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Description of document: Performance Work Statement (PWS) and related records for the Bank Secrecy Act (BSA) Data Value and Effectiveness Analysis Project performed for Financial Crimes Enforcement Network (FinCEN) under contract with Booz Allen Hamilton, Contract number 20341219F00018, 2014-2018

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[Treasury Online FOIA Request Form](#)

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Financial Crimes Enforcement Network  
U.S. Department of the Treasury

*Washington, D.C. 20220*

March 1, 2019

Case Numbers: FinCEN 19-075-F  
goFOIA 2019-02-160

This letter responds to your Freedom of Information Act request dated February 23, 2019, addressed to the Financial Crimes Enforcement Network (FinCEN) FOIA Office, seeking, of contract with Booz Allen Hamilton, number 20341219F00018, for the Bank Secrecy Act Data Value and Effectiveness Analysis Project:

- The Successful Technical Proposal,
- The Statement of Work, and
- The most recent Progress Report or Interim Report for the FinCEN

The processing of your request identified certain materials that will be released to you. Please note that item three of your request has not been produced yet and therefore is a no records. Portions not released are being withheld pursuant to the Freedom of Information Act, 5 U.S.C. § 552. Please refer to the Applicable Exemptions list at the end of this letter that identifies the authority for withholding the exempt material, which is indicated by a mark appearing in the block next to the exemption. An additional enclosure with this letter explains these exemptions in more detail.

Fees

There are no fees associated with processing this request because the fees incurred do not exceed the minimum threshold necessary for charge.

Administrative Appeal

In the event that you wish to appeal this determination, an administrative appeal may be made in writing to FOIA FinCEN P.O. Box 39 Vienna, VA 22183. Please be sure to clearly mark "FOIA/PA Appeal" on both the letter and envelope. Your appeal **must be submitted within 90 days** from the date of this determination. It should contain your FOIA request number and, to the extent possible, the reasons why you believe the initial determination should be reversed. In addition, the envelope in which the appeal is mailed should be prominently marked "FOIA Appeal." Please note that the determination of the appeal will be administratively final.

Additionally, you have the right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5796.

If you have any questions pertaining to your request, please feel free to contact the FOIA Office at email [FinCENFOIA@fincen.gov](mailto:FinCENFOIA@fincen.gov).

Sincerely,



Rosemary Law  
FOIA Officer

Summary:

Number of Pages Released in Full: 16

Number of Pages Withheld in Full: 31

**APPLICABLE EXEMPTIONS**  
**FREEDOM OF INFORMATION ACT AND/OR PRIVACY ACT**

**Freedom of Information Act (5 U.S.C. 552)**

☐ (b)(1) ☐ (b) (2) ☐ (b) (3) ☒ (b) (4) ☐ (b) (5) ☒ (b) (6)

☐ (b)(7)(A) ☐ (b)(7)(B) ☐ (b)(7)(C) ☐ (b)(7)(D) ☐ (b)(7)(E) ☐ (b)(7)(F)

Enclosures

FREEDOM OF INFORMATION ACT  
SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

Financial Crimes Enforcement Network (FinCEN) FOIA Branch applies FOIA exemptions to protect:

Exemptions

**Exemption (b) (1):** Records that contain information that is classified for national security purposes.

**Exemption (b) (2):** Records that are related solely to the internal personnel rules and practices of an agency.

**Exemption (b)(3):** Records specifically exempted from disclosure by code 31 U.S.C. § 5319, (Bank Secrecy Act) which includes disclosure of reports pertaining to monetary instruments transactions filed under subchapter II of chapter 53 of title 31 and records of those reports.

**Exemption (b) (4):** Records that contain trade secrets and commercial or financial information obtained from a person that is privileged or confidential.

**Exemption (b) (5):** Inter- or intra-agency records that are normally privileged in the civil discovery context. The three most frequently invoked privileges are the deliberative process privilege, the attorney work-product privilege, and the attorney-client privilege:

- Deliberative process privilege – Under the deliberative process privilege, disclosure of these records would injure the quality of future agency decisions by discouraging the open and frank policy discussions between subordinates and superiors.
- Attorney work-product privilege – Records prepared by or at the direction of a FinCEN attorney.
- Attorney-client privilege – Records of communications between an attorney and his/her client relating to a matter for which the client has sought legal advice, as well as facts divulged by client to attorney and any opinions given by attorney based on these.

**Exemption (b) (6):** Records that contain identifying information that applies to a particular individual when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." This requires the balancing of the public's right to disclosure against the individual's right to privacy.

**Exemption (b)(7)(A):** Records or information compiled for law enforcement purposes, but only to the extent that production of such law enforcement records or information...could reasonably be expected to interfere with law enforcement proceedings.

**Exemption (b)(7)(C):** Records containing law enforcement information when disclosure "could reasonably be expected to constitute an unwarranted invasion of personal privacy" based upon the traditional recognition of strong privacy interests ordinarily appropriated in law enforcement records.

**Exemption (b)(7)(E):** Records compiled for law enforcement purposes, the release of which would disclose techniques and/or procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.

**Exemption (b)(7)(D):** Records or information compiled for law enforcement purposes [which] could reasonably be expected to disclose the identity of a confidential source, including a state, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source.

**Exemption (b) (7) (F):** Records containing law enforcement information about a person, in that disclosure of information about him or her could reasonably be expected to endanger his or her life or physical safety.

**Performance Work Statement (PWS) for  
BSA Data Value Analysis Project  
Financial Crimes Enforcement Network (FinCEN)**

## **BACKGROUND**

FinCEN's mission is to safeguard the financial system from illicit use, to combat money laundering and to promote national security through the collection, analysis, and dissemination of financial intelligence and strategic use of financial authorities. FinCEN carries out its mission by receiving and maintaining financial transaction data; analyzing and disseminating that data for law enforcement purposes; building global cooperation with counterpart organizations in other countries and with international bodies; and administering the Bank Secrecy Act of 1970 (BSA), as amended by Title III of the USA PATRIOT Act of 2001 and other legislation. The BSA is the nation's first and most comprehensive Federal anti-money laundering and counter-terrorism financing (AML/CFT) statute. Pursuant to the BSA, FinCEN, among other things, develops anti-money laundering regulations and enforces compliance with the BSA and associated regulations. FinCEN also develops U.S. AML/CFT policy in partnership with other elements of the Department of the Treasury (Treasury), in particular other components of the Office of Terrorism and Financial Intelligence (TFI).

The financial intelligence collected under the BSA is critical to, and extensively used by law enforcement, counter-terrorism agencies, financial regulators, and the Intelligence Community. Critical first steps to determine where to focus efforts on streamlining the AML/CFT regime are measuring and providing feedback on the value of the reporting provided by financial institutions, and assessing that value against the burden imposed upon financial institutions. While there have been public-sector efforts made in the past to identify and assess this value consistently (and provide feedback to filers), the results have highlighted the need to convey more consistently and broadly to industry the full range of use and value that their BSA reporting and the broader AML/CFT regime creates.

