

**Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002**

TABLE OF CONTENTS

1.0	BACKGROUND	1
1.1	New State-of-the-Art Information Technology Infrastructures.....	1
1.2	Context of Use.....	2
1.3	Analysis: Recent and Ongoing User Research	6
2.0	Purpose	7
2.1	OBJECTIVE.....	7
3.0	SUPPLIES/SERVICES	8
4.0	Scope of Work	8
4.1	Project Considerations.....	8
5.0	CONTRACT TYPE	15
6.0	PERIOD OF PERFORMANCE	15
7.0	PLACE OF PERFORMANCE	15
8.0	GOVERNMENT FURNISHED MATERIAL.....	15
9.0	DELIVERABLES	15
10.0	TERMS & CONDITIONS	17
11.0	PROPOSAL INSTRUCTIONS	27
11.1	Amendments	28
11.2	Submission Requirements.....	28
12.0	EVALUATION CRITERIA.....	29
12.1	Criteria for Each Factors	29
12.2	Best Value Determination	31
13.0	ATTACHMENTS	31

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

1.0 BACKGROUND

1.1 New State-of-the-Art Information Technology Infrastructures

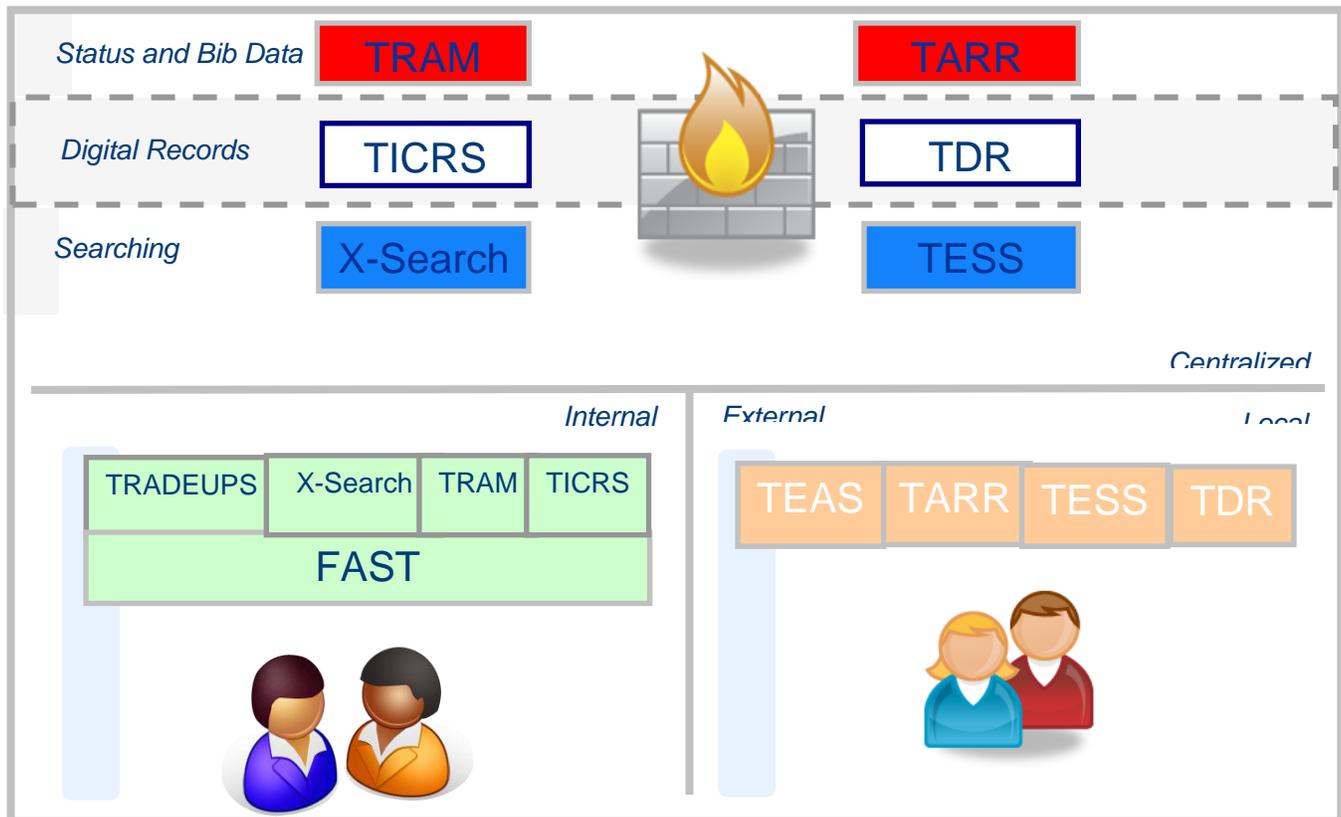
The United States Patent and Trademark Office (USPTO) is re-designing the Information Technology (IT) infrastructure associated with various business units at the USPTO including services for the execution of a trademark examination process. The architecture is being designed to include a new service-oriented architecture, enterprise workflow management, content management and a new data model resulting in a fundamental redesign of trademark processing and operations.

Due to the evolutionary nature of the existing Trademark IT system, it consists of many user interfaces developed overtime utilizing web services, sockets, database replication, batch processes, transactions, visual Basic, .Net, Java, JavaScript, Perl, Cobol, C++, WFL, and shell scripts. Operating Systems include HP-US, AIX, MCP, Windows, and Linux. Vendors are numerous but include: Unisys, Oracle and Microsoft. Trademark personnel have to launch a multitude of separate applications to perform their tasks. Information sometimes needs to be copied and pasted between applications. Some work products have to be saved to the desktop for later use. Most applications are run on individual's computers rather than on centralized servers. The graphical interfaces themselves lack a modern look and feel.

The Trademark system is a collection of applications that collectively consists of millions of lines of source code, more than one thousand data elements, and hundreds of reports. Virtual workflow has been implemented through mainframe programs and custom user interfaces. A highly simplified logical overview of the organization of the existing systems appears on the following page.

As shown in this overview, Trademark processing relies heavily upon three main systems capabilities: searching, status and bibliographic data, and digital records. There are three internal and three external primary systems: TRAM, TICRS, XSearch; and TARR, TDR, TESS. These systems are supported by a several others, including the Madrid Processing system for managing international Trademark applications and registrations.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002
 Diagram 1. High Level Major TM Systems



The ultimate goal of this project is to make the user's experience as integrated and intuitive as possible under various USPTO in support of Trademarks/Patents. The stakeholders desire a simple and unified interface that: does not require launching of separate applications in separate windows; support new IT advances; and allows for greater flexibility in communication with all stakeholders. The design must balance technical and visual functionality in order to create system interfaces that are: operational, fast, integrated, reliable, and adaptable to user needs and changing agency infrastructure.

Much of the task analysis phase has been completed, however more assistance and support is needed to move to the design. This purpose of the 1st Task under the contract is to provide an integrated, fast, and reliable user centered design interface for Trademark's system(s). This solution will provide Trademark with a flexible interface that easily implements statutory requirements and enhances existing workflow processes to meet stakeholder expectations.

1.2 Context of Use

1.2.1 Key Internal Stakeholders

Trademark attorneys and support staff review the cases in their docket to take action to make decisions about the registrability of submitted applications based on a specific event during the examination process. Each business unit has supervisors and managers who provide oversight to employees and require statistical reporting.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

Key Internal Stakeholder Types:

- Trademark Examiners and Attorneys
- Support Units (Legal Instrument Examiners, Paralegal Specialist, Post Registration, Office of Program Control (OTPC) etc.)
- Supervisors (Supervisory Legal Instrument Examiners, Supervisory Paralegal Specialists, Senior Attorneys, etc.)
- Business Admin
- Trademark Trial and Appeal Board

Other Important Internal Stakeholders:

- Training Staff
- Quality Assurance Staff
- Upper and Middle Management
- Data Analyzers
- IT Staff (OCIO and OTPC)

1.2.2 Basic Workflow of Trademark Examination & Registration

An application is a document composed of several sections, consisting of the mark, the specification, the description, the abstract, and the drawings. It also contains metadata such as the date of filing, the applicant's names, the application number, and so on.

REGISTRATION PROCESS

A trademark application is an incoming document filed by an applicant that consists of applicant information, mark information, additional statements, goods and/or services information, filing basis, correspondence information, and a signature.

Each application is assigned a filing date, a serial number, and the class(es) of goods and/or services (if none was provided by the applicant.) A filing fee based on the number of classes is required but a minimum of one filing fee must be paid to receive a filing date. Applications are reviewed and notated with design codes and a pseudo mark (as appropriate) to assist in searching the mark during the examination process. Such notations are administrative and not a determination or limitation on applicant's rights. Applications also contain metadata that is collected from the information provided.

A trademark application is submitted by an applicant. An applicant can be a corporate entity, an individual person, joint applicants, or any other legal entity. An applicant may or may not be represented by an attorney. Applications can be filed electronically or on paper through the mail or hand delivered to the USPTO. The vast majority of new applications are filed electronically.

