



Image World2 *new dimensions* – Guidelines

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Foreword

The Image World2nd (IW2nd) Delivery and Task Order Guidelines contain the procedures for using the National Institutes of Health (NIH) Information Technology Acquisition and Assessment Center's (NITAAC) IW2nd contracts. These guidelines are presented from the customer's perspective; however, in some cases we have included the prime contractor and/or NITAAC's responsibilities for a more complete description of the process.

The IW2nd contracts were awarded under the Federal Acquisition Streamlining Act (FASA) and the Clinger-Cohen Act, which require that the prime contractors be given a Fair-Opportunity-to-be-Considered for Delivery/Task Order Awards. The contracts are structured as Indefinite Delivery/Indefinite Quantity (ID/IQ) contracts, using delivery and task orders for acquisition of specified products and services. (See FAR 16.5 for Indefinite Delivery Contracts.) These contracts are available to the NIH, as well as to any Federal Government Agency. Procedures for using this contract to place orders are detailed in the following Guidelines. **NIH ordering officials** may also refer to the NIH Policy Manual, Chapter 6016-2 Task and Deliver Order Contracting, which further describes NIH policies on the use of task/delivery orders under ID/IQ contracts.

Refer to the Web site: <http://www1.od.nih.gov/oma/manualchapters/contracts/6016-2/>

Questions about these Guidelines, all correspondence, and official deliverables related to task order establishment and administration should be directed to the **IW2nd Contract Team** at the addresses or phone numbers provided below. Questions about all financially related matters should be directed to the **Financial Team** at the addresses or phone numbers provided below. See the Glossary in 0 for definitions of terms used in these Guidelines.

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You may also contact NITAAC via the following methods:

Telephone: 1-888-773-6542

E-mail: NIHImageWorld@od.nih.gov

Web site: <http://nitaac.nih.gov/>

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Chapter 1

General Information

NOTE: An on-line Delivery Order and Task Order system is under development. When instituted, new Guidelines will be written and will supercede this document.

The Image World2 *new dimensions* (IW2nd) contracts provide commercial hardware, software, solutions and services for the implementation of imaging technology requirements within the National Institutes of Health (NIH) and other Government agencies. Working in a partnership with the prime contractors, the NIH Information Technology Acquisition and Assessment Center (NITAAC) manages the contracts. The following imaging applications are covered under these contracts:

Document Conversion and Electronic Storage
 Electronic Document Management
 Administrative Correspondence Workflow
 Clinical, Biological, Radiological Image Processing

The contract is partitioned into three Technology Functional Areas (TFA's). Note that not every IW2nd prime contractor has been awarded a contract that offers the three TFAs specified below:

TFA 1 - Business Imaging Applications
 TFA 2 - Medical Imaging Applications
 TFA 3 - Scientific/GIS Imaging Applications

All twenty-three IW2nd contracts have the same Statement of Work (SOW). Further descriptions of the imaging application areas are available in Appendix B. A list of companies qualified by TFA is available in Appendix C.

1.1 CONTRACT STRUCTURE

The IW2nd contracts are structured as Indefinite Delivery/Indefinite Quantity (ID/IQ) contracts utilizing delivery and task orders that are Fixed Price (FP). The period of performance is 12/21/2000 through 12/20/2010. The labor rates set forth in the contract, where applicable, are subject to the Service Contract Act of 1965, as amended.

Other Direct Costs (ODC's), if applicable, are negotiated directly for each task order.

For the purposes of the IW2nd contracts and this ordering guide, delivery orders include NIH Records of Call (ROC), credit card orders and purchase orders on agency-specific forms.

1.2 DELIVERY ORDERS VERSUS TASK ORDERS

Delivery orders are primarily for the procurement of *supplies* such as commercial hardware and software. Task orders are primarily for *services* that require definition and for custom-developed or custom-modified hardware or software. These distinctions are delineated more thoroughly in Appendix E.

1.3 NIH PROCESSING FEE

All external customers are assessed a processing fee. The NIH processing fee is paid through the prime contractor via a separate fixed price line item within the delivery or task order. (Note: If the delivery/task order amount is less than \$25,000, there is a minimum NIH processing fee of \$250. If the delivery/task order is equal to or greater than \$25,000, the NIH processing fee is computed on the amount obligated).

NIH internal customers are charged a fee in accordance with the acquisition mechanism used. **The amount of the fee is contingent on the NIH mechanism chosen for placing the order.**

More detailed information on the NIH Processing Fee is provided in Chapter 4. For further information, customers may contact the Financial Team at the address in the Foreword.

1.4 “FAIR-OPPORTUNITY-TO-BE-CONSIDERED” - DELIVERY ORDERS

In accordance with the Federal Acquisition Regulations (FAR), NITAAC provides each of the IW2nd prime contractors with a “Fair-Opportunity-to-be-Considered” for each Delivery Order¹, unless one of the exceptions cited by FAR 16.505(b)(2) applies. The appropriate customer (agency) Contracting Officer or other designated agency official appointed in accordance with agency regulations must fully document and sign a justification citing the rationale for using one of these exceptions. This documentation is to remain in the customer’s official Delivery Order file and must be provided upon request to the IW2nd Contracting Officer.

The requirements of the “Fair-Opportunity-to-be-Considered” process shall be deemed to have been met if the customer compares the various products offered on all of the TFA-qualified Image World prime contractors’ electronic catalogs/price lists. The customer should solicit quotes from at least three (3) prime contractors that provide the required imaging hardware, software, solutions and/or services. This should take into account the prime contractors’ past performance, delivery schedules, prices, and other factors pertinent to the particular Delivery Order. The customer’s Delivery Order file shall document the process and provide the rationale for selection of the prime contractor for each Delivery Order.

1.5 “FAIR-OPPORTUNITY-TO-BE-CONSIDERED” - TASK ORDERS

In accordance with the Federal Acquisition Regulations, NITAAC provides each of the IW2nd prime contractors with a “Fair-Opportunity-to-be-Considered” for each task order issued in the TFA(s) for which they received an award. “Fair Opportunity” is accomplished by announcing, via e-mail, the customer-developed and NITAAC-approved task order requirements to each prime contractor qualified for the applicable TFA². However, if one of the exceptions in FAR 16.505 (b)(2) applies, the appropriate customer (agency) Contracting Officer or other designated agency official appointed in accordance with agency regulations must fully document and sign the justification, citing the rationale for using one of these exceptions. This documentation must be forwarded to the IW2nd Contracting Officer as part of the Task Order Requirements Package (TORP).

Each Task Order announcement contains information to help the prime contractors quickly evaluate the opportunity. Interested prime contractors respond by sending a proposal to the customer in an accelerated time frame.

The customer:

1. Reviews the proposals received in response to the Task Order announcement
1. Based on a best value analysis, selects the prime contractor
1. Documents the selection to NITAAC

After issuance of a NITAAC approval letter, awards the Task Order to the selected prime contractor. The customer must provide a copy of the Task Order to NITAAC.

¹ Prime contractors are permitted a fair opportunity only on delivery orders in the TFA(s) for which they received an award.

² Customer-developed and NITAAC-approved task order requirements which fall under one of the exceptions to the “Fair-Opportunity-to-be-Considered” rule are announced only to the selected prime contractor.

1.6 AUTHORIZATION NUMBERS

After selection of a delivery order award, the prime contractor issues the IW2nd Delivery Order Authorization Number. See section 2.2.1 for more details.

After the Selection Recommendation Document Package is approved, NITAAC issues the IW2nd Task Order Authorization Number (and awarded amount) in the Approval Letter. See Section 3.8.1 for more details

The IW2nd Delivery Order Authorization Number or the IW2nd Task Order Authorization Number, as appropriate, must appear on the customer's order prior to its submission to the NIH Contracting Office.

1.7 CLASSIFIED MATERIAL

TORP's must contain only unclassified material, regardless of the level of classification of the work to be performed under the Task Order.

1.8 FISCAL YEAR CUTOFF DATES

1.8.1 Delivery Orders

Delivery Orders that must be awarded by the end of the current fiscal year (i.e., packages that are supported by funds that expire at the end of the current fiscal year) may be placed through **September 30th of the current fiscal year, unless the customer's agency rules dictate a different cut-off date.**

1.8.2 Task Orders

Task orders that must be awarded by the end of the current fiscal year (i.e., TORPs that are supported by funds that expire at the end of the current fiscal year) should be submitted to NITAAC by September 15th of the current fiscal year. **Sufficient time may not exist after September 15th to guarantee completion of the award process.**

1.9 SUPPORTING DOCUMENTATION SUBMISSION

The preferred channel for delivery of all correspondence is e-mail at NIHImageWorld@od.nih.gov. When a signature is required, such as for the exceptions to the Fair-Opportunity-to-be-Considered Rule or for a Selection Recommendation Document Package (SRDP), and other associated documentation, please fax a copy of the signature document(s) to phone number provided in the Foreword. Other pertinent documentation may be e-mailed or faxed. Where the volume of the correspondence is large, please mail or hand-deliver to the IW2nd Contracts Team at the street address provided in the Foreword.

Microsoft Word is the preferred format for all textual documents; however, Word Perfect and ASCII text documents are also accepted. Spreadsheets should be submitted in Microsoft Excel or Lotus 1-2-3 formats.

1.10 SAMPLE FORMS & DOCUMENTS

Appendix B of these Guidelines provides the customer with hyperlinks to all the forms and documents required for the Task Order process. These forms are also available on the NITAAC web site (<http://nitaac.nih.gov/>) for the customer to download and use for the required submissions.

1.11 TASK ORDER PROCESSING TIMES

Task Order processing times are targeted at 7 to 21 business days depending on order type and extent of competition³. Table 1, IW2nd Task Order Processing Times, lists the performance goals for processing the requirement from receipt of a TORP by NITAAC through award of the task order to a prime contractor. These processing time lines begin once a complete and acceptable TORP has been received and approved by NITAAC. Incomplete or unacceptable TORPs will require additional time on NITAAC's part to advise the customer on acceptable minimum requirements. The proposal periods for "Fair-Opportunity-to-be-Considered" postings (where required) will typically be five to ten business days.