As part of a broad review, Treasury is assessing all aspects of our current AML/CFT laws, regulations, and supervision and examination activities. The focus of this effort is to determine how effectively the current requirements and related activities are achieving the underlying goals of the BSA. This is essential given that many of the core requirements in the regime are multiple decades old. To improve the regime in this type of thoughtful and meaningful way, the Treasury expects to establish a more rigorous and repeatable set of approaches to define and determine the value of BSA regulation and reporting regime across the broadest set of uses by the government. Treasury is issuing this Task Order to define and determine the value of BSA reporting to Treasury and its stakeholders in its efforts to safeguard the U.S. financial system from illicit financial activity, combat money laundering, and promote national security. Treasury also needs to determine whether and what technological change or application of alternative regulatory and supervision and examination approaches would enhance the effectiveness of the existing AML/CFT regime, particularly BSA reporting, or provide for achievement of its core goals in a more efficient manner. Specifically within this project, Treasury is seeking analysis from the contractor on how to better define and determine the value of BSA reporting. This would include recommendations on how to characterize and identify the factors that illustrate the value of BSA reporting. Treasury also is seeking input from the contractor on how to better identify, track, and measure the value of BSA reporting going forward. The results of this project will inform a wide variety of Treasury efforts to more effectively harness the efforts of financial crime compliance programs and fraud programs at financial institutions and improve the U.S. Government's ability to detect money laundering and other illicit financing and promote national security.

## **OBJECTIVES**

The contractor is to identify, define, and measure the benefits (explicit, implicit, behavior changes, and others) associated with BSA reporting. This will require identifying and assessing the metadata associated with BSA reports, *i.e.*, the information about the use of and production of BSA reporting, including the value or use of specific data fields in BSA reports, or other information needed to properly assess the value of the BSA regime. The use of the term "metadata" is to clearly differentiate the data about the use of the information in BSA reports from the underlying data provided in those reports by financial institutions under the BSA.

Examples of metadata would include the percentage of times and the reasons why a particular field was used for a response, or the number of times a specific field was used in a query by law enforcement or other stakeholders, and other information about the use of specific fields or reports. The project also will identify

gaps in the metadata of BSA reports or other information about the benefits associated with the production and use of BSA reports that would be needed to properly assess the value of the BSA regime. The contractor would seek to obtain that metadata and other relevant information from key federal, state, and local data users as well as the reporting financial institutions. Similarly, the project seeks to understand and document how key BSA reporting stakeholders define or ascribe the specific attributes with describable value to the stakeholder(s).

The resulting definitions and measurement approaches, using both qualitative and quantitative measures and data, are expected to lead to the design of a repeatable methodology that assesses the value of the current BSA reporting regime. Special focus should be placed on the value of Suspicious Activity Reports (SARs) and Currency Transaction Reports (CTRs) with respect to their reporting thresholds ("value methodology"). The project also will document how to replicate the recurring, formal basis the value methodology used. The project also will document tools and approaches needed to collect the needed quantitative and qualitative information used by the contractor to support the analysis of the value of BSA reporting on a recurring basis.

To support the contractor's efforts, FinCEN has identified a team of subject matter experts and other necessary structural or organizational support (Attachment F). This support structure will help the contractor obtain necessary and relevant information to complete the project and arrange for discussions and other means of obtaining input from key stakeholders (see Attachment E – Summary of Info Available to Contractor for summary list).

***Primary Objectives:***

1. Gain insight from domestic stakeholders of BSA reporting (FinCEN, law enforcement, regulators, financial institutions, and other competent authorities or the general public in the United States) about what constitutes its "value" (particularly for SARs and CTRs). (The project scope excludes international/foreign stakeholders of BSA reporting.)
2. Measure the estimated value of BSA reporting for a representative sample of all domestic stakeholders as well as the specific value for each key stakeholder (see below).
3. Identify the attributes of BSA reporting that are most associated with stakeholder views and develop common definitions.
4. Identify gaps in data or information needed to better measure the value of BSA reporting.
5. Document the methodology used to calculate and measure value so that FinCEN can implement that methodology on its own.

**Definition of Key Domestic Stakeholders for the Project (the project scope excludes International stakeholders)**

This project will focus on domestic stakeholders (international stakeholders are excluded). The key domestic stakeholders are as follows:

- FinCEN
- Big Five Federal Law Enforcement Agencies (Federal Bureau of Investigation, Drug Enforcement Agency, Secret Service, Internal Revenue Service-Criminal Investigations, and Homeland Security-Special Investigations) plus others significant BSA reporting users (as selected by FinCEN)
- Significant state and local law enforcement agencies using BSA reporting (as selected by FinCEN)
- Other Treasury components (Office of Foreign Assets Control and Terrorist Financing and Financial Crime)
- Financial institutions (representative sample from each covered industry across all covered financial institutions and other reporting entities)
- Federal Banking Agencies (Federal Reserve System, Office of the Comptroller of the Currency, Federal Deposit Insurance Corporation, and National Credit Union Administration)
- Internal Revenue Service Small Business and Self-Employed (BSA Examiners)
- Securities and Exchange Commission, Commodity Futures Trading Commission, and State Banking Commissioners
- Other domestic stakeholders (as selected by FinCEN), if necessary

## Project Deliverables and Timeframes

The contractor shall complete the following specific work products for FinCEN within the established timeframes. Expected period of performance (POP) is twelve months (360 days) from contract initiation, but the contractor is requested to propose an alternative timeframe and approach if that would better meet the primary objectives of this project. In no instances can the project be extended beyond 15 months (450 days). In evaluating bids, FinCEN will give preference to project proposals completed in fifteen months or less if the evaluated quality of the competing project proposals are judged to be the same or substantially the same based on the evaluation criteria.

FinCEN will judge the success of the contractor's efforts against all three (3) key lines of effort (in priority order):

- Line of Effort #1: Establish/Maintain Project Management Plan and Identify and Document Attributes of BSA Value
- Line of Effort #2: Develop Metrics and Calculate Current BSA Reporting Value
- Line of Effort #3: Document Repeatable Methodology and Propose Recommendations for Improving BSA Value Identification and Tracking

### ***Contractor Line of Effort #1 (referred to subsequently as "CLIN #1")—Establish/Maintain Project Management Plan and Identify and Document Attributes of BSA Value***

*Establish project management team and hold kick-off meeting.* Contractor shall establish a project management team to develop the project plan and guide the overall project at time of project award. The project team shall meet weekly with FinCEN throughout the life of the project, beginning with a project "kick-off" meeting held no later than 7 calendar days from start of POP.