An application may include only one mark. The mark can be either a "standard character" mark (typed drawing) or a "special form" mark which includes stylized word(s), a design or a design with words. If the mark includes a design or is stylized, the applicant must submit a separate image of the mark known as the "Drawing." A standard character mark may simply be typed into the application without a separate attachment.

The initial application is processed through the pre-examination unit and checked for minimum requirements. If the minimum requirements are met, the applicant receives a filing date and is issued a filing receipt. If the application does not meet the minimum requirements, it is returned to the applicant along with all fees paid and the serial number is misassigned.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

Approximately three months from the filing date, the application is assigned to an examining attorney for a legal review. During this period awaiting examination, the applicant may submit preliminary amendments to the application. These preliminary amendments may be filed electronically or on paper. Such amendments remain in the file as "proposed" until an examining attorney is assigned to review the application. However, some information in the amendment may result in the file record being updated.

Applications are examined in the order received except if they are granted special status by petitioning the Director or meet certain co-pending (companion file) requirements.

The typical workflow for an examining attorney working with a new application is:

- Review the application data for compliance with various legal and procedural requirements
- Annotate the application record with notes, as appropriate
- Formulate a search strategy and conduct a search of the USPTO's database of marks to see if there are any possible conflicting marks already registered or the subject of applications with an earlier filing date.
- Search the internet including specialized databases for information and evidence that may serve as a basis for refusing registration or for other relevant information to understand the meaning of the mark, the nature of the goods, etc.
- Consult reference materials including the USPTO's Trademark Manual of Examining Procedure, court rulings/decisions and other training materials.
- Decide whether or not the application must be refused registration or approved for publication.

If registration is refused, the examining attorney writes an Office Action that informs the applicant of the reasons the application is being refused and provides the applicant six (6) months to submit a response. The Office action may attach relevant evidence in support of the decision. The Office action is issued electronically if the applicant has authorized e-mail communications. Otherwise, it is mailed through the USPS.

If the application is approved for publication, it is then forwarded for proofing by Legal Instrument Examiners prior to receiving a publication date. The applicant is issued a notice of publication.

Despite the linear description above, examination is an iterative process. In some cases the examining attorney will interact with the applicant directly or discuss the case with their manager, senior attorney or peer. In some cases, interaction with quality review or ID/Class staff attorneys may be necessary. Generally, the examining attorney must reach a decision and take action within seven (7) days of initial assignment of the application to the attorney.

The applicant can respond to the office action at any time within the six (6) month response period with arguments, corrections, and amendments. The response may be submitted electronically or on paper. The information provided in the response may be auto-uploaded or entered by the support units before being sent to the examining attorney in the amended case docket. If the applicant fails to respond, the examining attorney will hold the application abandoned and a notice of abandonment is issued to the applicant. The applicant may file a petition to revive an application abandoned for failure to respond to an Office action within certain deadlines upon payment of the petition fee. Petitions may be filed electronically or on paper.

Based on the information provided in the response, the examining attorney will again decide whether to approve the application for publication or continue to refuse registration. If the examining attorney continues the refusal(s) or other requirement(s), another Office action, generally a final Office action will be issued with a new six (6) month response period.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

The applicant may request reconsideration and/or file a Notice of Appeal with the Trademark Trial and Appeal Board. At any point in examination, the examining attorney may also decide that action on a file should be suspended. This can happen during initial exam or after receipt of a response from the applicant.

After a final Office action has issued, and if no appeal has been filed, the examining attorney may abandon the file for applicant's failure to respond or for an incomplete response if the reason(s) for refusing registration are not resolved. An applicant may petition to revive an application if no response was filed. If a response was filed and found not acceptable, the applicant may petition the Director to review the examining attorney's decision to abandon for an incomplete response.

If an appeal has been filed, the appeal must be resolved by the TTAB. Appeal briefs are filed by both the applicant and the examining attorney in accordance with the time periods set by the TTAB.

If the examining attorney decides to approve the mark for publication, it enters the publication cycle and the applicant is provided a notice of publication. (However, if an application is allowed for registration on the Supplemental Register, it does not publish for opposition but instead moves directly forward to registration.)

Any third party, who believes they may be harmed by registration of the mark, may file a notice of Opposition with the Trademark Trial and Appeal Board within 30 days from the publication date. Third parties may also file letters of protest which are not made public and are decided in the petitions unit.

If no opposition is filed, the application proceeds to registration if the filing basis is use in commerce and/or based on a foreign registration (44e application). A paper registration certificate is mailed to the applicant. It is possible during the period after publication and before registration for an applicant to file an amendment to the application or a petition to the Director. This may result in jurisdiction being restored to the examining attorney and possible republication of the application.

If no opposition is filed and the application was based on intent to use the mark in commerce, a notice of allowance is issued. The notice of allowance provides six months for the applicant to respond. If the applicant is not ready to submit a statement of use within six months, it may file a request for extension of time. The applicant may file up to 5 extensions of time to file a statement of use. These are due every six months.

After issuance of the notice of allowance, the applicant must file a statement of use before a registration certificate will be issued. The statement of use is reviewed by the intent-to-use unit for minimum requirements. If minimum requirements are met, it is forwarded to the original examining attorney to examine. The same examination process then occurs as above. This is often referred to as second exam. If there are no issues raised by the statement of use, instead of approving the mark for publication, the mark is allowed for registration and a paper registration certificate is mailed to the applicant.

Failure to file a statement of use or extension request within the deadlines provided by federal law will result in the application being abandoned. The applicant may file a petition to revive the application within certain deadlines upon payment of the petition fee. A petition to revive will not be granted if it is beyond the 36 months from the date the original notice of allowance was issued and no statement of use was filed during that 36 month period.

There are a number of different work units in Trademarks including the pre-exam unit, the law offices, the examination support unit, the intent to use unit, and the petitions unit that work on applications during different stages of the process.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

POST REGISTRATION PROCESS

The Post Registration process begins after a Trademark is registered by the USPTO. A registration may be based on use in commerce, a valid foreign registration, or an extension of protection of an International Registration. Currently, the USPTO issues registrations on the Principal Register or the Supplemental Register.

The owner of the registration must file an affidavit of use or excusable non-use between the fifth and sixth year after registration (or during the six (6) month grace period immediately following) or the registration is cancelled. The owner of the registration must also file an acceptable affidavit of use or excusable nonuse under and application for renewal during the one year before the end of every ten-year registration period (or during the six (6) month grace period immediately following). Failure to file these documents will result in cancellation of the registration. An applicant may not petition to revive a cancelled registration for failure to file the proper maintenance documents.

Owners of marks on the Principal Register can also make a claim of incontestability under §15 of the Trademark Act. In doing so, the owner claims the exclusive right to use a registered mark in commerce on or in connection with the goods or services covered by the Trademark Registration. A claim of incontestability can only be made after the mark has been in continuous use in commerce for a period of five consecutive years after the date of registration. The affidavit of incontestability is often filed with the affidavit of use.

The Post Registration Division examines these filings for completeness and compliance with statutory requirements. Through the acceptance and/or acknowledgement of these filings, an owner's rights to a mark are maintained. If the documents are incomplete or do not meet the statutory requirements, the owner of the registration is notified and provided six (6) months to respond. Petitions to the Director are often filed concerning post registration matters.

The owner can also request that the Post Registration Division correct or amend a Trademark Registration by filing requests. Request to amend a registration or correct registrant's mistake require the payment of a fee. Corrections requested to resolve clerical errors that occurred through the fault of the USPTO do not require the payment of a fee. Amendments are requested to reflect changes that occurred after registration, e.g., updates to the mark, surrender of goods or services, division of ownership with respect to some, but not all, of the goods or services, or changes in ownership with respect to all of the goods or services. If the amendment or correction is accepted, the mark is published in the Official Gazette and an updated registration is issued.

1.3 Analysis: Recent and Ongoing User Research

Extensive user research has been gathered for each of the various work processes. Over the last few months, user research focus sessions have been conducted across the organization until convergence was reached. The information received has been incorporated into the statement of work. In addition to the research sessions a series of mailboxes were setup to solicit and collect feedback from internal and external stakeholders. This feedback was compiled and translated into individual capabilities statements to be defined into requirements. These desired features should be considered for integration into the next generation system. Previous studies conducted included observations and timed studies of current office actions for each of the business units which can be utilized as well. Other relevant documents are also available that describe vision, design and features for Trademark systems.

In addition to the above, Trademarks recently assembled a business architecture group to document the "As Is" and begin developing a "To Be" business architecture. All of this information will be used to enhance and refine the requirements created for the current systems; thus allowing trademarks to continue to automate and enhance the existing workflow under a single unified interface.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

2.0 Purpose

The purpose of this procurement is to acquire services and products for the development of various user interface design(s) projects at the USPTO for new or existing IT system(s) incorporating a user centered design approach maximizing stakeholder input into each stage.

The first task will support a critical element of the Trademark organization that the offeror consider the enterprise architecture currently being developed for Trademark Next Generation (TM NG). This will ensure that the user interface is compatible with the proposed structure and meets all government-wide statutory requirements, such as 508 compliancy. This new architecture will also allow the new interface to be developed utilizing the newest tools and techniques as well as assist in replacing or modernizing existing systems.

