



Technical Evaluation Committee Chairperson Guide and Template

A Mandatory Reference for ADS Chapter 300

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TECHNICAL EVALUATION COMMITTEE
CHAIRPERSON GUIDE AND TEMPLATE

BUREAU FOR MANAGEMENT (M)
OFFICE OF ACQUISITION AND ASSISTANCE
TEMPLATES SERIES

MAY 2012

Introduction

The purpose of this document is to familiarize you with the responsibilities of the chairperson leading a technical evaluation team. The technical evaluation process is an analysis of each offeror's proposal with respect to the standards and criteria established in the source selection plan, and as set forth in the solicitation. The TEC Chairperson is the overall manager of the TEC and acts as the interface to the Source Selection Authority/Contracting Officer (SSA/CO) during the evaluation process and is responsible for the activities necessary to conduct and document the evaluation process. The individual assigned to be the Chairperson should have a thorough understanding of the requirement and be able to provide technical guidance and insight to the SSA/CO regarding the Agency's program objectives. The Chairperson should be selected early in the acquisition planning cycle and is a major player throughout development of the strategy and documents to be used before, during, and after source selection.

In order to obtain a comprehensive understanding of the evaluation process you should also review the following guidance: *Source Selection Plan Guidance and Template*, *Technical Evaluation Committee Member Guide and Template*, *Technical Evaluation Committee Process Instruction Guide and Template*, *Cost Realism Analysis Key Components Guidance*, and *Harmonization Guidance Sections C (SOW), L & M*.

Audience

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| <input type="checkbox"/> Agreement Officer | <input type="checkbox"/> Agreement Officer's Representative |
| <input checked="" type="checkbox"/> Contracting Officer | <input checked="" type="checkbox"/> Contracting Officer's Representative |
| <input checked="" type="checkbox"/> Contract Specialist | <input type="checkbox"/> Program Analyst/Activity Manager |
| <input type="checkbox"/> Agreement Specialist | <input type="checkbox"/> Budget Officer |
| <input checked="" type="checkbox"/> Technical Evaluation Committee | |

Acronyms

CO	Contracting Officer
COR	Contracting Officer Representative
CRB	Contract Review Board
CR	Competitive Range
CTO	Cognizant Technical Office
FAR	Federal Acquisition Regulation
GC	Office of the General Counsel
IQC	Indefinite Quantity Contract
OAA	Office of Acquisition and Assistance
OSDBU	Office of Small and Disadvantaged Business Utilization

RFP	Request for Proposal
SSA	Source Selection Authority
SSP	Source Selection Plan
TEC	Technical Evaluation Committee

Key Roles and Responsibilities

Source Selection Authority (SSA) is the individual designated to make the best-value decision. The SSA is the CO unless another individual has been designated in writing by the appropriate authority. The CO decision shall be based on a comparative assessment of proposals against all source selection criteria in the solicitation. While the CO may use reports and analyses prepared by others, the source selection decision shall represent the CO's independent judgment.

Contracting Officer (CO) is responsible for coordinating with the Activity Manager to define the acquisition requirements, entering into, administering, and terminating USAID-direct contracts in accordance with the limitations of their delegated authority, policy directives, and required procedures.

Technical Evaluation Committee (TEC) Chairperson is responsible for the overall management of the TEC, can also be an evaluator, and act as the TEC's interface to the CO. The TEC chairperson is responsible for ensuring the adequacy of documentation and the team's evaluation of the proposals received.

Contracting Officer's Representative (COR) is designated by the Contracting Officer, and is responsible for the technical oversight and administration of the activity during contract performance.

Contract Review Board (CRB) is often comprised of Contracting Officers, members from Evaluation and Policy Divisions (M/OAA) and when required, a representative of Office of the General Counsel. The CRB is responsible for reviewing documentation for acquisition actions (pre-solicitation, competitive range determination, and pre-award) that are expected to exceed \$25M. This includes basic Indefinite Quantity Contracts (IQCs) with the total estimated ceiling expected to exceed \$25M for single or multiple awards.

General Counsel (GC) is responsible for advising the CO and TEC on legal issues relating to the source selection process.

Definitions

Below are definitions of terms used to describe different elements in the offerors proposals. These definitions are drawn from the FAR Part 15. Pay careful attention to the distinctions, e.g., a *weakness* is *not required* to be shared during discussions with offerors, however, *significant weaknesses* are *required* to be shared.

