COMBINED SYNOPSIS SOLICITATION
INSTRUCTIONS TO OFFERORS
HSCEMS-12-R-00015

This is a combined synopsis/solicitation for commercial items prepared in accordance with the format in the Federal Acquisition Regulation (FAR) Subpart 12.603, as supplemented with additional information included in this notice. This announcement constitutes the only solicitation and proposals are being requested.

Solicitation HSCEMS-12-R-00015 is hereby issued as a Request for Proposal (RFP). The RFP and incorporated provisions and clauses are those in effect through Federal Acquisition Circular (FAC) 2005-60, May 10, 2012. This is an unrestricted solicitation with full and open competition. The associated North American Industrial Classification System (NAICS) code for this procurement is 332992, Ammunition Manufacturing and the Small Business Size Standard is no more than 1,000 employees. This acquisition is not a small business set-aside.

The awards will be indefinite delivery-indefinite quantity (IDIQ) contract(s) whereby firm-fixed-price (FFP) delivery orders will be issued. This contract will be Department-wide i.e. the Department of Homeland Security (DHS) and its components will be authorized to issue delivery orders against the resultant contract. The Government reserves the right to make multiple awards if, the Government deems it in its best interest to do so.

REQUIREMENT: The total requirement is to provide an estimated 40 million rounds of .223 Remington Caliber SD (62 grain) in the base year and in each of the four option years in accordance with Attachment 2, Statement of Work for .223 Remington Caliber SD.

PERIOD OF PERFORMANCE: The ordering period of performance will be one year base period plus four one-year options.

DELIVERY TERMS: Delivery is free-on-board (FOB) Destination to numerous DHS component locations within the Continental United States (CONUS) and its territories including Alaska, Hawaii, Guam, the Northern Marianna Islands, Puerto Rico, and the U.S. Virgin Islands in accordance with the Statement of Work (Refer to Attachment 2). Specific delivery destination will be specified at the delivery order level.

SCHEDULE: Offerors shall complete Attachment 3, Price Schedule, and return it with Volume IV, Price. First Article Test (FAT) and Lot Acceptance Test (LAT) samples are Not Separately Priced (NSP) but are Sub contract line item numbers (SubCLINs) and are to be provided at no cost to the Government. The offeror shall provide the unit price as well as the extended price for the base year and each option year using no more than two decimal places.

MINIMUM AND MAXIMUM THRESHOLDS: The contract or contracts for .223 Remington Caliber SD awarded under this solicitation will have a base period of one year, plus four one-year options. The guaranteed minimum of any contract awarded is 10,000 rounds and is applicable to the base year only. The estimated amount over the 5 year duration of the contract will be 200,000,000 rounds.

QUESTIONS:
Questions concerning the Request for Proposal (RFP) shall be submitted via e-mail to Jude Rubrico, the Contract Specialist, at Judejames.Rubrico@ice.dhs.gov, by 4:00 pm EST on August 27, 2012. Offerors shall
answers will be provided to all prospective offerors, giving due regard to the proper protection of proprietary information. U.S. Immigration and Customs Enforcement (ICE or Government) recommends that offerors ensure questions are written to enable a clear understanding as to the offeror’s issues or concerns. Statements expressing opinions, sentiments or conjectures are not considered valid inquiries or comments for this purpose and will not receive a response from ICE. Furthermore, offerors are reminded that ICE will not address hypothetical questions aimed toward receiving a potential evaluation decision.

**ADDENDUM TO 52.212-1:**

52.212-1 Instructions to Offerors – Commercial Items (FEB 2012) and addendum are incorporated into this solicitation with the following insert under (c): The offeror agrees to hold the prices in its offer firm for **120 calendar days** from the date specified for receipt of offers.

**GENERAL PROPOSAL PREPARATION AND DELIVERY INSTRUCTIONS**

Proposals shall be received by **September 21, 2012** no later than **4:00 pm** EST to be considered for award. Please refer to FAR provisions 52.212-1 titled “Instructions to Offerors—Commercial Items (Feb 2012),” 52.212-2 titled “Evaluation – Commercial Items (January 1999),” and Attachment 1 titled “Ordering Procedures and FAR Clauses, Provisions, HSAR Clauses, and Terms and Conditions, for additional submission instructions and evaluation procedures.