Task orders will be generated based upon approved projects with separate technical monitors assigned to track, monitor, and approve invoices for the projects supported by the Contracting Officer Representative (COR).

Analysis is defined as:

- Assemble a multidisciplinary team capable of performing research or studies to identify business needs and requirements. This may include prototyping specific scenarios to validate technologies and processes for the organization to ensure that all stakeholder requirements are being considered.

Design is defined as:

- Develop artifacts for communicating with stakeholders. Create a prototype(s) of the entire interface or select portions, if applicable. This should provide a functional replica without incurring the expense of full development to:
- Provide designed, functional products that can be usability tested
- Provide functional products that can be used to gather stakeholder and advisory committee feedback on features, functionality, and design
- Provide design products that can be iterated to solve design issues prior to start of engineering
- Develop artifacts for communication with stakeholders about the design, at all stages of the design process (wireframes, storyboards, low-fidelity prototypes, graphic design, etc.). These artifacts can include paper prototypes, video, web-accessible, clickable prototypes, and other materials.
- Iterate as necessary
- Create a design specification

Development, Modernization, and Enhancement is defined as:

- Create or modernize a new or existing IT system based on user centered design and research to meet a business need or solve a business problem. This may include replacing, modernizing or enhancing IT systems that already exist.

2.1 OBJECTIVE

The objective of this effort is to provide support for various projects at the USPTO including an integrated user interface design(s) to support the Trademark examination and registration processes. The resulting user interface must be flexible enough to scale to support both internal and external users.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

3.0 SUPPLIES/SERVICES

ITEM	LABOR CATEGORY	QTY	RATE		TOTAL
CLIN 0001	Base Year				\$
SUBTOTAL:					\$
OPTIONS					
CLIN 0002	Option Year 0001			\$	\$
CLIN 0003	Option Year 0002			\$	\$
SUBTOTAL					

4.0 Scope of Work

The scope of this contract includes multiple award IDIQ Contracts is support of various tasks in support of the USPTO mission including: 1. Trademarks Next Generation Support Activities
2. Application Portal 3. Tools for the Patent Appeals Board as well as other User Interface/Centered Support Services to be performed.

4.1 Project Considerations

The contractor(s) shall assist with the project in designing the user design experience with the following minimum considerations. The steps below may be employed in some cases and not utilized in others. The areas will be repeated as necessary for the development of the interfaces for different parts of the examination and related processes and may include additional requirements as they are identified.

4.1.1 Analysis Phase

The contractor will review the results of user research already conducted by the government, as well as other relevant material about the Trademark/Patent processes and the design of current systems. If necessary, the contractor will conduct and organize additional user research.

This work may include performing the following recommended activities:

- Assemble a multidisciplinary team to ensure complete expertise
- Review results of user research
- Meet with key stakeholders to set vision
- Organize and analyze user feedback
- Develop or refine existing usability goals and objectives
- Develop or refine existing user personas
- Develop or refine existing task analyses
- Develop or refine user scenarios and capabilities
- Evaluate and recommend phased approaches to dissolve silo systems
- Communicate concepts
- Support Services in Support of other activities at the USPTO. (optional)

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

4.1.2 Design Phase

The contractor will utilize the information gathered from the analysis phase to design a user interface that is based on user-centered methodologies.

This work may include performing the following recommended activities:

- Design a user interface for trademark attorneys, managers, support staff, and other stakeholders that meet standard usability criteria (learnability, efficiency, memorability, error reduction, and user satisfaction) and that meet special criteria as determined by internal user research (fast, simple, flexible, configurable, one interface, promotes collaboration and communication, and supports integration of advanced tools such as intelligent search analysis, supports data validation and auto-fill, and supports alerts and notifications and the ability to handle various types and forms of attachments).
- Design the interface using an iterative, user-centered process with the expectation that stakeholders will review and comment on designs, and those designs will be adjusted and re-tested until satisfactory results are obtained. Much of the usability testing will be done by government workers although the contractor will in some cases do usability testing as well.
- Design at least one interface but not more than two for review. Stakeholders will evaluate each design, selecting the one that meets or exceeds the user identified requirements/expectations for continued development. The government reserves the right not to continue development of any proposed design during any phase.
- Develop artifacts for communication with stakeholders about the design, at all stages of the design process (wireframes, storyboards, prototypes, graphic design, and so on). These artifacts can include paper prototypes, video, web-accessible clickable prototypes, and other materials. Artifacts that can be posted online will be emphasized in order to increase the stakeholder feedback.
- Draft wireframes, storyboards and/or navigation models that document the design.
- Develop prototype(s) to demonstrate a variety of GUI technologies to address Trademarks' current interface concerns.
- Guide or conduct usability testing, surveys, and other forms of obtaining feedback on prototype(s) where applicable.
- Design, evaluate, and write software requirements for additional functionality associated with user research results.
- Create a draft prototype of the approved design.
- Draft detailed design(s) specification.
- Draft artifacts for communicating with stakeholders about the design, including video, web accessible click-through designs, paper posters and prototypes, etc.
- Conduct ongoing reviews with the USPTO team to ensure designs are technically feasible.
- Draft design style guides for the UI design and the visual design. These are to include:
 - Articulating rules and guidelines with respect to the user interface design of new functionality
 - Articulating rules and guidelines for visual elements such as button styles, color usage, font usage, etc.
 - Provide a method for keeping the application consistent from a usability perspective when it is modified or when new features and/or functionality is added.
- Submit a final prototype and design specifications for acceptance.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

- Analysis for projects listed in Section 1.1 (optional).

4.1.3 Implementation Phase (Optional)

The contractor may assist during the implementation phase to assure that the design continues to incorporate the user interface characteristics identified during the analysis and design phases. The selected contractor may either implement the design and/or provide support to other contractor(s) to ensure that all system interfaces continue to be developed utilizing user centered design methodologies.

This work may include performing the following recommended activities:

- After the approved core has been approved, guide or conduct ongoing development and/or evaluations of pilots
- Draft proposed migration plan and draft schedule(s) for implementation
- Prepare all required artifacts for implementation in accordance with USPTO and guidelines
- Perform final usability testing and validate requirements for each system(s) being implemented.
- Activities in support of other user interface activities at the USPTO. (Optional)

4.2 Criteria for New User Interface(s)

Final user interface designs must meet the following criteria:

- Support office-specific usability goals of speed, simplicity, flexibility, configurability, and integration of functionality.
- Support standard usability goals of: learnability, efficiency, memorability, error reduction, and user satisfaction.
- Support the ability to add various content types of attachments including ability to highlight and tag.
- Present large amounts of textual information in a clear, uncluttered, scalable manner.
- Be aesthetically pleasing, flexible and configurable, so that individuals can tailor the interface to their needs.
- Be easily modifiable so that additional functionality can be added or existing functionality removed, while remaining easy to use.
- Support remote work for a nationwide work force.
- Be able to interface well with Commercial off-the-shelf (COTS) products that have well-defined Application Programming Interface (APIs).
- Support accessibility to a high degree, going beyond 508-compliance to support audio input and output and/or other technologies that improve accessibility.
- Provide keyboard or other non-audio shortcuts for skilled users.
- Incorporate an adaptable, extensible and uniform design in order to be able to incorporate advanced technologies such as touch screen interfaces, 3D interfaces, and mobile devices.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

4.3 Functionality for New User Interface(s)

4.3.1 Introduction

Trademark examination is an information-rich, and in most cases, text-rich enterprise. A new user interface must be able to present this information in a clear, uncluttered, scalable manner.

User research conducted so far has revealed a need for improved functionality that is not supported in the current system(s). In many cases, multiple trademark staff review or handle the same case at various points in the process for a variety of reasons as it moves through the application or renewal process. For this reason, there is much advantage to be gained by supplying trademarks with interfaces that allow for storing and sharing of information. The design challenge is to develop interface(s) and tools that can help users manage and use this information in a timely manner without creating information overload.

Additionally, many of the trademark staff work from home or some other remote locations, and this number is expected to continue to increase. Changes in the underlying architecture must facilitate this goal and not impact performance of system, but the interface(s) as well must be designed with this need in mind, allowing examination to take place on different screen sizes, optimizing for offline work and for communication with co-workers who are remotely located.

The functionality below shall be included in the new design, subject to results of usability testing. This is not an exhaustive list of required functionality, and more may be revealed by additional user research.

4.3.2 Viewing and Manipulating Trademark Applications

Trademark applications are highly structured documents with many parts including accompanying documentation and prosecution history for cases. The trademark staff needs to be able to view and navigate portions of the application in an easy way and see associated marks, descriptions of goods and services, etc. and so on. Viewing of the application or request for service must be tightly integrated with writing office actions, performing searches, editing data and seeing the status information. It is crucial that the system be able to incorporate and attach various types of multimedia as part of case files or office actions. These documents are often large and should allow for the user to identify specific sections for review or collaboration.