Significant Strengths	An outstanding, or exceptional aspect of an Offeror’s proposal that has merit and exceeds the specified performance or capability requirements in a way beneficial to the USAID, and either will be included in the contract or is inherent in the Offeror’s process and greatly increases the likelihood of successful performance.
Strengths:	An aspect of the proposal that increases the likelihood of successful contract performance.
Clarification:	Limited exchanges between the Government and Offerors that may occur when award without discussions is contemplated. Offeror may be given the opportunity to clarify certain aspects of the proposal (e.g., the relevance of an Offeror’s past performance information and adverse past performance information to which the Offeror has not previously had an opportunity to respond) or to resolve minor or clerical errors. Clarification does not give the Offeror an opportunity to revise or modify its proposal, except to the extent that corrections of apparent clerical mistakes result in a revision. Clarifications do not require “discussions” or submission of another proposal. The Contracting Officer controls all clarifications and discussions with the Offerors.
Deficiency:	A material failure of a proposal to meet a Government requirement or a combination of significant weaknesses in a proposal that increases the risk of unsuccessful contract performance to an unacceptable level.
Deviation:	An Offeror’s proposal implies or specifically offers a deviation below specified criteria. The Offeror may or may not have called the deviation to the Government's attention. The technical reviewers will identify deviations. The contract normally can't be awarded with deviations. A deviation is also known as a material deficiency.
Discussions:	Exchanges between the Government and offerors for the purpose of identifying to the offeror’s significant weaknesses, deficiencies, and other aspects of the proposal that could, in the opinion of the contracting officer, be altered or explained to enhance materially the proposal's potential for award.

Weakness:	A flaw in the proposal that increases the risk of unsuccessful contract performance. A SIGNIFICANT WEAKNESS is a flaw in the proposal that appreciably increases the risk of unsuccessful contract performance. All significant weaknesses discovered will be identified to the Offeror during discussions, if conducted, and in any debriefing after award has been made. The Contracting Officer may not award a contract to any Offeror who fails to correct significant weaknesses that are deemed essential.
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Guidance

The TEC Chairperson (with support from the CO and TEC members) provides continuing support throughout four phases of the source selection process: (1) Evaluation process; (2) Consensus scoring; (3) TEC Report development; and (4) Debriefing phases.

Prior to convening a meeting with the TEC members, the following activities need to be completed:

The CO convenes a Technical Evaluation “Kickoff” meeting with the TEC. The purpose of this meeting is to provide an overview at the beginning of the principles that when followed maintain the integrity of the evaluation process.

During the evaluation process, each team member develops a score or rating and supportive narratives for each proposal using the evaluation factor shown in the solicitation. The Chairperson consolidates the scores/rating for each proposal into a consensus score. This information is captured in the technical evaluation report.

Below is a description of the Chairperson’s responsibilities during the evaluation and consensus scoring phase of the process.

A. Evaluation Phase – the Chairperson:

- a. Provides for day-to-day management of the TEC;
- b. Responsible for advising the SSA/CO when he/she becomes aware that someone on the TEC has any relationship, or financial interest in any of the offerors, or other potential conflict of interest.
- c. Responsible for ensuring each TEC member has signed and dated procurement integrity documents (Non-Disclosure form – Table 6 and Conflict of Interest form – Table 7) before allowing them access to the proposals;
- d. Remind evaluators that they may not discuss ratings with anyone outside of the TEC;
- e. Ensures proper conduct and completion of work assignments during the evaluation proceedings without exercising any undue influence on individual members’ technical reviews;

- f. Holds consensus meeting as necessary to discuss areas such as widely divergent scores for determining the competitive range and award recommendation;
- g. Provides guidance, in accordance with the CO's instructions on the evaluation process, on how to evaluate proposals, specifies the sequence of evaluating the proposals and seeks advice from the CO when needed;
- h. Resolves conflicting interpretations of requirements and solicitations provisions;
- i. Assist TEC members, as appropriate and periodically monitor the progress of evaluators to ensure that evaluations are completed in a timely manner;
- j. Ensures members evaluate each offeror's proposal independently and do not compare offeror's proposals as they progress through the reviews;
- k. Makes sure each evaluator uses the provided templates in annotating Clarification Requests and Deficiency Reports including on the template references from both the RFP and proposal;
- l. Ensures each member documents the strengths and weaknesses of the proposal following the evaluation factors contained within the solicitation; and
- m. Ensures each evaluator is providing narratives and rationale for ratings and that the ratings being assigned are consistent with their narratives.