*Draft project plan.* Contractor team shall develop a draft project plan for FinCEN review and approval to guide the completion of the contract. Updates to the plan will be made as needed during the life of the project and approved by FinCEN, unless otherwise agreed in advance. The contractor's proposal for this project shall include an initial version of the project plan for FinCEN to consider in the bid evaluation process.

- **Deliverables:** A project management team will be put in place immediately upon contract award and begin working with FinCEN on the project. A 12-month-long project plan (or other time period as recommended by the contractor that is necessary to complete the project, but no longer than 15 months) will be provided to FinCEN for approval no later than 15 calendar days from contract initiation. The contractor shall provide an initial project plan and timeline with milestones outlining how it would complete the expected project deliverables within 12 months or other contractor-recommended time period. The kick-off meeting and formation of the contractor's project management team should be held within 7 days of POP. The draft project plan is required for that kick-off meeting. The final project plan shall be provided to FinCEN within 15 days of the start of POP. The contractor shall begin work on the project immediately from award date, without waiting for the full project plan to be completed.

The proposed project plan (word or power point/vizio document) and detailed project schedule (MS project document), an initial draft of which shall be provided for evaluation purposes within the contractor's proposal for this PWS, shall address:

- All elements of the project.
  - Plans for completing each major project deliverable.
  - A schedule (recommended by the contractor) that will ensure timely project completion.
- Expected challenges to completing the project and possible resolutions, to include data sources, analysis tools, contractor resources, or subject matter expertise, etc.
- An assessment of the requirements for FinCEN expertise and resources to support the contractor's efforts.
- Information about the contractor and how its resources and expertise will be made available to support the project.
- Other information or questions helpful to further clarifying the scope and expectations of the project for the contractor.
- Other information that may be helpful to FinCEN to understand the contractor's planned project management approach and its implications for FinCEN staff and resources.

*Qualitative stakeholder engagement and identification/documentation of unique BSA value definitions and attributes (by key stakeholder, stakeholder class, and across stakeholder classes). Engage FinCEN and*

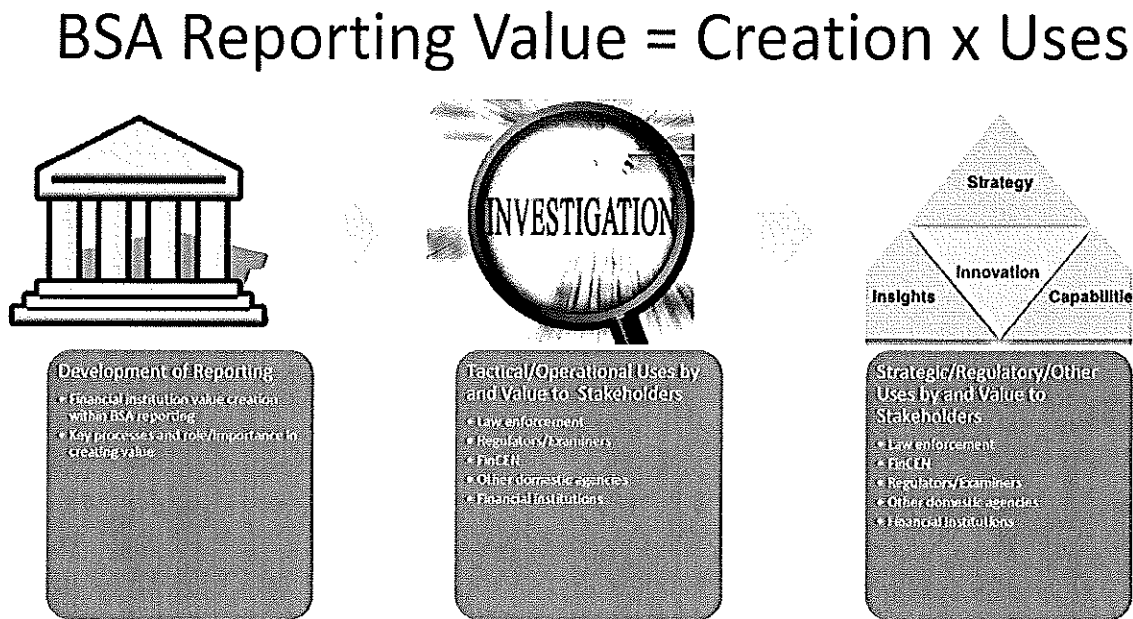


domestic stakeholders of BSA reporting to identify and document their existing views and definitions of "value" and the attributes that underlie that definition. While primarily qualitative in nature, this may also include available data, statistics, and other quantifiable information obtained from engagement with those key stakeholders that illustrate those attributes and definitions. Engagement may take multiple forms and could include surveys, meetings, focus groups, and other approaches. Engagement will focus on the use and value of BSA reporting that stakeholders have used over the past five (5) years. If the stakeholder has not assessed or identified the value of the BSA reporting to its work, the contractor will focus on identifying what potential attributes of BSA value are useful to the stakeholder. Attachments G-I include copies of the current questions FinCEN is asking the key stakeholders to obtain qualitative and quantitative information and data to support this project.

- *Identify common qualitative attributes of value.* Identify common qualitative attributes of "value" across domestic stakeholders of that information, by key stakeholder, and by types of key stakeholders. These qualitative attributes may be obtained through discussions, surveys, or other means with key stakeholders, but should be comparable for purposes of this project.

*Map the "value chain" of BSA reporting.* While engaging with FinCEN and domestic stakeholders, identify the various components or "value chain" that are created for or by stakeholders using BSA reporting (alone or in tandem with other information) and through the financial institutions' production of that reporting (an example of this concept is shown in Figure 1). The term "value chain" is intended to have the normal business meaning, the process or activities by which an entity adds value to an end product (in this case BSA reporting) plus the value derived from the end product's actual use as an input to the using stakeholders (the stakeholders' "value chain" built on the reporting). This includes the value that the various stakeholders of the BSA reporting derive from its use across a wide variety of purposes: strategic, tactical, operational, regulatory, benchmarking, and other relevant uses (examples are in Attachments J and L1-L4). Understanding of the tools and systems used by the stakeholders and financial institutions to create or derive the BSA reporting value will be another key component of this effort.

FIGURE 1



*Quantitative analysis of FinCEN and stakeholder data on BSA reporting use and identification/documentation of BSA value attributes (by key stakeholder, stakeholder class, and across stakeholder classes).*

The contractor shall work with FinCEN to analyze initial information made available to them at the start of the contract from FinCEN and other key stakeholders (see Attachment F as an example). FinCEN will provide the contractor with usage and other relevant metadata from the past five (5) years to support the analytical effort.

Specifically, FinCEN will be able to provide FinCEN Query Audit Log information and other relevant information under FinCEN's control (see Attachments J and L1-L4). The contractor shall review and begin to analyze that initial data in support of the project's deliverables. The contractors also will be able to request that FinCEN provide specific BSA reporting information required to complete the project, but will not have direct access to that data.