4.3.3 Writing Office Actions

The office action writing tool should create structured documents as well as allow the user to make free-form textual entries or modifications. Currently office actions are typically put together by selecting and modifying previously written text. This text should be ready-at-hand for use in the office action. Some pre-defined text comes from user reference materials (such as the Trademark Manual of Examining Procedures) and is often reused; this also should be ready-at-hand for the current office action. The current system utilizes a repository of Form Paragraphs using a tree-like interface for selecting supporting paragraphs. This tool encompasses standardized paragraphs utilizing specific templates with data points automatically inserted throughout the text (for instance office action mail date, serial or registration number, addresses, etc.). While this is semi-automated, the ability of the stakeholder to select the form paragraphs, the updates to the paragraphs or modifications to the templates are still difficult and sometimes require a build of the application for simple changes. Office actions require the ability to easily include a variety of attachments such as internet evidence, reference materials, court decisions, previous office actions and various forms of multimedia and the organization and management of the attachments.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

4.3.4 Comparing Text and Various Multimedia

In many circumstances, examiners need tools to compare as well as accept various types of text and formats. For instance, this includes comparing the text, mark and specimens in an amended application to the original.

Several different interface(s) for comparing texts should be experimented with; since it may be necessary to support more than one.

4.3.5 Collaboration and Docket Management, including Alerts

Management of individual cases and their entire docket should be seamlessly integrated with the tool(s) for writing office actions, performing searches, viewing specimens and importing various multi-media type files as well as allowing for alerts for upcoming/approaching statutory timeframes. Trademarks staff also need to be able to adjust the prioritization of goals and see the impact of adjusting prioritization on their work productivity counts, in real time.

Methods of communicate and collaborate with members of the organization is important in the examination process. Typically this communication is a request via email, phone or fax for the review of an office action or finding or request for an action to occur. The communication for these should be integrated with the rest of the tools. The results should appear affixed to the appropriate case(s). Specific types of communication should be viewable only by identified roles.

Trademark staff should be able to share workspaces with one another when desired; pairs or groups should be able to share and work on cases together if desired.

When Trademark staff completes an office action, the manager or another staff person may look over the work and annotate the document with corrections or desired changes. The staff person then must make the requested corrections or continue the discussion with their peer/supervisor. This can take several rounds of conversation and may involve searching for or referring to additional case documentation.

4.3.6 Search System

Most examiners currently make heavy use of a command-language search tool whose outstanding feature is the ability to combine search statements with numerical indicators. The search strategy surrounds reducing the set of documents retrieved to a reasonable number, rather than looking at top hits. A query is run and a result is shown in terms of the number of documents retrieved.

A new query is then run, often incorporating the line number of the previous query. After a reasonably sized results list is found, examiners then "review" the trademarks.

X-Search is the primary search tool project used for Trademark searching and is divided into two major parts, namely the Server (including the search engine and the creation and maintenance of the search database); and the customized GUI. The X-Search System supports Trademark Examination attorneys in searching for existing trademarks prior to granting new registrations. The program consists of four main windows (or panes): an image display pane, a full text display pane, a search pane and a hit list pane. The hit list pane includes six different tabs for various manipulations of the records retrieved by a search. Further pull-down menus and push-button tabs present the program's search; view/compare, cut and paste, print and save options.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

The current automated Trademark Search System (X-Search 1.1, version 1.16) contains data on both live and dead trademark applications and registrations. This Automated Information System (AIS) is used by Trademark Examining attorneys at the USPTO as the basis for determining the ability to register new trademark applications. X-Search permits sophisticated searches against the Trademark database to identify marks that may be confusingly similar. Both textual and image data are displayed for marks that meet the search criteria.

X-Search is also used by members of the general public from within the Trademark Search Library (TMSL), Universal Public Workstation System (UPWS). Generally, the public relies on the X-Search system in the development of new marks, prior to filing for application. While X-Search is the internal search tool, the external stakeholders utilize Trademark Electronic Search System (TESS) from outside the firewall. As the interface to the various applications is being integrated, the search system user interface should be included in this analysis.

As mentioned the search tools should be integrated with information about prior searches, documents that have been used by the Trademark staff themselves, other people working on similar trademark applications, related office actions, and so on. Trademark staff should be able to search case documents and cite in the current document information to search including mark, owner, etc.

The interface should be able to accommodate the additions of optional advanced search interface tools, such as sense-making tools and information visualization tools. It should be possible to seamlessly move between such tools, with queries and retrieved documents retained as sets between views.

4.3.7 Editing and Sharing Structured Content

One set of desired new features centers around selecting and using pieces of structured content, editing documents using structured content, for automatically filling in metadata where appropriate and for providing automated checks against information being entered for error reduction such as bibliographic data. The new interface should be able to seamlessly integrate results of such automated processing.

One of the primary pieces of structured content that would require a new interface would be the Trademark Manual of Examining Procedure, Acceptable Identification of Goods and Services Manual, Official Gazette, Trademark Examination Guides and the Design Search Code Manual.

4.3.8 Bookmarks, Highlights and Tags

Bookmarks should be affixable to all information items within the system. This includes search queries, lists, search results, applications, drawings, specimens, marks, office actions and other document artifacts.

Tags should be shareable, navigable, and searchable. It should be possible to create groups of tags for analysis for elevating to a shared status for future classification efforts.

While drawings and other images should not be editable, users should be able to add comments, search and copy and paste. Sharing of this information should be possible across units and ad hoc groups such as any stakeholder working on a trademark.

Another type of required functionality should allow the Trademarks staff to communicate about modifications, decisions, quality reviews, etc. with supervisors, peers, etc. This communication needs to take place but with specific permissions or layers so that the certain communications and or discussions do not become part of the official record for that case.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

As users currently use a wide range of ad hoc methods to support this kind of communication, it may be necessary to provide more than one interface solution for this need.

One innovative idea that has received positive user response is the ability to leave voice messages affixed to specific parts of documents rather than typing email messages. The ability to use audio for annotations and other functions (in addition to keyboard command) should be considered and possibly designed into the new interface.

4.3.9 Searching Across Information

Ad hoc groups of documents should be formable, and available for sharing and searching. They should have a facility to assign names, key words and tags and to be organized in well-defined places. Saved documents should include sections of manuals, office actions, decisions, etc. Saved documents should be able to be associated with particular cases or in a globally accessible store.

All documents associated with a case should be automatically recorded, viewable, and searchable as such. It should be easy to quickly open or hide all documents associated with a case. These should be automatically recorded with the ability for pruning or boosting in importance.

A user should be able to see searches conducted by other people that are relevant to the current case. They should also be able to see prior documents that are frequently used among this group, optionally for particular query terms. They should also be able to see lists and pre-canned queries. The definition of who these groups of people are should be controllable to particular individuals, units, and ad hoc groups. These views should be sharable. However, individuals should be able to control which items are not sharable in an easy and obvious manner.

A user should be able to view previous searches, documents, and other artifacts associated with the office actions for a particular trademark application. Users should be able to search the text/annotations for earlier office actions, as well as filter by person, group, owner, etc. connected to the application or case. The user should be able to search manuals such as the TMEP (Trademark Manual of Examination Procedures), for statutes and court decisions, and annotations on these documents.

Trademark staff should also be able to search and display data from various sources that are linked by unique identifiers such as Serial Number, Registration Number, International Registration Number and FASTER Quality Insignias.

4.3.10 Notifications and Alerts

User research reveals a need for a simple yet effective alerting and notification system for helping Trademark stakeholders be aware what deadlines are coming. Timely, relevant alerts are a key user goal for the system, as is the desire for a centralized location for such communication.

4.3.11 Management Dashboards and Other Methods for Managing Workload and Creating Production Statistics

The various Trademark supervisors and managers monitor numerous cases per day for each business unit. The supervisors currently have the ability to review, categorize and prioritize types of work in order to maintain adequate pendency levels.

Trademark management and supervisors must balance a rich and complex workload, distributing cases among the examining attorneys, support, and quality staff. There is a desire to move away from email-based communication between the units to a tool that allows for ordering/organizing tasks that provides for a complete management oversight dashboard across business units. Other tools/reporting methods are needed for report generation and data analysis of trademark statistics to enable prediction of trends, assist with production statistics, hiring and training needs.

**Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002**

The user interface should be capable of providing a real-time view into the current state of any business unit in the organization.

5.0 CONTRACT TYPE

Multiple award Indefinite Delivery Indefinite Quantity (IDIQ) Contracts are expected from this acquisition with resultant Fixed Priced and/or Labor Hour Task Orders depending on the complexity involved. Contract minimums are based on the 1st Task Order which is anticipated to last 4-5 months and will be further defined at Task Order Award. Thereafter each awardee will be awarded a fair opportunity to be considered for each resultant task order award. The total ceiling price for all anticipated projects under the resultant contracts shall not exceed \$10,000,000.00.

6.0 PERIOD OF PERFORMANCE

Base Year	October 1, 2012-September 30, 2013
Option Year 0001	October 1, 2013-September 30, 2014
Option Year 0002	October 1, 2014-September 30, 2015

Task Orders shall be issued under the IDIQ contract at the government's discretion to assist in various phases of the project. Tasks will be assigned based on Project Phases.