When the team members have completed their individual reviews the Chairperson must convene a meeting to obtain agreement on a consensus rating for each evaluation factor in each offerors proposal when there is a large disparity in individual scores. TEC member consensus meetings may occur as often as the TEC Chairman believes is necessary, but usually they occur twice at a minimum.

B. Consensus Phase – the Chairperson:

- a. Upon completion of the Initial and Final individual evaluations, arranges for the evaluators to conference and discuss the evaluation factors in the context of their ratings, risks, and rational for their rating;
- b. Acts as arbitrator in the event of disagreements between the evaluators;
- c. Emphasizes the importance of reaching consensus, however when consensus cannot be reached ensures the dissenting opinion evaluator has the freedom to prepare a minority opinion for inclusion the summary report;
- d. After arriving at the final consensus for the technical score the Chairperson will ensure the team conducts cost realism analysis. When award is based on the highest technical score and the TEC is recommending an award to the offeror with a lower score but higher cost the Chairperson must ensure the team conducts a cost technical tradeoff analysis to be included in the final TEC report. The analysis should state why it is more advantageous to the government to award the higher cost offer over the highest technical offer.

- e. Prepare a memorandum (for Initial and Final – See Table 2) to the CO documenting consensus has been reached or the reason for not reaching a consensus.

The Chairperson prepares a TEC report for each of the two stages of the evaluation process. The two stages are

Stage one: TEC Report, resulting from the team’s initial review, to the Contracting Officer that identifies those offerors most qualified to receive an award and those that should no longer be considered for an award this is called the competitive determination.

Stage two: TEC Report that documents final consensus scores and narratives and a recommends to the SSA/CO the organization to which they want to give the award.

Following the steps below gives credence to TEC reports.

- C. Report Phase – the Chairperson:
 - a. Review evaluation forms from each evaluator on each offeror;
 - b. Verify that all members of the TEC have strictly adhered to the evaluation factors set forth in the solicitation and ensure accuracy of scores, ratings, narratives, etc.
 - c. Based on collective evaluation forms from the TEC, consolidate rating summaries for each offeror for review by the CO;
 - d. Prepare an overall narrative summary for each offeror and complete the TEC Report in support of a Competitive Range (CR) decision (when opening discussions the report may include the TEC’s negotiation position) or the Award decision without discussion for submission to the SSA/CO for review;
 - e. Prepares the SSA briefing summarizing the strengths and weaknesses of the various proposals, and if requested, provide an award recommendation with narrative supporting statement;
 - f. As part of the Final Report, include a TEC Cost Technical Tradeoff Analysis and submit to the Contracting Officer with cover memorandum.

Unsuccessful offerors are entitled to a debriefing in which they can request their ranking in the overall competition and receive information on the strengths and weaknesses of their proposals. These debriefings should be constructive and advise the offerors how they could improve their proposals in the future.

Prior to Preaward or Postaward debriefing, the CO convenes a meeting with the TEC Chairperson and others TEC members as designed by the Chairperson to establish requirements and guidelines for debriefings, such as the confidentiality of those serving on the TEC, point-by-point comparison of offers, privileged or confidential information including cost breakdowns. Nondisclosure information differs in a Preaward versus Postaward debriefing (See FAR 15.505 and 15.506 respectively).

As a best practice, offerors requesting debriefing are requested to submit questions prior to the debriefing.

D. Debriefing Phase – the Chairperson:

- a. Provides support to the CO during both pre and post award debriefings;
- b. Assists the CO in arranging for a suitable location for debriefings to occur;
- c. Provides assistance to the CO in drafting rationale for excluding the offeror from competition (preaward and postaward);
- d. In cooperation with the CO, develops a list of the significant weaknesses or deficiencies in the offeror's proposal, if applicable;
- e. Assists the CO in preparation of overall evaluated price (including unit price) and technical ratings of the successful offeror as well as overall ranking of all offerors, when ranking was developed;
- f. Attends the debriefing in support of the CO;
- g. Assists the CO, when requested, in providing reasonable responses to offeror questions; and
- h. Assist the CO in documenting proceedings from each offeror debriefing.

E. Tools

Tables 1-7 in this document are provided as tools for the Chairperson to use during the evaluation process. The Chairperson can use these tools to capture the information for the technical evaluation report.

