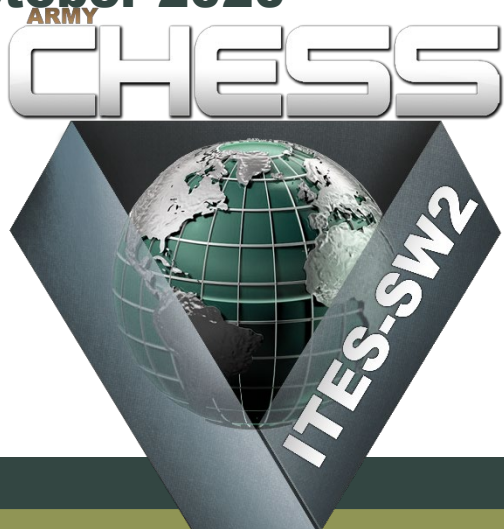




# INFORMATION TECHNOLOGY ENTERPRISE SOLUTIONS – SOFTWARE 2 (ITES-SW2)

**ORDERING GUIDE**

**October 2020**



# FORWARD

These ordering guidelines cover all the information needed to issue Delivery Orders (DOs) against the Army's Information Technology Enterprise Solutions – Software 2 (ITES-SW2) Indefinite Delivery/Indefinite Quantity (ID/IQ) Multiple Award (MA) contracts. These contracts were competitively awarded using the procedures of Federal Acquisition Regulation (FAR) Part 12, Acquisition of Commercial Items, in conjunction with FAR Part 15, Contracting by Negotiation. The contracts are structured as ID/IQ contracts, using decentralized ordering procedures for the acquisition of a full range of Software products, software maintenance and related incidental hardware and services in accordance with commercial items definition FAR 2.101. DOs will be issued and separately funded under these contracts and each awardee will be provided a fair opportunity in accordance with FAR 16.505(b). A Commerciality Determination has been performed at the base IDIQ level and therefore is not required at the DO level.

These contracts are available to the Army, other DOD agencies, all other Federal agencies, and authorized Government contractors supporting these agencies IAW the Defense Federal Acquisition Regulation Supplement (DFARS) 252.251-7000.

Questions regarding these guidelines and procedures for placing orders against the contracts should be directed to the Computer Hardware, Enterprise Software and Solutions (CHES) Directorate. Questions of a contractual nature should be directed to the Contracting Office Army Contracting Command – Rock Island (ACC-RI). These guidelines will be revised, as needed, to improve the process of awarding and managing orders under the ITES-SW2 contracts.

## **CHES**

ATTN: SFAE-PS-CH  
9351 Hall Road, Bldg 1456  
Fort Belvoir, VA 22060-5526  
Toll Free Customer Line 1-888-232-4405  
[armychess@mail.mil](mailto:armychess@mail.mil)

## **ACC-RI**

ATTN: CCRC-TA  
Bldg 102, 2nd Floor SW  
1 Rock Island  
Rock Island, IL 61299-8000  
309-782-1844  
[Charles.p.holliday.civ@mail.mil](mailto:Charles.p.holliday.civ@mail.mil)

Information regarding the ITES-SW2 contracts, including links to the prime contractors' home pages, can be found at: <https://chess.army.mil>.



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# CHAPTER 1

## ITES-SW2 GENERAL INFORMATION

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### 1. BACKGROUND

The purpose of the Computer Hardware, Enterprise Software and Solutions (CHES) Information Technology Enterprise Solutions – Software 2 (ITES-SW2) is to support Army, Department of Defense (DoD) and all Federal Agency enterprise Information Technology (IT) infrastructure and info-structure goals by leveraging Commercially available-Off-The-Shelf (COTS) software products and maintenance in fourteen (14) product categories in addition to related incidental services and hardware. These 14 categories align with the major software categories identified by U.S. Army Network Enterprise Technology Command (NETCOM).

ITES-SW2 supports the Army Regulation 25-1 and Army Federal Acquisition Regulation Supplement (AFARS) 5139.101-90(a)(1) which states, “The Army’s Computer Hardware, Enterprise Software and Solutions (CHES) program, under the Program Executive Office Enterprise Information Systems [PEO EIS], is the mandatory source for commercial Information Technology (IT) hardware and software purchases.” ITES-SW2 also supports the Office of Management and Budget (OMB), *Category Management Policy 16-1: Improving the Acquisition and Management of Common Information Technology: Software Licensing*. Focused initiatives of the OMB policy include the following: coordinated management of common COTS buys, develop Government-wide purchasing strategies, reduce duplicative efforts and improve tracking of software license inventory. ITES-SW2 will fulfill these initiatives.