7.0 PLACE OF PERFORMANCE

It is expected that the majority of the task orders will be performed on-site; however the government may designate some tasks to be off-site. Pricing should be provided for proposed labor categories for both on-site and off-site location(s).

8.0 GOVERNMENT FURNISHED MATERIAL

The USPTO shall provide the following:

1. Access to USPTO's development and test systems and any required system, application, and data files from a central location at the USPTO.
2. Access to appropriate USPTO personnel and program documentation as required.
3. Access to remote log-in via secure facilities such as Citrix/SEAS within two weeks.
4. Access to relevant information detailed in this Statement of Work.

The above items shall be available to the Contractor no later than the day after the effective date of this task order except where noted.

For this task order, the USPTO shall not provide the following:

1. Remote log-in access directly to the PTOnet unless using a USPTO base-lined workstation.

9.0 DELIVERABLES

Any and All Documents, Prototypes, Pilots, Profiles, Models, Scripts, Utilities and Code developed during the execution of this contract shall be the property of the USPTO and shall be specified for delivery at the Task Order level.

The Contracting Officer's Technical Representative (COTR) for each requirement shall be determined at the Task Order level.

**Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002**

The following deliverables are a sample of deliverables that may be required in support of the project. Specific deliverable(s) will be identified as part of each task order.

Deliverables		Due Date
1	Project Kick-off meeting	5 days after award
2	Draft Activity Plan for first 25 days	5 days after award
3	Final Activity Plan	TBD
4	User Research Review Report	['X'] days after award
5	Weekly Status Report (Format attached)	Weekly
6	Program Management Plan (including Communication Plan, Risk Management Plan, Project Schedules)	As Required
7	Requirements Traceability Matrix or Product List	Monthly
8	Draft User Interface Design	['X'] weeks before final is due
9	Draft Prototype Submissions for Government Review	3 months after award
10	Final Prototype Submission from Government	4 months after award
11	Final User Interface Design	[specific due date]
12	Implementation Plan	TBD
13	Monthly Invoice	10 days after close of month
14	Monthly Internal Process Reviews (incorporating EVM (FAR Subpart 34.2))	2nd Wednesday each month*
15	Software Standards and Requirements (optional)	TBD
16	Interface Integration (optional)	TBD
17	Software Requirements (optional)	TBD

TBD* Contractor to provide detailed schedule of proposed deliverables in the proposal.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

10.0 TERMS & CONDITIONS

Organizational Conflict of Interest

The Government does not anticipate any Organizational Conflicts of Interest however potential contractors who may be affected shall provide a mitigation plan to support the effort in case a potential conflict is identified at a later date.

Key Personnel

- a) The Contractor shall provide a key personnel team to support and interact with the Government personnel over the life of the contract. The key personnel shall include the following at a minimum:

Labor Category
 Project Manager or Equivalent
 Technical Lead or Equivalent

- b) During the first ninety (90) calendar days of performance, the Contractor shall make no substitution of key personnel unless the substitution is necessitated by illness, death, or termination of employment. The Contractor shall notify the Contracting Officer within 15 calendar days after the occurrence of any these events and provide the information required by paragraph (c) below. After the initial 90-day period, the Contractor shall submit the information required by paragraph (c) to the Contracting Officer at least 15 days prior to making any permanent substitutions.
- c) The Contractor shall provide a detailed explanation of the circumstances necessitating the proposed substitutions, complete resumes for the proposed substitutions, and any additional information requested by the Contracting Officer. The Contracting Officer will notify the Contractor within 15 calendar days after receipt of all required information of the decision on substitutions. The contract will be modified to reflect any approved changes of key personnel. Any approved changes shall be subject to negotiation at the option of USPTO.
- d) The Key Personnel shall provide a resume no longer than three pages that include the following information:
1. Full Name
 2. Job title for which the person is proposed
 3. A brief description of work experience that is directly related to the type of work that will be performed under this requirement.
 4. List of all applicable certifications

52.212-3, Offeror Representations and Certifications—Commercial Items. (July 2010)
 The clause at FAR 52.212-4 is hereby incorporated in full text. See Attachment (4)

52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders—Commercial Items (APR 2010)

(a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses, which are incorporated in this contract by reference, to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

- (1) 52.222-50, Combating Trafficking in Persons (Feb 2009) (22 U.S.C. 7104(g)).

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

___ Alternate I (Aug 2007) of 52.222-50 (22 U.S.C. 7104(g)).

(2) 52.233-3, Protest After Award (Aug 1996) (31 U.S.C. 3553).

(3) 52.233-4, Applicable Law for Breach of Contract Claim (Oct 2004) (Pub. L. 108-77, 108-78).

(b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

[Contracting Officer check as appropriate.]

___ (1) 52.203-6, Restrictions on Subcontractor Sales to the Government (Sept 2006), with Alternate I (Oct 1995) (41 U.S.C. 253g and 10 U.S.C. 2402).

___ (2) 52.203-13, Contractor Code of Business Ethics and Conduct (Apr 2010) (Pub. L. 110-252, Title VI, Chapter 1 (41 U.S.C. 251 note)).

___ (3) 52.203-15, Whistleblower Protections under the American Recovery and Reinvestment Act of 2009 (MAR 2009) (Section 1553 of Pub. L. 111-5). (Applies to contracts funded by the American Recovery and Reinvestment Act of 2009.)

___ (4) 52.204-11, American Recovery and Reinvestment Act—Reporting Requirements (Mar 2009) (Pub. L. 111-5).

___ (5) 52.219-3, Notice of Total HUBZone Set-Aside (Jan 1999) (15 U.S.C. 657a).

___ (6) 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns (July 2005) (if the offeror elects to waive the preference, it shall so indicate in its offer) (15 U.S.C. 657a).

___ (7) [Reserved]

X (8)(i) 52.219-6, Notice of Total Small Business Set-Aside (June 2003) (15 U.S.C. 644).

___ (ii) Alternate I (Oct 1995) of 52.219-6.

___ (iii) Alternate II (Mar 2004) of 52.219-6.

___ (9)(i) 52.219-7, Notice of Partial Small Business Set-Aside (June 2003) (15 U.S.C. 644).

___ (ii) Alternate I (Oct 1995) of 52.219-7.

___ (iii) Alternate II (Mar 2004) of 52.219-7.

___ (10) 52.219-8, Utilization of Small Business Concerns (May 2004) (15 U.S.C. 637(d)(2) and (3)).

___ (11)(i) 52.219-9, Small Business Subcontracting Plan (Apr 2008) (15 U.S.C. 637(d)(4)).

(ii) Alternate I (Oct 2001) of 52.219-9.

___ (iii) Alternate II (Oct 2001) of 52.219-9.

X (12) 52.219-14, Limitations on Subcontracting (Dec 1996) (15 U.S.C. 637(a)(14)).

___ (13) 52.219-16, Liquidated Damages—Subcontracting Plan (Jan 1999) (15 U.S.C. 637(d)(4)(F)(i)).

___ (14)(i) 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Business Concerns (Oct 2008) (10 U.S.C. 2323) (if the offeror elects to waive the adjustment, it shall so indicate in its offer).

___ (ii) Alternate I (June 2003) of 52.219-23.

___ (15) 52.219-25, Small Disadvantaged Business Participation Program—Disadvantaged Status and Reporting (Apr 2008) (Pub. L. 103-355, section 7102, and 10 U.S.C. 2323).

___ (16) 52.219-26, Small Disadvantaged Business Participation Program— Incentive Subcontracting (Oct 2000) (Pub. L. 103-355, section 7102, and 10 U.S.C. 2323).

___ (17) 52.219-27, Notice of Total Service-Disabled Veteran-Owned Small Business Set-Aside (May 2004) (15 U.S.C. 657 f).

___ (18) 52.219-28, Post Award Small Business Program Representation (Apr 2009) (15 U.S.C. 632(a)(2)).

X (19) 52.222-3, Convict Labor (June 2003) (E.O. 11755).

X (20) 52.222-19, Child Labor—Cooperation with Authorities and Remedies (Aug 2009) (E.O. 13126).

X (21) 52.222-21, Prohibition of Segregated Facilities (Feb 1999).

X (22) 52.222-26, Equal Opportunity (Mar 2007) (E.O. 11246).

X (23) 52.222-35, Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era,

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

and Other Eligible Veterans (Sept 2006) (38 U.S.C. 4212).

X (24) 52.222-36, Affirmative Action for Workers with Disabilities (Jun 1998) (29 U.S.C. 793).

X (25) 52.222-37, Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (Sept 2006) (38 U.S.C. 4212).

X (26) 52.222-54, Employment Eligibility Verification (Jan 2009). (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial items as prescribed in 22.1803.)

___ (27)(i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Items (May 2008) (42 U.S.C. 6962(c)(3)(A)(ii)). (Not applicable to the acquisition of commercially available off-the-shelf items.)

___ (ii) Alternate I (May 2008) of 52.223-9 (42 U.S.C. 6962(i)(2)(C)). (Not applicable to the acquisition of commercially available off-the-shelf items.)

