

***SECTION C - STATEMENT OF WORK***

**C.1 Introduction**

(a) Automated litigation support (ALS) encompasses a wide range of professional services and products that help attorneys acquire, organize, develop, and present evidence throughout the course of litigation, from pre-filing investigation, through complaint, discovery, and trial, through post-trial briefs and the appeals process. Through the use of professional litigation support services and advanced tools for litigation support, the litigating attorney can use evidence and information effectively to win lawsuits. Professional litigation support products and services enable the litigator to control and manage much larger volumes of case materials, and much more complex information, much more quickly, and to much greater effect, than would otherwise be possible.

(b) The Department of Justice currently has litigation support programs in seven of its litigating components - Civil Division, Antitrust Division, Civil Rights Division, Criminal Division, Environment and Natural Resources Division, Tax Division, and the Executive Office for U.S. Attorneys. All seven existing programs consist of Government specialists who define case- or investigation-specific requirements and then manage contractor-provided case support using contracts designed for automated litigation support. All seven programs are presently making use of the "Mega" automated litigation support contracts for this purpose.

(c) Each DOJ component has unique mission-driven needs which define its specific ALS program requirements. Decentralized, Division-specific programs allow each Assistant Attorney General to quickly assemble support resources to meet litigation demands. Division litigation support staff are familiar with and committed to the mission of the Division they work for, and have developed experience in supplying support tailored to the Division's specific litigation support needs.

(d) The exigencies of litigation do not easily allow for contracting on a case-by-case basis. As a result, each Division that has an ALS program utilizes the Mega contracts for a full range of litigation support services. The Department has developed units (CLINs) which serve as the components of support, allowing for the selection of units in specified quantities for inclusion on a task order. Contracting for ALS services ensures that the drastic fluctuations in workload inherent in litigation can be managed most cost-effectively to the Government. Additionally, it permits the Government to have access to specialized expertise as needed. Most importantly, such a contract vehicle allows the Government to respond rapidly to urgent litigation needs.

**C.2 Contract Objective**

(a) The objective of this contract is to obtain nonpersonal professional litigation support services and products to meet the requirements of the Department of Justice. The primary users of this contract are expected to be the Civil Division, the Antitrust Division, the Civil Rights Division, the Criminal Division, the Environment and Natural Resources Division, the Tax Division, and the Executive Office for United States Attorneys. Other components of the Department of Justice may also make use of the contract, as may other agencies.

(b) Litigation support activities can include, but are not limited to, the following broad categories:

- (1) Document acquisition
- (2) Database creation, including document processing and database implementation

- (3) Database utilization
- (4) Electronic data acquisition and processing
- (5) Pre-trial and trial support, including courtroom presentation services
- (6) Resource planning, implementation, and administration
- (7) Specialized professional services in support of litigation, investigations, and case related administration, including language translation, auditing and accounting services, and statistical analysis
- (8) Contract and project management
- (9) Special Projects.

(c) In order to provide this support, the Contractor will be required to perform the following:

- (1) Assess services and information requirements
- (2) Design resource and staffing plans to meet these requirements
- (3) Prepare project-specific action plans and budgets
- (4) Hire and train staff
- (5) Develop procedures
- (6) Implement plans and monitor performance
- (7) Report on status, including financial status, resolve problems and redirect resources as needed
- (8) Meet objectives and deadlines
- (9) Evaluate project on completion
- (10) Acquire and manage subcontracted services as needed.

### **C.3 Scope of Contract**

This contract will be used to provide professional litigation support products and services to the Department of Justice and other Federal agencies on an indefinite delivery, indefinite quantity task order basis. Individual task orders issued under this contract may support any Department of Justice organization or Federal agency on a local and/or nationwide basis. Services may be required anywhere in or outside of the United States and its territories. This contract will also be used to support case- or investigation-related administrative functions.

### **C.4 General Work Requirements**

#### **C.4.1 Litigation Support Functions**

(a) As described in Section C.1, automated litigation support encompasses a wide range of professional products and services, along with a variety of current technologies, that help attorneys or other professional staff members acquire, organize, analyze, and present evidence in conducting a lawsuit or investigation.

(b) The types of litigation support required under this contract will generally fall into the following areas:

- (1) **Document acquisition**, including researching, identifying, reviewing, and selecting relevant documents and other materials - including electronic data, files, and records - locally and in the field; organizing documents; numbering documents; creating box or file level indices; capturing document images; copying documents; preparing documents for production;

developing and documenting procedures; and performing quality control.