An original of Volume I **ONLY** and an electronic copy (CD) of the proposal shall be included with the qualification samples and delivered to:

U.S. Immigration and Customs Enforcement, Armory Operations
Attn: Solicitation HSCEMS-12-R-00015
320 East Chestnut Avenue
Altoona, PA 16601

Additionally, an original of Volumes I, II, III, and IV and an electronic copy (CD) of the proposal shall be submitted to:

U.S. Immigration and Customs Enforcement (ICE)
Office of Acquisition Management (OAQ)
Attn: Maria B. Williams/Jude Rubrico
801 I Street, NW, Suite 900
Mail Stop Code 5750
Washington, DC 20536

*(NOTE: Do NOT include qualification samples with submission to the Office of Acquisition Management address)*

In order to meet the due date and time specified in this solicitation for submission to the Office of Acquisition Management, Offerors will need to take the following steps:

--Submit proposal via a delivery service that utilizes a tracking mechanism (i.e., FedEx, UPS, etc.);
--Ensure the Mail Stop Code 5750 is included in the address label;

-- Send the tracking number ahead of time to the CRDS at info@crdsmail.com so that they can flag it on the loading dock to ensure that the package gets on the bio sample on the same and expedite delivery to the Contracting Officer; cc: the Contract Specialist; and

--Send the signed receipt for accepting the package to the designated Contract Specialist to establish the delivery date/time to the Government.

All electronic proposals shall be provided in MS Word Ver. 2010 or earlier and/or Excel Ver. 2010 or earlier. Facsimile proposals are not permitted and will be disregarded if received.

The proposal shall clearly demonstrate the offeror’s understanding of the overall and specific requirements of the Statements of Work and convey their capabilities for transforming their understanding into accomplishments for performing the orders placed against the contract.

Information requested herein shall be furnished in writing and in compliance with the instructions. The information requested and the manner of submittal is essential to permit prompt evaluation of all proposals on a fair and uniform basis. Simple statements of compliance without the detailed description of how compliance will be met may be considered insufficient evidence that the proposed supplies can technically meet the requirements of this RFP. Accordingly, any proposal in which material information requested is not furnished, or where indirect or incomplete answers or information are provided may be considered non-responsive.

PROPOSAL PREPARATION COSTS

The Government will not pay costs incurred by any offeror in the preparation and submission of a proposal in response to this RFP. The Contracting Officer is the only person who can legally obligate the Government for the expenditure of public funds in connection with this procurement.

PROPOSAL CONTENT AND SUBMISSION INSTRUCTIONS

Proposal Content

Offerors are cautioned to review the RFP and ensure that the proposal submitted is fully responsive and complies with all requirements of the RFP. Each proposal shall clearly demonstrate that the offeror understands the overall and specific technical requirements of the Statement of Work. The offeror shall provide the requested past performance and pricing information as specified in this solicitation. Failure to address all requirements of the RFP in the proposal may result in the proposal being removed from consideration for award by the Government. Clarity and completeness of the proposal is of the utmost importance. The proposal shall be written in a practical, clear and concise manner. It shall use quantitative terms whenever possible and shall avoid qualitative adjective to the maximum extent possible. Proposals shall be legible, single-space, type-written (single-side), in a type size not smaller than eleven (11) font, on paper not larger than eight-and-one-half-by-eleven inches.

The offeror’s proposal shall include four separate parts: Volume I - Technical; Volume II - Past Performance; Volume III – Socio Economic Status/Usage; and Volume IV – Pricing. Technical is significantly more important than all the other non-cost factors. Final award will be made on the basis of best value to the Government. Best value will be determined in accordance with FAR Part 15.101-1. It will be based on the
evaluated contract price relative to the scored criteria. While U.S. Immigration and Customs Enforcement (ICE) are willing to pay more for greater technical merit, the price must be fair and reasonable and the assessed higher technical merit must be worth the price premium. The relative importance of price will increase as the difference in technical merit among offerors decreases. Among offers determined by the ICE to be essentially technically equal, price may become the deciding factor.

**Amendments.** Any changes to a proposal made by an Offeror after its initial submission shall be submitted following the same instructions in this section for the appropriate volume to the address(es) specified herein. Changes shall be described in summary format and the changes/replacement pages shall be clearly identifiable. Changes from the original page shall be indicated on the outside margin by vertical lines adjacent to the change. The Offerors shall include the date of the amendment at the bottom of the changed pages.