ITES-SW2 is a follow-on to ITES-SW. ITES-SW2 will be structured in the same manner as ITES-SW; however, based upon CHES analysis of customer requirements, the scope increased from 4 software catalogs to 14. Like its predecessor, ITES-SW2 will continue to give customers an opportunity to solicit “capabilities-based” requirements which means that customers are encouraged to submit salient characteristic requirements designed to meet a specific need rather than submitting a request for brand-name specific products. A major goal of this proposed acquisition is to facilitate competition between publishers instead of between resellers under a particular publisher.

CHES will not require software products offered under ITES-SW2 catalogs to have a Certificate of Networkiness (CoN). The CoN is a legacy Army requirement for networkiness vetting. The Assess Only process under the Risk Management Framework (RMF) replaced the CoN process on 02 July 2018. All legacy CoNs will continue to be valid until their expiration date. RMF is a common framework for Federal Information Systems developed by the National Institute of Standards and Technology with the goals of improving information security, strengthening the overall risk management process, and encouraging system reciprocity among federal agencies. Although there are goals to encourage reciprocity at the system level, there is no obligation for reciprocity at the COTS IT software product level. Therefore, there is no requirement under ITES-SW2 for products to have gone through the RMF process. The Government does require Contractors to indicate which products offered do have legacy CoNs, have been through RMF, or are listed on another DoD approved program. The DoD approved programs are: DoD Unified Capabilities Approved Product List, National Security Agency (NSA) National Information Assurance Partnership/Common Criteria, Defense Information Systems Agency (DISA) Security Technical Implementation Guide/Security Requirements Guide, DISA DoD Mobile



Application Store, Cross Domain Solution, and NSA Commercial for Classified. It is important to note that **Army customers must still follow Army policy whether they purchase products from or outside of this contract.**

Customers may also purchase related incidental hardware and services under ITES-SW2, provided these requirements are truly incidental to the software requirement. For the purposes of this contract, incidental means, “accompanying in order to complete a total solution requirement.” For the purposes of this contract, a total solution is a software requirement that includes related incidental services and/or hardware.

All products and services available under ITES-SW2 must be commercial in accordance with the definition of commercial items in Federal Acquisition Regulation (FAR) 2.101 and will be available for the Continental U.S. (CONUS) and Outside Continental U.S. (OCONUS). The appropriate North American Industry Classification System (NAICS) code for the proposed acquisition is 511210/Software Publishers, and the appropriate Product Service Code is 7030/Automatic Data Processing Equipment (Including Firmware), Software, Supplies and Support Equipment.

The ITES-SW2 contracts are multiple award, ID/IQ contract vehicles specifically designed as the primary source for the Army to procure COTS software products and related incidental hardware and services as part of a total solution.

Working in partnership with the prime contractors, CHES manages the contracts in coordination with ACC-RI.

## 2. SCOPE

ITES-SW2 includes a range of COTS software categorized into fourteen (14) catalogs: Audio & Visual, Business & Finance, Communication, Database, Education, Internet, Modeling & Simulation, Multimedia & Design, NetOps, Office Suite, Operating Systems, Programming & Development, IT Utility & Security, and Specialized.

It was the intention of the Government to establish a scope that is sufficiently flexible to satisfy requirements that may change over the period of performance, allowing the addition of in- scope software not initially established on this contract.

The Army and Contractors supporting the Army will be authorized to fulfill requirements under ITES-SW2. The scope is considered to be both CONUS, OCONUS and remote OCONUS in geographic breadth.



### 3. PRIME CONTRACTORS

The following is a list of the ITES-SW2 prime contractors, their respective contract numbers and business size applicable to the specific contract.

Prime Contractor	Contract Number	Business Type
Blazar Tech Solutions	W52P1J-20-D-0039	Small
Blue Tech Inc	W52P1J-20-D-0041	Large
Carahsoft	W52P1J-20-D-0042	Large
CDW Government	W52P1J-20-D-0043	Large
Countertrade Products	W52P1J-20-D-0044	Large
Cypher Analytics/Crowne Point Systems	W52P1J-20-D-0045	Small
DH Technology	W52P1J-20-D-0046	Small
DLT Solutions	W52P1J-20-D-0047	Large
Dynamic Systems Inc	W52P1J-20-D-0048	Large
Enterprise Technologies Solutions	W52P1J-20-D-0049	Small
Epoch Concepts	W52P1J-20-D-0050	Large
FedBiz It Solutions	W52P1J-20-D-0051	Small
Force 3 LLC	W52P1J-20-D-0052	Large
Four Inc	W52P1J-20-D-0053	Small
GovConnection Inc	W52P1J-20-D-0054	Large
GovPlace	W52P1J-20-D-0055	Large
ID Technologies	W52P1J-20-D-0056	Large
immixTechnologies	W52P1J-20-D-0057	Large
Iron Bow Technologies	W52P1J-20-D-0058	Large
ITG	W52P1J-20-D-0059	Large