- (2) **Database creation**, including review of documents for relevance; level of treatment analysis; development of vocabulary control and other indexing tools; document coding/data entry; OCRing documents; loading, updating and maintaining databases; information analysis and database design; setting up and implementing databases; developing and documenting procedures; preparing database design, document coding documentation; preparing and processing geographical information; and performing quality control.
- (3) **Electronic data acquisition and production**, including extracting and converting data and data files; receipt, analysis, and processing of electronic files, including email files and other files in their native formats, digital image files, even load-ready data and image files; digitization of audio and video tapes; automated and manual screening of files to identify relevant or priority material; analyzing and reporting from a wide variety of data and formats received as a result of production from Government and non-Government sources, including adversaries; assistance in the production of electronic data to opposing counsel; and performing quality control.
- (4) **Database utilization**, including performing searches and producing reports; training and assisting Government staff; providing help desk support for a variety of equipment configurations and software packages, including user training; preparing end user manuals; creating tools to assist end users and other system users; maintaining databases; and performing quality control.
- (5) **Pre-trial and trial support**, including identifying, leasing, equipping, and staffing document center facilities, both locally and in the field; administering, operating, and maintaining equipment and other resources in support of litigation; providing discovery, pre-trial and trial support as needed - exhibit preparation, courtroom presentation assistance, courtroom/interview audio/visual services, PC support, graphics support, etc.; providing support to trial attorney staff in preparing filings for submission; legal and factual research; trial site support, including setting up trial site support facilities; developing document center procedures manuals and case-specific procedures; providing courtroom presentation support, including equipment for in-courtroom presentation, staff for assisting the trial attorneys in developing graphics and scripting their presentations, and in-courtroom staff for operating presentation equipment; and performing quality control.
- (6) **Specialized professional services**, including professional language translation and interpretation, auditing and accounting services, statistical analysis and modeling, medical records review; and other consulting services requiring particular industry or subject matter expertise.
- (7) **Contract and project management**, including coordination of different contractor components - sometimes even coordination of the efforts of several contractors; communication with the Government, sometimes with several Government components at once; assessing automated litigation support requirements; identifying and obtaining necessary staff and other resources; training; establishing management plans and schedules, and managing contractor and subcontractor efforts to meet those objectives, both on specific

projects and on a contract-wide basis; identifying problems and troubleshooting; preparing progress and status reports; quality control and quality assurance efforts required for contract performance; financial management; management of security, confidentiality, and conflict of interest issues.

(c) Each litigation support project will require the Contractor to provide different quantities and combinations of litigation support product and support service CLINs, and the requirements of each project will change over time, and as the project develops. The Contractor must be capable of providing any and all combinations and quantities of services as described in Section C. For the purpose of illustration only, the following are hypothetical examples of requirements for small, medium, large, "mammoth," and special projects.

- (1) **Small:** Provide staff to analyze banking data resident on seized computers, identifying such activities as unauthorized intrusions into individual account records or use of privileged information to skim accounts.

or

Provide a small paralegal team to review seized paper records to confirm patterns and activities uncovered by the staff analyzing machine readable records.

or

Provide full service automated litigation support to a case involving 50,000 pages of documents, including image capture, building an image-enabled document database, deposition support, and preparation of trial exhibits.

- (2) **Medium:** Provide staff to assist in reviewing investigative materials in a drug sales and drug transportation conspiracy case referred to the Criminal Division's Narcotics and Dangerous Drug Section from the Drug Enforcement Administration (DEA), creating database(s) and documentation as necessary. The potential evidence consists of 2,000 pages of Title III transcripts, two (2) years of telephone records for three (3) holding companies, a total of 100,000 pages of normal business records located in Washington, D.C., Brownsville, Texas, and Miami, Florida, and 500 packages of physical evidence with corresponding agent logs and index on dBase III. Translation of 100 key Spanish language documents is needed immediately both to focus review of the business records and to pinpoint action for follow-up by Asset Forfeiture and Money Laundering Section attorneys. During performance of the project, the Contractor evidence review team will identify materials useful for on-going aspects of the case handled by attorneys in the Asset Forfeiture and Money Laundering Section.
- (3) **Large:** Establish a full-service document center in Washington, D.C., to support investigations and cases involving nationwide financial institution fraud. Lease and fully equip 20,000 square feet of space. Hire and train staff of 50, including systems staff, financial transaction analysts, evidence acquisition teams, and other document center personnel. Coordinate with investigators and agents handling related matters for the FBI and other agencies. Screen and acquire over five (5) million pages of materials from 10 sites, including one million electronic files in their native formats on ghosted hard drives. Build image-

enabled document database indices to selected subsets of these materials, totaling 1,000,000 documents. The document center team will provide a rapid litigation support deployment force for multiple grand jury actions and subsequent rapid response under the Speedy Trial Act for five (5) trials over a two-year period. Establish remote site trial support centers for these trials. Translation of documents and interpreter services for potential witnesses are needed occasionally in Washington, D.C., and at remote discovery sites.