___ (28) 52.223-15, Energy Efficiency in Energy-Consuming Products (Dec 2007) (42 U.S.C. 8259b).

___ (29)(i) 52.223-16, IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products (Dec 2007) (E.O. 13423).

___ (ii) Alternate I (Dec 2007) of 52.223-16.

X (30) 52.225-1, Buy American Act—Supplies (Feb 2009) (41 U.S.C. 10a-10d).

___ (31)(i) 52.225-3, Buy American Act—Free Trade Agreements—Israeli Trade Act (June 2009) (41 U.S.C. 10a-10d, 19 U.S.C. 3301 note, 19 U.S.C. 2112 note, 19 U.S.C. 3805 note, Pub. L. 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, and 110-138).

___ (ii) Alternate I (Jan 2004) of 52.225-3.

___ (iii) Alternate II (Jan 2004) of 52.225-3.

___ (32) 52.225-5, Trade Agreements (Aug 2009) (19 U.S.C. 2501, et seq., 19 U.S.C. 3301 note).

X (33) 52.225-13, Restrictions on Certain Foreign Purchases (June 2008) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).

___ (34) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (Nov 2007) (42 U.S.C. 5150).

___ (35) 52.226-5, Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov 2007) (42 U.S.C. 5150).

___ (36) 52.232-29, Terms for Financing of Purchases of Commercial Items (Feb 2002) (41 U.S.C. 255(f), 10 U.S.C. 2307(f)).

___ (37) 52.232-30, Installment Payments for Commercial Items (Oct 1995) (41 U.S.C. 255(f), 10 U.S.C. 2307(f)).

X (38) 52.232-33, Payment by Electronic Funds Transfer—Central Contractor Registration (Oct 2003) (31 U.S.C. 3332).

___ (39) 52.232-34, Payment by Electronic Funds Transfer—Other than Central Contractor Registration (May 1999) (31 U.S.C. 3332).

___ (40) 52.232-36, Payment by Third Party (Feb 2010) (31 U.S.C. 3332).

___ (41) 52.239-1, Privacy or Security Safeguards (Aug 1996) (5 U.S.C. 552a).

___ (42)(i) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631).

___ (ii) Alternate I (Apr 2003) of 52.247-64.

(c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

[Contracting Officer check as appropriate.]

___ (1) 52.222-41, Service Contract Act of 1965 (Nov 2007) (41 U.S.C. 351, et seq.).

___ (2) 52.222-42, Statement of Equivalent Rates for Federal Hires (May 1989) (29 U.S.C. 206 and 41 U.S.C. 351, et seq.).

___ (3) 52.222-43, Fair Labor Standards Act and Service Contract Act—Price Adjustment (Multiple Year and Option Contracts) (Sep 2009) (29 U.S.C. 206 and 41 U.S.C. 351, et seq.).

___ (4) 52.222-44, Fair Labor Standards Act and Service Contract Act—Price Adjustment (Sep 2009)

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

(29 U.S.C. 206 and 41 U.S.C. 351, et seq.).

X (5) 52.222-51, Exemption from Application of the Service Contract Act to Contracts for Maintenance, Calibration, or Repair of Certain Equipment—Requirements (Nov 2007) (41 U.S.C. 351, et seq.).

X (6) 52.222-53, Exemption from Application of the Service Contract Act to Contracts for Certain Services—Requirements (Feb 2009) (41 U.S.C. 351, et seq.).

___ (7) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (Mar 2009) (Pub. L. 110-247).

___ (8) 52.237-11, Accepting and Dispensing of \$1 Coin (Sept 2008) (31 U.S.C. 5112(p)(1)).

(d) Comptroller General Examination of Record. The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, and does not contain the clause at 52.215-2, Audit and Records—Negotiation.

(1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.

(2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR Subpart 4.7, Contractor Records Retention, of the other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.

(3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.

(e)(1) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c), and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1) in a subcontract for commercial items. Unless otherwise indicated below, the extent of the flow down shall be as required by the clause—

(i) 52.203-13, Contractor Code of Business Ethics and Conduct (Apr 2010) (Pub. L. 110-252, Title VI, Chapter 1 (41 U.S.C. 251 note)).

(ii) 52.219-8, Utilization of Small Business Concerns (May 2004) (15 U.S.C. 637(d)(2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds \$550,000 (\$1,000,000 for construction of any public facility), the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.

(iii) [Reserved]

(iv) 52.222-26, Equal Opportunity (Mar 2007) (E.O. 11246).

(v) 52.222-35, Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (Sept 2006) (38 U.S.C. 4212).

(vi) 52.222-36, Affirmative Action for Workers with Disabilities (June 1998) (29 U.S.C. 793).

(vii) [Reserved]

(viii) 52.222-41, Service Contract Act of 1965 (Nov 2007) (41 U.S.C. 351, et seq.).

(ix) 52.222-50, Combating Trafficking in Persons (Feb 2009) (22 U.S.C. 7104(g)).

___ Alternate I (Aug 2007) of 52.222-50 (22 U.S.C. 7104(g)).

(x) 52.222-51, Exemption from Application of the Service Contract Act to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (Nov 2007) (41 U.S.C. 351, et seq.).

(xi) 52.222-53, Exemption from Application of the Service Contract Act to Contracts for Certain Services-Requirements (Feb 2009) (41 U.S.C. 351, et seq.).

(xii) 52.222-54, Employment Eligibility Verification (Jan 2009).

**Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002**

(xiii) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (Mar 2009) (Pub. L. 110-247). Flow down required in accordance with paragraph (e) of FAR clause 52.226-6.

(xiv) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631). Flow down required in accordance with paragraph (d) of FAR clause 52.247-64.

(2) While not required, the contractor may include in its subcontracts for commercial items a minimal number of additional clauses necessary to satisfy its contractual obligations. (End of clause)

FAR 52.216-18 Ordering October 1995

A. Services to be furnished under this contract shall be ordered by the issuance of a signed task order (Sent to the Contractor via electronic mail/fax from the Contracting Officer (CO) or his designee).

B. All orders issued hereunder are subject to the terms and conditions of this contract. The Contract shall govern in the event of conflict with any task order.

A Task Order is considered issued when the Government deposits the order by electronic commerce.

FAR 52.216-19 Order Limitations October 1995

(a) Minimum order. When the Government requires supplies or services covered by this contract in an amount less than the minimum stated to complete the initial Task Order (See Section 5.0); the Government is not obligated to purchase, nor is the Contractor obligated to furnish, those supplies or services under the contract.

(b) Maximum order. The Contractor is not obligated to honor:

(1) Any order for a single item in excess of the maximum stated per CLIN (See Section 5.0);

(2) Any order for a combination of items in excess of total award value; or

(3) A series of orders from the same ordering office within 1 day that together call for quantities exceeding the limitation in subparagraph (1) or (2) above.

FAR 52.216-22 Indefinite Quantity October 1995

(a) This is an indefinite-quantity contract for the supplies or services specified and effective for the period stated, in the Schedule. The quantities of supplies and services specified in the Schedule are estimates only and are not purchased by this contract.

(b) Delivery or performance shall be made only as authorized by orders issued in accordance with the Ordering clause. The Contractor shall furnish to the Government, when and if ordered, the supplies or services specified in the Schedule up to and including the quantity designated in the Schedule as the "maximum." The Government shall order at least the quantity of supplies or services designated in the Schedule as the "minimum."

(c) Except for any limitations on quantities in the Order Limitations clause or in the Schedule, there is no limit on the number of orders that may be issued. The Government may issue orders requiring delivery to multiple destinations or performance at multiple locations.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

(d) Any order issued during the effective period of this contract and not completed within that period shall be completed by the Contractor within the time specified in the order. The contract shall govern the Contractor's and Government's rights and obligations with respect to that order to the same extent as if the order were completed during the contract's effective period; provided, that the Contractor shall not be required to make any deliveries under this contract beyond 90 days after contract expiration.

FAR 52.217-9 Option to Extend the Term of the Contract

- (a) The Government may extend the term of this contract by written notice to the Contractor within 30 days of contract expiration; provided that the Government gives the Contractor a preliminary written notice of its intent to extend at least 30 days before the contract expires. The preliminary notice does not commit the Government to an extension.
- (b) If the Government exercises this option, the extended contract shall be considered to include this option clause.
- (c) The total duration of this contract, including the exercise of any options under this clause, shall not exceed 36 months.

PTO-03 USPTO INVOICES

Invoices should be submitted:

By mail to:

U. S. Patent and Trademark Office

Mail Stop 17

P.O. Box 1450

Alexandria, VA 22313-1450

By fax to: 571 273-6400

By e-mail to: OfficeofFinance@uspto.gov

The following correct information constitutes a proper invoice and is required as payment documentation:

1. Name of vendor and invoice date (vendors are encouraged to date invoices as close as possible to the date of mailing or transmission).
2. Purchase order number; assignment of an invoice number by the vendor is recommended.
3. Description, price, and quantity of property and services actually delivered or rendered.
4. Shipping and payment terms.
5. Other substantiating documentation or information as required by the contract.
6. Name (where practicable), title, telephone number, and complete mailing address.

PTO-04C Access to Government Facilities (06/06/2007)

Access to Government Facilities

During the life of the contract, the right of ingress and egress to and from the Government facility for Contractor personnel shall be made available as required per each individual task order. During all operations on Government premises, Contractor personnel shall comply with the rules and regulations governing the conduct of personnel and the operations of the facility.