MicroTech	W52P1J-20-D-0060	Small
New Tech Solutions	W52P1J-20-D-0061	Large
PCMG	W52P1J-20-D-0062	Large
Red River Technology LLC	W52P1J-20-D-0063	Large
SHI International Corp	W52P1J-20-D-0064	Large
Strategic Communication LLC	W52P1J-20-D-0065	Large
ThunderCat Technology	W52P1J-20-D-0066	Large
Vertosoft	W52P1J-20-D-0067	Small
Walker and Associates	W52P1J-20-D-0068	Large
World Wide Technologies	W52P1J-20-D-0069	Large
York Telcom	W52P1J-20-D-0070	Large

#### 4. CONTRACT TERMS/APPROACH

Separate, multiple awards were made for ITES-SW2, NAICS 511210, with the following contract terms and provisions:

Contract Terms	ITES-SW
Contract Maximum	<ul style="list-style-type: none"> <li>\$13B</li> <li>The contract maximum represents the total for the life of the contract shared among all contract holders.</li> </ul>
Period of Performance	<ul style="list-style-type: none"> <li>5 Year Base Period (31 AUG 20 – 30 AUG 25)</li> <li>5 Year Option Period (31 AUG 25 – 30 Aug 30)</li> </ul>
Pricing Structure	<ul style="list-style-type: none"> <li>Firm Fixed Price</li> </ul>
Ordering Guidance and Process	<ul style="list-style-type: none"> <li>See Chapter 3</li> </ul>

#### 5. ORDERS UNDER ITES-SW2

##### SECTION B, SCHEDULE OF SUPPLIES AND SERVICES:

##### CLIN 0001-CATALOGS I-IV:

This CLIN is IAW Attachment 0001, SOW, paragraph 3.0-3.14.



### **ITES-SW2 Catalog 1 – Audio & Visual**

Includes but is not limited to: Compact Disc (CD) & Digital Video Disc (DVD) tools, converters, encoders, music creation, music management, players, rippers, audio utilities, plug-ins, burning software, video editing, video codecs.

### **ITES-SW2 Catalog 2 – Business & Finance**

Includes but is not limited to: Project management, financial tracking tools, taxes, regulatory compliance, accounting, logistics, supply chain management, traffic control (air, land, sea), architecture, business planning and continuity, construction and Contractor management, facility management, human resources, personnel, legal, purchasing, marketing, transportation, software related to decision support, executive support, analytics, and customer relationship management.

### **ITES-SW2 Catalog 3 – Communication**

Includes but is not limited to: Email, instant messaging, Voice over Internet Protocol (VoIP), calendars, contact managers, speech/text/handwriting recognition, language translation and study, telephone management systems.

### **ITES-SW2 Catalog 4 – Database, Data Integration & Big Data**

Includes but is not limited to: Database, database manipulation tools, data warehousing and data governance.

### **ITES-SW2 Catalog 5 – Education**

Includes but is not limited to: Teaching tools, training, library/libraries.

### **ITES-SW2 Catalog 6 - Internet**

Includes but is not limited to: Ad blockers, anti-spam, browsers, file sharing, File Transfer Protocol (FTP), synchronization.

### **ITES-SW2 Catalog 7 - Modeling and Simulation\***

Software that facilitates a level of understanding of the interaction of the parts of a system, and of the system as a whole. Includes but is not limited to: numerical analysis, statistical, Geographic Information System (GIS) software, games/gaming, 3D modeling, and mapping software.

### **ITES-SW2 Catalog 8 – Multimedia & Design\***

Software used for graphic design, multimedia development, specialized image development, general image editing, or to access graphic files. Includes but is not limited to: 3D drawing, computer aided design (CAD), digital photography applications, animation creation, illustration, image editing, font tools, authoring tools, desktop publishing, graphics, and label makers (CD & paper).

### **ITES-SW2 Catalog 9 – NetOps**

Network Operations (NetOps) tools monitor and manage the networked devices. NetOps tools securely manage, operate and maintain the network. NetOps includes Data Center Automation tools, Network Performance Monitor tools, Server & Application Monitor tools, Network Configuration Manager tools, IT Operations Management and IT Service Management tools.





### **ITES-SW2 Catalog 10 - Office Suite**

Includes but is not limited to: Word processing, spreadsheet, presentation software, office automation, Portable Document Format (PDF) documents

### **ITES-SW2 Catalog 11 – Operating Systems**

Includes but is not limited to: Solaris, Fedora, AIX, application runtime, web server, message brokers, message queuing, application integration.