The contractor shall work with FinCEN to identify other relevant quantitative information that may be useful to the rest of the project, including from domestic stakeholders. This will include information on the tools or systems that FinCEN and other stakeholders use to derive value from the BSA reporting and the efficiency by which that value is derived (examples provided in Attachments J and L1-L4). If the additional information can be acquired and used effectively within the timeframe for the project's completion, FinCEN will attempt to obtain and provide the information. The contractor shall provide its request for this data and information to FinCEN sufficiently in advance to permit its timely availability.

- *Identify common quantitative attributes of value.* Identify common attributes of "value" by key stakeholder and by types of key stakeholders. These attributes should be linked to specific sources of associated usage metadata. This data should be quantifiable and comparable for purposes of this project.

*Develop a common definition across both quantitative and qualitative attributes.* Based on the common attributes, define what constitutes the commonly-shared definitions of "value" of BSA reporting (particularly SARs and CTRs) for domestic stakeholders of that information (FinCEN, law enforcement, regulators, financial institutions, other competent authorities, and any other identified domestic stakeholders). This definition should be developed for each key stakeholder engaged within the project, each type of key stakeholder (such as federal law enforcement or state and local law enforcement), and across all stakeholder types in aggregate.

- Deliverables: A report documenting the sources and baseline views on the attributes and contractor-identified definitions of BSA reporting value. The report shall include a mapping of the BSA reporting "value chain" (as defined above and focusing on the key stakeholder uses) and identification of the stakeholders obtaining value at each major component. This shall be completed so that the report documents this information by key stakeholder, type of key stakeholder, and in aggregate across all reviewed stakeholders. The report also shall analyze quantitative data and information obtained from FinCEN and key stakeholders to identify attributes and potential sources for value metrics and definitions. The report shall identify the data and other information the contractor used to complete this portion of the project. The deliverable may be completed using surveys, focus groups, research, and other methods recommended by the contractor to obtain needed qualitative and quantitative information. The report addressing all three of the deliverables shall be provided to FinCEN within 240 days of POP (unless the contractor proposes an alternative timeframe based on the need for additional time to conduct this essential line of effort). An initial version should be included as part of a mid-point presentation (180 calendar days).
  - The report shall include the analysis methodology used to document and calculate the identified qualitative and quantitative attributes of "value." It also shall list or otherwise detail the specific sources and components of those attributes. The report shall outline key factors in determining, or attributes correlating with, "value" and discuss the potential influencing conditions or constraints on those factors' ability to provide measurable metrics. The report shall be explicit about which factors are most important for development of the overarching definitions of BSA "value" and why.
  - The report also shall propose definition(s) for the "value" of BSA reporting. The report shall provide a clear explanation of the rationale for the recommended definitions. The report shall identify overarching definitions of "value" that are generally applicable across all stakeholders, as well as more targeted definitions for each of the key domestic stakeholders defined earlier.
  - The report shall explain how those definitions would be applied and read consistently with potential sub-definitions fitting the unique contexts of domestic stakeholders of that information (FinCEN; federal, state, and local law enforcement; federal and state regulators; financial institutions; and other competent authorities or the general public in the United States). Each definition must be accompanied by supporting or illustrative examples. The

rationale for each proposed definition must be clearly and completely explained. All the definitions for "value" must permit the development of quantitative metrics within this project.

*Hold mid-point presentation.* Deliver a presentation that outlines the key findings to date and expected results of the project.

- **Deliverable:** The presentation shall provide a formal opportunity for feedback from FinCEN on the work completed to date and additional guidance for completing the remaining deliverables. The presentation shall be appropriate for a senior management audience at FinCEN and Treasury and shall allow for extended discussions and questions within a 60-minute to 90-minute maximum timeframe. The presentation shall be provided within six months of the initiation of the contract or earlier to ensure appropriate guidance and feedback is provided to complete the project.

*Considerations for the use of surveys to complete this CLIN.* If the contractor recommends use of a survey to complete this CLIN (building on the questionnaires provided in Attachment F), the contractor must complete the following elements:

- Deliver a reusable formal survey instrument (for multiple, diverse surveyed populations—such as a stratified random sample at the highest reasonable confidence interval given the population) that shall identify and provide the data required to determine value, and to fill identified gaps in data or metadata needed to complete such an analysis. The proposed survey shall be provided to FinCEN within 45 days of the start of POP.
- Conduct an initial version of the survey on the identified populations within a prescribed timeframe.
- Deliver a full report on the results of the survey and provide the underlying survey response data (in full detail) to FinCEN. Use the results of the survey and the report to complete the remaining project deliverables.
- Deliver a recommended approach and project plan for FinCEN to conduct such surveys and analysis on a repeatable basis as part of CLIN #3.
- For purposes of conducting a survey, the contractor will rely on FinCEN to use existing authorizations for information collection or obtain one specific to this purpose to meet all regulatory or other requirements.

***Contractor Line of Effort #2 (referred to subsequently as "CLIN #2")—Develop Metrics and Calculate Current BSA Reporting Value***

*Establish metrics.* Determine how to use available data and information obtained and analyzed in CLIN #1 to establish metrics for evaluating the level of value of BSA reporting. Apply those metrics against the available data to establish initial measures of value.

*Calculate total value.* Provide a measure of the collective value of BSA reporting for all domestic stakeholders of that information as well as that for each key stakeholder and types of key stakeholders. Provide a specific measure of the value for each major type of BSA reporting, particularly SARs and CTRs, and a sub-measure for each major component of the BSA "value chain" defined in CLIN #1. All the measures shall have qualitative and quantitative aspects.

- **Deliverables:** A report on all components of this line of effort. This line of effort shall be completed within 12 months (360 calendar days) of the initiation of the contract. The contractor shall provide an interim version of the report in conjunction with a mid-point presentation (180 days) and follow-up presentation (300 days).
  - Using the gathered data and information from CLIN #1, the contractor shall recommend metrics for evaluating "value" against the recommended definitions. As part of proving the metrics are reasonable, the contractor shall demonstrate the results for FinCEN and other Treasury senior management. The rationale for each proposed metric and associated BSA reporting metadata or identified benefits or value must be clearly and completely explained and include its quantitative and qualitative components and associated calculations or supporting models. The metrics must enable FinCEN to assess and quantify the potential effects of regulatory and other changes to the AML/CFT regime on its own in the future.
  - The report shall provide the methodology, calculations, information used, and final results the contractor used to arrive at the value calculations. The report shall discuss the composition of the database and which fields or elements within the reports are of the highest and lowest

value as well as a similar comparison for individual financial institution reports or class of reports. The report shall also identify major differences in the assessment of value based on the mission or for other identifiable reasons of domestic stakeholders (defined above). The report shall also justify the suggested means of communicating the measurement (e.g., index, matrix, scale, or other) in comparison with other methods of communicating metrics and value.

