

Commercial Solutions Opening (CSO)

AI for Regulatory Streamlining CSO

47QFCA20R0024

1 General Information.

1.1 Background.

1.1.1 This is a procurement action using the commercial solutions opening (CSO) procedure in accordance with section 880 of the 2017 National Defense Authorization Act and is subject to the limitations outlined in the General Services Acquisition Manual (GSAM) Part 571 and associated GSA Procurement Innovation Resource Center (PIRC) CSO Guide. This procurement is part of the GSA PIRC CSO pilot program and is being used to competitively procure with the CSO procedure innovative commercial products currently in the production/commercialization phase as well as new adaptations of existing commercial products.

1.1.2 GSA has developed this pilot program to be implemented outside the normal Federal Acquisition Regulations (FAR) requirements to engage traditional and non-traditional Government contractors, including start-up companies. This pilot program is intended to promote competition in accordance with the Competition in Contracting Act (CICA) with a streamlined approach to address specific needs for innovative commercial items. This pilot program offers a range of advantages to open up the field of competition so that the Government and taxpayers benefit from a large pool of solutions at a better cost and performance, including:

- Streamlined solicitation requiring only minimal corporate and technical information;
- Fast track vendor selection timelines;
- Simplified contract administration procedures and requirements; and
- Preference for the vendor retaining core intellectual property.

The maximum value of any contract award resulting from this competitive solicitation shall not exceed \$10 million for the period of performance (PoP), inclusive of all options.

1.2 NAICS. The North American Industry Classification System (NAICS) code for this announcement is 541511-Custom Computer Programming Services or Software Development

2 Project Description.

The GSA Technology Transformation Service (TTS) Centers of Excellence (CoE) seek to accelerate adoption of artificial intelligence (AI) to discover insights at machine speed. GSA FEDSIM, in partnership with the TTS CoEs and their federal customers, is seeking commercial technology solutions in AI aimed at supporting regulatory streamlining efforts.

The sponsoring customer, Department of Health and Human Services, Centers for Medicare and Medicaid (CMS) seeks a Software-as-a-Service (SaaS) based solution with integration support to be used and deployed by regulatory agency staff in order to modernize workflows in accordance with several regulatory streamlining Executive Orders (EOs). The current workflow process for

regulatory work is burdensome on two accounts: a) the nature of regulatory work is largely analytic and b) the applications currently utilized to support the workforce are antiquated. Much of the process is accomplished by performing manual checks through the aid of applications such as email and spreadsheets. None of the current software applications facilitate the actual work required with sorting through agency regulations such as: capturing or facilitating the appropriate document workflow for approval and routing, the need to identify outdated regulations, duplicative language, and broken links, the requirement for analyzing public comments to regulatory changes, the need to identify conflicting regulations, and the requirement to provide cost estimations of regulatory implementation and/or deletion and projected timelines for rollout of regulatory change impacts. These tools also do not provide a cross agency verification to identify if there are contradictions across or within agency regulations.

Compounding this challenge is the fact that the majority of regulations codified in the United States Code of Federal Regulations (CFR) have not been updated since the initial implementation. In addition to age, many of the regulations have interdependencies and or relationship ties to other regulations that prohibit simple update or deletion.

The successful SaaS solution should reflect a license or subscription based managed service(or equivalent model) that is available on a firm fixed price (FFP) basis to the Government to provide innovation in utilizing AI, Machine Learning (ML), and Robotic Process Automation (RPA) to tackle the Federal Regulatory updating/streamlining backlog.

2.1 Project Objectives:

The successful offeror will provide a SaaS based solution with integration support for federal agency staff to modernize regulatory workflows. This solution may require minor agile software development in order to meet agency specific security requirements and or implement workflow processes unique to integrating and modernizing client agency sub regulations during performance.