### **ITES-SW2 Catalog 12 - Programming and Development\***

Includes but is not limited to: Software that assists in the development of software applications, editors, compilers, parsers, interpreters, loaders, programming libraries, documentation tools, testing environments, application creation and web design.

### **ITES-SW2 Catalog 13 – IT Utility and Security\***

Includes but is not limited to: Network administration tools, firewalls, backups, disk utilities security/cybersecurity tools, encryption tools, cryptography tools, password managers/creators, file compression, registry tools, test and document editors, data mining, decision support systems, asset and inventory management, peripheral utilities, (scanners, printers, etc), handheld software, optical character recognition.

### **ITES-SW2 Catalog 14 – Specialized**

Includes but is not limited to: Automotive, avionics, Heating, Ventilation and Air Conditioning (HVAC), medical, aerospace, agriculture, artificial intelligence, bar code scanners, physical security, resume writer.

*\*Asterisks next to the above catalogs indicate that these are “core catalogs” – this means that every Contractor must offer products in these catalogs.*

### **CLIN 0002-SOFTWARE MAINTENANCE:**

This CLIN is IAW Attachment 0001, SOW, paragraph 3.15. This CLIN Software Maintenance entitles the license holder to all product version updates free of charge throughout the duration of the Software Maintenance term. Product version updates include bug fix updates, minor version updates or major version updates. Updates to the products and documentation licensed will be furnished upon request or when released.

Software Maintenance on initial software license purchases must be in accordance with best commercial practices valid from the registration date.

Additional Software Maintenance, such as extended support for end-of-life (EOL) products, should be available to customers and may be purchased at the time of initial license purchase or after registration date.

### **CLIN 0003-RELATED INCIDENTAL HARDWARE WITHIN SCOPE ITEMS:**

This CLIN is IAW Attachment 0001, SOW, paragraph 4.1. Its use is intended for related incidental hardware/ancillary items within scope items necessary to support the software. Price shall be determined at Delivery Order level.



**CLIN 0004-RELATED INCIDENTAL SERVICES WITHIN SCOPE ITEMS:**

This CLIN is IAW Attachment 0001, SOW, paragraph 4.2. Its use is intended for related incidental services/training/education items within scope items necessary to support the software. Price shall be determined at Delivery Order level.

**CLIN 0005-OTHER DIRECT EXPENSES:**

Items used in providing the incidental services shall be priced on a firm fixed price basis. Travel and per diem will be quoted on a fixed price basis and shall be priced in accordance with the then current version of the Federal Travel Regulations and the Joint Travel Regulations. Prices shall be determined at delivery order level.

**CLIN 0006-CONTRACT DELIVERABLE REPORTS:**

As evidenced in the Contract Data requirements List (CDRL), DD FORM 1423, the following report shall be submitted by the contractor in accordance with the Statement of Work, Paragraph 6.2, and Appendix B, respectively. The following report is applicable as identified by sequence number and is not separately priced:

EXHIBIT A, DATA ITEM NO A001, Order Transaction (OT) Report

In addition to the instructions identified within EXHIBIT A, DATA ITEM NO A001, Order Transaction (OT) Report, this report shall also be submitted to ACC-RI Contract Specialist Chase Holliday via email to Charles.p.holliday.civ@mail.mil

**Software Catalog Refreshes:**

IAW Attachment 0001, SOW, paragraph 3.16, it is noted that software product titles may be added to any catalog at any time but that all catalogs must be refreshed at a minimum once annually. No change will be applied to the IDIQ contract until notification of approval in writing is provided by the PCO to the contractor. The Government shall evaluate all requests to determine if the software title addition is within scope of existing catalogs. Proposed catalog changes may be aggregated by the Government before effecting a modification to the contract.



# CHAPTER 2 ITES-SW2 ROLES AND RESPONSIBILITIES

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The following is a summary of the roles and responsibilities for the primary organizations in the ITES-SW2 contract process.

## 1. ARMY CONTRACTING COMMAND – ROCK ISLAND

The ACC-RI roles and responsibilities are as follows:

- Serves as the PCO for the ITES-SW2 contracts. The PCO has overall contractual responsibility for the ITES-SW2 contracts. All orders issued are subject to the terms and conditions of the contract. The contract takes precedence in the event of conflict with any order.
- Provides advice and guidance to requiring activities, ordering contracting officers, and contractors regarding contract scope, acquisition regulation, requirements, and contracting policies.
- Approves and issues contract modifications at the base level contract(s).
- Represents the contracting officer position at various contract-related meetings.