- (4) **Mammoth:** Establish a 47,000 square-foot document center in Washington, DC, to support all the needs of a 55-attorney team handling an enormous “case family” of 120 litigations with a potential liability to the Government of \$35 billion. A set of Case Management Orders impose a punishingly fast schedule, with 3 cases starting trial in the first four months, 10 cases starting trial in one year, and three equal waves of cases in beginning discovery in successive years, each taking two years to get to trial. The litigation is estimated to take seven years and have multiple concurrent trials throughout the period. Over 350 million pages of paper and microfiche images will be produced by the Government and 70 million pages by the adversary; the Government documents are active files from three agencies which have a Washington, DC, headquarters and 10 regional offices. Adversary documents are located nationwide. Fifty law firms represent the 120 adversary corporations. Of the paper documents, 90 million will need to be imaged and made available on-line full-text for attorney review and research. In addition, the agencies have integrated office systems for word processing and email and two prior legacy integrated systems that are stored on backup tapes, which the agencies estimate that for the five years in question in the case, 60 million electronic “files” will be relevant and need to be reviewed to verify relevance and establish privilege claims. Over the course of the litigation, there will be 2,330 depositions, 150 interrogatories, and 185 experts providing reports, documents and testimony. The document center will be fully staffed at 350 employees within one year of commencement of the litigation.
- (5) **Special Projects:** Maintain and operate a consent decree library for all employment litigation consent decrees. Staff and equip this library. Provide services to "customers" via phone, fax, and letter.

### **C.4.2 Task Orders**

(a) The primary user Divisions have procedures which govern the process for requesting and receiving litigation support services. Procedures vary within the Divisions; however, they are intended to ensure that: 1) long-range litigation support requirements are identified as part of the annual budget process for each Division; 2) each Division reviews its litigation support program and requirements on an annual basis, and provides case support recommendations to its Assistant Attorney General; and, 3) a formal request procedure is in place to respond to rapidly emerging requirements during the year.

(b) Typically, cases requesting litigation support are described in a brief writeup, along with a description of, and cost estimate for, the support requested. Decisions to provide or not provide the support requested are based on Division budget, case priorities within the Division/Section/Branch, and feasibility.

(c) If a decision is made to provide litigation support to one or more cases, the COTR will forward a task order request to the Contracting Officer. The Contracting Officer will provide each contractor a fair opportunity to receive each task order award as discussed in Section H.2.2. The Task Order will then be issued

by the Contracting Officer, Justice Management Division. The Task Order will include the CLINs and the estimated quantities as deemed appropriate by the Division. See Section H.2.3 for the complete list of information to be included on the Task Order. The Task Order may be issued to cover a single project or cover multiple projects. After issuance of the Task Order, the Division litigation support staff will provide the Contractor with such materials as required to develop a detailed litigation support plan for each project.

(d) Within a maximum of three (3) working days after issuance of the Task Order (or even sooner in emergency situations), the Contractor shall be available to meet with the COTR and/or any other Government litigation representatives to discuss the specifications and to assure a thorough understanding of the project and/or Task Order requirements. The precise date and time for the meeting shall be as mutually agreed upon.

(e) When a preliminary written plan is required, the plan shall be prepared by the Contractor and shall include, but not be limited to, the following information:

- (1) A brief discussion of the scope of the anticipated support requirements and a detailed plan for accomplishing the task, including an outline of the steps, a schedule, a budget, all proposed case specific reports, and a quality control plan.
- (2) CLINs and estimated quantities (by CLIN) required.
- (3) Names of proposed key personnel listed by CLIN.
- (4) Type and amount of equipment and materials required.
- (5) Location(s) where work will be performed.
- (6) Any problems or concerns anticipated and corresponding recommended actions.
- (2) CLINs and estimated quantities (by CLIN) required.
- (3) Names of proposed key personnel listed by CLIN.
- (4) Type and amount of equipment and materials required.
- (5) Location(s) where work will be performed.
- (6) Any problems or concerns anticipated and corresponding recommended actions.

(f) For projects of a complex or long-term nature, the litigation support plans shall be maintained and modified/updated as necessary. The timetable for subsequent updates or revisions shall be as determined by the COTR or his/her delegated representative.

(g) For Task Orders which include work to be done under time critical deadlines (such as requirements to go forward to trial under the Speedy Trial Act), accelerated delivery of support products may be required.

