CHAPTER 9 Templates – Sections L & M

<Green> = Instructions (Delete before release of solicitation)

<Blue> = Fill-ins (Remove brackets)

USE: This document provides several tailorable narratives for use in Section L and Section M (or equivalent). These narratives support competitive source selection solicitations for the acquisition of intellectual property, data deliverables and associated license rights. Section L communicates to offerors what they are to propose in response to the solicitation. Section M describes to offerors how their proposals will be evaluated in accordance with the solicitation.

One or more of the tailorable narratives can be included in a solicitation based on the requirement and desired evaluation criteria. If more than one tailorable narrative is selected for inclusion in a solicitation, careful review may be needed to ensure there are no overlapping or conflicting evaluation criteria included in the solicitation. **At a minimum, contracting officers are required to tailor the content of the narrative below to reflect the specific requirement both in terms of desired proposal format and detailed evaluation factors.**

Offerors may be granted one or more strengths for: 1) delivering technical data with license rights that facilitate future competitive procurement; 2) delivering items that are available in the commercial market that can be procured by other contractors in a future competitive procurement (even without providing detailed technical information on these commercially available items); and/or 3) delivering a Product Support/Sustainment Strategy that includes Government purpose rights (licensing technical data to alternate contractors who will be able to participate in future competitive procurements). **If this is applicable to your solicitation, state this in sections L&M.**

Offerors will not be given an unacceptable rating in the evaluation of the solicitation or be considered ineligible for contract award, based on the offeror not proposing broader license rights than the Government is entitled in accordance with applicable DFARS citations (DFARS 252.227-7013, DFARS 252.227-7014, or 252.227-7015).

Notes:

 The Government may evaluate proposals on how well the offeror’s Product Support/Sustainment Strategy facilitates the Government’s objective to affordably sustain and compete procurement of end items and spare and/or repair parts.

 The Product Support/Sustainment Strategy proposal should document proposed and negotiated IP, data deliverables and associated license rights that will be priced as contract deliverable(s) under CLINs within Section B in the solicitation and final contract.

 If warranty is applicable, incorporate as a priced CLIN.

Sample Section L and Section M language can be found below. Remember, use only what is applicable and tailor the language, as required, for the respective requirement.

- **Technical Volume: Intellectual Property, Data Deliverables, and Associated License Rights**

- **CDRLs**
- **Configuration Control**
- **Configuration Management**
- **Cost Drivers**
- **Design Upgrade Approach**
- **Diminishing Manufacturing Source and Material Shortage (DMSMS)**
- **Field Support**
- **Hardware Sustainment Activities**
- **License Rights (LR)**
- **Logistics Support**
- **Maintenance Support Concept**
- **Modular Open Systems Approach (MOSA) (10 U.S. Code § 4401)**
- **Operation, Maintenance, Training, and Installation**
- **Operator and Maintainer Training**
- **Organic Field Level Support Provisioning**
- **Product Support/Sustainment Strategy**
- **Quality Assurance**
- **Risk Management**
- **Software Sustainment Environment (SSE)**
- **Subcontractor Proposal**
- **Test and Validation**
- **Test, Troubleshooting, and Repair**
- **Transition Strategy Plan**
- **Warranty**

Parent topic: Appendix E Intellectual Property, Data Deliverables, and Associated License Rights