Table 1 IW2nd Task Order Processing Times

Exception to Fair Opportunity (Sole Source)	7 to 14 business days
Competition	14 to 21 business days

1.12 CUSTOMER USAGE OF THE IW2nd CONTRACT

While some IW2nd prime contractors may be familiar to the customers, others may not be as well known. Customers are encouraged to do business with as many prime contractors as possible, speak to prime contractor representatives, test prime contractor equipment and investigate records of past performance when determining with whom to do business. IW2nd small and 8(a) businesses, collectively, have distinguished reputations for service and responsiveness; comparable to the advantages large businesses may offer in terms of broad inventories and economies of scale. Only by customer support of all prime contractors can the IW2nd contract continue to provide the advantages of such a broad base of industry capabilities.

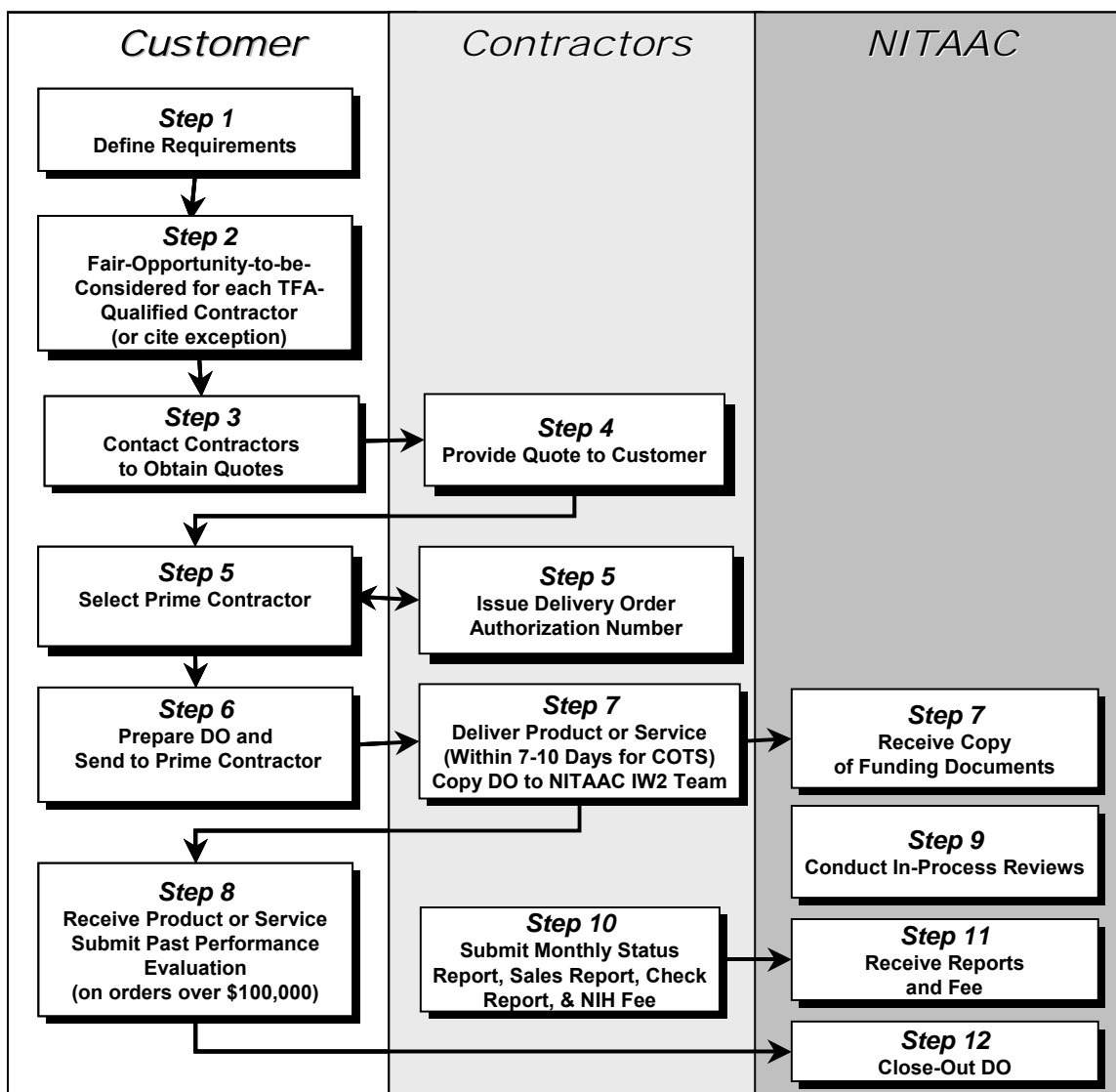
³ Delivery Order processing times are discussed in Delivery Order Process.

CHAPTER 2

Delivery Order Process

This chapter describes the complete Delivery Order (DO) process from inception through order award. This process is **applicable for requirements identified as commercial imaging hardware, software, solutions, and services**. The chapter first describes the customer's responsibilities and then the prime contractor's responsibilities through order close-out. All the steps of the process for the customer, the contractors, and NITAAC are illustrated below, which charts the steps of the DO process flow from initiation of the requirement through performance reviews and close-out, mapping each step to the party primarily responsible for completing the required activities, (i.e., customer, prime contractor, or NITAAC). A description of the activities occurring at each step of the process follows.

Figure 1 Delivery Order Process Flow Chart



2.1 CUSTOMER RESPONSIBILITIES

This section describes the customer's responsibilities for Delivery Orders (DO's).

2.1.1 Step 1: Define Requirements

The customer, in accordance with the FAR, Information Technology Management Reform Act (ITMRA) and agency procedures, defines the requirements for commercial⁴ imaging hardware, software, solutions, and/or services.

2.1.2 Step 2: Apply "Fair-Opportunity-to-be-Considered" Rule to each IW2nd Contractor

To satisfy the Fair-Opportunity-to-be-Considered Rule, the customer must review all of the Image World 2 prime contractors in the TFA that the requirement represents. Prime contractors' electronic catalogs or price lists must be reviewed to determine whether they provide the required imaging hardware, software, solutions and/or services. The prime contractors' past performance and quality of goods/services provided previously may be used to determine capability under the current order. The electronic catalogs/price lists are available via the NITAAC home page at <http://nitaac.nih.gov/> or the list of prime contractors in Appendix C.

If the customer determines that one of the exceptions at FAR 16.505(b)(2) applies, the customer must document the rationale for use of the exception to the Fair-Opportunity-to-be-Considered Rule **before placing the order**.

The rationale for the exception must be fully documented and signed by the agency Contracting Officer or other designated agency official appointed in accordance with agency regulations. (For NIH customers, the Approving Official is the Accountable Management Official). This documentation is to remain in the customer's official Delivery Order file and must be provided upon request to the IW2nd Contracting Officer.

2.1.3 Step 3: Contact Contractors to Obtain Quotes

Based on the review conducted in Step 2, the customer shall solicit quotes from at least three prime contractors that provide the required imaging hardware, software, solutions and/or services.

2.1.4 Step 4: Contractors Provide the Quotes

See section 2.2.1.

2.1.5 Step 5: Select the Prime Contractor

Delivery Orders placed against this contract utilize the "best value" approach to determine the Delivery Order awardee. This means that the lowest price is not the only criterion to be considered in a source selection. As part of the determination of best value, the customer must also review the delivery terms that each of the prime contractors offers on the required imaging hardware, software, solutions, and/or services.

The customer may attempt to negotiate delivery schedules among the prime contractors it solicits in accordance with Step 3 above. Based on the customer's written best value analysis and documentation in the official Delivery Order file, the customer may place the Delivery Order.

If this is an NIH order, the best value analysis and written documentation is forwarded through the NIH approval channels using the Record of Call mechanism, whenever purchase cards are not

⁴ See the definition of a "commercial item" in the FAR, Part 2

used. External customers must follow their agency's procedures for placement of the Delivery Order. The customer's Accountable Management Official (AMO) must sign/approve each Delivery Order.

Upon the selection of the award, the prime contractor issues the *IW2nd* Delivery Order Authorization number.

2.1.6 Step 6: Prepare the Delivery Order and send it to the prime contractor

Once the official agency Delivery Order file has been documented with the best value determination and the prime contractor has been selected, and the customer's AMO/CO has signed/approved the order, the order may be placed with the selected prime contractor. The agency determines the proper form on which to place the order; however, for NIH customers, a Record of Call must be placed and entered into the Administrative Database, if the purchase card method is not being used.

If this is an external customer (i.e., non-NIH customer), the first page of the Delivery Order must include the period of performance and a subtotal of the items being purchased, cite the NIH processing fee as a separate fixed-price line item, and provide a grand total (including the fee).

- All orders must include the following information:
- The customer's order number
- Delivery Order authorization number
- Order date
- Points of contact for delivery order issues and billing
- Appropriation/funding Citation
- Billing address and delivery address
- The CLIN Number and description
- Amount of funds obligated for each CLIN and for total obligation

2.1.7 Step 7: Contractor Delivers Product or Services

See section 2.2.2.

2.1.8 Step 8: Receive Products or Services; Submit Past Performance Evaluations for Orders Over \$100,000

The customer should have received an *IW2nd* Delivery Order Authorization Number from the prime contractor for each Delivery Order. If a modification to the Delivery Order is now necessary, the customer must receive the *IW2nd* Delivery Order Authorization Number suffix for that particular modification. (See paragraph 2.2.2.)

To monitor and record overall performance of each prime contractor, standard past performance evaluations are used for all *IW2nd* delivery orders in excess of \$100,000. (See section 0 for more information and Appendix B for a sample Past Performance Evaluation form.)

2.2 PRIME CONTRACTOR RESPONSIBILITIES

This section describes the prime contractor's responsibilities for Delivery Orders (DO) as well as additional information about the DO process. The steps of the entire Delivery Order process for the customer, the contractors, and NITAAC are illustrated in Figure 1. Note that this process is applicable for requirements identified as commercial imaging hardware, software, solutions, and services.