**Volume I – Technical**

This section shall be limited to 5 pages, in addition to the documentation required in each Statement of Work which does not count against the 5 pages (see SOW Required Documents below). Within the five pages of Volume I, the offeror shall describe the technical approach to providing the ammunition identified in the Statement of Work. The technical approach should include:

**Technical Performance Acceptability:** The offerors shall provide a qualification sample of 6,000 rounds of ammunition, at no cost to the government, as a part of the proposal. This sample of ammunition will undergo qualification testing to ensure that it meets or exceeds the standards as stated in the Statement of Work. All ammunition submitted for acceptance shall comply with all requirements listed in the Statement of Work. National Firearms and Tactical Training Unit (NFTTU) will perform the qualification testing on all ammunition submitted. All samples shall be submitted to:

U.S. Immigration and Customs Enforcement, Armory Operations  
Attn: Solicitation HSCEMS-12-R-00015  
320 East Chestnut Avenue  
Altoona, PA 16601

The samples shall be received no later than the date and time the proposals are due. Offerors shall include a hard copy of their Volume I – Technical proposal with the samples.

**SOW Required Documents:**  
Documentation identified in Attachment 2, paragraph 3.5 is required to be provided with solicitation and ammunition sample only. Failure to provide any required documents may result in the proposal being removed from consideration for award by the Government.

**ADDENDUM TO 52.212-2:**

**52.212-2 Evaluation – Commercial Items (JAN 1999)**

**Basis of Award**  
Only one ammunition sample for which the offeror is submitting a proposal shall be submitted for solicitation testing and considered for contract award. The Government will award a contract(s) to the responsible
offeror(s) submitting an overall proposal that is determined most advantageous to the Government, price and non-price factors considered in accordance with FAR Provision 52.212-2 titled “Evaluation – Commercial Items (January 1999)”. Award will be made to the offeror(s) whose proposal meets or exceeds the Government’s requirements and represents the best value to the Government. The government reserves the right to make multiple awards if it is advantageous to do so.

**Evaluation Factors**

The Government will evaluate each proposal using the following evaluation factors and sub-factors listed in descending order of importance:

a. Technical
   1. Technical Capability
   2. SOW required Documents
b. Past Performance
   1. Relevance
   2. Quality
c. Socio Economic Status/Usage
   1. DHS Mentor-Protégé Program participation & Small Disadvantaged Business Participation Program – Targets.
d. Price

When the non-price factors of technical, past performance, and socio economic status/usage are combined, they are significantly more important than price. Factor a. Technical is significantly more important than both factors b. Past Performance and factor c. Socio Economic Status/Usage when combined.

**Evaluation Criteria for Technical**

The Technical Factor assesses the technical capability of the offeror to provide the ammunition required by the Statement of Work or exceeding the requirements of the Statement of Work which provide for minimum and maximum thresholds. Points are based on the offeror’s evaluated capability to meet and exceed those minimum thresholds identified in the Statement of Work. Some technical evaluation performance characteristics are weighted more heavily than others. Additionally several factors which are not conducive to a scoring range are to be evaluated on a pass/fail basis.

Offerors will be evaluated in the areas of basic compliance, major requirements (velocity, accuracy, terminal ballistics, function), and minor requirements (visible muzzle plume, luminous ejecta). An overall rating will be assigned based on test results and basic requirement compliance as outlined in Table I of the SOW.

The following adjectival ratings will be used to evaluate the Technical Factor:

<table>
<thead>
<tr>
<th>Rating</th>
<th>Symbol</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outstanding</td>
<td>O</td>
<td>The offeror demonstrates its ability to provide ammunition that exceeds the standards listed in the Statement of Work and merits a score of 18 to 23 without any failures.</td>
</tr>
<tr>
<td>Very Good</td>
<td>V</td>
<td>The offeror demonstrates its ability to provide ammunition that meets the standards listed in the Statement of Work and merits a score of 11 to 17 points without any failures.</td>
</tr>
<tr>
<td>Acceptable</td>
<td>A</td>
<td>The offeror demonstrates its ability to provide ammunition that meets the standards listed in the Statement of Work and received a score of 5 to 10 points without any failures.</td>
</tr>
<tr>
<td>Unacceptable</td>
<td>U</td>
<td>The offeror is unable to demonstrate its ability to provide ammunition that meets the</td>
</tr>
</tbody>
</table>
### Volume II – Past Performance Information

This section shall be limited to 3 pages total. The offeror shall submit their demonstrated record, within the past three (3) years as confirmed by references (Federal, State, local government, and/or private), of past performance, including quality of services, compliance with Statement of Work, contract management, and customer satisfaction.