## 2. COMPUTER HARDWARE, ENTERPRISE SOFTWARE AND SOLUTIONS

The CHES roles and responsibilities are as follows:

- Designated by the Secretary of the Army as the Army's primary source for commercial IT.
- Requiring activity (RA) for this acquisition.
- Maintains the IT e-mart, a web-based, e-commerce ordering and tracking system. Maintains updated catalogs and posts to the IT e-mart. The IT e-mart website is: <https://chess.army.mil>.
- With support from the Communication Electronics Command, Information Systems Engineering Command (CECOM-ISEC), assists Army organizations in defining and analyzing requirements for meeting the Army's enterprise infrastructure and infostructure goals.
- Works with requiring activities to help them understand how ITES-SW2 can best be used to meet their enterprise requirements.
- Conducts periodic meetings with the prime contractors, e.g., Contract Status Meetings, as needed to ensure requirements are understood.

## 3. REQUIRING ACTIVITY

RA is defined as any organizational element within the Army, DOD, or other Federal Agencies. The RA roles and responsibilities are as follows:

- Adheres to the requirements and procedures defined in the ITES-SW2 contracts and these ordering guidelines.
- Defines requirements.
- Funds the work to be performed under ITES-SW2 orders.
- Prepares delivery order requirements packages.



#### **4. ORDERING CONTRACTING OFFICER**

The Order Contracting Officer (OCO) roles and responsibilities are as follows:

- OCOs are authorized to place orders within the terms of the contract and within the scope of their authority.
- They are not authorized to make changes to the contract terms. The OCO's authority is limited to the individual orders.
- Serves as the interface between the contractor and the government for individual orders issued under the ITES-SW2 contracts.
- Responsible for requesting, obtaining and evaluating proposals/quotations and for obligating funds for delivery orders issued.
- Responsible for addressing non-TAA compliant product issues affecting individual delivery orders and preparing any waivers or determinations necessary to acquire non-TAA compliant products.
- OOCs may incorporate specific terms and conditions, and clauses applicable at the delivery order level. (For example, FAR 52.217-9 Option to extend the Term of the Contract.) Additionally, as noted below in Chapter 3, ITES-SW2 Ordering Guidance, the Master Software License Agreement (MSLA) may be utilized as a template to negotiate specific terms and conditions.

#### **5. ORDERING CONTRACTING OFFICER'S REPRESENTATIVE**

The Order CORs roles and responsibilities are as follows:

- Order CORs will be designated by letter of appointment from the OCO.
- Serves as the focal point for all task activities, and primary point of contact (POC) with the contractors.
- Provides technical guidance in direction of the work; not authorized to change any of the terms and conditions of the contract or order.
- Obtains required COR training.

#### **6. CONTRACTORS**

The principal role of the contractor is to deliver products identified in orders issued under its contract within the time frame specified under the contract. Contractors must provide technical assistance and perform warranty services IAW the terms and conditions of the ITES-SW2 contract.

#### **7. OMBUDSMAN**

The designated Ombudsman for the ITES-SW2 contracts issued by ACC-RI is:

U.S. Army Sustainment Command  
ATTN: AMSAS-GCB/Task and Delivery Order  
Ombudsman, Rock Island, IL 61299-6500  
309-782-7287