The step numbers listed below refer to Figure 1.

2.2.1 Provide Quotes and the IW2nd Authorization Number (Steps 4 and 5)

Upon solicitation from the customer, the contractor submits a quote for the commercial imaging hardware, software, solutions, or services. Upon selection for the Delivery Order, the contractor issues an IW2nd Delivery Order Authorization number.

Each IW2nd prime contractor has been assigned a block of IW2nd Delivery Order Authorization numbers. The numbers are to be used sequentially for each Delivery Order awarded. **These numbers are to be used only for Delivery Orders for items identified as commercial products and services. Any misuse of these numbers may result in the Government placing a moratorium on the prime contractor, during which time the contractor will be prohibited from accepting any orders or doing any further business under this contract.**

2.2.2 Deliver Product(s) or Service within 7-10 Business Days (Step 7)

Upon receipt of a Delivery Order, the prime contractor shall confer with the NITAAC CO to determine if it is proper, that is, it falls within the scope of contract and includes all of the items in section 0. If the order does not fall within the scope of **commercial products or services, it may not be processed further, but must be returned to the customer with an explanation of why it cannot be accepted.** If any of the items in section 0 are missing or incorrect, or if the NIH processing fee or order amount is incorrectly calculated, the prime contractor must notify the customer that the DO must be modified with the missing or correct information and then resubmitted. **The prime contractor may not accept an incomplete or incorrect Delivery Order.**

The prime contractor is to deliver the order within 7 to 10 business days after receipt of the delivery order for commercial products. An exception may be made by the recommendation of the customer's Project Officer and approved by the customer's CO.

The prime contractor must provide the IW2nd Financial Team and the IW2nd Contracting Team with a copy of each order with the IW2nd Delivery Order Authorization Number included, along with the monthly sales report submitted in accordance with Section II, Article G.9 of its contract.

The prime contractor shall clearly identify all Delivery Order modifications by using the original IW2nd Delivery Order Authorization Number with a numerical extension (e.g., 01, 02, 03, etc.) that corresponds to the appropriate modification. Again, the prime contractor is responsible for informing the customer of the Authorization Number and its extension corresponding to the modification.

If the prime contractor does not comply with these requirements, it may be subject to a moratorium of its contract during which time it may not accept or fill any Delivery Orders.

2.2.3 Step 10: Submit Monthly Status, Sales, and Check Reports

The prime contractor is responsible for submitting monthly Status, Sales, and Check reports, even if no delivery orders were received during the month.

2.3 PROTESTS

No protests are authorized in connection with the issuance or proposed issuance of a Delivery Order, except on the grounds that the order increases the scope, period, or maximum value of the contract. However, under FAR 16.505(b)(4), prime contractors may contact the customer-designated contract ombudsman with complaints about specific Delivery Orders on this contract. The ombudsman will review all complaints and ensure that all prime contractors were offered a Fair-Opportunity-to-be-Considered consistent with regulation, the contract, and these ordering guidelines.

The designated NIH ombudsman for this contract is:

**Associate Director, Office of Intramural Affairs and
NIH Competition Advocate for Station Support
Building 1, Room 140
9000 Rockville Pike
Bethesda, MD 20892**

CHAPTER 3

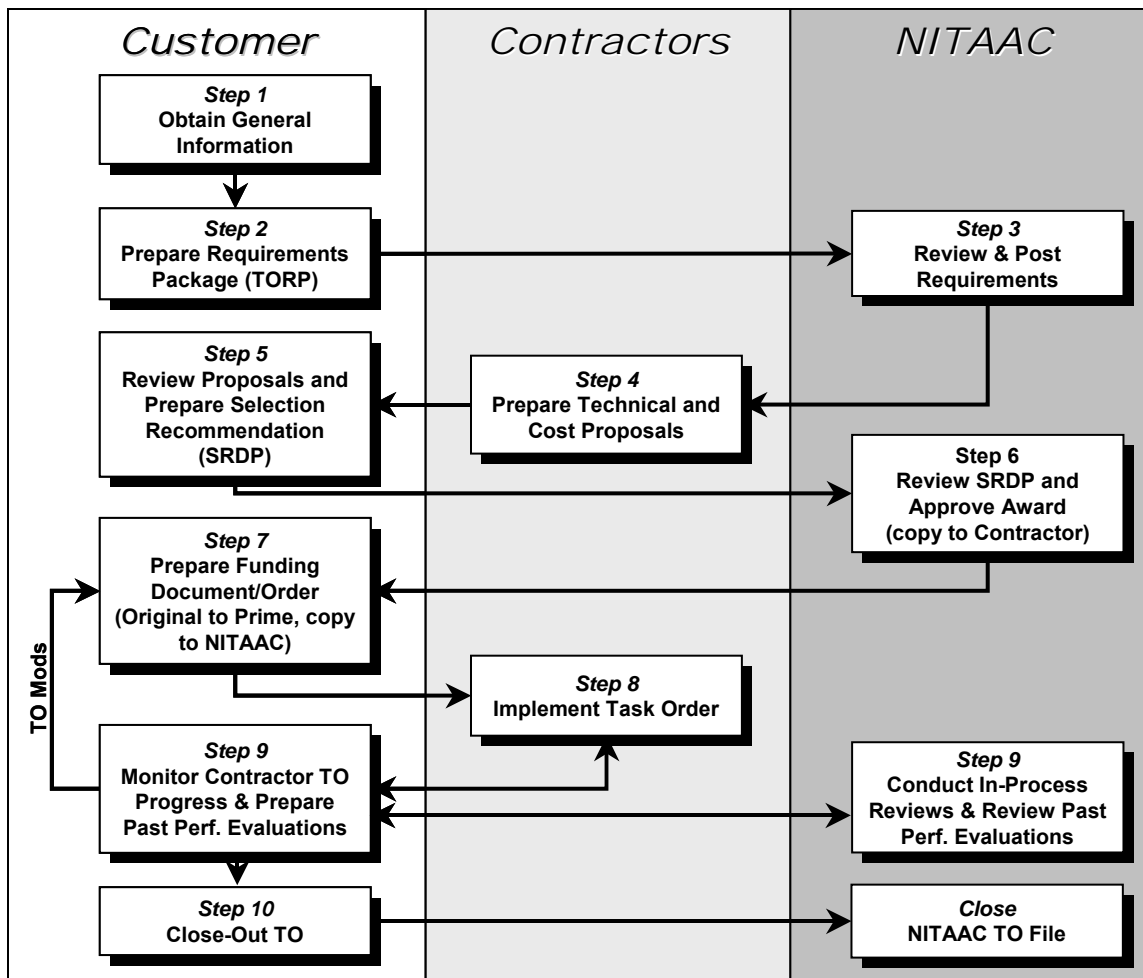
Task Order Process

NITAAC manages the Task Order Process through a two-step documentation submission procedure that includes 1) the Task Order Requirements Package (TORP) and 2) the Selection Recommendation Document Package (SRDP). (See section 3.7.2 for a discussion of the SRDP). The TORP is the documentation package that starts the IW2nd Task Order Process. The TORP is intended to provide the information required by NITAAC to verify scope of work, exceptions to fair opportunity, etc., and the information required by the prime contractors to prepare a proposal in response to the Statement of Work.

Customers are encouraged to contact the IW2nd team at the address provided in the Foreword to discuss projected task order requirements and to obtain guidance in the preparation of complete and acceptable documentation. In addition, the customer's Accountable Management Official or Contract Officer (AMO/CO) must be involved early in the process, preferably at the time of the TORP submission. This will streamline the process and avoid possible misunderstandings.

Figure 2 below charts the TO Process Flow, from obtaining general information and initiation of the requirements through TO performance and closeout, and maps each step to the party (i.e., the customer, prime contractor, or NITAAC) primarily responsible for completing the required activities. A more detailed description of the activities occurring at each step is included in the following paragraphs of this chapter.

Figure 2 Task Order Process Flow



3.1 Step 1: Obtain General Information

The customer should first obtain general information about the *IW2nd* contract. This is covered by the topics in Chapter 1 and is applicable to both the Delivery Order and Task Order Processes. The reference to Step 1 is included here for consistency with the Task Order Flow Process, used for both the *IW2nd* and *CIO-SP2i* contracts.

3.2 Step 2: Customer Prepares The Task Order Requirements Package (TORP)

The customer defines the requirements and prepares and submits a complete TORP to the *IW2nd* Contracting Officer. The *IW2nd* CO or designated representative will review the TORP and if complete, will assign a NITAAC Tracking Number within three (3) business days of receipt. This NITAAC Tracking Number is required for identification purposes for all correspondence.

In accordance with FAR 7.105, the TORP must contain a description of the strategies for implementing performance-based methods or shall provide a rationale for not using these methods. The methods must include measurable performance standards, procedures for reductions of the price of a fixed-price task order when services are not performed or do not meet contract requirements, and must include performance incentives where appropriate. (See FAR 37.6)

A complete TORP consists of the information contained in the following paragraphs, preferably transmitted via E-mail to NIHImageWorld@od.nih.gov, with those documents that require signature faxed separately to the *IW2nd* Contracts Team at the fax number provided in the Foreword. (See Appendix B for applicable forms.)

3.2.1 Statement of Work

A complete **performance-based** Statement of Work (SOW) formatted and containing all the items as shown in Appendix B of these *IW2nd* Task Order Guidelines is essential. It is vital that the Technology Functional Area(s) (TFA) being utilized is (are) clearly stated. *IW2nd* stresses “solutions-based contracting” as defined in the Clinger-Cohen Act (ITMRA). Thus, the SOW includes an “Objectives” section allowing the customer to emphasize the desired end state or performance metric to be achieved. The SOW also stresses prime contractor qualifications in the evaluation criteria section, mandating the assessment of past performance, technical/management approach and price as minimum evaluation criteria for every order. Other evaluation criteria that can be considered in addition to the above mandatory criteria include risk/program impact, and/or other relevant information. The customer must develop evaluation criteria that describe the relative importance of each criterion.