2.1.1 The government seeks a self-service SaaS tool that includes the following features. The tool may include additional features beyond what is listed. Solutions are encouraged if the majority of the following product features are supported:

1. Regulatory workflow component - including:
 - a. Collaborative guidance and regulation editing
 - b. Document history
 - c. Regulation change tracking
 - d. User attributed changes
 - e. Provisions for incorporation of reviews comments
 - f. Comparison of regulations
 - g. Undo, redo
2. An existent, already ingested and tagged corpus that includes at least:
 - a. Code of Federal Regulations (CFR)

- b. Presidential Executive Orders
 - c. United States Code
 - d. Select international regulatory code
 - e. OMB A-11
3. Automation of the collection and ingestion of sub regulatory guidance from across the agency(ies) of files in the formats most commonly used in agencies such as: Microsoft word, pdf, csv, HTML and other common formats. The tool should be easily configurable or modifiable to allow for ingestion of arbitrary formats.
4. Features commonly found in legal eDiscovery software - such as:
- a. Document reference tracking
 - b. Keyword searching
 - c. Identification
 - d. Collection
 - e. Indexing
 - f. Document tagging and markup
5. Document management features including:
- a. Document export as PDF or Word document
6. AI features
- a. Prediction - including:
 - i. Regulatory burden prediction (eg. “high”, “medium”, ”low”)
 - ii. Outdated regulation flagging
 - iii. Regulation quality scoring and rubric
 - iv. Regulatory implementation cost estimation/comparison
 - Should factor in previous Office of Information and Regulatory Affairs (OIRA) impact determinations
 - Substantial vs critical regulation determination
 - Recommendation engine for rule changes
 - b. Natural Language Processing - including:
 - i. Identification of similar documents
 - ii. Key term identification
 - iii. Term frequency
 - c. Clustering and Grouping - including:
 - i. Text based clustering
 - ii. Topic discovery
 - iii. Correction of mislabeled items,
 - iv. Manual and automated tagging
7. Features specific to the streamlining federal code and guidance - such as:

- a. Built in ‘low hanging fruit search’ suggested keyword searches, for example those that reference obsolete technology like ‘telegram’
 - b. Citation tracking and visualization
 - c. Paper process flagging
 - d. And discrepancy identification across regulations and guidance
- 8. Infrastructure and Security
 - a. Cloud based infrastructure stack
- 9. Interface
 - a. A responsive web based interface
 - b. 508 compliance

2.1.2 The Government seeks the following capacity and additional technical capability of the SaaS tool:

- 1. The Government seeks at least 20 user licenses or equivalent offering during the period of performance
- 2. The platform should include at least 10 terabytes of data capacity for corpus and collaborative documents and the ability to upgrade this capacity if needed
- 3. The tool should allow for artifacts and documents created by the tool including: PDF reports, word and pdf exports, image exports, derived data products such as CSV files and metadata to be shared with individuals who do not have a license/ access to the tool.

2.1.3 The Government seeks integration services to support the successful delivery, rollout, and use of the SaaS tool:

- 1. Implementation and support at client agency, services specified will be provided over a period of one year.
 - a. The solution will supply personnel required to implement the SaaS regulatory streamlining platform for a given agency.
 - b. The solution will structure the support engagement using Agile processes that ensure that client requirements are met on an ongoing basis.
 - c. The solution will support Government’s self service use of the platform after installation in a manner consistent with the aims of the agency and the capabilities of the tool.

3 Solution Brief Submission Requirements.

3.1 Submission Requirements.

Written solution briefs as described in **Section 3.2** must be received by email submission by April 20, 2020 by 11:00AM Eastern Standard Time (EST) to connie.song@gsa.gov. Please include “Regulatory Streamlining – Solution Brief” in the subject line. Any questions regarding

the solution brief submission may be directed to johnny.montgomery@gsa.gov and connie.song@gsa.gov.

For informational purposes only, email size restrictions are limited to 25MB. It is recommended to compress files larger than 25MB to ensure complete submission.

Solution briefs received after April 20, 2020 by 11:00 AM EST will not be evaluated by the Government.

Supplemental information may be requested by the Government to support the written solution brief before potential award. Any supplemental information requested will be coordinated with the offeror and may be conducted by video conference.