*Hold mid-point (180 day) and follow-on (300 day) presentations.* Deliver a presentation that outlines the key findings to date and expected results of the project.

- **Deliverable:** The presentation shall provide a formal opportunity for feedback from FinCEN on the work completed to date and additional guidance for completing the remaining deliverables. The presentation shall be appropriate for a senior management audience at FinCEN and Treasury and shall allow for extended discussions and questions within a 60-minute to 90-minute maximum timeframe. The presentations shall be used to ensure appropriate guidance and feedback is provided by FinCEN to complete the project.

***Contractor Line of Effort #3 (referred to subsequently as "CLIN #13")— Document Repeatable Methodology and Propose Recommendations for Improving BSA Value Identification and Tracking***

*Identify gaps in information and data determined to be necessary or helpful to measure the value of BSA reporting.* Identify specific gaps in data, statistics or other quantifiable information that is necessary to produce the improved metrics. Identify potential sources to fill the data gaps and propose means of acquiring it.

*Propose actions to improve FinCEN's ability to identify, track, and measure the value of BSA reporting.* Based on work to date, identify and propose actions that FinCEN and other stakeholders can pursue to improve the ability to identify, measure, and track progress in the creation of BSA reporting value.

- **Deliverables:** A report based on the work completed in the project to date that identifies specific gaps in information that, if filled, would improve the ability to identify, track, and measure BSA reporting "value". This formal "gap analysis" shall identify the type and format of data required to complete the analytical program, but which is not available to FinCEN. Provide recommendations on how to procure the necessary information and recommend specific approaches to provide continuous evaluation of BSA reporting value. The recommendations shall be specific and explain how they will improve FinCEN's ability to identify and measure BSA reporting value. The report shall also identify proposed data (metadata or other data identified through the project) that other domestic stakeholders may need to track and report to FinCEN. This line of effort shall be completed within 12 months (360 calendar days) of the initiation of the contract. Handover of all materials and information to FinCEN shall occur within 20 days of the completion of this final deliverable.

*Document repeatable methodology.* Provide an actionable methodology for calculating and measuring "value" based on the completed work of the contractor. Provide recommendations for FinCEN on how to implement the methodology in a repeatable fashion.

- **Deliverables:** A final cumulative report that documents the methodology the contractor used to complete this project. FinCEN shall use the documented methodology to continue to identify, track, and measure BSA reporting "value". This report shall propose specific steps or actions for FinCEN to pursue to implement this methodology, including potential information technology-related recommendations. This line of effort shall be completed no later than the end of the 12-month contract (360 days). Handover of all materials and information to FinCEN shall occur within 20 days of the completion of this final deliverable.
  - The repeatable framework shall be adjustable or scalable as needed without substantial revision to the methodology (or methodologies).
  - The report shall detail the approach the contractor took to develop the methodology and complete the value and metrics calculations and the various considerations/permutations involved in coming to the final recommended approach and calculations/valuations.
  - The report shall include all data and other information used by the contractor to complete the report.

- o All work by the contractor and the contents of the report itself will be the sole property of FinCEN and cannot be released in any form without FinCEN's express permission. The contractor will be able to retain and use the expertise and the human capital knowledge associated with and developed through the project for whatever purposes it desires following satisfactory completion of the project.

#### **Project Deliverables and Timeframes**

The contractor shall complete the following specific work products within the established timeframes. Expected completion of all deliverables is 12 months (360 calendar days) from contract initiation (contractor can propose alternative timetable up to 15 months in total if it would improve the ability of the contractor to complete a higher quality project). All reference to days are calendar days.

<b>Project Deliverables</b>		
<b>Name</b>	<b>Brief Description</b>	<b>Deadline</b>
<b>Contractor Line of Effort #1-Establish/Maintain Project Management Plan and Identify and Document Attributes of BSA Value (Written Project Plan and Report to FinCEN)</b>		
Hold Kick-off Meeting	Hold kick-off meeting between contractor's project management team and FinCEN.	Hold kick-off meeting no later than 7 calendar days from start of POP.
Finalize project plan	Draft and gain approval for the project plan and timeline.	Draft due at kick-off meeting. Final plan within 15 calendar days from contract award.
Document baseline stakeholder views and relevant information on BSA reporting value	Engage FinCEN and domestic stakeholders of BSA reporting to identify and document existing views and definitions of "value". The contractor shall work with FinCEN to gather relevant qualitative information that may be useful to the rest of the project.	Document these base views in a report within 240 calendar days from contract award.
Map the BSA reporting "value chain"	Identify the various components or "value chain" of BSA reporting that are created for or by stakeholders and through the financial institutions' production of that reporting.	Document the map of the BSA "value chain" in a report within 240 calendar days from contract award.
Quantitative analysis of FinCEN and stakeholder data on BSA reporting use and identification /documentation of BSA value attributes (by key stakeholder, stakeholder class, and across stakeholder classes)	Analyze quantitative data and information obtained from FinCEN and key stakeholders to identify sources for BSA reporting value attributes, metrics, and definitions.	Document the results of the analysis of the available data as sources for BSA value metrics and definitions in a report within 240 calendar days from contract award.
Identify common attributes of "value" (qualitative and quantitative) and develop a common definition	Identify common attributes of qualitative and quantitative "value". Propose a definition of "value". The report shall provide a clear explanation of the rationale for the recommended definitions. The report shall identify overarching definitions of "value" that are generally applicable across all stakeholders, as well as more targeted definitions for key domestic stakeholders.	Document the initially identified attributes and proposed definition(s) in a report to FinCEN within 240 days of award.
Interim project presentation	Deliver a presentation that outlines the key findings to date and expected results of the project.	Provide presentation to FinCEN and TFI senior management within 180 days of contract award on initial findings across this line of effort.

<b>Contractor Line of Effort #2—Defining and Quantifying “Value” (Presentation and Report to FinCEN)</b>		
Establish metrics	Using the gathered data and information from the other lines of effort under this vehicle, the contractor shall recommend metrics for evaluating “value” against the recommended definitions. As part of proving the metrics are reasonable, the contractor shall demonstrate the results for FinCEN and other selected TFI senior management.	Provide recommended metrics and results of use in a report to FinCEN within 360 days of award.
Calculate total value	Deliver a report that provides a measure of the collective value of BSA reporting for all domestic stakeholders as well as that for each major stakeholder. Provide a specific measure of the value for each major type of BSA reporting, particularly SARs, and a sub-measure of each major component of the BSA “value chain”.	Deliver report and calculations to FinCEN within 360 days of award.
Interim project presentations	Deliver presentations that outlines the key findings to date and expected results of the project.	Provide presentations on initial findings to FinCEN and TFI senior management within 180 days (see CLIN #1) and interim final findings within 300 days of contract award.
<b>Contractor Line of Effort #3— <i>Document Repeatable Methodology and Propose Recommendations for Improving BSA Value Identification and Tracking</i> —Report and Recommendations for FinCEN</b>		
Identify information gaps and propose actions to improve the identification of BSA value	Identify specific gaps in needed data, statistics or other quantifiable information and potential sources/methods of acquiring it. Propose specific actions FinCEN could take to improve the identification, tracking, and measurement of BSA “value.”	Deliver report to FinCEN within 360 calendar days of award.
Develop repeatable methodology and lessons learned	Deliver a final cumulative report that formalizes the recommended repeatable methodology used by the contractor that FinCEN can use to identify, track, and measure BSA reporting “value”. This report shall propose specific steps or actions for FinCEN to pursue to implement this methodology, including potential information technology-related recommendations. The report shall provide lessons learned from the project to help guide future FinCEN efforts.	Deliver final cumulative project report within 360 days of award.
<b>Other Required Tasks—Coordination with FinCEN</b>		
Weekly Reports	Contractor shall provide weekly status update reports and go over them in person with FinCEN COR and FinCEN Project Manager and other FinCEN staff as necessary.	Weekly until project is completed to FinCEN's satisfaction.
Handoff of all materials, data, and information associated with the project	Complete all hand-off efforts to complete the project.	End of POP + 20 days.