3.2.2 Independent Government Cost Estimate (IGCE)

The customer should use an appropriate methodology for arriving at this estimate. The breakout should be as specific as possible, estimating number and mix of labor hours, ODC’s, travel, materials, etc. See Appendix C for a sample template of the information to be contained in the IGCE. Use of historic information is always appropriate.

3.2.3 Point of Contact Information for NITAAC and Prime Contractor Use

The customer’s AMO and CO (if these are not the same individual), and the Contracting Officer’s Technical Representative (COTR) are key contacts throughout the process. The TORP must provide name, title, address and phone, e-mail, and fax numbers of each of these individuals. The customer’s AMO/CO must review and sign off on the TORP prior to its submission to the *IW2nd* Contracts Team.

3.2.4 Funding Strategy

Funding strategy includes the type(s) of funds, the funding approach (fully funded, incremental funding, etc.) and a statement of funds availability. This section should also discuss **how**

obligations of the estimated funded amount of the task order would be made. For example, if it is expected that \$1,000,000 will be obligated for one year of performance, the funding strategy should include a statement of whether the entire \$1,000,000 will be obligated at one time or over a series of task order modifications.

3.2.5 Proposal Instructions

This section includes all the necessary information the prime contractors will need to prepare and submit a proposal. This includes the method of submission (oral, written, e-mail, or combination), the proposal due date, the points of contact (POC's) for questions and proposal receipt, addresses (both e-mail and street address, as appropriate), phone numbers, fax numbers, etc. The customer may also include any special instructions that should be highlighted in NITAAC's initial e-mail announcement to the prime contractors.

3.2.6 Special Instructions for "Exception to the Fair-Opportunity-to-be-Considered" Rule

If one of the exceptions cited by the FAR 16.505(b)(2) applies (See Appendix D for a Listing of Exceptions), the appropriate agency Contracting Officer or other designated agency official must send a signed justification citing the rationale for using the exception, along with the TORP documentation, to the IW2nd Contracts Team. This documentation must also remain in the customer's official Task Order file and must be provided upon request to the IW2nd Contracting Officer.

In addition to the above requirements, the customer must ensure, in accordance with statutes and Federal/Agency regulations, where applicable, that the requirements of ITMRA, GPRA, OMB Circular A-130, and other pertinent statutes/regulations regarding security measures, performance metrics, and architectural standards have been followed.

3.2.7 Lease or Purchase Acquisition Considerations

For leasing acquisitions, customers should consider the minimum requirements outlined in FAR 7.401. If a requirement contains leasing, a lease purchase justification must be signed by the customer's AMO/CO and provided to the IW2nd Contracting Officer with the TORP.

3.3 Submission Of The TORP

The IW2nd contracts are intended to expedite and streamline procurement practices whenever possible. NITAAC encourages submission of the TORP via e-mail. Alternately, submission by fax, express mail and, if necessary, regular mail (to the IW2nd Contract Team at address in the Foreword) are also acceptable, although these alternatives may extend the order processing time line. If a signed document is to be submitted, NITAAC encourages submission of the signature page only by fax and the remainder of the document via e-mail, to the maximum practical extent.

The methods of submission for TORP information and all other documents, in order of preference, are as follows:

- Download, fill out and return by e-mail
- Print, fill out, and fax back
- Print, fill out, and physically return in hard copy form.

3.4 Verifying NITAAC Receipt Of TORP

If not contacted within three business days of TORP submission, the customer should call the NIH IW2nd Contracting Officer to verify receipt and assignment of a Tracking Number. The Tracking Number is the primary means of identifying the customer effort prior to award authorization. All correspondence and interaction with NITAAC will be expedited by referencing the Tracking Number.

3.5 Step 3: NITAAC Reviews And Posts Requirements

NITAAC staff will review the TORP and if complete, assign a NITAAC Tracking Number within 3 business days. If not contacted within three business days of TORP submission, the customer should call NITAAC at 1-888-773-6542 to verify receipt and assignment of a Tracking Number. The Tracking Number is the primary means of identifying a customer's TORP prior to award authorization.

3.5.1 Purpose Of NITAAC Review

The NITAAC staff will evaluate the package and determine, among other things, the following particular items:

- TFA(s), under which the acquisition is being issued, is/are cited
- Applicability of the statement of work with respect to scope
- If the requirement is presented as a performance-based statement of work
- Proper use and adequacy of the required evaluation criteria⁵
- Realism of the independent government cost estimate
- Adequacy of the justification used for the exception to the requirement for "Fair-Opportunity-to-be-Considered", if applicable.
- A statement that the NIH Processing Fee (of the obligated amount of the task order) will be paid as a separate fixed-price line item on the task order (external customers only).

3.5.2 Fair Opportunity Process

When the NITAAC staff has determined that the TORP is complete and properly documented, NITAAC will notify the customer and announce the requirement via e-mail to all IW2nd prime contractors within the specified TFA, unless it meets the requirements for an exception to the Fair-Opportunity-to-be-Considered rule. Each prime contractor evaluates the opportunity and determines whether or not to submit a proposal.

3.5.3 Exception to the Fair-Opportunity-to-Be-Considered Process

Any FAR 16.505 qualified exceptions to the Fair-Opportunity-to-be-Considered rule must be signed by the customer's AMO/CO, or the individual within the customer's agency who has been delegated that authority in accordance with FAR 16.505(b)(2). If the exception cannot be approved by the IW2nd CO, the IW2nd CO will contact the customer to determine an appropriate course of action:

- Require further documentation to support the exception
- Return the TORP to the customer without further action, or
- Proceed with awarding the task using the Fair-Opportunity-to-be-Considered rules (i.e., announce the requirements to all IW2nd prime contractors within the specified TFA. A qualified task order would be announced as follows: This TO satisfies the requirement for "Fair-Opportunity-to-be-Considered" rule.)

If the IW2nd CO concurs that the cited exception is justified, an e-mail announcement of the SOW will be sent only to the prime contractor identified in the justification of the task order requirement.

3.6 Step 4: Prime Contractors Prepare Task Order Proposals

The IW2nd contract describes the procedures that the prime contractors must follow when proposing on a task order. The prime contractors will generally be allowed between five (5) to ten (10) business days to prepare and submit written proposals (when written proposals are

⁵ Proposals must be evaluated against the stated criteria, which have been identified as to their relative importance or weight.

required); however, more or less time may be necessary based on the particular task order requirements. The proposal due date shall be set forth in each announcement.

3.6.1 Technical Proposals

Oral and/or written technical proposals shall address all requirements of the SOW. (See Appendix B) Other items that should be included in the technical proposal (as applicable) include:

- Key personnel and résumés
- Quantities/hours of personnel by labor categories
- Other Direct Costs (ODC's) and rationale
- Notification and request for consent to use new subcontractors
- Labor category qualifications of any new labor categories to be used for the task order.
- If any subcontractors are to be used in performance of the task order, a list of those subcontractors, number of hours, labor categories and associated costs.

3.6.2 Business/Price Proposals

A fax/hard copy and/or electronic media business proposal is always required. This area of the proposal shall include detailed price amounts of all resources required to accomplish the task, (i.e., man-hours, equipment, travel, etc.).

The contractor(s) shall provide an original cost/price proposal to the customer. The proposal shall:

- Identify labor categories and associated hours, in accordance with Section B of the contract (Labor Rate Tables) and the number of hours required for performance of the task.
- Identify hardware, software, turn-key systems, and Other Direct Cost (ODC) Contract Line Items (CLIN's) required, including associated elements (e.g., installation, shipping, maintenance, warranty, etc.)

The contractor(s) must provide a business proposal that includes the identification and rationale for all non-labor and ODC cost elements and identifies any Government Furnished Property (GFP) and/or Government Furnished Information (GFI) required for task performance.

3.6.3 No Bids

Any prime contractors solicited, if they desire, may submit a No Bid. All No Bids shall include a brief statement as to why the prime contractor has elected to forego the opportunity (e.g., Conflict of Interest, etc.). The NO BID may be a simple e-mail message addressed to the IW2nd Contracts Team and the customer POC.

3.7 Step 5: Customer Review Of Proposals And Preparation Of SRDP

The customer evaluates the prime contractors' proposals, performs a Best Value analysis and selects the prime contractor that can provide the best value. As the second step of the documentation submission procedure, the customer then prepares a complete Selection Recommendation Document Package (SRDP) to be faxed/sent to the IW2nd Contracting Officer for approval of the TO award.

3.7.1 Evaluation and Discussions

The customer will evaluate the prime contractors' written and/or oral technical proposals and written business proposals. If initial evaluation shows differences between the SOW requirements and an otherwise acceptable prime contractor's proposal, discussions between the

customer and prime contractor will be necessary. Discussions may range from informal meetings that discuss minor discrepancies on the technical approach, to formal multiple prime contractor negotiations. Prime contractors shall be treated equitably and fairly during this evaluation process.

After evaluation and any discussions, the customer will perform a Best Value analysis of the information contained in the proposals using the stated evaluation criteria. Based on the results of the evaluation, it is ultimately the customer's responsibility to select the prime contractor that can provide the best value to the Government.

The customer is responsible for ensuring that proprietary information contained in a prime contractor's proposal is protected from unauthorized disclosure. It is the prime contractor's responsibility to ensure that all proprietary information is appropriately marked.

3.7.2 SRDP Contents

After completion of the evaluation, discussions if any, and Best Value analysis, the customer prepares a complete Selection Recommendation Document Package (SRDP) to be sent to the IW2nd CO for approval of the task order for award. The SRDP includes the information contained in the following paragraphs.