(h) For Task Orders that include requirements to work at field sites outside the Washington, D.C., metropolitan area, the decision to utilize CLINs from Table B-3 (Washington, D.C.- based contractor

employees) with authorized travel expenses in lieu of contractor personnel hired locally (Table B-4) will depend on the planned duration of the required services. Generally, Washington, D.C.-based contractor employees will be utilized with authorized travel for any services which can be completed in a period up to three (3) months.

(i) At the completion of a project, a Task Order, or a series of Task Orders for a single project, the Contractor may be required by the COTR to submit a summary report containing a history of the project(s), important statistics for each project, operational lessons learned from the project(s), and recommendations for improving its own contribution to future projects. For long-lived projects of exceptional significance, a more detailed project evaluation report may be requested by the COTR.

(j) At the completion of a Task Order, or a series of Task Orders for a single project, the Contractor will ensure a master set of case file documentation for each project is held in an archive at the Contractor's site for a length of time to be determined by the COTR. The Contractor must retain both hard copy and word processing versions of the documentation; word processing versions must be compatible with the Division's word processing system. In addition to the summary report cited above, the documentation must include: all screening, coding, document handling and user manuals; systems design manuals, including file layouts and decode tables; archive location for any original media or copies of original media (in any form) still in the Contractor's possession; and identification and location of all data files. Storage of the case file documentation is not separately billable.

(k) The Contractor shall be responsible for ensuring that all support product(s)/service(s) delivered/performed under this contract conform to the appropriate performance standards set forth in Section C and the delivery time specified in the Task Order.

### **C.4.3 Contractor Resources**

This section describes required contractor resources and functional responsibilities. Unless specifically stated to the contrary, none of the resources or support functions described in this section are separately billable.

#### **C.4.3.1 Overall Contract Management**

(a) The Contractor shall be responsible for providing contract and corporate level resources for performing all work ordered under this contract, including management of those resources. High quality management of the contract is of paramount importance to the Government, and is essential to the Contractor's ability to perform under the contract.

(b) The Contractor shall provide an unbillable overall contract management structure for the contract, and for contract work for each of the primary user Divisions as delineated in the Contractor's proposal. The unbillable contract management structures should be flexible so as to accommodate varying levels of activity and volumes of work. At a minimum, the Contractor's management structure shall include the following positions:

- (1) DOJ-Wide Contract Director. The DOJ-Wide Contract Director is a senior manager responsible for coordinating the management of Division-specific work performed under the Division Contract Director(s). While, for the most part, work under this contract will be

performed independently for each Division served, there will be occasional requirements for coordination of efforts and resources. The DOJ-Wide Contract Director is ultimately responsible for coordinating these efforts. The DOJ-Wide Contract Director shall meet with each COTR at least once a month, for Division-level IPRs (in progress reviews). Other periodic meetings may also be required; for example, joint meetings with all COTRs and the Contracting Officer.

- (2) Division Contract Directors. The Division Contract Director shall be responsible for the overall management and coordination of all work for a DOJ Division under this contract and shall act as the central point of contact with the Government, primarily with the Division's COTR, but also with the Lead Component COTR and the Contracting Officer. The Division Contract Director shall have the full authority to act for the Contractor in the performance of the required work and services under all task orders. The Division Contract Director works independently or under the general direction of senior level Contractor business management on all phases of performance, including contract management, project/task management, preparation of litigation support project plans, coordination of Division workloads and resource needs, coordination with corporate resources and management, and has direct accountability for the technical correctness, timeliness and quality of deliverables. The Division Contract Director (and all Deputy Division Directors) must have broad and deep knowledge of litigation support, business administration, human resource management, information resources management, and data processing, and have excellent oral and written communications. The Division Contract Director shall meet with the COTR and/or his/her designee on a weekly basis to review scheduling, priorities, funding, performance issues, and the like. In addition, there will be monthly in-process reviews (IPRs) presented to the COTR to ascertain planned versus actual progress. It is also anticipated that there will be frequent face-to-face case-specific meetings, as requested by the COTR, between the appropriate Contractor managers, members of the COTR's Litigation Support Staff, and the attorneys. Brief written minutes for each of these meetings will be required.
- (3) Deputy Division Directors. Deputy Division Directors assist the Division Contract Director in managing high volumes of work for a particular Division. Deputies may be delegated authority over a functional area - e.g., "pipeline" work or data processing support - or over a particularly large project, or group of projects, should the volume of work warrant it. Deputies must be capable of performing all Division Contract Director management and coordinating functions, as assigned by the Division Contract Director, and will be required to attend numerous periodic and ad hoc face to face meetings with the COTR and Government Case Managers.