#### ***Timeline for Other Required Tasks***

- The contractor shall hold weekly meetings with FinCEN for purposes of ongoing guidance, instruction and to address quickly any issues or questions that may arise.

- The contractor shall be expected to provide weekly progress reports to FinCEN outlining progress in meeting each deliverable against the finalized project plan. These progress reports shall be due by Monday, at 5pm EST the day before the meeting. The weekly meetings are scheduled every Tuesday.
- The contractor shall provide interim/drafts of the reports expected for all major project deliverables to FinCEN on dates specified within the final project plan.
- The contractor will be expected to complete the project and provide final versions of all expected reports or other data and materials within the agreed POP.

Delivery of all project requirements to FinCEN in a timely and satisfactory manner will constitute completion of the contract.

#### ***Deliverable Formats***

Reports and graphs shall be provided in Microsoft Word and/or Excel spreadsheets in a machine-readable, searchable, and exportable format, unless otherwise agreed.

The data obtained and analyzed above (or relevant to the questions and data previously provided in the RFI and original PWS sent to the contractors earlier this year) shall be provided in CSV files or Excel spreadsheets in a machine-readable, searchable, and exportable format or in another format acceptable to FinCEN.

The contractor shall make particular representations to FinCEN about its ability to identify and provide the data obtained and analyzed in this project to FinCEN in a machine readable, searchable, and extractable format.

#### **Special Requirements: Labor and Skill Sets Suggested**

The contractor shall determine the type and number of personnel to support the project and include that information as part of its proposal. FinCEN generally does not intend to place any requirements for specific type of skills and experience (including no "Key Personnel" requirement). FinCEN does expect the contractor, however, to have an appropriate project manager and to assign a team with sufficient experience and capabilities to accomplish the required project deliverables in the manner proposed by the contractor.

#### **Travel Requirements**

The contractor is not expected to incur expenses for travel outside of the Washington, DC metro area, unless they are working off-site outside of the Washington, DC metro area and must travel to it. The Washington, DC metro area includes both the FinCEN headquarters in Washington, DC and the FinCEN office in Vienna, VA. Any costs associated with such needed travel shall be included in the bid from the contractor and will not be reimbursed separately from the overall contract award. Should there be a need to meet with any key domestic stakeholders outside of the Washington, DC metro area, FinCEN will arrange for that meeting to occur by means other than contractor travel whenever possible.

#### **Work Location and Equipment**

FinCEN will provide the contractor's team with dedicated space and appropriate information technology (IT) equipment and systems, furniture, and other necessary supplies/material at FinCEN. This space will primarily be in the Vienna, VA office, with some space in the Washington, DC headquarters. The contractor's team also will be permitted to work off-site and will be provided with equivalent IT and systems support and access to FinCEN information as team members working from a FinCEN location.

#### **General Information**

Potential contractors shall comply with all legal and security requirements necessary to obtain access to the BSA data and usage information. Per FinCEN security guidelines, all contractors working at a FinCEN location or working off-site must have at least a "Secret" level clearance. FinCEN expects that the contractor should be able to complete the project, however, without referencing or discussing officially classified materials. If instances arise that would require a higher level of security clearance to complete any required component of the project, the contractor shall be provided sufficient time (with concurrence and appropriate contract modification and supporting paper work (DD254) from FinCEN) to identify and fill that need with appropriately cleared personnel.

The selected contractor is required to sign the attached Non-Disclosure Agreement (Attachment A).

Provide all of the following:

1. Contractor's name, address, DUNS#, point of contact, phone number, and e-mail address;
2. Description of product and service which demonstrates an end-to-end solution to the solution needs as described above.
3. An estimated cost proposal broken down at the Contractor's discretion (Labor Hours for CLINs #1, #2, and #3, all as individual task orders under the single PWS).
4. Contractor's small business sub-contracting plans, if relevant.
5. Include the name of the point of contact, email address, and telephone number should the Government have questions regarding individual responses.
6. Include two (2) past performance qualifications for both relevant public and private sector experience.
7. Description or resumes of personnel who would be expected to participate in the project.

The written response to this notice shall be limited to fifteen (15) pages and include a signed copy of the attached Non-Disclosure agreement, plus any relevant attachments (not included in the 15 page limit—this includes the MS Project plan).

#### **KEY PERSONNEL REPLACEMENT PROCESS**

Key personnel may, with the consent of the contracting parties, be amended from time to time during the course of the contract to add or remove key personnel. A formal modification is only required when the key personnel are specifically named in the contract. This process only applies to the extent that the contract does not otherwise specify notice or personnel replacement obligations.

#### **Government Request**

The Government may require replacement of key personnel in the instance of non-performance, misconduct, or alleged misconduct whose continued use under a contract is contrary to the best interests of the Government. Circumstances that support a request for replacement include but are not limited to performance that is inconsistent with the contract performance work statement (PWS), terms and conditions, or violations of Federal laws, regulations, or agency conduct standards. The Contracting Officer's Representative (COR) will give written notice to the Contractor of the need for substitution, including the circumstances surrounding the request for replacement. In accordance with FAR Part 1.602-2(b), the Contracting Officer (CO) will ensure the Contractor receives impartial, fair, and equitable treatment; however, the CO is not required to investigate or validate allegations or wait until a final resolution of the circumstances surrounding the request for replacement before requiring substitution of key personnel.

Within twenty four (24) hours of receiving notice, the Contractor shall respond to the Government's request to replace key personnel and provide key personnel replacement resume(s) to the COR(s). The resume(s) shall demonstrate that the qualifications of proposed replacement key personnel meet the qualifications stated in the PWS. The COR will notify the Contractor, in writing, within forty-eight (48) hours of receiving key personnel replacement resume(s) if the Contractor provided replacement personnel is acceptable. The Government reserves the right to disapprove the proposed substitute(s) and negotiate with the Contractor for other key personnel replacement(s). Any Contractor replacement of key personnel must be done in consultation with the COR. The process for replacing key personnel as described above does not suspend the Contractor's obligation to continue performance under the contract.