3.7.2.1 Selection Recommendation Document

The Selection Recommendation Document describes the selection processes and serves as evidence that the "Fair-Opportunity-to-be-Considered" rule was applied, unless an exception was taken under FAR 16.505(b)(2). It includes:

1. A statement indicating whether announcement of the task order requirement was made to all prime contractors qualified in the TFA under which the requirement is being placed or if an exception to the "Fair-Opportunity-to-be-Considered" rule was cited in the TORP (cite the exception used)
1. The selection criteria/methodology used to evaluate the competing prime contractors
1. The results of the evaluation
1. The rationale for the selection of the prime contractor, including a summary of any negotiations conducted, a listing of subcontractors proposed and accepted, if applicable, price analysis and best value analysis.
1. The total dollar amount, the funded amount and the amount obligated on the award, and the date of the final, accepted proposal.
1. A statement of how the funded amount is to be obligated. e.g., if a \$1,000,000 task order is to be awarded, whether the total amount will be obligated with the order, or whether the obligations will be made over a period of time encompassing several task order modifications. (This explanation should be specific in order that the IW2nd Contracting and Financial Team can maintain accurate tracking of the order and fee amounts).
1. Signature of the customer's AMO/CO

3.7.2.2 NIH Processing Fee (external customers)

The SRDP must contain a statement identifying the NIH processing fee amount as a separate fixed price item that will be paid upon the first invoice from the prime contractor. See Chapter 4 for a more complete discussion of how to pay this required processing fee.

3.7.2.3 Copies of All Proposals

Copies of all proposals received in response to a task order announcement should be submitted to the IW2nd CO along with the SRDP. This includes any best and final offers.

3.7.2.4 SOW Updates or Changes since Submission of the TORP, if Applicable

If applicable, updates or changes to the SOW or TORP since original submission should be submitted to the IW2nd CO to update the documentation.

SRDP Submission

In all cases, whether the “Fair-Opportunity-to-be-Considered” rule was followed, or whether an exception is cited, the SRD must be signed by an Accountable Management Official (AMO) of the customer organization. The customer’s AMO will verify by his/her signature that the evaluation and best value decision were conducted fairly, and in accordance with existing regulations and with these Guidelines.

SRDP documentation should be submitted via e-mail whenever possible, concurrently with faxed copies of documents requiring signatures. The customer should ensure that all documents reference the NITAAC Tracking Number.

Step 6: NITAAC Reviews SRDP And Approves Task Order Award

Upon receipt of the SRDP from the customer, the NITAAC team conducts a review to ensure that administrative and regulatory requirements have been met, that the SRDP has been adequately documented, that proper evaluation procedures were followed and documented, and that fair treatment was provided during the evaluation process.

NITAAC Approval Letter

Upon completion of the review, NITAAC will provide the customer with a NITAAC Approval Letter authorizing the customer to issue an order to the selected prime contractor. NITAAC will also provide a copy of the letter to the prime contractor. The letter will document NITAAC’s concurrence with the SRDP and identify the following elements of the award:

- The prime contractor to be awarded the order
- The IW2nd Task Order Authorization Number to be used on the customer order
- The order value and obligated amount
- The amount of the NIH Processing Fee (if applicable) *and how the order is to be funded and obligated.*

See [Approval Letter](#) for a hyperlink to a template of the NITAAC Approval Letter.

Award Announcements

NITAAC will announce the award decision to all prime contractors via email. This includes awards made under one of the exceptions to the “Fair-Opportunity-to-be-Considered” rule.

Debriefings

If a non-selected prime contractor has questions as to why it was not selected for a task order award, the prime contractor should contact the customer’s AMO/CO. This AMO/CO and the non-selected prime contractor may discuss the reasons why that prime contractor was not selected; however, the AMO/CO may not (1) discuss the other prime contractors’ proposals, (2) compare prime contractors’ proposals, or (3) allow the non-selected prime contractor access to the SRDP.

Protests

No protests are authorized in connection with the issuance or proposed issuance of a task order, except for a protest on the grounds that the order increases the scope, period, or maximum value of the contract. However, under FAR 16.505(b)(4), prime contractors may contact the customer-designated contract ombudsman with complaints on specific task orders on this contract. The ombudsman will review all complaints and ensure that all prime contractors are offered a “Fair-Opportunity-to-be-Considered”, consistent with regulation, this contract, and ordering guide. The

designated NIH ombudsman for this contract is:

Senior Advisor to the Deputy Director for Intramural Research and
NIH Competition Advocate for Station Support
Building 1, Room 140
9000 Rockville Pike
Bethesda, MD 20892

Step 7: Customer Prepares The Task Order

Once the NITAAC Approval Letter is received, the customer prepares the appropriate funding document/order. The original of the funding document/order is sent to the prime contractor. **The customer shall provide a copy of the funding document/order by fax or hard copy to the Contractor and IW2nd CO within 5 business days of task order award. The order must contain the NIH processing fee (external customers only) as a separate FP line item.** The NIH processing fee is based on the amount obligated on the funding document/order and whether the award is made to a large or small business. (See [4.1.2 NIH Processing Fee Terms](#).) The prime contractor bills the NIH processing fee on the first invoice sent to the customer. The order must also contain the IW2nd Task Order Authorization Number. **(For NIH internal customers using the Record of Call mechanism, this number is placed in the ADB Record of Call Screen under the “Remarks” field).** At a minimum the order must contain the following:

- IW2nd Task Order Authorization Number
- Order date
- Customer Order Number
- Point of Contact for Billing Purposes
- Funded Amount and the Amount of Funds Obligated Under this Task Order
- Appropriation/funding citation
- Identification of the NIH Processing Fee as a separate FP line item. (external customers only)
- The Statement of Work (Note: the prime contractor’s proposal may be referenced, if desired)
- Billing Address and Delivery Address
- Period of Performance
- **Signature of the customer’s AMO/CO (External Customers only).** The NIH AMO/CO must print-review the Record of Call, and ensure that the IW2nd Task Order Authorization Number appears in the ADB Record of Call Screen under the “Remarks” field

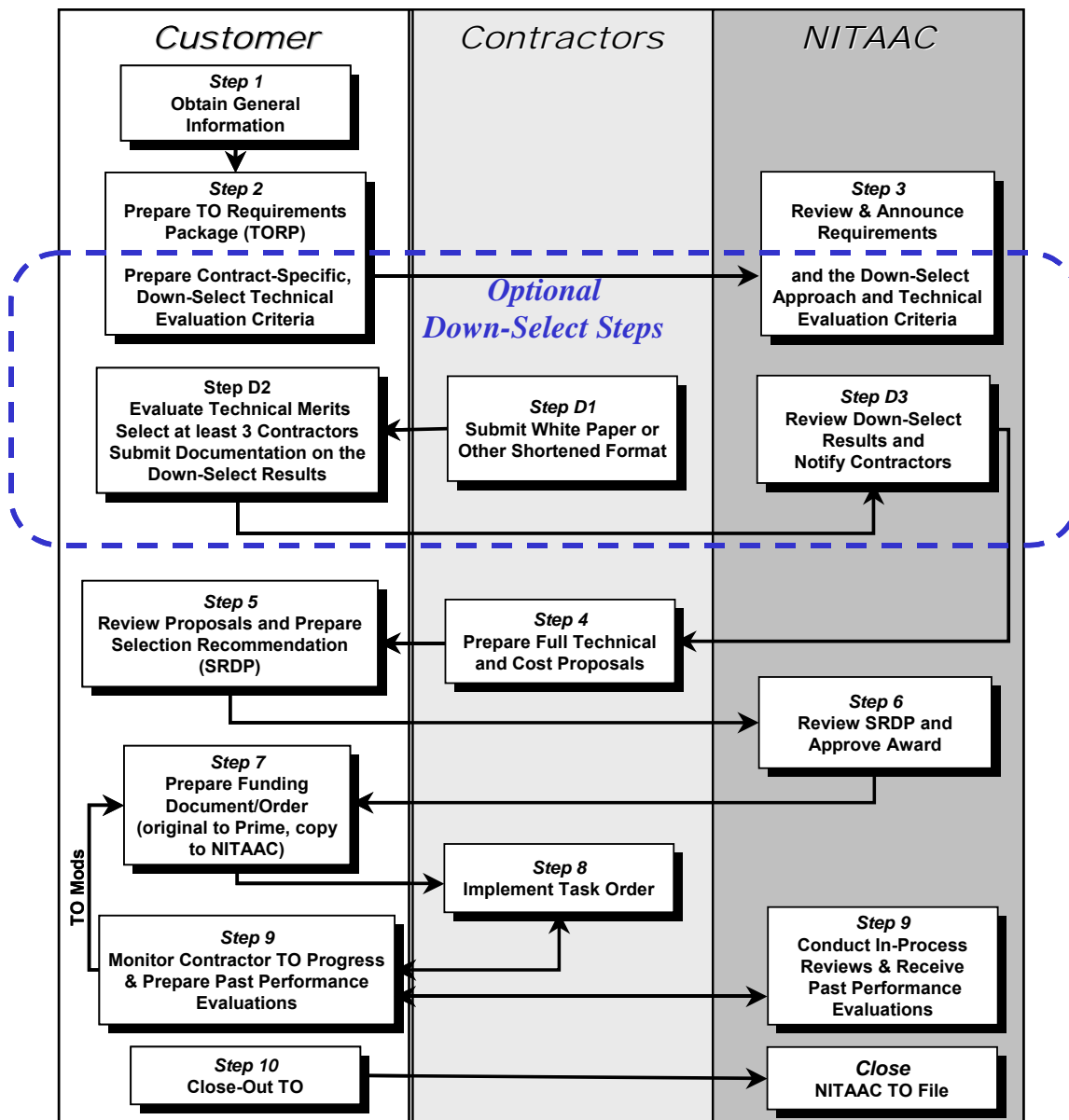
Step 8: Prime Contractor Implements Task Order

The prime contractor is authorized to start work upon receipt of the NITAAC Approval Letter and the customer’s funding document/order.

OPTIONAL CONTRACTOR DOWN-SELECT PROCESS

Optionally, Government customers using the IW2nd contract may choose a “down-select” process to limit the number of offerors that prepare fully developed technical and cost proposals. Figure 3 charts the steps of the TO process flow with the down-select option. The initial steps are the same, whether the customer chooses the down-select option or not.