The offeror shall identify three (3) ongoing or successfully completed projects performed by the offeror or its Subcontractors that demonstrate recent and relevant past performance. Recent is defined as within the last three (3) years from the date proposals are due. Relevant is defined as work similar in scope, complexity, magnitude, and financial impact to client to the work identified in the Statement of Work.

For ongoing projects, at least 50 percent of the contract funding for the period of performance shall have been expended by the date of submission of the proposal.

Please include the following information:

a) Project Title,
b) Description of the Project,
c) Contract/Delivery Order Number,
d) Contract/Delivery Order Amount,
e) Government Agency/Organization,
f) Contracting Officer’s Technical Representative (COTR) name, address, phone number and email address,
g) Contracting Officer’s name, address, telephone number and email address, and
h) Current status, (e.g. completed and/or in progress, start and estimated completion dates).

A past performance questionnaire is provided as Attachment 4, Contractor Provided Letter Requesting Past Performance Evaluation. The offeror shall forward this questionnaire to each of the references provided and request the response be submitted directly to the address specified for receipt of responses by the due date of the solicitation.

The Government reserves the right to access past performance information from other sources.

### Evaluation Criteria for Past Performance

The Government will evaluate the relevance and quality of the offeror’s past performance based on the past performance references provided in the offeror’s submission and/or other information obtained from references provided by the offeror, as well as other relevant past performance information obtained from other sources known to the Government. The Government reserves the right to perform customer surveys only for those contracts that are deemed by the Government to be most relevant to this procurement. An offeror without a record of past performance or for whom information on relevant past performance is not available will be evaluated as neutral. The past performance evaluation will assess the offeror’s record of providing quality ammunition that ensures the Statement of Work requirements are met, to include cost effectiveness and overall customer satisfaction.

### Rating Definitions for Past Performance

<table>
<thead>
<tr>
<th>Rating</th>
<th>Symbol</th>
<th>Definition</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>standards listed in the Statement of Work and received a score of less than 5 points and/or received one or more failures.</td>
</tr>
</tbody>
</table>

Please consult the attachment for more detailed information.
<table>
<thead>
<tr>
<th>Rating</th>
<th>Symbol</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neutral</td>
<td>N</td>
<td>No past performance available for evaluation. The offeror has asserted that is has no directly related or similar relevant past performance experience. The offeror receives no merit or demerit for this factor.</td>
</tr>
<tr>
<td>Outstanding</td>
<td>O</td>
<td>Based on the offeror’s record of past performance, no issues, concerns, or risks are associated with receiving acceptable ammunition in a timely manner. Past performance surveys and the offeror’s experiences indicate that the offeror is capable of meeting the delivery requirements.</td>
</tr>
<tr>
<td>Acceptable</td>
<td>A</td>
<td>Based on the offeror’s record of past performance, few issues, concerns, or risks are associated with receiving acceptable ammunition in a timely manner. Past performance surveys and the offeror’s experiences indicate that the offeror is capable of meeting the delivery requirements.</td>
</tr>
<tr>
<td>Unacceptable</td>
<td>U</td>
<td>The offeror’s record of past performance indicates it will be unable to deliver acceptable ammunition in a timely manner.</td>
</tr>
</tbody>
</table>

**Volume III: Socio Economic Status/Usage**

There is no page limitation for this section. Offerors, applicable to large businesses only, shall submit a subcontracting plan in accordance with FAR clause 52.219-9 Small Business Subcontract Plan Alternate II (Oct 2001). Attachment 5, Sample Subcontracting Plan, is provided as guidance.

**DHS Mentor-Protégé Program.** The Government will evaluate the offeror’s Socio Economic Status/Usage factor by reviewing the offeror’s participation in the DHS Mentor-Protégé Program and the effect of that participation in meeting the Department’s small business goals. If the offeror participates in the DHS Mentor-Protégé Program, a signed letter of mentor-protégé program approval by the Office of Small Disadvantaged Business Utilization (OSDBU) is required to be submitted under this factor. Agreements approved by other agencies are not acceptable.

**Small Disadvantaged Business Participation Program – Targets.** The offeror shall provide targets, expressed as percentages of potential contract value, for SDB participation. The offeror shall state the name of the SDB, describe the proposed subcontracts, and include approximate dollar values of the subcontracts. Evaluation of SDB participation will be a subjective assessment based on the offeror’s SDB participation targets (expressed as dollars and percentages of the total value of the proposal), and the extent to which the SDB is specifically identified in the offeror’s proposal.