The Government reserves the right to require contractor personnel to sign in upon ingress or sign out upon egress to and from the Government facility.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

Duplication and Disclosure of Confidential Data

Duplication or disclosure of confidential data provided by the USPTO, or to which the Contractor shall have access as a result of this contract, is prohibited. It is understood that throughout performance of the contract, the Contractor may have access to confidential data which is the sole property of the USPTO, as well as access to proprietary data which is the sole property of other than the contracting parties.

The Contractor hereby agrees to maintain the confidentiality of all such data to which access may be obtained throughout contract performance whether title thereto vests in the USPTO or otherwise. The Contractor hereby agrees not to disclose said data, any interpretation thereof or data derivative there from, to unauthorized parties in contravention of these provisions, without prior written approval of the CO or the party in which title thereto is wholly vested. This clause also applies to any subcontractors and/or consultants used by the Contractor.

Government Furnished Data (If Applicable)

The Government shall deliver to the Contractor, as may be requested, Government-Furnished Data (GFD) during the performance of this contract. GFD will be delivered to the Contractor as specified in each task order(s). Title to GFD shall remain in the Government, and the Contractor shall use the GFD only in connection with this contract. Upon completion of or termination of this contract, the Contractor shall return to the Government all GFD.

Rights In Data (If Applicable)

The Government shall have unlimited rights in software first produced in the performance of this contract. For the purposes of this clause, "software first produced in the performance of this contract" shall include, but not be limited to the following: non-COTS computer program developed or previously developed and implemented by the Contractor in the performance of this contract, related computer data bases and documentation thereof, source code, object code, algorithms, library code, library routine, and technical data of all software first produced in the performance of this contract. For the purpose of this clause, "unlimited rights" shall mean the right of the USPTO, at no extra cost to the USPTO or recipients, to use, disclose, reproduce unlimited copies, prepare derivative works, distribute unlimited copies to public and foreign government patent offices, and perform publicly and display publicly, in any manner and for any purpose, and to have or permit others to do so.

Secrecy and Use of Trademark Information

Work under this contract does not affect the national security. Information contained in any application file(s) is restricted to authorized Contractor personnel on a need-to-know basis. The Contractor acquires no right or privilege to use or disclose any information contained in any application file (in any form whatsoever) except to perform the work under the contract. Further, the Contractor shall not make any use or disclosure whatsoever of any information contained in any application or related copy or data furnished to the Contractor by the Government, or obtained by the Contractor from the Government, except performing the requirements of this contract. Security requirements of application file data maintained in a computer-accessible medium are an extension of the security requirements for the hard copy or of application folders.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

All processing, storage, or transmission of application file data by means of electronic communications systems is prohibited unless use of such systems is approved by the USPTO. All personnel having access to application files or data or information concerning the same, must take the following affirmation, signed in writing: "I do swear or affirm that I will preserve the applications in secrecy, that I will not divulge any information concerning the same to unauthorized persons while employed in work under this contract or at any time thereafter, and that I take this obligation freely, and without mental reservation or purpose of evasion." Each employee's signed oath, or affirmation, shall be retained in the Contractor's file, subject to inspection by authorized Government representatives. Without advance notice, the Government shall have the right to inspect the Contractor's premises, records, and work in process pertaining to the secrecy of information.

PTO-06 Limitation on Contractor Advertisements

The Contractor agrees not to refer to awards in commercial advertising in such a manner as to state or imply that the product or service provided is endorsed or preferred by the Federal Government or is considered by the Government to be superior to other products or services. Advertisements, press releases and publicity of a contract by a supplier shall not be made without the prior express written permission of the Contracting Officer.

(End of clause)

PTO-10 Agency-Level Protest Procedures (DEC 1996)

a. PURPOSE:

To implement the requirements of Executive Order No. 12979 and Federal Acquisition Regulation (FAR 33.103). On October 25, 1995, President Clinton signed Executive Order No. 12979, which directs heads of executive agencies to develop administrative procedures for resolving protests to awards of procurement contracts within their agencies at a level above the Contracting Officer. Authority to administer procurement-related directives has been delegated within the Department of Commerce through the Chief Financial Officer and Assistant Secretary for Administration to the Director for Acquisition Management (Procurement Executive). The Department's goal is to encourage protesters to resolve their protests at the agency level, help build confidence in the Government's acquisition system, and reduce protests to the General Accounting Office and other external forces. Prior to submission of an agency protest, all parties shall use their best efforts to resolve concerns raised by an interested party at the Contracting Officer level through open and frank discussions. If concerns cannot be resolved, protesters may use these procedures when a resolution is requested from the agency at a level above the Contracting Officer.

b. DEFINITIONS:

An agency protest is one that may be filed with either the contracting officer or the protest decision authority but not both. When a protester decides to file a protest at the agency level with the protest decision authority, the guidelines set forth in these established agency level protest procedures above the contracting officer apply. These procedures are in addition to the existing protest procedures contained in the Federal Acquisition Regulation (FAR) Part 33.102.

A day is a calendar day. In computing a period of time for the purpose of these procedures, the day from which the period begins to run is not counted. When the last day of the period is a Saturday, Sunday, or Federal holiday, the period extends to the next day that is not a Saturday, Sunday, or Federal holiday. Similarly, when the Washington, DC offices of the Department of Commerce are closed for all or part of the last day, the period extends to the next day on which the Department is open.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

c. PROCEDURES:

- i. Protesters using these procedures may protest to the protest decision authority who will make the final decision for the Department. Protests shall be addressed to:

Chief Financial Officer
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

The outside of the envelope or beginning of the FAX transmission must be marked "Agency-level Protest". The protester shall also provide a copy of the protest within 1 day to the responsible contracting officer and a copy to the addressee indicated below:

Office of the General Counsel
General Law Office
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
(FAX Number 571-273-0099)

- ii. Election of forum: While a protest is pending at the agency level with the protest decision authority, the protester agrees not to protest to the Government Accountability Office (GAO) or any other external forums. If the protester has already filed with the GAO or other external forums, the procedures described here may not be used.
- a. Protests based upon alleged improprieties in a solicitation which are apparent prior to bid opening or time set for receipt of proposals shall be filed prior to bid opening or the time set for receipt of proposals. If the contract has been awarded, protests must be filed within 10 days after contract award or 5 days after the date the protester was given the opportunity to be debriefed, whichever date is later. In cases other than those covered in the preceding two sentences, protests shall be filed not later than 10 days after the basis of the protest is known or should have been known, whichever is earlier.
- b. To be filed on a given day, protests must be received by 4:30 PM current local time. Any protests received after that time will be considered to be filed on the next day. Incomplete submissions will not be considered filed until all information is provided.
- c. To be complete, protests must contain the following information:
1. the protester's name, address, telephone number, and fax number
 2. the solicitation or contract number, name of contracting office and the contracting officer
 3. a detailed statement of all factual and legal grounds for protests, and an explanation of how the protester was prejudiced
 4. copies of relevant documents supporting protester's statement
 5. a request for ruling by the agency
 6. Statement as to form of relief requested
 7. all information establishing that the protester is an interested party for the purpose of filing a protest
 8. all information establishing the timeliness of the protest
 9. All protests must be signed by an authorized representative of the protester. Within 14 days after the protest is filed, the Contracting Officer will prepare an administrative report that responds to the issues raised by the protester and addresses any other issues, which, even if not raised by the

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

protester, have been identified by agency officials as being relevant to the fairness of the procurement process. For good cause shown, the protest decision authority may grant an extension of time for filing the administrative report and for issuing the written decision. When an extension is granted, the protest decision authority will notify the protester and all interested parties within 1 day of the decision to grant the extension.

Unless an extension is granted, the protest decision authority will issue a decision within 35 days of the protest. The protest decision authority's final decision will be binding on the Department of Commerce and not subject to further appeals. The protest decision authority shall send a written ruling and a summary of the reasons supporting the ruling to the protester by certified mail, return receipt requested with information copies to the applicable contracting office and Office of Acquisition Management.

- iii. Effect of protest on award and performance: When a protest is filed prior to award, a contract may not be awarded unless authorized by the Head of the Contracting Activity (HCA) based on a written finding that:
 - a. The supplies or services are urgently required,
 - b. delivery or performance would be unduly delayed by failure to make the award promptly, or
 - c. a prompt award will be in the best interest of the Government.

When a protest is filed within 10 days after contract award or 5 days after a debriefing date was offered to the protester under a timely debriefing request in accordance with FAR 15.506, whichever is later, the Contracting Officer shall immediately suspend performance pending the resolution of the protest within the agency, including any review by an independent higher official, unless continued performance is justified. The HCA may authorize contract performance, notwithstanding the protest, based on a written finding that:

- 1. contract performance would be in the best interest of the United States, or
- 2. urgent and compelling circumstances that significantly affect the interests of the United States will not permit waiting for a decision.