# CHAPTER 3 ITES-SW2 ORDERING GUIDANCE

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## 1. GENERAL

- Ordering is decentralized for all ITES-SW2 requirements. Ordering under the contracts is authorized to meet the needs of Army customers, other DOD agencies, and all other Federal agencies. OCOs are empowered to place orders IAW the terms and conditions of the contracts, ITES-SW2 ordering guidelines, the FAR, DFARS (as applicable), AFARS and their own agency procedures.
  - The PCO will not make judgments or determinations regarding orders awarded under the ITES-SW2 contracts by an OCO. All issues must be resolved consistent with individual agency procedures and/or oversight.
  - Upon request, the PCO is available to provide guidance to OCOs executing orders under the ITES-SW2 contracts.
  - The CHESST IT e-mart at <https://chess.army.mil> is available to submit Request for Quote (RFQ)/Reverse Auction among all awardees and solicit competitive quotes. Only software requirements that may or may not have related incidental services and hardware requirements are to be released on the ITES-SW2 IT e-mart. The OCO will initiate the delivery order request (DOR) process by issuing a DOR to all awardees via the CHESST IT e- mart.
  - When posting an RFQ/Reverse Auction, requiring activities are not to simply submit a vendor's quote as an RFQ/Reverse Auction. This is considered contractor proprietary information.
  - Small Business Set Aside: An Individual Waiver to the Non-Manufacturer Rule has been granted for NAICS 511210. The waiver means that small businesses can provide the product of either a large or a small business. FAR Clause 52.219-14, Limitation on Subcontracting, is not applicable when doing a small business set-aside due to the waiver of the Non-Manufacturer Rule.
  - Master Software License Agreement (MSLA): The Government's MSLA as referenced in Appendix F of the Contract is provided as a **template only**. This template may be modified to capture specific license terms and conditions at the delivery order level and/or the vendor may incorporate a 'DoD/Federal Addendum' to the Publisher's End User License Agreement (EULA).
- **PRICING**
    - CLIN 0001 Software products contained in Catalogs 1-14 are not priced. CLIN 0002 software maintenance is not priced. The OCO is required to utilize FAR 15.4 policy and methods to establish fair and reasonable pricing for each delivery order.
    - In accordance with the contract writing system being utilized to execute individual delivery orders, the following **minimum information** is required for each delivery order: catalog number, part number, title, item quantity, unit price, and extended amount, any discount applied and the discounted grand total, if applicable.
  - **ORDER FORMS AND NUMBERING**
    - An appropriate order form (Defense Department (DD) Form 1155, Order for Supplies or Services, or Standard Form (SF) 1449, Solicitation/Contract/Order



for Commercial Items) shall be issued for each delivery order. The use of government credit cards is also authorized IAW applicable rules and procedures within DFARS 213.301.

- OCOs shall not use any order numbers beginning with 0001 through 9999, which are reserved for ACC-RI. DoD agencies should use ordering numbers as specified in DFARS 204.7103 Contract Line Items. Non-DoD Federal agencies may use any numbering system provided it does not conflict with either of these numbering systems.

- **DELIVERY REQUIREMENTS**

- Delivery of products to Continental United States (CONUS), OCONUS and remote OCONUS locations shall be IAW individual delivery orders. Maximum delivery time to the addresses specified in each delivery order shall be within 30 calendar days for CONUS addresses and 35 calendar days for OCONUS from the date a valid order is received by the contractor, or as otherwise agreed to by the parties. All contractors offer the ability to expedite delivery, some subject to negotiation or additional cost. Partial shipments and partial payments are authorized under the contracts. Shipping shall be free on board destination.
- The ordering contracting officer's authority is limited to the individual orders. They are not authorized to make changes to the ITES-SW2 contract terms.
- Coordination and scheduling of shipment and delivery is the responsibility of the ordering activity. Commercial shipping is required in lieu of developing a shipping mechanism reliant upon government personnel intervention.
- If an item cannot be delivered within the delivery time for that item, the contractor shall notify the ordering contracting officer and CHES, within two business days of order receipt, of the expected delivery date for the ordered item(s). Upon notification, the Ordering Agency may choose to cancel the delivery order or request due consideration for the delay.

- **SECURITY CONSIDERATIONS**

Orders shall indicate any security clearances required and the level of classified access necessary. A DD Form 254, DoD Contract Security Classification Specification, shall be prepared when required.

- **FAIR OPPORTUNITY**

IAW FAR 16.505(b)(1), for any order exceeding \$3,500, orders exceeding the simplified acquisition threshold, and orders exceeding \$6 million the ordering contracting officer shall give each awardee a fair opportunity unless one of the exceptions to fair opportunity applies. Please also see below for DFARS 216.505 Ordering references.

**Exceptions to Fair Opportunity**

As provided in FAR 16.505(b)(2)(i) the ordering contracting officer shall give every awardee a fair opportunity to be considered for a delivery-order exceeding \$3,500 UNLESS one of the statutory exceptions identified under FAR 16.505(b)(2)(i) (A)-(G) apply. Should this apply, a justification for an exception to fair opportunity shall be in writing and will follow the procedures identified in FAR 16.505(b)(2)(ii)(A) or (B).

**Orders Under Multiple Award Contracts**

In accordance with DFARS 216-505(70), if only one offer is received in response to an order exceeding the simplified acquisition threshold that is placed on a competitive basis, the



contracting officer shall follow the procedures at DFARS 215.371.