*Small Businesses – Small businesses can achieve goals through their own performance/participation as a prime without having to subcontract.*

**Evaluation Criteria for Socio Economic Status/Usage**

Note: Sub-factors for Socio Economic Status/Usage evaluation:

The offeror shall use the Protégé as a subcontractor for this procurement in order to receive credit. The proposed participation in the DHS Mentor-Protégé Program will be evaluated to determine if the offeror possesses a signed letter of mentor-protégé agreement approval from the DHS OSDBU in accordance with the following HSAR provision:

An assessment will be made, based on the offeror’s Small Business Subcontracting Plan, applicable to Small Disadvantaged Business (SDB) participation targets (expressed as dollars and percentages of the total value of the proposal) shall be made for the Small Disadvantaged Business Participation Sub-factor. The assessment shall be based upon the offeror’s achievement of the Department’s small business goals for SDB for this specific requirement. The Department’s small business goals for the SDB socio-economic category for this specific requirement is 5%.

The following adjectival ratings will be used to evaluate the Socio Economic Status/Usage Factor

<table>
<thead>
<tr>
<th>Adjectival</th>
<th>Symbol</th>
<th>Applicable to Factor C (Socio Economic Status/Usage)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outstanding</td>
<td>O</td>
<td>Exceeds the Department’s small business goals for SDB businesses; or offeror is an SDB; or offeror is a participant in the DHS Mentor-Protégé Program.</td>
</tr>
<tr>
<td>Acceptable</td>
<td>A</td>
<td>Meets the Department’s small business goals for SDB businesses; offeror is not a participant in the DHS Mentor-Protégé Program.</td>
</tr>
<tr>
<td>Marginal</td>
<td>M</td>
<td>Has proposed some SDB participation, however, does not meet the Department’s small business goals for SDB businesses; offeror is not a participant in the DHS Mentor-Protégé Program.</td>
</tr>
<tr>
<td>Unacceptable</td>
<td>U</td>
<td>Does not propose to subcontract with a SDB business; offeror is not a participant in the DHS Mentor-Protégé Program.</td>
</tr>
</tbody>
</table>

**Volume IV - Pricing**

There is no page limitation for this section. The offeror shall complete a copy of Attachment 3, Price Schedule, and may submit a list of quantity price breaks for each CLIN. The offeror shall prepare a price proposal that contains all information necessary to allow for a comprehensive evaluation of the prices proposed by the offeror. Pricing shall be valid for 120 calendar days after the date that proposals are due.

The Government will evaluate price proposals for award purposes by adding the total price for all options to the price for the base requirement. Evaluation of options does not obligate the Government to exercise the options.

The Government will validate that any information provided in other parts of the proposal is consistent with the information provided in the price proposal. Any inconsistencies will be noted and may adversely affect the proposal evaluation.

Pricing will be incorporated into the contract as firm fixed prices and are not subject to changes through adjustments.
52.212-3 Offeror Representations and Certifications – Commercial Items (APR 2012)

An offeror shall complete only paragraph (b) of this provision if the offeror has completed the annual representations and certifications electronically at http://orca.bpn.gov. If an offeror has not completed the annual representations and certifications electronically at the ORCA website, the offeror shall complete only paragraphs (c) through (o) of this provision.

OTHER CONSIDERATIONS:

Additional Information

In addition to the information that will be evaluated it is required that large businesses submit a Subcontracting Plan in accordance with Attachment 5 of this solicitation.

Teaming Arrangements

Offerors are free to enter into teaming arrangements with other firms. The prime contractor in any award made under this solicitation shall be responsible for the actions or omissions of any of his/her subcontractors.

Exchanges with Offerors

The Government intends to award without discussions. However, the Contracting Officer reserves the right to hold discussions if required. Accordingly, each initial proposal should be submitted on the most favorable price and technical terms that the offeror can submit to the Government.

List of Attachments

Attachment 1 – Ordering Procedures and FAR Clauses, Provisions, HSAR Clauses, and Terms and Conditions
Attachment 2 – Statement of Work for .223 Remington Caliber SD (62 grain) Ammunition
Attachment 3 – Price Schedule
Attachment 4 – Contractor Provided Letter Requesting Past Performance Evaluation
Attachment 5 – Sample Subcontracting Plan