#### **Contractor Request**

If the Contractor must substitute key personnel, the Contractor shall provide written notice to the COR and the CO two (2) calendar weeks before the proposed replacement date, whenever possible. At a minimum, the Contractor shall provide the Government with notice forty-eight (48) hours before replacement. The only exception to the forty-eight (48) hour notice is death, incapacitation, abrupt termination, or resignation from employment of key personnel where the Contractor's notice was less than forty-eight (48) hours. If the deadline for providing notice falls on Friday after 5:00 pm, a weekend, or on a Federal Holiday, the Contractor shall provide notice the next business day if more than forty-eight (48) hours. The notice shall state the circumstances necessitating the proposed substitution of the key personnel and shall provide resume(s) of proposed replacement key personnel for review and consultation. The Contractor shall demonstrate that the qualifications of the proposed substitute(s) meet the qualifications stated in the PWS. The Government



reserves the right to disapprove the proposed substitute(s) and negotiate with the Contractor for other key personnel replacement(s). Assignment of key personnel must be done in consultation with the COR.

#### **ATTACHMENTS**

Attachment A – Non-Disclosure Agreement

Attachment B – Contract Security Classification Specification – DD 254

Attachment C – VCSP, Visitor Contractor Security Plan

Attachment D – Labor Categories & Rates

Attachment E – Summary of Info Available to Contractor

Attachment F – Summary of Stakeholder Support Structure

Attachment G – General BSA Value Questions

Attachment H – Initial BSA Value Questions to FBAs

Attachment I – Initial BSA Value Questions to LEAs

Attachment J – Example BSA Usage Data

Attachment K (1) – Suspicious Activity Report & User Guide

Attachment K (2) – Currency Transition Report & User Guide

Attachment K (3) – Designation of Exempt Person & User Guide

Attachment K (4) – FinCEN Form 105

Attachment K (5) – E-Filing Form 8300

Attachment K (6) – Registration of Money Services Business

Attachment K (7) – FinCEN FBAR & User Guide

Attachment L1a – ID Resources and Products

Attachment L1 – List of Tools-Products-Services - ID

Attachment L2 – List of Tools-Products-Services – LD

Attachment L3 – List of Tools-Products-Services – ED

Attachment L4 – List of Tools-Products-Services - PD

## PROVISIONS

### 52.252-1 Solicitation Provisions Incorporated by Reference (Feb 1998)

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The offeror is cautioned that the listed provisions may include blocks that must be completed by the offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these address:  
<https://www.acquisition.gov/far/>

### 52.209-2 Prohibition on Contracting with Inverted Domestic Corporations--Representation (NOV 2015)

- (a) *Definitions.* "Inverted domestic corporation" and "subsidiary" have the meaning given in the clause of this contract entitled Prohibition on Contracting with Inverted Domestic Corporations (52.209-10).
- (b) Government agencies are not permitted to use appropriated (or otherwise made available) funds for contracts with either an inverted domestic corporation, or a subsidiary of an inverted domestic corporation, unless the exception at 9.108-2(b) applies or the requirement is waived in accordance with the procedures at 9.108-4.
- (c) *Representation.* The offeror represents that—
  - (1) It ☐ is, ☐ is not an inverted domestic corporation; and
  - (2) It ☐ is, ☐ is not a subsidiary of an inverted domestic corporation.

### 52.216-1 Type of Contract (Apr 1984)

The Government contemplates award of a labor-hour contract resulting from this solicitation.

### NOTICE TO FIRMS DEBARRED, SUSPENDED, OR PROPOSED FOR DEBARMENT

*In accordance with FAR 9.405, offers are not solicited from firms debarred, suspended, or proposed for debarment. Ineligible firms shall consider this an informational copy only.*

## PROPOSAL INSTRUCTIONS

The Bureau of the Fiscal Service on behalf of the FinCEN will be hosting an Industry Day for planning purposes for their BSA Data Value Analysis Project.

Interested Contractors shall attend a site visit at the FinCEN Headquarters, 2070 Chain Bridge Road, Vienna, 22183 to gain a better understanding of the work to be required. Although it is permissible to ask questions during the Industry Day, they shall be submitted to the contracting office in writing after the event and answers will be provided for all Offerors to review. All questions shall be submitted in writing by the time designated below. The industry day is scheduled for September 17, 2018 at 10:00 a.m. ET. Those parties interested in participating in the visit SHALL contact Janet Womack via email at [Janet.Womack@fincen.gov](mailto:Janet.Womack@fincen.gov) or by phone at 202-354-6402 no later than 12:00 p.m. (Noon) ET, September 10, 2018. All contractor representatives that will be attending this Vendor Day must provide the following required information:

- *Required Personal Information (U.S. citizen or national):*
  - Full Name
  - Date of Birth
  - Driver's License number and state of issuance or U.S. passport number
- *Required Personal Information (non-U.S. citizen or national)*
  - Full Name
  - Date of Birth
  - Passport number and country of issuance

All questions must be submitted in electronic format, such as a Microsoft Word Attachment, no later than October 15, 2018 by 10:00 am ET. Questions shall be emailed to [Purchasing@fiscal.treasury.gov](mailto:Purchasing@fiscal.treasury.gov), referencing "#20341218R00009/Amend 00002 – Questions for BSA Data Value Analysis Project Services, Attn: TAshcroft/HScott" in the subject line of the email.

Proposal submissions are due by November 7, 2018 by 2:00 pm ET. Offerors shall submit their proposal documents electronically to the [Purchasing@fiscal.treasury.gov](mailto:Purchasing@fiscal.treasury.gov), referencing "#20341218R00009/Amend 00002 BSA Data Value Analysis Project Services Proposal - Attn: TAshcroft/HScott," in the subject line.

The Offeror assumes full responsibility for ensuring all electronic materials and attachments submitted are formatted in accordance with the Bureau of the Fiscal Service Security Requirements. The following file extensions are not allowable and application materials/data submitted with these extensions cannot be considered:

.bat, .cmd, .com, .exe, .pif, .rar, .scr, .vbs, .hta, .cpl, .html, .mhtml, and .zip files

The Government does not allow 3rd party messaging systems/secure mail.

Microsoft Office non-macro enabled compatible documents and PDF documents are acceptable. If the Offeror determines that other formats are necessary, it is the Offeror's responsibility to verify with Fiscal Service that those formats are acceptable. Proposal materials with unacceptable or unreadable formats may be found non-responsive.