- **ORDERING PROCEDURES**

- **Delivery Order Request**

- The RA prepares the delivery order request package and submits it to the ordering contracting officer. Attachment 1 of this ordering guide is an example of a delivery order checklist. At a minimum, the package should contain the following:
  - List of requirements: the RA will provide details on specific requirements, including a list of software capability and any related incidental services and/or hardware. Note that incidental services and/or hardware will be included as part of one quote by/from the ITES-SW2 Prime vendor(s). Customers should not have to place separate orders under multiple contracts for any “total solution” requirement. ITES-SW2 Prime vendors, in order to fulfill these incidental requirements, may be required to have a letter of authorization IAW FAR Part 51.102, Use of Government Sources by Contractors.
  - Funding Document: ITES-SW2 Orders are funded by the RA. Individual ordering contracting officers should provide specific instructions as to the format and content.
  - Independent Government Cost Estimate: the estimate will assist the ordering contracting officer in determining the reasonableness of the contractors’ cost and technical proposals. **The estimate is for Government use only and should not be made available to the ITES-SW2 contractors.**
  - Basis for Delivery Order Award: The ordering contracting officer, in conjunction with the RA, develops the best value continuum that form the basis for delivery order award. Whether the award will be based on a lowest price technical acceptability source selection process or a tradeoff process, the best value basis and criteria should be provided to the contractor. If the award will be based on best value, evaluation factors and significant sub factors that will affect contract award and their relative importance should be shown. Reference FAR 16.505.

- **Request for Quote (RFQ)/Reverse Auction**

- The OCO will issue an RFQ/Reverse Auction to all contractors for the software products being acquired using the CHESSE IT e-mart: <https://chess.army.mil>.
- CHESSE recommends an RFQ/Reverse Auction response date of a minimum of 5 calendar days after issuing a delivery order quote request. Upon mutual agreement between the contractor(s) and the government, a shorter or longer response time may be established.
- If unable to perform a requirement, the contractor shall submit a “no bid” reply in response to the RFQ/Reverse Auction. All “no bids” shall include a brief statement as to why the contractor is unable to perform (e.g., conflict of interest).

- **Evaluation**

The Ordering Agency will evaluate the contractor’s quote IAW the selection criteria identified in the RFQ/Reverse Auction.

- Award may be determined as a result of the lowest price technically acceptable or a tradeoff process resulting in the best value to the government. When determining “best value,” the OCO shall consider price as one of the factors in the selection decision. In addition, the ordering contracting officer should consider past performance on earlier orders under the contract, including quality and timeliness. While the OCO should keep contractor submission requirements to a minimum,



other factors that may be considered include:

- Special features of the supply or service required for effective program performance.
- Trade-in/credit considerations.
- Integration/compatibility considerations.
- Probable life of the item selected compared with that of a comparable item.
- Warranty considerations.
- Maintenance availability.
- Environmental and energy efficiency considerations.
- Delivery terms.
- Socioeconomic status
- The OCO shall document in the contract file the rationale for placement and price of each order, including the basis for award and the rationale for any trade-offs among cost or price and non-cost considerations in making the award decision. This documentation need not quantify the tradeoffs that led to the decision.
- At a minimum, the following information shall be specified in each delivery order awarded:
  - Date of order.
  - ITES-SW2 Contract and order number.
  - POC (name), commercial telephone, facsimile number and e-mail address.
  - OCO's commercial telephone number and e-mail address.
  - Description of the supplies to be provided, quantity, and unit price (TO INCLUDE CLIN AND/OR SLIN). Defense Finance and Accounting Service (DFAS) requires identification of the CLIN/SLIN numbers on the order form (or credit card form) for initial entry of orders into their automated payment system. When the contractor submits a request for payment, DFAS will compare the request for payment of CLIN/SLINs with the order CLIN/SLINs. Use of item numbers other than CLINs/SLINs in the "Item No." block on the order form may result in payment delays and excessive administrative costs to both the contractor and the government.
  - Delivery date for supplies and performance period for services.
  - Address of place of delivery or performance to include consignee.
  - Packaging, packing and shipping instructions, if any.
  - Accounting and appropriation data and Contract Accounting Classification Reference Number (ACRN). (DFAS requires an ACRN(s) on all orders.) Specific instructions regarding how payments are to be assigned when an order contains multiple ACRNs.
  - Invoice and payment instructions to the extent not covered by the contract.
  - Orders for known foreign military sales (FMS) requirements shall clearly be marked "FMS requirement" on the face of the order, along with the FMS customer and the case identifier code.
  - Other pertinent information.
  - Procurement officials purchasing IT for National Security Systems (NSS) must ensure that items are not listed on the NSS Restricted List (Section 2339a List, formerly Section 806 List) IAW DoD policy dated 28 Dec 2018. The list is accessed through the Supplier Performance Risk System (SPRS) at <https://www.sprs.csd.disa.mil/default.htm>.





In accordance with 16.505 (10), No protest under subpart 33.1 is authorized in connection with the issuance or proposed issuance of an order under a task-order contract or delivery-order contract, except for a protest on the ground that the order increases the scope, period, or maximum value of the contract or for agencies other than DoD, NASA, and the Coast Guard, a protest of an order valued in excess of \$10 million (41 U.S.C. 4106(f)); or For DoD, NASA, or the Coast Guard, a protest of an order valued in excess of \$25 million (10 U.S.C. 2304c(e)).