3.2 Written Solution Brief Requirements.

3.2.1 Content of Solution Brief.

The written solution brief shall be less than or equal to 20 slides and submitted as a single electronic copy PowerPoint presentation with a minimum font size of 14. Charts/Graphics/Tables embedded into the solution brief must maintain a minimum font size of 10, and be devoid of embedded video or additional external links. **Any pages, slides, or other attachments submitted beyond this 20 slide limitation will be removed and not evaluated.**

Note: The Solution Brief should be devoid of embedded video or links to additional information. The only allowable link is to the offeror's published commercial price list or published pricing catalog as described below in **Paragraph 2(d)**.

The written solution brief shall include/address the following:

1. Title page:

- a. At a minimum, the title page should include the company name, Cage Code and Duns number, solution name, solicitation number, date of submission, point of contact name, email address, phone number, and company address. The title page does not count toward the page limitation.

2. Solution Concept:

- a. Describe your solution and its potential relevance to the project description outlined in **Section 2**.
- b. Address the potential of the solution to meet the objectives described in **Section 2.1**.
- c. Describe ways in which the solution pushes the state-of-the-art in its respective industry/category and represents world class services.

- d. Provide your commercial price list, or a link to published pricing catalog for this proposed service/solution. The price list or link to published pricing does not count toward the page limitation.

3. Company Viability:

- a. Describe your customer base and provide no more than three examples. Ensure description includes a breakdown of the percentage of the current customer base that is Federal versus private sector.
- b. Describe your company--(e.g., company age, location(s), headquarters, number of employees, and capabilities for working outside the headquarters location.)
- c. Include other relevant partnerships or subcontract information as applicable/required to fulfill this solution.

3.2.2 Proprietary Markings.

Offerors must mark any pages of written solution brief that contain business plans, technical information, pricing or other business sensitive information as proprietary information, which the Government agrees to safeguard.

To ensure that sensitive data is appropriately marked by the offeror, include the following sentences on the cover page: "This solution brief includes data that shall not be disclosed outside the Government, except to non-Government personnel for evaluation purposes, and shall not be duplicated, used, or disclosed -- in whole or in part -- for any purpose other than to evaluate this submission. If, however, an agreement is awarded to this Company as a result of -- or in connection with -- the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent agreed upon by both parties in the resulting agreement. The data subject to this restriction are contained in sheets [insert numbers or other identification of sheets]."

Each restricted data sheet must be marked as follows: "Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this solution brief."

4 Evaluation of Solution Briefs.

4.1 General.

Both the written solution brief and/or supplemental information, if applicable, will be evaluated against the solicitation criteria. Each solution brief submitted may be evaluated against the evaluation criteria separately and may be evaluated against other solution briefs. More than one solution brief may be accepted. The Government reserves the right to request supplemental clarifying information, or additional written information, if applicable, from one or more offerors.

4.2 Evaluation Criteria.

The following evaluation criteria shall be used to evaluate the written solution brief and/or supplemental information. The evaluation criteria are listed below in order of importance from top to bottom:

- **Criterion I: Responsiveness and relevance of the solution to the project.**

- The solution brief is responsive to the requirements of the solicitation.
- The solution brief and proposed service is relevant to the description and objectives in **Section 2** of the solicitation.

- **Criterion II: Transition Approach.**

The solution brief addresses the ability to transition into the agency's technical environment:

- The solution brief outlines the ability to onboard the appropriate staffing in order to complete the effort.
- Addresses ability to have the SaaS solution available for use in the technical environment within 60 days of contract award for at least CFR use cases.
- Outlined ability and plan to provide pre-deployment logistics and training, and post deployment technical reach-back.

- **Criterion III: Capabilities and Related Experience.**

- The solution brief clearly addresses past experience at the (Federal/Non-Federal experience) level with cyber security/mission assurance policy compliance.
- The solution brief clearly addresses past experience utilizing SaaS with integration to provide regulatory reform.
- The solution brief clearly addresses past experience with enterprise level integration of AI, Natural Language Processing (NLP) and/or ML, with assessment, test and integration, and deployment/roll.

