Surveillance Plan (QASP):

Performance Standards/Metrics

Reflects level of service required by the government to meet performance objectives. Standards may be objective (e.g., response time) or subjective (e.g., customer satisfaction). They must also:

- Use commercial standards where practicable, e.g., ISO 9000
- Ensure the standard is needed and not unduly burdensome

- Must be measurable, easy to apply, and attainable

If performance standards are not available, the PWS may include a requirement for the contractor to provide a performance matrix, as a deliverable, to assist in the development of performance standards for future TOs.

Performance Incentives
Incentives may be positive or negative, monetary or non-monetary.

NOTE: if a financial incentive is promised, ensure that adequate funds are available at time of TO award to pay incentives that may be earned.

Examples of monetary incentives include:
- Incentive fees
- Share-in-savings
- A negative incentive can be included if the desired results are not achieved (deduction should be equal to the value of the service lost).

Examples of non-monetary incentives include:
- Revised schedule
- Positive performance evaluation
- Automatic extension of contract term or option exercise
- Lengthened contract term (award term contracting) or purchase of extra items (award purchase)

QASP
The QASP is a plan for assessing contractor performance to ensure compliance with the government's performance objectives. It describes the surveillance schedule, methods, performance measures, and incentives.
- The level of surveillance should be commensurate with the dollar amount, risk, and complexity of the requirement
- Don't inspect the process, just the outputs
- QASP is included as part of the PWS

A PWS sample format, including a QASP, is provided as Attachment 4.

5. SOO

The SOO is an alternative to the PWS. It is a very brief document (commonly two to 10 pages, depending upon complexity, although there is no maximum or minimum length) that summarizes key agency goals and outcomes to which contractors respond. It is different from a PWS in that, when a SOO is used, offerors are asked to develop and propose a PWS as part of their solution. Typically, offerors would also propose a technical approach, performance standards, incentives/disincentives, and a QASP based upon commercial practices. At a minimum, a SOO must contain the following information:
- Purpose
- Scope or mission
- Period and place of performance
- Background
- Performance objectives (i.e., required results)
- Any operating constraints

Upon award, the winning offeror's solution to the SOO should be incorporated into the resulting TO. The SOO itself is not part of the TO.

A SOO sample format is provided as Attachment 5.

ATTACHMENT 3

FORMAT FOR STATEMENT OF WORK EXAMPLE

See FAR Part 37, Subpart 37.602-1

ATTACHMENT 4

FORMAT FOR PERFORMANCE WORK STATEMENT EXAMPLE

See FAR Part 37.602

ATTACHMENT 4A

QUALITY ASSURANCE SURVEILLANCE PLAN EXAMPLE

See FAR Part 46, Subpart 46.4

ATTACHMENT 5

STATEMENT OF OBJECTIVES EXAMPLE

FAR Part 37, Subpart 37.602

ATTACHMENT 6

ITS-SB PROPOSAL TASK ORDER EVALUATION PLAN EXAMPLE

BASIS OF EVALUATION

(Check One):

- ☐ Best Value Trade-Off
- ☐ Lowest Price, Technically Acceptable

Non-Price Factors

Note: Describe the relative weight of each evaluation factor compared with the other evaluation factors. For example, the evaluation factors may all be approximately equal in importance, or one factor may be more important than others.

List the specific areas of your technical/management requirements to be evaluated. These areas should correspond with, and relate to, specific requirements.

1. Technical/Management Approach

List the specific areas of your past performance requirements to be evaluated.

2. Past Performance

These areas should relate to specific work statement requirements.

3. Other Factors (if applicable).

List any other evaluation criteria important to you and the associated weights below.

Price Factors

Adjectival ratings (e.g., outstanding, good, etc.) are assigned to corporate experience, technical/ management approach and any other non-price criteria for which you may want to evaluate contractor proposals. Note that balancing price against the non-price factors is how you make

your best value trade-off decision, and, as a result, a rating is not assigned to the price factor. Indicate whether all non-price evaluation factors, when combined are:

- ☐ Significantly more important than the price factor
- ☐ More important than the price factor
- ☐ Comparatively equal to the price factor
- ☐ Less important than the price factor
- ☐ Significantly less important than the price factor

ATTACHMENT 7 ITS-SB ACRONYMS

Below is a list of acronyms pertinent to the ITS-SB ordering guide:

- ACC - Army Contracting Command
- ACC-RI - Army Contracting Command - Rock Island
- ACRN - Accounting Classification Reference Number
- AFARS - Army Federal Acquisition Regulation Supplement
- CHESS - Computer Hardware Enterprise Software and Solutions
- CLINs - Contract Line Items
- CMR - Contractor Manpower Reporting
- CONUS - Continental United States
- COR - Contracting Officer Representative
- COTS - Commercial Off-the-Shelf
- CR - Cost Reimbursement
- DD - Department of Defense
- D&F - Determination and Findings
- DFARS - Defense Federal Acquisition Regulation Supplement
- DOD - Department of Defense
- DOD ESI - Department of Defense Enterprise Software Initiative
- ESI - Enterprise Software Initiative
- FAE - Functional Area Expert
- FAR - Federal Acquisition Regulation
- FASA - Federal Acquisition Streamlining Act
- FFP - Firm Fixed Price
- FY - Fiscal Year
- GAO - Government Accountability Office
- GFE - Government Furnished Equipment
- GFI - Government Furnished Information
- HCA - Head of the Contracting Activity
- IAW - In Accordance With
- ID/IQ - Indefinite Delivery/Indefinite Quantity
- IT - Information Technology
- ITS-SB - Information Technology Services-Small Business
- LPTA - Low Price Technically Acceptable
- MA ID/IQ - Multiple Award Indefinite Delivery/Indefinite Quantity
- NDAA - National Defense Authorization Act
- ODC - Other Direct Charges
- PARC - Principle Assistant Responsible for Contracting
- PBSA - Performance-Based Service Acquisition
- PCO- Procuring Contracting Office
- POC - Point of Contact
- PWS - Performance Work Statement

- QASP - Quality Assurance Surveillance Plan
- RA - Requiring Activity
- RFP - Request for Proposal
- SME - Subject Matter Expert
- SoNA - Statement of Non Availability
- SOO - Statement of Objectives
- SOW - Statement of Work
- SRD - Selection Recommendation Document
- T&M - Time and Materials
- TO - Task Order
- TOPs - Task Order Proposals
- TOR - Task Order Request