The ombudsman will review complaints from contractors and ensure they are afforded a fair opportunity to be considered, consistent with the procedures in the contract.

The executed order will be transmitted via mail, facsimile, e-mail, or by verbal direction from the ordering contracting officer. If verbal direction is given, written confirmation will be provided within five working days.

**Post-award Notices and Debriefings:** The ordering contracting officer shall NOTIFY unsuccessful awardees when the total price of a task or delivery order exceeds \$6 million. The procedures at 15.503(b)(1) shall be followed when providing post award notification to unsuccessful awardees. The procedures at 15.506 shall be followed when providing post award debriefing to unsuccessful awardees.



# ATTACHMENT 1 EXAMPLE

## ITES-SW2 DELIVERY ORDER REQUEST CHECKLIST

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This form constitutes a request for contract support under the ITES-SW2 contracts. The requiring activity (RA) completes this form, together with the associated attachments, and forwards the entire package to the appropriate ordering contracting officer for processing.

<p><b>1. RA Point of Contact.</b> Include name, title, organization, commercial and DSN phone numbers for voice and fax, and e-mail address:</p>
<p><b>2. Designated Order Contracting Officer Representative (COR) (if applicable).</b> Include name, title, organization, commercial and DSN phone numbers for voice and fax, and e-mail address (If same as block 2, type "same"):</p>
<p><b>3. Wide Area Work Flow Inspector/Acceptor POC (if applicable).</b> Include name, e-mail address, and phone number:</p>
<p><b>4. Attachments Checklist.</b> Complete package must include the following items. Send files electronically via e-mail or fax to the OCO.</p> <ul style="list-style-type: none"><li><input type="checkbox"/> Funding Document(s) (scanned or other electronic version is preferable)</li><li><input type="checkbox"/> Independent Government Cost Estimate</li><li><input type="checkbox"/> Proposal Evaluation Plan Bundling Determination (if needed)</li><li><input type="checkbox"/> Delivery order unique Defense Department (DD) Form 254 (only if order unique security requirements exist)</li></ul>
<p><b>5. Delivery Order Information</b></p>
<p><b>Federal Acquisition Streamlining Act (FASA) Exception.</b> If you are citing a FASA exception to fair opportunity competition, designate which one below with a justification.</p> <p><b>FASA Exception Justification:</b></p> <ul style="list-style-type: none"><li><input type="checkbox"/> The agency need for services is of such urgency that providing such opportunity would result in unacceptable delays.</li><li><input type="checkbox"/> Only one such contractor is capable of providing services required at the level of quality required because they are unique or highly specialized.</li><li><input type="checkbox"/> The order should 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 this contract, provided that all ITES-SW contractors were given a fair opportunity to be considered for the original order.</li><li><input type="checkbox"/> A statute expressly authorizes or requires that the purchase be made from specified source.</li></ul>
<p><b>6. Order COR Training Certification:</b></p> <p>Army Order CORs are required to have COR training prior to appointment</p>
<p><b>Order COR Training Certification Date:</b></p>



# ATTACHMENT 2

## ITES-SW ACRONYMS

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Below is a list of acronyms pertinent to the ITES-SW2 ordering guide:

- ACC-RI - Army Contracting Command - Rock Island
- ACRN - Accounting Classification Reference Number
- ARO - After Receipt of Order
- CHESS - Computer Hardware Software Enterprise Software and Solutions
- CLINs - Contract Line Items
- CONUS - Continental United States
- COR - Contracting Officer Representative
- COTS - Commercial Off-The-Shelf
- DD - Defense Department
- DFARS - Defense Federal Acquisition Regulation Supplement
- DFAS - Defense Finance and Accounting Service
- DOD - Department of Defense
- DOR - Delivery Order Request
- FAR - Federal Acquisition Regulation
- FASA - Federal Acquisition Streamlining Act
- FFPs - Firm Fixed Prices
- FMS - Foreign Military Sales
- FP - Fixed Price
- IAW - In Accordance With
- ID/IQ - Indefinite Delivery/Indefinite Quantity
- IT - Information Technology
- ITES-SW2 - Information Technology Enterprise Solutions Software 2
- OCONUS - Outside the Continental United States
- PCO- Procuring Contracting Office
- POC - Point of Contact
- RA - Requiring Activity
- RFQ - Request For Quote
- SF - Standard Form
- SLIN - Sub Line Item Number
- TAA - Trade Act Agreement

