

APD ALERT



POSTING SOLICITATIONS AND OTHER ANNOUNCEMENTS AND NOTICES ON FEDBIZOPPS FOR ARCHITECT-ENGINEER AND CONSTRUCTION CONTRACTS

PURPOSE

This Alert replaces the former Facilities Contracts Branch CSOP-02-005 to provide information and policy on the procedures to be followed for posting solicitations and other announcements and notices on the FedBizOpps (FBO) internet web site.

REFERENCES

FAR Part 5, Publicizing Contract Actions
FAR Part 10, Market Research

POLICY

- A. Federal Acquisition Regulation (FAR) Part 5, Publicizing Contract Actions, requires that proposed contract awards be submitted/posted to the Government-wide point of entry, known as FedBizOpps (FBO). The FAR also requires that solicitations and any other pertinent information related to that solicitation determined necessary by the Contracting Officer (CO) be posted on FBO.
- B. All architect-engineer (A-E) and construction contract actions will be posted on FBO in accordance with FAR 5.2 and 5.3.
- C. Solicitations will be posted on FBO. However, the decision to not post the specifications and drawings will be made on a case-by-case basis by the CO after consultation with the appropriate location personnel, the Business Service Center (BSC) Deputy Director, Field Liaison and Customer Service, Engineering Project Manager (EPM) and the BSC Acquisition Branch Chief.
- D. As necessary, the CO may post "Sources Sought" notices in FBO for market research purposes to locate potential offerors which will aid in determining the suitability of a

socio-economic set-aside. It should be noted that this type of notice is NOT to be considered a pre-solicitation notice as defined in FAR Part 5.

PROCEDURES FOR SPECIFICATIONS AND DRAWINGS THAT WILL NOT BE POSTED ON FBO

- A. The CO will discuss the nature and sensitivity of the requirement with the Research Program Leader or Representative, the BSC Deputy Director, Field Liaison and Customer Service, and EPM as early in the process as possible.
- B. Projects whose specifications and drawings would not necessarily be required to be posted include any sensitive projects and those where the nature or size of the specifications and drawings are such that it would be impractical. Sensitive projects would include construction of, or renovation/repairs to, facilities that are considered to be a Biosafety Level-3 Agriculture (BSL-3Ag) or above, have quarantine requirements, etc.
- C. The CO will document the file if a decision is made NOT to post the specifications and drawings and include the rationale.
- D. The FBO announcement will state that the specifications and drawings are not available online and will provide the name, address, and phone number of whom to contact for a hard copy of the package.

PROCEDURES FOR SPECIFICATIONS AND DRAWINGS THAT WILL BE POSTED ON FBO

- A. The CO will require the A-E firm designing the project to submit the specifications and drawings electronically using Adobe PDF.
- B. The solicitation package should contain a letter of instructions to all offerors, if not provided elsewhere in the solicitation. The instructions will also contain the name, address, and phone number of whom to contact for a hard copy of the package and its cost. Solicitation amendments will also be posted on FBO.
- C. The procuring office will convert the solicitation to an Adobe PDF file and upload the package (solicitation, specifications and drawings).
- D. In accordance with FAR 5.203, the CO will ensure that the notice is published at least 15 days before issuance of a competitive solicitation. The CO shall allow at least a 30 day response time for receipt of bids or proposals from the date of issuance of a solicitation. The CO shall allow at least 30 days from the date of publication of the FBO notice for receipt of responses for A-E requirements.

SOURCES SOUGHT NOTICES

Sources sought notices are used to solicit information from companies as part of market research (FAR Part 10) and may be posted in FBO at any time. The notice must clearly state that it is a sources sought notice and that no award will be made based on responses received. Inserting “Market Research” in the solicitation number field when entering data in FBO may be helpful to companies view the notice. A sample Sources Sought notice is attached as Exhibit 1.

CONTRACT MODIFICATIONS – AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

Modifications to Recovery Act-funded contracts must be posted in FBO and the dollar amount must be included in the description of the action, as per FAR 5.705(b). In general, the contract modifications that must be posted include those to sole source 8(a) contracts, and other sole source contracts, and task orders under indefinite delivery/indefinite quantity (IDIQ) contracts with A-E and/or construction firms.

APD POINT OF CONTACT

Acquisition Programs and Oversight Branch, E-mail at APOB@ars.usda.gov or phone at 301-504-1725.

Attachment

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**Sample verbiage for Sources Sought Notice
for Socio-Economic Set-Aside Determinations**

A market survey is being conducted to determine if there are adequate Small Business, SBA-certified HUBZone, SBA-certified 8(a), Women-Owned, or Service Disabled Veteran-Owned Small Business (SDVOSB) contractors available for a proposed project who meet the specific criteria outlined below. This is not a solicitation Announcement or Request for Proposal. It does not constitute any commitment by the Government. No award will result from this notice. The purpose is to conduct market research to gain knowledge of potentially qualified sources. Responses to this Sources Sought Notice will be used by the Government to make an appropriate acquisition decision. The USDA Agricultural Research Service (ARS) will not award a contract on the basis of responses or pay for the preparation of any information submitted. Respondents will not be notified of the results of this notice. After completing an analysis of the responses, the Government will determine whether to limit competition to 8(a), HUBZone, SDVOSB, Women-Owned, or other small business firms, or to proceed with issuing an unrestricted solicitation, inviting full and open competition.

Add requirements description here, Include the NAICS Code and the size standard that indicates what is considered a small business.

Companies who have the experience, as well as an interest in doing business with ARS, should submit a Capabilities Statement which, for this notice, is not expected to be a proposal, but rather short statements regarding the company's ability to demonstrate their expertise and experience in relation to the areas specified in this notice. Companies should also indicate whether they are a Small Business, SBA-certified HUBZone, SBA-certified 8(a), SDVOSB, or Women-Owned Small Business. Responses should be submitted by **(DATE and TIME)** to the attention of **(NAME OF CONTRACTING OFFICER)** at the address above. Questions should be directed to **(NAME, PHONE NUMBER, AND E-MAIL ADDRESS OF THE CONTRACTING OFFICER)**.