- **Criterion IV: Technical Merit**

- Outlined ability and plan to deliver an innovative SaaS solution geared toward regulatory reform.
- Outlined ability and plan to integrate/interface with external partner systems/software.
- Outlined ability and plan to research, recommend, and develop the SaaS offering tailored as appropriate to the client agency needs.

4.3 Evaluation Panel.

An evaluation panel will be used to evaluate the solution briefs submitted in response to this solicitation. The evaluation panel will consist of U.S. Government employees.

4.4 Solution Brief Evaluation and Notification to Offerors.

Solution briefs will be evaluated in accordance with the evaluation criteria. After evaluating the offeror's written solution briefs, GSA will notify the offeror, via email, whether their solution brief is being considered for award and a proposal can be submitted, if other supplemental clarifying information is required, or if their solution brief was not selected for award.

Offerors not selected to submit a technical solution proposal (as described in **Section 5.2**) will receive a non-selection letter from the Contracting Officer, which will provide the Government's feedback and technical review findings of the submitted solution brief. After award, offerors may request a follow up in-person meeting or phone conference to discuss the GSA CSO process and authority, what we look for, and answer any non-specific questions to this particular project.

4.5 Protests To GSA.

An offeror may file a protest to the agency in accordance with the procedures in GSAM 533.103.

5 Proposal Submission.

5.1 General.

Upon conclusion of the evaluation of the written solution briefs and/or supplemental clarifying information (if applicable); in accordance with **Section 4.4**, the Government may invite one or more offerors to develop and submit a proposal in accordance with **Section 5** herein. Offerors may discuss ideas and details of the proposal with the Government prior to submission. Each proposal submitted may consist in two parts:

- Section 1: Technical Solution Proposal
- Section 2: Price Information

The cost of preparing proposals in response to this Request is not considered a direct charge to any resulting CSO award or any other contract. Proposal preparation costs are not recoverable.

5.2 Technical Solution Proposal

The offeror must submit a Technical Solution Proposal as part of their final proposal that identifies the work to be performed and associated deliverables. The offeror must submit a detailed project schedule that outlines the various phases of work to be accomplished within the proposed PoP. The offeror will be provided CSO Proposal Solution Template, which may include the following sections:

- a. Section 1- Background
- b. Section 2- Technical Requirements
- c. Section 3- Project Schedule
- d. Section 4- Performance Based Payment Schedule
- e. Section 5- Period of Performance

- f. Section 6- Place of Performance
- g. Section 7- Government Furnished Equipment/ Information
- h. Section 8- Security

The Technical Solution Proposal may include the background and objectives of the proposed work and nature/extent of the anticipated results. The Technical Solution Proposal should discuss any risks and proposed mitigation strategies. The solution should also discuss operational issues such as partnerships, subcontracting, protocols, financing, and non-standard business methodologies utilized. The offeror should identify any requests for assistance from the Government (e.g., facilities, equipment, data, etc).

A Performance Based Payment schedule may be included which clearly indicates the completion of the priced tasks and/or priced deliverables that are required to meet each milestone.

Note: The proposal must identify any proprietary information or associated intellectual property. The proposal should discuss data rights associated with each of them.

5.3 Price Information.

The offeror must submit the total price to complete the project and shall provide any other data or supporting information that the parties agree is necessary for the determination of a fair and reasonable price. Examples of supporting information includes, but is not limited to, published or established commercial price list and previous or historical contract prices and/or invoices. A performance based payment schedule may be included which clearly indicates the completion of the priced tasks and/or priced deliverables that are required to meet each of the milestones. For Firm-Fixed-Price agreements, the performance based payment schedule will serve as a payment schedule for any subsequent award.

5.4 Notification to Offeror.

GSA will notify the offeror whether their proposal has been accepted for award, further negotiation is requested, or the proposal is not accepted for award. The Government reserves the right to make multiple awards under this solicitation and will not conduct pre/post award debriefs.