**TECHNICAL EVALUATION COMMITTEE
CHAIRMAN SUMMARY TEMPLATES**

Table 1: Summary Project Description - *(Sample – Table 1 - Modify, add or delete items as necessary.)*

Table 1 - Project Name: Click here to enter text.		
RFP/TO/ No.: Click here to enter text.	Issue Date: Click here to enter a date.	IGCE Est.: \$ Click here to enter text.
Narrative Description of the Project: Click here to enter text.		

Table 2: Summary Chronology of Technical Evaluation Events – *(Sample – Table 2 - Modify, add or delete items as necessary.)*

Table 2 – SUMMARY CRONOLOGY OF EVENTS		
PROJECT NAME: Click here to enter text.	Solicitation No.: Click here to enter text.	
EVENT	DATE	
	Scheduled	Actual
SSA/CO Evaluation Team “Kickoff” Meeting	Click here to enter a date.	Click here to enter a date.
TEC Evaluation Start	Click here to enter a date.	Click here to enter a date.
Oral Presentations (If required)	Click here to enter a date.	Click here to enter a date.
Decision to Open/Not Open Discussions	Click here to enter a date.	Click here to enter a date.
Competitive Range Determination	Click here to enter a date.	Click here to enter a date.
Acquisition & Assistant Review Board Review	Click here to enter a date.	Click here to enter a date.
Pre-Award Debriefings (If required)	Click here to enter a date.	Click here to enter a date.
Discussions (If Opened)	Click here to enter a date.	Click here to enter a date.
Preliminary TEC Report	Click here to enter a date.	Click here to enter a date.
Request for Final Proposals (If required)	Click here to enter a date.	Click here to enter a date.
Final Proposals Received (If required)	Click here to enter a date.	Click here to enter a date.
Final Individual Evaluator Evaluation	Click here to enter a date.	Click here to enter a date.
TEC Consensus Complete	Click here to enter a date.	Click here to enter a date.
Final TEC Report	Click here to enter a date.	Click here to enter a date.
Contract Review Board	Click here to enter a date.	Click here to enter a date.

Table 2 – SUMMARY CRONOLOGY OF EVENTS		
TEC Report Briefing to Sr. Mgt. (If required)	Click here to enter a date.	Click here to enter a date.

Table 3: Summary Comparison of Offeror Overall Consensus Ratings - (Sample Table 3 - Modify, add or delete items as necessary.)

Table 3 – Summary Comparison of Offers Overall Consensus Ratings	
Offeror	Overall Consensus Rating
Offeror 1: Click here to enter text.	Choose an item.
Offeror 2: Click here to enter text.	Choose an item.
Offeror “n”: Click here to enter text.	Choose an item.

Table 4: Summary Evaluator and Overall Consensus Rating – (Sample –Table 4- using adjectival ratings – Modify, add or delete items as necessary the information/table to accommodate numerical, etc. as required)

Table 4 - Summary Evaluator & Overall Consensus Rating				
OFFEROR	EVALUATOR Name	FACTORS		Overall Consensus Rating
		Technical Rating	Past Performance Rating	
Offeror #1: Click here to enter text.	#1 Click here to enter text.	Choose an item.	Choose an item.	Choose an item.
	#2 Click here to enter text.	Choose an item.	Choose an item.	
	#3 Click here to enter text.	Choose an item.	Choose an item.	
Offeror #2: Click here to enter text.	#1 Click here to enter text.	Choose an item.	Choose an item.	Choose an item.
	#2 Click here to enter text.	Choose an item.	Choose an item.	
	#3 Click here to enter text.	Choose an item.	Choose an item.	
Offeror “n”: Click here to enter text.	#1 Click here to enter text.	Choose an item.	Choose an item.	Choose an item.
	#2 Click here to enter text.	Choose an item.	Choose an item.	
	#3 Click here to enter text.	Choose an item.	Choose an item.	

Table 5: Summary Consensus Overall Offeror Technical Evaluation Findings – (Sample Table 5 - Modify, add or delete items as necessary.)

