

## 36.303-1 Phase One.

(a) Phase One of the *solicitation(s)* shall include-

(1) The scope of work;

(2) The phase-one evaluation factors, including-

(i) Technical approach (but not detailed design or technical information);

(ii) Technical qualifications, such as-

(A) Specialized experience and technical competence;

(B) Capability to perform;

(C) *Past performance* of the *offeror's* team (including the architect-engineer and *construction* members); and

(iii) Other appropriate factors (excluding cost or price related factors, which are not permitted in Phase One);

(3) Phase-two evaluation factors (see [36.303-2](#)); and

(4) A statement of the maximum number of *offerors* that will be selected to submit phase-two proposals. The maximum number specified in the *solicitation* shall not exceed five unless the *contracting officer* determines, for that particular *solicitation*, that a number greater than five is in the Government's interest and is consistent with the purposes and objectives of the two-phase design-build selection procedures. The *contracting officer* shall document this determination in the contract file. For *acquisitions* greater than \$4.5 million, the determination shall be approved by the *head of the contracting activity*, delegable to a level no lower than the senior *contracting* official within the *contracting activity*. In civilian agencies, for paragraph (a)(4) of this section, the senior *contracting* official is the advocate for competition for the *procuring activity*, unless the agency designates a different position in agency procedures. The approval shall be documented in the contract file.

(b) After evaluating phase-one proposals, the *contracting officer* shall select the most highly qualified *offerors* (not to exceed the maximum number specified in the *solicitation* in accordance with [36.303-1\(a\)\(4\)](#)) and request that only those *offerors* submit phase-two proposals.

**Parent topic:** [36.303 Procedures.](#)