Figure 3 Steps of the TO Process Flow



The down-select process does not eliminate any steps of the task order process, but may greatly shorten the amount of effort for the customer and contractors. For customers, the number of proposals to be evaluated may be fewer and for contractors who are not

selected during the down select, the accelerated technical review saves them the costly effort of preparing the full proposal.

Step 1. A government customer should begin the Task Order process by obtaining general information on *IW2nd*. This information is available in Chapter One or the NITAAC Web site. Examples of down-select approaches and criteria will be available on the Web site.

Step 2. The customer must define the task requirements and prepare the Task Order Requirements Package (TORP). Assuming the customer opts for the down-select process, the customer develops a down-select approach and technical evaluation criteria. The approach and criteria are submitted to NITAAC with the TORP.

Step 3. NITAAC reviews the TORP, the down-select approach and task-specific technical evaluation criteria. NITAAC assigns a Tracking Number, and announces the requirements, the down-select approach and criteria within 3 business days by email to eligible *IW2nd* prime contractors.

Step D1. Contractors prepare a “white paper” (or other format) addressing the requirements. See [4.1.3 Placing an Order](#) for a sample outline of the down-select white paper and the corresponding evaluation criteria matrix. At least 5 business days must be allowed for preparation. Contractors may also be requested to give an oral technical presentation.

Step D2. Using the down-select technical evaluation criteria, the customer selects at least three offerors, and documents the selection process. The documentation of the down-select process should include the customer’s evaluation against the established criteria. The customer transmits the list of selected prime contractors and documentation to NITAAC.

Step D3. NITAAC reviews the down-select process and results, and notifies both the successful and unsuccessful prime contractors. For the successful contractors, the normal task-order process resumes, that is, they prepare and submit full technical and cost proposals (Step 4). Unsuccessful contractors are not given an opportunity to further participate.

CHAPTER 4

NIH Processing Fee

The following paragraphs describe how the customer pays the NIH Processing Fee.

4.1 Prime Contractor Fee Collection (External Customers Only)

The only method of payment of the NIH Processing Fee is directly through the prime contractor.

4.1.1 Contract Administration

The processing fee covers the cost to NITAAC to plan, solicit, evaluate, award and administer the contracts. NITAAC has determined that the fee may only be paid via “Prime Contractor Collection,” as described in 0. The NIH Processing Fee must be added as a separate line item on the original order or modification.

4.1.2 NIH Processing Fee Terms

If the delivery/task order amount is **less than \$25,000**, there is a minimum NIH processing fee of **\$250**. If the delivery/task order amount is equal to or greater than \$25,000, the NIH processing fee is derived from Table 2 below.

If a modification is required to a delivery/task order that adds new items (e.g., additional items and/or prices added) or adds additional funds (e.g., incremental funding actions, exercise of options, etc.), apply the same NIH Processing Fee Schedule to determine the NIH Processing Fee for the modification. That is, the fee for each funding action is considered separately. If

there is a modification to the delivery/task order that decreases and/or offsets previous items, there is no decrease or refund in the NIH Processing Fee originally paid. Fees associated with leases follow the same schedule.

NIH Processing Fee Schedule (External Customers)

Business Category	Task Order Amount				
	Thresholds	\$0 – 1M	\$1M – 5M	\$5M – 10M	Over \$10M
Small Business Fee %	1%	0.75%	0.50%	0.25%	
Large Business Fee %	1%	1%	1%	1%	1%

4.1.3 Placing an Order

The customer agency must perform the following tasks when placing an order:

- **Delivery Orders**

Each prime contractor has been given a list of IW2nd Delivery Order Authorization Numbers. Upon selection for a Delivery Order, the prime contractor will issue the next consecutive number. The contractor must make the customer aware of the authorization number by e-mail, regular mail, telephone or fax. See [Delivery Order Process Flow Chart](#).

The customer must include the IW2nd Delivery Order Authorization Number on the face page of the Delivery Order, send the DO to the contractor, and provide a copy to the IW2nd Contract Team.

- **Task Orders**

When the Approval Letter is released, the NITAAC CO issues the IW2nd Task Order Authorization Number. See [Figure 2 Task Order Process Flow](#).

- The customer must include the IW2nd Task Order Authorization Number on the face page of the Task Order, send the TO to the contractor, and provide a copy to the IW2nd Contract Team. A new number must be obtained for each new task order.

- **Further Procedures Applicable to Both Delivery and Task Orders**

Upon notification of the IW2nd Authorization Number, the customer must email, fax, or mail a copy of the funding document/order that includes a separate line item for the NIH processing fee, to the following:

1. Selected prime contractor
1. IW2nd Contracts Team
1. Financial Team

Prime contractors have been directed to reject orders or modifications received with a missing or incorrect NIH fee. The mail/fax addresses of the IW2nd Financial Team and IW2nd Contracting Office are provided in the [Foreword](#)

The prime contractor will bill for the NIH Processing Fee in full on the first invoice. The prime contractor must remit the fee to the NIH *within the same month* payment was received from the customer.

4.2 PROCEDURES UNIQUE TO NIH (INTERNAL CUSTOMERS)

Records of Call - For any order, the IW2nd Task Order Authorization Numbers (for task orders only) or the IW2nd Delivery Order Authorization Number (for delivery orders only) should appear in the Administrative Database Record of Call Screen under the “Remarks” field.

A Government-wide commercial purchase card can be used to procure imaging supplies and services as long as the complexity of the requirement or the non-routine nature of the work does not require a written statement of work. Please contact an IW2nd CO for further information.

CHAPTER 5

Contract And Delivery/Task Management

NITAAC provides contract-level management and oversight of the program, while the customer performs the day-to-day management and oversight of the delivery/task order.

5.1 CONTRACT LEVEL MANAGEMENT

NITAAC tracks and guides contract performance over the life of the IW2nd contracts. NITAAC employs several methods and tools to assist this effort, in close concert with customer monitoring and evaluation efforts. These tools include the following:

5.1.1 In-Process Reviews

NITAAC conducts an In-Process Review (IPR) for each contract annually. IPRs are designed to show the work accomplished and underway, to ensure the work is utilizing approved standards, architectures, and guidelines, and to surface issues encountered during task order execution (e.g., discrepancies between customer approaches or requirements, lack of information or guidance needed, etc.) These reviews encompass assessment of past performance evaluations and prime contractor’s Monthly Program Status Reports (MPSRs).

5.1.2 Monthly Program Status Report

Each prime contractor must prepare a Monthly Program Status Report (MPSR), even if there has been no activity under the contract. It includes a brief summary of significant activities, problems and developments occurring during the reporting period, as well as progress made at the task order level. It provides:

- A technical activity summary, organized by customer order number and IW2nd Delivery Order Authorization Number/ IW2nd Task Order Authorization Number
- Government furnished property reports

The report must be received via e-mail (NIHImageWorld@od.nih.gov), fax and/or hard copy no later than the 10th of the following month.

5.1.3 Monthly Sales Report

The prime contractor shall provide copies of the Monthly Sales Report (MSR) to the Financial Team and to the IW2nd CO by the 10th of each month. If there is no sales activity, the report is still required stating “No Sales”. As attachments to the monthly sales report, the prime contractor will send copies of all Federal Agency sales orders (e.g., Delivery Orders, Task Orders, Record of Call Orders, and any modifications to Delivery/Task orders or Records of Call) that are itemized on the sales report being submitted. The MSR and copies of sales orders should be faxed, mailed, or delivered to the NITAAC Financial Team and the CO at the addresses provided in the [Foreword](#)

5.1.4 Monthly Check Report

The prime contractor is required to send a Monthly Check Report (MCR) to the NIH Office of Financial Management (OFM) for each month the contractor is submitting a fee reimbursement check to NIH. The report will contain order(s) information related to the NIH Processing Fees that are being paid by the check, showing individual dollar amounts and the IW2nd Delivery/Task Order Authorization Number for each order being paid. A copy of the actual check that was sent to the **NIH Office of Financial Management (OFM)**, listed below, in accordance with each prime contractor's contract is to be attached to the report. This check represents the sum of all NIH processing fees received that month.

**NIH, OFM, Cashier's Office
Building 31, Room B1B23
31 Center Drive
Bethesda, Maryland 20892**

Two copies of the report should be sent (faxed, emailed, or delivered) to NITAAC. One copy will be sent to the IW2nd CO and one copy to the NITAAC Financial Team. This report is due by the 10th of the following month at the addresses listed in the [Foreword](#)

5.1.5 Central Files

NITAAC maintains central files for each IW2nd contract. The file contains the contract and all documentation, all contract modifications, correspondence, and past performance evaluation reports, as well as copies of delivery/task orders, delivery/task order documentation, delivery/task order modifications. The customer maintains the official task order file and associated documentation.

5.2 DELIVERY/TASK ORDER MANAGEMENT

5.2.1 Day-to-Day-Monitoring

The customer's COTR and AMO/CO provide "front-line" day-to-day monitoring of the delivery order/task order during execution. The COTR is responsible for monitoring and measuring the prime contractor's delivery/task order performance using performance metrics established during the requirements stage for delivery orders or during preparation of the TORP.

The metrics should provide subjective and objective measures that will be used to assure timeliness, quality of deliverables, and reasonable cost results (e.g., the task order costs stay within budget), etc. Subjective measures that affect performance and can be measured include cooperation, problem solving and avoidance, correct staffing levels, adopted efficiencies, effective use of office and communication tools, reporting, etc. These measures will be used to complete the evaluation of the prime contractor's performance for each delivery/task order.

Contract level issues that arise during Delivery/Task Order performance will be referred to NITAAC for resolution (e.g., need for contract modifications, contract disputes, contract terminations, etc.)

5.2.2 Acceptance of Deliverables

The COTR is also responsible for inspection and acceptance of deliverables. If deliverables are rejected, this must be documented in writing to the prime contractor, with recitation of the requirement and factual statements of how the prime contractor failed to meet these requirements. A copy of any rejection notice must be sent to the IW2nd CO. The customer's COTR and AMO/CO should take rejection of deliverables into account when preparing past performance evaluations.

