

TITLE: CIB 96-17 - Contractor Past Performance Evaluations

May 30, 1996

MEMORANDUM FOR ALL CONTRACTING OFFICERS AND NEGOTIATORS

FROM: M/OP/OD, Marcus L. Stevenson, Procurement Executive

SUBJECT: Contractor Past Performance Evaluations

CONTRACT INFORMATION BULLETIN 96-17

This CIB revises and updates Part 1 of CIB 95-17 regarding the use of past performance information in source selection. The purpose of this CIB is to standardize the way information is requested of the offeror for use in responsibility determinations and best value decisions.

Until such time as the government past performance databases are operational, a list, provided by the offeror, will be used to collect information on contractor performance. A solicitation document, however, may require only one list of contracts and subcontracts for the purpose of obtaining information on past performance. This information will be used in making responsibility determinations and best value judgments as is required by FAR parts 9 and 15.

The provision on Requirement for Past Performance References (AIDAR 752.209-70) is being modified. Until such time, the use of this AIDAR provision as set forth in the AIDAR and CIB 95-17 is hereby suspended.

Policy: The Agency shall use past performance information in making both responsibility determinations and best value decisions in all competitively negotiated acquisitions with a total estimated cost (TEC) in excess of \$500,000.

Obtaining Information: Section L of all solicitations shall require offerors to submit a list of all current contracts and subcontracts, and those completed within the last three years that are similar in size, scope, and complexity to the statement of work in the solicitation. The list shall be submitted as part of the offeror's technical proposal. The list will serve as the basis for conducting reference checks on contractor past performance.

There are two options for conducting the reference checks. One is for the Agency to do the reference checks internally. The other is to have a commercial firm do the reference checks. Either option may be used but not a combination of the two with the same solicitation.

Option #1. Performing the reference checks internally.

In conducting the reference checks, assessment of past performance must include quality of products or services provided, cost control, timeliness, customer satisfaction from USAID's perspective, customer satisfaction from the end user's perspective, and key personnel. The assessment may include other aspects of past performance relevant to the statement of work of the RFP as long as this is specified in section M. Face to face interviews, mailed/faxed questionnaires, telephone interviews, or some combination of the above may be used to collect the information.

To ensure that the same kind of information for conducting the reference checks is provided, offerors should complete Part 1 (blocks 1 through 9) of the Contractor Performance Report-Short Form (see attachment) for each contract or subcontract listed. Although only the name and telephone number of two contacts are required, space is provided in block 7 for a third contact in case one of the other two is unavailable. It is recommended that the offeror alert the contacts that their names have been submitted and that they are authorized to provide past performance information to the government.

Reference checks, however, are not confined to the contracts or subcontracts listed by the offeror or to the contacts named by the offeror. Nor does a past performance assessment have to be done on all contracts and subcontracts listed by the offeror. For example, based on the description of the requirement, it may be determined that a contract or subcontract listed is too dissimilar to the work being proposed and past performance information on this contract or subcontract would not be relevant.

The contracting officer should ensure that the description of products or services provided through the contracts and subcontracts listed are relevant to the statement of work in the RFP. The contracting officer may add to, or delete from, the list as appropriate. Conducting the reference checks can be done either by the contracting office staff or by the technical evaluation committee.

The committee will review the past performance information, make available to the contracting officer pertinent information useful for responsibility determinations, and assess/score information relevant to source selection. The technical evaluation committee will also consider other past performance information provided by the offeror such as that relating to problems and corrective action taken on specific contracts and to awards and certifications.

Option #2. Using a commercial firm to do the reference checks.

Contracting officers may require offerors to arrange with a commercial firm; e.g., Dun & Bradstreet, Standard & Poor, to perform the reference checks. This approach is recommended when a large number of proposals are expected. The offeror will have to submit the list to the commercial firm with sufficient time to allow for completing the reference checks prior to the proposal submission date. The cost of this service, however, must be defrayed by the offeror.

The same procedures for listing the contracts and subcontracts, described in option #1, apply when a commercial firm conducts the reference checks. Offerors must list all contracts and subcontracts that are similar in size, scope and complexity to the statement of work; at least two contacts should be provided for each contract and subcontract listed; and assessment must be made on the same six areas. Commercial firms may use whatever methods they find practical and cost-efficient for conducting the reference checks.