Table 5 - Summary Consensus Overall Offeror Technical Evaluation Findings	
Offeror “n”: Click here to enter text.	
Rating Information	
FACTOR “n”: Choose an item.	OVERALL RATING: Choose an item.
Subfactor “n”: Click here to enter text.	Consensus Rating: Choose an item.
Subfactor “n”: Click here to enter text.	Consensus Rating: Choose an item.
Subfactor “n”: Click here to enter text.	Consensus Rating: Choose an item.
<u>RATIONAL for OVERALL RATING:</u> Click here to enter text.	
<u>STRENGTHS:</u> Click here to enter text.	
<u>WEAKNESSES:</u> Click here to enter text.	
<u>DEFICIENCIES:</u> Click here to enter text.	
<u>RISK:</u> Click here to enter text.	

Table 6: Non-Disclosure Form

Table 6 - Non-Disclosure Form	
Name:	Organization:
Source Selection Name:	RFP Number:
<p>1. I acknowledge that I have assigned to the source selection indicated above. I have been briefed orally by _____ and as such, am knowledgeable of Subsection 27 of the Office of Federal Procurement Policy (OFPP) Procurement Integrity Act, 41 U.S.C., Section 423, and FAR 3.104. I am aware that unauthorized disclosure of source selection or proprietary information could damage the integrity of this procurement and that the transmission or revelation of such information to unauthorized persons could subject me to prosecution under the Procurement Integrity Laws or under other applicable laws.</p> <p>2. I do solemnly swear or affirm that I will not divulge, publish, or reveal by word, conduct, or any other means, such information or knowledge, except as necessary to do so in the performance of my official duties related to this source selection and in accordance with the laws of the United States, unless specifically authorized in writing in each and every case by the Contracting Officer or duly authorized representative of the United States Government. I take this obligation freely, without any mental reservation or purpose of evasion and in the absence of duress.</p> <p>3. I acknowledge that the information I receive will be given only to persons specifically granted access to the source selection information and may not be further divulged without specific prior written approval from an authorized individual.</p> <p>4. If, at any time during the source selection process, my participation might result in a real, apparent, possible, or potential conflict of interest, I will immediately report the circumstances to the Source Selection Authority/Contracting Officer.</p>	
<p><input type="checkbox"/> Check if applicable: I am a non-government employee. I have signed a proprietary information non-disclosure agreement that has been included in the contract between my firm and the government that precludes me from divulging any proprietary data to which I may gain access during the source selection. I have submitted (or will submit) a Conflict of Interest Statement and documentation to the Contracting Officer indicating my personal stock holdings prior to accessing source selection information.</p>	
Signature:	Date: Click here to enter a date.
Debriefing Certificate	
<p>I have been debriefed orally by _____ as to my obligation to protect all information to which I have had access during this source selection. I no longer have any material pertinent to this source selection in my possession except material that I have been authorized in writing to retain by the Source Selection Authority/Contracting Officer. I will not discuss, communicate, transmit, or release any information orally, in writing, or by any other means to anyone after this date unless specifically authorized to do so by a duly authorized representative of the United States Government.</p>	
Signature:	Date: Click here to enter a date.

Table 7: Conflict of Interest Form

Table 7 – Conflict of Interest Form	
Source Selection Name: Click here to enter text.	RFP Number: Click here to enter text.
Please review the list of prime contractors and their subcontractors who are offering proposals in response to the Request for Proposal for the source selection identified above with the Contracting Officer. After reviewing the list, check the appropriate boxes, fill in the information requested, and sign.	
<input type="checkbox"/> I certify that neither I nor my immediate family, to the best of my knowledge, possess any financial interest whatsoever in any company, parent or subsidiary, which is proposing on the acquisition identified above now being considered by the Technical Evaluation Committee (TEC) of which I am a member or advisor. Should any company in which I or my immediate family has a financial interest submit a proposal to my source selection team, I will reveal immediately such interest to the TEC Chairperson and Contracting Officer.	
or	
<input type="checkbox"/> I do possess a financial interest in a company that is proposing on or is in a way involved in the acquisition identified above now being considered by the TEC of which I am a member or advisor. (If you have checked this box, please provide a description of your financial interest on the reverse side of this form.)	
I further acknowledge my obligation to disclose any friendships; family or social relationships; past, present, or planned employment relationships, or any other type of relationship, such as housing or transportation arrangements which might be perceived as compromising my independent judgment in connection with the Source Selection. (Please, make any disclosures on the reverse of this form.)	
Name (print): Click here to enter text.	
Organization: Click here to enter text.	Phone: Click here to enter text.
Signature: Click here to enter text.	Date: Click here to enter a date.