5.2.3 Acceptance of Invoices

The customer's COTR and AMO/CO are responsible for reviewing and accepting invoices submitted by the prime contractor for each delivery/task order. They must verify that supplies/services and all other costs invoiced were received. The AMO/CO should ensure that this review and acceptance is documented in the delivery/task order file. The Customer is responsible for payment and disbursement. This includes the NIH processing fee.

5.2.4 Past Performance Evaluations

Standard past performance evaluations are used for all IW2nd delivery/task orders in excess of \$100,000 to monitor and record overall performance of each prime contractor (See for the sample Past Performance Evaluation form). Performance evaluations shall also be completed at least annually for delivery/task orders that have a performance period in excess of one year or which contain option years. Annual performance evaluations shall be submitted to the IW2nd CO not later than October 31st of each year.

These evaluations will be used to evaluate overall prime contractor performance quarterly and upon delivery/task order completion. The COTR completes the form, obtains concurrence from the customer's AMO/CO in writing and forwards it to the prime contractor for comment. Prime contractor comments received by the customer within 30 days will be considered in the final evaluation, and must be included in the evaluation form.

In order for the evaluation to be received on a timely basis, it is requested that the form be completed within 30 days from the order completion date and forwarded to the IW2nd CO no later than 60 days after the delivery/task order completion date. Once the prime contractor's comments are incorporated, the customer forwards the form to the IW2nd CO for entry into the NIH Contractor Performance System. The information collected in the NIH Contractor Performance System will be available to all Government agencies.

5.3 DELIVERY/TASK ORDER MODIFICATIONS

Delivery/Task Order modifications are generally made to correct oversights or changes in conditions from the original delivery/task order. The following procedures will apply to Delivery/Task Order Modifications:

5.3.1 No-Cost Modifications

No-cost modifications (administrative modifications) may be processed directly by the customer without any participation by NITAAC. NITAAC will not charge a processing fee for these modifications. However, the customer's AMO/CO must send a copy of the modification to the IW2nd CO at the address provided in the [Foreword](#)

5.3.2 Addition of Funds

Two copies of Delivery/Task Order modifications that involve adding additional funds that were contemplated and described in the original delivery/task order (e.g., incremental funding actions, exercise of options) must be sent by the customer's AMO/CO to the IW2nd CO at the address provided in the [Foreword](#). No further documentation is required; however, for external customers, the NIH Processing Fee (of the amount obligated on the delivery/task order modification) must be added as a separate line item on the modification (i.e., the funding document/order). Please see [CHAPTER 4](#) for further information on the procedures for determining the NIH Processing Fee.

- If the customer's modification requirement alters the scope (adds an additional period of performance⁶, or provides for major changes such as additional work), a task order modification (versus a new TO) is only appropriate if the following conditions are met:

⁶Task Order Modifications for FP contracts solely for the purpose of extension of time to complete the task (with no associated additional costs and no new work) do not require that a new TORP be prepared. These types of modifications should be handled as provided in section 0 of these Guidelines.

- The work relates in some way to the original statement of work, e.g., additional time, additional related task, etc.
- The FAR exception to Fair-Opportunity-to-be-Considered at **16.505(b)(2)** is cited and a full rationale is presented and signed by the Agency Contracting Officer or other designated agency official in accordance with agency regulations and in compliance with FAR 16.505(b)(2).
- If this is a follow-on, **FAR 16.505(b)(2)(iii)** should be cited and a supporting justification must be included in the SRDP documentation submitted by the customer's AMO/CO to the IW2nd Contracting Officer. The justification should also refer to the original Task Order and explain the connection between it and the follow-on in the background statement of the Statement of Work. The SRDP must contain all of the elements of an original SRDP, including a best value determination as well as the justification.
- The IW2nd Contracting Officer will review the documentation, request revisions, if appropriate, and issue a NITAAC Approval Letter with the NITAAC Task Order Authorization Number (which will include a suffix to indicate the modification number) to the customer and the prime contractor. After the prime contractor receives the funding document, the prime contractor may proceed with the additional work. The customer documents the best value decision.
- If the additional work/additional time requires additional funding, the Order will be subject to the NIH processing fee (applicable to external customers). Please see Chapter 4.0 for further information on the procedures for determining the NIH Processing Fee.

If the requirement is for new work or additional quantities, the procedures described in Chapter 2, 3 or 4, as applicable, must be followed, as this would be considered a brand new requirement.

5.4 DELIVERY ORDER MODIFICATIONS - PRIME CONTRACTOR RESPONSIBILITIES

Upon receipt of a Delivery Order Modification, the prime contractor must assign a Delivery Order Modification Number to the modification by first citing the original IW2nd Delivery Order Authorization Number given to that order and then adding the proper suffix (e.g., .01, .02, .03, etc.). The prime contractor must report this number back to the customer's AMO/CO for documentation purposes. In addition, the prime contractor is responsible for including all modifications to orders on its monthly sales, check and status reports submitted to NITAAC.

5.5 DELIVERY/TASK ORDER CLOSE OUT

When orders are completed, the customer's COTR and AMO/CO must sign the acceptance of the final product or a completion statement of effort for all tasks issued. This ensures that all delivery/task order requirements were met, e.g., all deliverables were received on time and were technically acceptable, GFE/GFI have been appropriately distributed, etc. The prime contractor submits the final invoice for costs incurred during task order execution (as accepted by the COTR and AMO/CO). The final invoice must include a statement that it is the final invoice and that all costs have been accounted for and billed. The prime contractor must forward a copy of the invoice to the IW2nd CO and the Financial Team within 5 business days of invoicing the customer.

Glossary

The definitions in this section reflect NITAAC's interpretation of terms and concepts used in the IW2nd guidelines.

Accountable Management Official (AMO) - The warranted official within the customer's organization (whether NIH or other Federal Agency), who is empowered to obligate Government funds. This individual has the authority to bind the Government to the extent of the authority delegated to him/her. The dollar threshold set forth in the individual's delegation may not be exceeded. The AMO is typically a Contracting Officer, if the customer chooses to issue orders locally (i.e., through its own agency channels). Only when a local contracting office is not available, the AMO may be a project official who must be given authorization by his/her agency to direct the transfer of funds to the designated contracting office.

Best Value Analysis - The analysis of technical and cost proposals to determine which proposal offers the best tradeoff between price/cost and performance, where quality is considered an integral performance factor.

Delivery Order (DO) - An order placed against an Indefinite Delivery, Indefinite Quantity contract for hardware, software, and solutions. In the case of IW2nd, Delivery Orders are placed only against CLINs for commercial hardware, software, solutions-based imaging systems, and certain services and studies. See [Delivery Orders Versus Task Orders](#).

IW2nd Delivery Order (DO) Authorization Number - The IW2nd Contracting Officer has assigned a block of numbers to be used for each Delivery Order received to each prime contractor. The prime contractor assigns the numbers sequentially for each Delivery Order and inserts the number on the Delivery Order. A copy of each Delivery Order with the IW2nd DO Authorization Number is then forwarded to the Financial Team with the monthly sales report. If a Delivery Order modification is received, a suffix (e.g., .01, .02, .03, etc.) is assigned to the original IW2nd DO Authorization Number and is placed on the Delivery Order Modification furnished to the Financial Team. The prime contractor shall not accept any incorrect orders or orders from external customers that do not have the NIH processing fee cited on the order as a separate line item.

IW2nd Task Order (TO) Authorization Number - This is the number that NITAAC assigns to a task order once the Selection Recommendation Document Package (SRDP) has been approved. (See step 6 in the TO Process.) It is provided to the customer in the NITAAC Approval letter. It must appear on the customer's funding document/order. In the case of NIH Records of Call, the IW2nd Task Order Authorization Number must appear in the description block of the Record of Call. The prime contractor shall not accept any orders without this number.

Contracting Officer (CO) - A person with the authority to enter into, administer, and/or terminate contracts and make related determinations and findings.

Contracting Officer Technical Representative (COTR) - The individual appointed by the AMO/CO who serves as the principal point of contact between the customer, the delivery/task order prime contractor and NITAAC. This individual provides technical direction to the delivery/task order prime contractor.

Contract Type: Fixed Price (FP) - A fixed price contract provides for a fixed price that is not subject to any adjustment on the basis of the prime contractor's cost experience in performing the contract. This contract type places maximum risk on the prime contractor. It also provides maximum incentives for the prime contractor to control costs and perform effectively.

Customer - This term includes personnel from NIH and all other Federal Agencies. The term “external customer” means any Federal Customer that is not a part of the NIH.

“Fair-Opportunity-to-be-Considered” Rule - All prime contractor teams (primes and their designated subcontractors) are considered to possess the basic qualifications for success in the respective Technology Functional Areas of the IW2nd program under which they received a contract. Therefore, the statutory and regulatory requirements for the “Fair-Opportunity-to-be-Considered” rule will be deemed to have been met for *delivery orders* if the customer reviews all the Image World 2 prime contractors’ catalogs/price lists for the CLINs for commercial hardware, software, solutions-based imaging systems, and certain services (such as fixed price studies, surveys and conversions services), and obtains quotes from at least three prime contractors. The statutory and regulatory requirements for the “Fair-Opportunity-to-be-Considered” Rule for Task Orders will be deemed to have been met if NITAAC announces all task orders (that do not fall under one of the exceptions in FAR 16.505(b)(2)) to all qualified prime contractors either through e-mail or the designated Internet Web site. (“Qualified” here is with respect to the Technology Functional Areas of IW2nd.) See [Exceptions To The Fair Opportunity Process](#) for exceptions. An agency’s official Task Order file must be documented with the best value decision and its rationale. This determination is included in the Selection Recommendation Document Package (SRDP) and submitted to the IW2nd Contracting Officer. Each task order will be evaluated, at a minimum, on selection criteria that include past performance, technical/management approach, progress towards subcontracting goals, and price/cost.