In addition to the items specified in the solicitation provision above, the following information is necessary to enable proper evaluation of offers in response to this solicitation:

- (a) Price shall be shown in U.S.dollars with a maximum of two decimal points.
- (b) Include the following:
  - 1) Per unit and extended pricing for each item (per Attachment D – Labor Categories & Rates).
  - 2) DUNS # \_\_\_\_\_
  - 3) Signed and completed SF 1449 and all amendments issued (if any). The signature must be of a company official authorized to contract on behalf of the Firm.
  - 4) Copy of your TTFIA BPA identifying all labor categories, associated labor rates, products, etc. as proposed.
  - 5) Invoice and payment terms – Identify any payment discounts (e.g. 2/10, Net/30), proposed invoice and payment schedules tied to specific tasks/deliverables, and any other invoice and payment terms.
  - 6) Technical Volume:

Technical Components	Maximum Pages	Font Style & Size
Technical Expertise	10 pages in length	Arial, Size 10 with 1-inch margins
Management & Staffing Plan	6 pages in length	Arial, Size 10 with 1-inch margins
Key Personnel Resumes	2 pages in length for each resume	Arial, Size 10 with 1-inch margins

The Government will allow for additional pages if it is necessary for submission of all relevant information.

- 7) An estimated Rough Order Magnitude (ROM) cost proposal broken down at the Contractor's discretion
- 8) Contractor's small business size status, including whether the contractor is a woman-owned, minority-owned, or SDVOSB.
- 9) Description of product and service which demonstrates an end-to-end solution to the solution needs as described above.
- 10) Price Volume, to include Attachment D – Labor Categories & Rates

**Evaluation Factors (in descending order of importance):**

**1. Technical**

A. Written Technical - Contractor shall provide a written narrative of their expertise that includes knowledge of Bank Secrecy Act regulations and compliance expectations; use of BSA data and/or other intelligence and law enforcement data sets; and experience with developing, conducting and using surveys. The Contractor also shall demonstrate the ability to develop repeatable methodologies for calculating and measuring value, use, effectiveness in processes, outcomes, and other metrics of value. Contractor's proposal shall demonstrate their depth of expertise as necessary to perform highly complex and time sensitive assignments as set forth in the PWS.

- a. Establish/Maintain Project Management Plan and Identify and Document Attributes of BSA Value. The Contractor shall submit with their proposal a Draft Project Plan with expected Milestone completion dates.
- b. Develop Metrics and Calculate Current BSA Reporting Value
- c. Document Repeatable Methodology and Propose Recommendations for Improving BSA Value Identification and Tracking.

B. Schedule – In evaluating bids, project proposals that can be completed in less than 12-months will be evaluated more highly if the evaluated quality of the competing project proposals are judged to be the same or substantially the same based on evaluation criteria.

B. Management and Staffing Approach – Contractor shall include a written Management and Staffing plan that explains in detail the approach to tasks to be completed within the PWS. The Contractor shall outline demonstrated ability to manage resources, schedule, and quality of services. Contractor shall propose labor categories to ensure they are appropriate to perform work under the contract, and that the labor categories are mapped to the proper labor category group.

C. Key Personnel - The Contractor shall submit the qualifications and resumes of all Contractor and subcontractor key personnel who shall perform work under this contract to demonstrate their expertise and knowledge of the requirement in accordance with the PWS.

**2. Past Performance**

The Offeror shall submit the following information as part of the proposal for both the Offeror and any proposed subcontractors:

At least three (3) written past performance references for relevant, similar contract/order, and more specifically any Federal Government reference for whom similar services were provided, in similar size, scope and complexity to the requirements (for both the Contractor and proposed subcontractors). Include the following information for each contract and subcontract:

- a) Federal Department of Agency serviced
- b) Year and Period of Performance Services were performed
- c) Contract number, type and value;
- d) Contracting Officer's name, telephone number and email address;
- e) Program Manager's name, telephone number, email address;
- f) Total amount of the contract

- g) Brief description of the supplies or services provided.

The Offeror shall also provide information on problems encountered on the contracts and subcontracts identified, and the corrective actions taken to resolve those problems. The Offeror should not provide general information on its performance on the identified contracts; general performance information will be obtained from the references if necessary.

**3. Price (include Attachment D – Labor Categories & Rates)**

**52.212-2 Evaluation -- Commercial Items (Oct 2014)**

**Basis for Award**

(a) The Government will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the Government, price and other factors considered. The following factors shall be used to evaluate offers:

**Comprehensiveness of Proposed Approach:**

- Contractor shall demonstrate in its proposal a comprehensive understanding of the objectives of the PWS.
- Contractor shall demonstrate an approach designed to leverage existing knowledge consistent with the PWS.
- Contractor shall demonstrate capabilities not readily available to FinCEN.
- Contractor shall present a clearly understandable approach, using defined data sources that is able to be repeated by FinCEN on a regular basis.

Technical and past performance, when combined, are more important than price

(b) Options. The Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. The Government may determine that an offer is unacceptable if the option prices are significantly unbalanced. Evaluation of options shall not obligate the Government to exercise the option(s).

(c) A written notice of award or acceptance of an offer, mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer, shall result in a binding contract without further action by either party. Before the offer's specified expiration time, the Government may accept an offer (or part of an offer), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award.

Offerors proposal will be evaluated on the following factors, which are listed in descending order of importance:

- Written Technical to include:
  - ❖ Technical Expertise – Proposals shall be evaluated on a clear demonstration of the depth of expertise necessary to perform highly complex and time sensitive assignments set forth in the PWS.
  - ❖ Management and Staffing Approach – Proposals will be evaluated on the Offeror's demonstrated ability to manage resources, schedule, and quality of services, Offeror's proposed labor categories to ensure they are appropriate to perform work under the contract, and that the labor categories are mapped to the proper labor category group.
  - ❖ Key Personnel – Will be evaluated on their expertise and knowledge of the requirement in accordance with the PWS.
- Past Performance - Will be evaluated on the contractor's past performance based on their previous task orders awarded on the IDIQ contract and Federal Government contracts of a similar size, scope, and complexity Proposed subcontractors will be evaluated on a similar basis.

- Price will be evaluated to determine that the labor categories are in accordance with the IRS IDIQ contract.. Price reasonableness will be determined by comparison of prices to the IGCE and competing price proposals. The contractor shall propose a separate price for CLIN #1, CLIN #2, and CLIN #3. The contractors shall propose the number of hours that they expect are required for each CLIN, however the level of effort shall not be evaluated for basis of award.

**52.225-25 -- Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran—Representation and Certification (Oct 2015)**

**52.233-2 Service of Protest (Sep 2006)**

(a) Protests, as defined in section 33.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the General Accountability Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from:

Ms. Keri Moore  
Compliance & Policy Branch Manager

U.S. Department of the Treasury, Bureau of the Fiscal Service  
Keri.Moore@fiscal.treasury.gov

(b) The copy of any protest shall be received in the office designated above within one day of filing a protest with the GAO.