Having a commercial firm perform the reference checks does not, however, relieve the Agency from doing an analysis and assessment of the past performance information collected. Specific instructions for assessing and scoring past performance information is found below in Evaluating Past Performance.

Section I must contain the following instructions:

1. The offeror shall submit, as part of its proposal, a list of all current contracts and subcontracts and those completed within the last three years that are similar in size, scope, and complexity to the statement of work in the solicitation.

1.a (Added when Option #1 is used.) The list should be attached as an annex to the technical proposal.

1.b (Added when Option #2 is used.) Offerors are to arrange with a commercial firm to conduct the reference checks at no cost to the Government. The completed reference checks must be submitted as part of the proposal.

2. To ensure that the same kind of information for conducting the reference checks is provided, offerors should complete Part 1 (blocks 1 through 9) of the Contractor Performance Report-Short Form for each contract or subcontract listed. (See attachment xx, Section J.) The name and telephone number of at least two contacts are required. It is recommended that the offeror alert the contacts that their names have been submitted and that they are authorized to provide past performance information when requested.

3. If the offeror encountered problems on any of these contracts, they may provide a short explanation and the corrective action taken. Space is provided in block 6 of the Short Form for this. Offerors should not provide general information on their performance.

4. Offerors may describe any quality awards or certifications that indicate exceptional capacity to provide the service or product described in the statement of work.

5. USAID may use past performance information obtained from other than the sources identified by the offeror. Past performance information will be used for both the responsibility determination and best value decision.

Evaluating Past Performance: Section M must indicate the areas on which past performance will be evaluated. The areas should include: quality; cost control; timeliness; customer satisfaction (USAID); customer satisfaction (end-user); and key personnel. These are the same

six areas contained in Part II of the Contractor Performance Report-Short Form which is attached in Section J of the solicitation.

Section M must also indicate the relative importance of past performance to the other non-cost evaluation factors. No fixed percentage rate is required as long as past performance is weighted at least equal to or greater than any other non-cost factor. Thus, with five rating factors, past performance could be weighted at 25 percent and the other four at 18.75 percent each, or all five factors could be weighted at 20 percent. Past performance could be the only non-cost factor in those cases where the contract that is being solicited is very close in requirements to contracts that have been performed in the past by many contractors.

Technical evaluation committees shall consider the past performance information obtained from the reference checks in scoring past performance. The committee shall also consider other past performance information provided by the offeror such as that relating to problems and corrective action taken on specific contracts and to awards and certifications. Where no relevant past performance information is available, offerors will be given a neutral score.

If discussions are held as part of the award process, offerors will be given an opportunity to address unfavorable reports of past performance only in those cases where the offeror has not had a previous opportunity to comment. Names of the individuals providing reference information about an offeror's past performance shall not be disclosed.

Section M must contain the following evaluation criteria:

1. Firms lacking relevant past performance history shall be given a neutral past performance rating.
2. Assessment of past performance will focus on the contractor's: record of conforming to contract requirements and to standards of good workmanship; record of forecasting and controlling costs, the contractor's adherence to contract schedules, including administrative aspects of performance; the contractor's history of reasonable and cooperative behavior and commitment to customer satisfaction; the business-like concern for the interest of the customer; and the competency of key personnel who worked on the contract.

Questions on this CIB can be directed to M/OP/SPU, Joseph Beausoleil at (703) 875-1090.

Attachment: a/s

CONTRACTOR PERFORMANCE REPORT - SHORT FORMPART I. Contract Information (to be Completed by Contracting Officer)1. Name of Contracting Entity:2. Contract No.:3. Contract Type:4. Contract value (TEC):5. Description of Work/Services:6. Problems:(If problems encountered on this contract, explain corrective action taken.) 7. Contacts (Name, Telephone # and E-mail Address)a. Contracting Officer:b. Technical Officer (COTR):c. Other:8. Offeror:9. Information Provided in Response to RFP No.:PART II. Performance Assesment (to be completed by Agency):1. Quality of product or Service. Comment:2. Cost control. Comment:3. Timeliness of performance. Comment:4. Customer satisfaction - client. Comment:5. Customer satisfaction - end users. Comment:6. Effectiveness of key personnel. Comment:Information Provided By:
Name:
Phone/Fax/Internet address:
Date:
Information Collected By:
Name/Office:
Signature

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