Funding Document/Order Number - This is the unique customer number identifying the Funding Document/Order. If a task order, the funding document/order must cite the IW2nd Task Order Authorization Number (note - this number is assigned by the IW2nd Contracting Officer through the Approval Letter). If a delivery order, the funding document/order must cite the IW2nd Delivery Order Authorization Number (note - this number is assigned by the prime contractor). Both task/delivery orders must include the proper NIH Processing Fee as a separate line item, where appropriate.

Awarded, Funded, and Obligated Amounts:

- Awarded Amount: The dollar amount NITAAC approves in the Approval Letter for the delivery/task order over the life of the order, e.g., includes incremental funding and option dollar amounts.
- Funded Amount: The total dollar amount obligated by an Agency in a fiscal year. This amount may be spread over several delivery/task order modifications, each containing a portion of the funded amount as the obligation of that particular delivery/task order modification.
- Obligated Amount: The dollar amount on the funding documents/orders/modifications that have been Agency approved. This may or may not equal the funded amount, depending on how the agency determines to allocate the funded amount over the fiscal year.

Loaded Labor Rates - These are the rates that are provided in each prime contractor’s IW2nd contract. These rates are fully burdened composite hourly rates used in Fixed Price orders. They include overhead, G&A and profit; they do not include Other Direct Costs (ODCs) and travel. ODCs, if applicable, are negotiated with each order. The handling of the rates is as follows:

Fixed Price (FP) Orders - The prime contractor estimates the quantity of hours required for the effort to arrive at the fixed price of the labor portion of the order. ODCs are computed separately and added to the labor price to arrive at the order’s total FP. No post award accounting of hours expended or personnel qualifications are required.

NIH Processing Fee – The NIH Processing fee that NITAAC receives from its external customers for processing a delivery/task order or delivery/task order modification (where applicable, see Chapter 4). The fee covers the costs associated with the solicitation, award, and administration of the twenty-three IW2nd contracts.

NITAAC Approval Letter - A memorandum signed by the IW2nd Contracting Officer for Task Orders authorizing approval of the selected prime contractor and providing the IW2nd Task Order Authorization Number and processing fee information.

NITAAC Tracking Number - This is the number assigned by the NITAAC CO at the beginning of the Task Order award process (see step 2). NIH and other Federal customers use the tracking numbers. NITAAC uses it for internal tracking of the task orders until the SRDP is received, approval is provided and the IW2nd Task Order Authorization Number is assigned.

Prime Contractor - One of twenty-three prime contractors holding an IW2nd IDIQ contract awarded by NITAAC. Only the twenty-three prime contractors may receive delivery/task order awards from customers. Each prime contractor leads a team of subcontractors that may perform work on a customer's order, but it is the prime contractor with whom the Government maintains a contractual relationship.

Selection Recommendation Document Package (SRDP) (Task Orders Only) - The documentation that includes a discussion of the evaluation process and the rationale for award, copies of all proposals, checklist and signature by the customer's AMO/CO. These orders may be funded fully in the first year, funded by options, or incrementally funded.

Spot Pricing - Prime contractors may reduce the price of any CLINs for commercial hardware and software applications, or solutions-based imaging systems without prior consent from the IW2nd Contracting Officer, without invoking a general price reduction for all future sales of that particular CLIN for volume purchases, vendor promotions, or other special terms and conditions. All spot pricing and applicable terms and conditions shall be shown as such on the delivery/task order.

Task Order Requirements Package (TORP) - The complete documentation prepared and submitted by the customer (NIH and other Federal Agencies) to initiate a task order request.

Task Order (TO) - An order placed against an Indefinite Delivery, Indefinite Quantity Contract for services.

Exceptions To The Fair Opportunity Process

In accordance with FAR 16.505(B) (2), the *only* exceptions to the requirement to provide each awardee a Fair-Opportunity-to-be-Considered for each order exceeding \$2,500 are:

1. The agency need for the supplies or services is so urgent that providing a fair opportunity would result in unacceptable delays;
2. Only one awardee 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;
3. The order must 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 the contract, provided that all awardees were given a Fair-Opportunity-to-be-Considered for the original order.

In citing this exception, the customer must make a case that at least a significant subtask has been completed on the previous order and the follow-on is a logical continuation or next phase of the task(s). This exception would be difficult to document in a Fixed Price Delivery Order and therefore is expected to be a Task Order; or

4. It is necessary to place an order to satisfy a minimum contract guarantee.

Delivery Orders Versus Task Orders

The IW2nd contract provides for both Delivery Orders and Task Orders. The FAR⁷ provides the following definitions of “delivery order contract” and “task order contract:”

"Delivery order contract" means a contract for **supplies** that does not procure or specify a firm quantity of supplies (other than a minimum or maximum quantity) and that provides for the issuance of orders for the delivery of supplies during the period of the contract.

"Task order contract" means a contract for **services** that does not procure or specify a firm quantity of services (other than a minimum or maximum quantity) and that provides for the issuance of orders for the performance of tasks during the period of the contract.

Delivery orders are normally for CLINs that are prepackaged, commercial items⁸ advertised in a catalog and/or at a fixed price. Commercial items are specific quantities of hardware, software, and/or labor (based on established catalog or market prices for specific tasks performed under standard commercial terms and conditions). For a commercial item, the contractor should be able to present at least three invoices for the product at the advertised catalog price or higher. See the FAR, section 2 for exceptions.

Task orders are normally for custom products or services that must be defined or explained by the customer before the contractor can develop a price quotation. For task orders, the price of the products and/or services is usually not available from any public source.

⁷ See <http://www.arnet.gov/far/current/html/16.html> - 16.501-2.

⁸ See “commercial item” in the FAR, Part 2.

0 provides a series of questions and answers that may assist in determining whether a Delivery Order or a Task Order is more appropriate for the customer's requirements. 0 provides some examples of Delivery Orders and Task Orders.

Check List for Selecting Delivery Orders (DOs) or Task Orders (TOs)

Question	Answer	
	Yes	No
Is the order only for property, rather than for services?	DO	TO
Is the order for a combination of services and property, rather than property only?	TO	DO
Are the required items (except labor rates for services) available as CLINs on the contractor's IW2nd Web site?	DO	TO
Are the required items (except labor rates for services) available as CLINs on the GSA Schedule or other price lists?	DO	TO
Can the customer (i.e, government agency) calculate the total price of the goods and services ⁹ from a public information source?	DO	TO
If the items include maintenance, is it routine, periodic, or preventative maintenance at a fixed per-seat cost?	DO	TO
Does the order require significant customization of the required items to meet the customer's needs?	TO	DO
Is an explanation of the customer's requirements needed by the contractor(s) before proposal submission?	TO	DO
Is clarification of scope with the potential contractor(s) required before selection of a contractor?	TO	DO
Does the order require significant system design or product development?	TO	DO
If the procurement includes maintenance, does the maintenance require substantial problem identification, diagnosis, and resolution?	TO	DO
Will the procurement require significant system integration testing by the contractor?	TO	DO

⁹ This total price may not be the result of multiplying hourly rates times the proposed number of hours. In this case, a task order is more appropriate.

Some Examples of DOs and TOs

Delivery orders require that there be an established price in the contract for the system or service, such as installation or maintenance, not hourly rates.

Item/Service	DO/TO
A commercially available, IW2nd-listed software package, including annual maintenance or periodic upgrades	DO
An integrated computer-based imaging system, with software packages installed and configured for standard procedures	DO
Scanning and conversion (via OCR) of 100,000 typewritten pages into a specified format, assuming no extra formatting of graphics or tables will be required and the accuracy desired is easily specified using industry-standard terminology.	DO
Standard installation of a commercially available medical imaging x-ray system	DO
An established, documented training program at the customer's or contractor's site	DO
Thirty days of labor by technical experts for an otherwise undefined "Imaging Technology Study"	TO
A study of alternative approaches to scan and convert 10,000 rolls of microfilm into a searchable custom electronic format	TO
A commercial training program, substantially modified to meet a customer's unique needs	TO
Significant modification of commercial-off-the shelf software or hardware to meet a customer's requirements	TO
Integration services for a custom videoconferencing system	TO

Sample Outline of a 10-Page "White Paper"

The following is an outline of a 10-page "white paper" that could be used in a down-select process. In this outline, there are five identified sections, with each section having a page limitation. The Statement of the Problem and the Critical Issues sections are prepared by the offeror based on his/her reading of the TORP, discussions with the customer, and knowledge of the customer's environment. The Project Approach section describes the technical approach advocated by the offeror to solve the problems/issues confronting the customer. The Suggested Timeline might only be the offeror's best estimate of the project's duration or it might include subprojects and show their durations and interdependencies. The last section, Relevant Past Experience, is a short summary of the experience of the offeror that is directly relevant to the customer's project.

1. **Statement of the Problem** -- A brief restatement or elaboration by the offeror of the customer's problem (1 page)
2. **Critical Issues** -- Discussion by the offeror of critical issue(s) the customer might face in trying to solve the problem (2 pages)
3. **Project Approach** -- A description of the technical approach recommended by the offeror and of how it will address each of the critical issues (5 pages)
4. **Suggested Timeline** -- The offeror's best estimate of how long the project would take, to include a timeline if scheduling is a critical issue (1 page)
5. **Relevant Past Experience** -- A summary of the offeror's past experience that is directly relevant to the current problem (1 page)

0 displays sample evaluation criteria for white papers that use this outline and a simple scoring sheet that might be used to compute a weighted total score for each offeror.

Sample Evaluation Criteria and Scoring Sheet

Criterion	Grade [1 → 5] Low → High	Weight [1 → 3] Low → High	Total Score for each Criterion¹⁰
Degree of understanding of the problem and the critical issues confronting the customer		3	
Realism of the proposed technical approach		2	
Innovativeness of the proposed approach		1	
Realism of the suggested timeline		1	
Depth of directly relevant past experience		3	
Offeror's Total Score			

¹⁰ The total score for each criterion is computed by multiplying the assigned grade by the weight. An offeror's total score is the sum of the total scores for each criterion.