- d. REMEDIES:
 The protest decision authority may grant one or more of the following remedies:
 - i. terminate the contract,
 - ii. re-compete the requirement,
 - iii. issue a new solicitation,
 - iv. refrain from exercising options under the contract,
 - v. award a contract consistent with statutes and regulations,
 - vi. amend the solicitation provisions which gave rise to the protest and continue with the procurement,
 - vii. such other remedies as the decision-maker may determine are necessary to correct a defect. (End of provision.)

PTO-12 Security Processing Requirements for Contractor/Subcontractor Personnel Working on a Department of Commerce/USPTO Site or IT System (High or Moderate Risk Contracts)

The clause at PTO-12 is hereby incorporated by reference.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

PTO-17 Contractor FOIA Requirement

Upon award of any contract resulting from this solicitation, the contractor shall be required to submit in electronic (.pdf or .tif) format, a copy of the contract with any proposed redactions it believes are necessary and required by law. If the contractor is proposing any redactions to the contract, the basis for the redactions shall be submitted in writing and must accompany the electronic copy of the contract. This submission is due within 14 days of contract award. If the Contracting Officer agrees with the contractor's proposed redactions, the document will be forwarded to the USPTO FOIA Officer for posting to the agency's e-FOIA website. Submission of the contract document in the required format and any written justification for the proposed redactions shall be provided at no cost to the government.

11.0 PROPOSAL INSTRUCTIONS

FAR 52.212-1 Instructions to Offerors—Commercial Items (July 2010)

The provision at FAR 52.212-1 is hereby incorporated. See Attachment (2)

52.212-2 Evaluation—Commercial Items. (Jan 1999)

(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:

- (1) Offeror's Capabilities
 - a) Sample Trademark Design Concept
 - b) Technical/Design Approach
 - c) Management Approach
 1. Management Staffing Plan
 2. Key Personnel

(2) Past Performance

(3) Price

Relative Importance of Evaluation Factors:

Offeror's Capabilities and Past Performance, when combined are more important than price.

Relative Importance of Evaluation Sub-Factors:

Evaluation Sub-Factors are listed in descending order of importance; subfactor A is equally as important as subfactors B-C.

This solicitation incorporates the use of the alternative streamlined approach as defined in USPTO Patent and Trademark Acquisition Guidelines. This approach provides early identification of the most highly qualified vendors. The USPTO reserves the right to conduct discussions and negotiate only with the highest ranked offeror(s).

(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).

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

(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. (End of provision)

52.212-3 Offeror Representations and Certifications—Commercial Items. (AUG 2007)

The provision at FAR 52.212-3 is hereby incorporated. See Attachment (3)

52.216-27 Single or Multiple Awards (Oct 1995)

The Government may elect to award a single delivery order contract or task order contract or to award multiple delivery order contracts or task order contracts for the same or similar supplies or services to two or more sources under this solicitation.

11.1 Amendments

The USPTO reserves the right to amend the terms of this solicitation at any time prior to the source selection decision. If appropriate, the Offerors will have an opportunity to modify their offers. Amendments shall be posted at <https://www.fbo.gov/> and the USPTO website at http://www.uspto.gov/about/vendor_info/current_acquisitions/index.jsp.

11.2 Submission Requirements

The following shall be provided with the Offeror's submission:

- (1) Offeror's Capabilities
 - a) Sample Trademark Design Concept
 - b) Technical/Design Approach
 - c) Management Approach
 3. Management Staffing Plan
 4. Key Personnel
- (2) Past Performance
- (3) Price

Contractors are limited to no more than 45 pages for the package submission. The point of contact for information regarding this solicitation is Tomei Funderburk. Questions regarding this procurement must be submitted to Tomei Funderburk no later than Thursday, October 20th, 2011 via email.

Responses shall be delivered along with three copies of each to:

The United States Patent and Trademark Office
 600 Dulany Street (MDE-7C03)
 Alexandria, VA 22313
 Attn: Tomei Funderburk, Contracting Specialist
 RE: DOC52PAPT1200002

**Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002**

Or via email in PDF format to Tomei.Funderburk@uspto.gov., no later than 3:00 PM on Monday November 14th, 2011. Should you have any questions or concerns feel free to call (571-272-8296) or email Tomei Funderburk at [Tomei Funderburk@uspto.gov](mailto:Tomei.Funderburk@uspto.gov).

12.0 EVALUATION CRITERIA

The following factors will be used to evaluate offers. The factors are listed in order of importance in the award decision, from most important to least important:

(1) Offeror's Capabilities

- a) Sample Trademark Design Concept
- b) Technical/Design Approach
- c) Management Approach
 - 1. Management Staffing Plan
 - 2. Key Personnel

(2) Past Performance

(3) Price

Relative Importance of Evaluation Factors:

Offeror's Capabilities and Past Performance, when combined are more important than price.

Relative Importance of Evaluation Sub-Factors:

Evaluation Sub-Factors are listed in descending order of importance; subfactor A is equally as important as subfactors B-C.

Each factor will be based on a cumulative rating using the adjectival ratings of Excellent, Good, Fair, Marginal or Unacceptable as defined below under the pertinent section.

This solicitation incorporates the use of the alternative streamlined approach as defined in USPTO Patent and Trademark Acquisition Guidelines. This approach provides early identification of the most highly qualified vendors. The USPTO reserves the right to conduct discussions and negotiate only with the highest ranked offeror(s).

12.1 Criteria for Each Factors

Factor 1 – Offeror's Capabilities

(a) Sample Trademark Design Concept

Proposals should include a Trademark relevant high-level design description of no more than two separate approaches for the design of the tools encompassing functionality described in sections 4.3.1 – 4.3.11. This description must include initial sketches and interaction designs as well as a strategy for accommodating the design goals.

Proposals will be evaluated on the perceived quality of this description and the validity of the design approach, based on the requirements specified in the solicitation.

(b) Technical/Design Approach

The offeror's technical/design approach will be evaluated to assess the offeror's proposed methodology and demonstrated capability for understanding and meeting USPTO's requirements as contained the solicitation with a high probability of success.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

The Government will evaluate to which the offeror's proposal demonstrates knowledge of the challenges in, and presents a comprehensive understanding and sound approach to developing and implementing solutions for all technical requirements detailed in the solicitation. Understanding and approach are defined as follows:

Understanding: The degree to which the offeror demonstrates clear knowledge and capability in performance of the technical requirements and provides a sound approach based on industry standard concepts.

Approach: The degree to which the offeror's technical capabilities satisfy all requirements and its approach is logical, feasible, and technically effective. Unique concepts, features and other approaches offered in the proposal will be considered in terms of degree to which problems and risks are identified, minimized or resolved and potential benefits to the Government are identified.

(c) Management Approach

Proposals will be evaluated on the feasibility of their proposed management approach and methodology.

The Government will evaluate to which the offeror's proposal demonstrates knowledge of the challenges in, and presents a sound approach to managing an iterative and phased approach; working in cooperation with Government counterparts and other contractors; managing transition and performing effective performance and quality control in the delivery of all contract requirements.

(c.1) Management Staffing Plan

The offeror's staffing plan will be judged on the composition and expertise of the team as appropriate to the requirements of the task. Management of the team and ability to utilize specific Subject Matter Expertise (SME) to meet the specified time-frame is important. Experience and expertise of the proposed team is extremely important to the successful completion of this task and will be an important factor in rating the overall staffing plan.

(c.2) Key Personnel

Proposals should include the resumes of the proposed key personnel who have relevant experience and will perform major and/or critical aspects of the functionality. Key personnel must comply with the key personnel clause in section 10.0.

Factor 2 –Past Performance Evaluation Criteria

Offeror shall provide past performance information on two (2) projects similar in size, complexity and technical scope to the project specified herein, performed by offeror's business segment currently or completed or terminated within the past 3 years. Offeror is encouraged to illustrate example designs from their portfolio, including design artifacts such as storyboards, wireframes, and screenshots.

Information for each reference must be submitted using the template at Attachment 1 and shall also include information on problems encountered and corrective actions taken.

Draft Statement of Work (SOW)
For
User Interface Designs for The United States Patent and Trademark Office
DOC52PAPT1200002

Factor 3 – Price Evaluation Criteria

The proposed price will be evaluated for reasonableness and value to the government. All evaluation factors, other than price, when combined are significantly more important than price. Price proposals shall incorporate pricing according to project phases. For evaluation purposes, each phase is expected to last around/about 120 days and considered to be onsite.

12.2 Best Value Determination

A contract will be awarded to the responsible offeror whose proposal, conforming to the solicitation, is the most advantageous to the Government for technical and management approach, staffing plan, past performance, and price. In making the best value determination, the USPTO will evaluate technical approach, past performance, and price. The USPTO shall determine what tradeoff among these factors provides the greatest value to the USPTO.

13.0 ATTACHMENTS

- Attachment (1): Past Performance Questionnaire
- Attachment (2): FAR Clause 52.212-1 Instructions to Offerors-
Commercial Items (JULY 2010)
- Attachment (3): FAR Clause 52.212-3 Offeror Representations and Certifications
(AUGUST 2007)
- Attachment (4): FAR Clause 52.212-4 Contract Terms and Conditions-
Commercial Items (JULY 2010)