(c) The following are considered minimum level requirements for unbillable management resources:

Component/Division Annual Billing Level	Minimum Unbillable Management
Up to \$1.0 Million	1/3 FTE Division Contract Director
\$5.0 Million	1 Full Time Division Contract Director
\$10.0 Million	1 Full Time Division Contract Director 1 Full Time Deputy Division Director
\$20.0 Million	1 Full Time Division Contract Director 3 Full Time Deputy Division Directors
\$50.0 Million	1 Full Time Division Contract Director 5 Full Time Deputy Division Directors

(d) The DOJ-Wide Contract Director, Division Contract Directors and the Deputy Division Directors are considered Key Personnel, as are the Division-specific Key Personnel described in C.4.3.2, below. The Contractor shall provide the services of the specific individuals as delineated in its proposal. Any changes proposed are subject to the approval of the COTR.

**C.4.3.1.1 Management, Administrative, and Logistical Functions and Responsibilities**

(a) The Contractor shall provide all management, staffing, planning, scheduling, procuring, pick-ups and deliveries for all items/services required by the task order. This shall include, but is not limited to:

- (1) All activities associated with recruiting and hiring staff, such as advertising, screening applicants, interviewing, reference checking, etc.
- (2) Screening and processing prospective contract staff to ensure all Contractor employees used under this contract meet personnel hiring and employment security approval requirements (See Section H.5).
- (3) All activities associated with management of Contractor's facilities, including obtaining space, equipment, furniture, supplies, maintenance, etc. This includes Contractor space required for performance of functions such as scanning, coding, data processing work, overall contract management, etc.
- (4) Ensuring facilities used for the Contractor's performance of this contract meet all physical security requirements of the contract (see Section H.5).
- (5) All activities associated with Contractor management and handling of interim and deliverable pipeline products, such as CDs containing images, electronic data files, etc. For example, the Contractor must forward, monitor, and track each "container" of documents, from receipt, through image capture, through processing and duplication and delivery; the Contractor must control and coordinate all document processing steps, from receipt of documents to be coded, through coding and quality control, through creation of data files for processing.

- (6) Planning, scheduling, and procuring airfare, lodging accommodations, and ground transportation for all approved travel by Contractor personnel. Ensuring that invoiced travel costs are itemized in accordance with the Government travel guidelines in effect at the time of travel. See Part 31 of the Federal Acquisition Regulations, and Section B.4.2.
  - (7) Planning for and making all necessary arrangements to ensure that Contractor personnel performing field work have all necessary supplies and equipment in advance of or simultaneous with their arrival at the site.
  - (8) Procuring items/services on behalf of the Government (e.g., space/furniture for a document center). Ensuring that open market procurements are properly documented to prove price competition was obtained, or justification for not obtaining competition; if use of GSA schedules is authorized, the Contractor shall follow the requirements of FAR Part 8.
  - (9) Providing daily courier pick-ups and deliveries of media and contract correspondence to and from the COTR, and other DOJ locations in Washington, DC, as specified by the COTR. Specified locations will include Contractor management offices, Contractor headquarters offices, if any, subcontractor offices, Washington, DC Document Centers, and court offices, as well as various DOJ offices. The Contractor shall provide both courier and vehicle for this service. As many as three pickups/deliveries per day at each location may be required. Depending on workload, more than one courier may be required.
  - (10) Assembling billing data and billing back-up materials, including all time and materials needed for preparing any responses to Government billing rejection letters. Generating, distributing, and tracking invoices, including generating reports, responding to inquiries, tracking which deliverables and/or units have been invoiced and which have not, etc.
  - (11) Tracking and reporting on Government furnished materials, including equipment, furniture, image collections, data files, documentation libraries, and other materials. The Contractor is responsible for adequate care and safekeeping of all Government furnished materials, including inventorying, tracking and reporting, etc. The Contractor shall reimburse the Government for any Government furnished materials lost or stolen while in the Contractor's safekeeping (see Section H.11).
  - (12) All activities associated with managing subcontractors, such as identifying and qualifying them, negotiating subcontracts, obtaining Government approval for their use, reviewing invoices, ensuring compliance with the security and other requirements of this Contract, etc. Work ordered by the Government may require the Contractor to subcontract portions of the work which it (the prime Contractor) is not qualified to handle.
  - (13) All activities associated with the Contractor's Quality Assurance programs; all activities required for coordination with the Government's Quality Assurance Contractor.
  - (14) Overall Contract Management and support staff for management, such as clerical, secretarial, and administrative support.
- (b) The items in paragraph (a) above are not separately billable. The Contractor should describe how

it intends to staff, organize and perform these functions, including names and duties for specific positions. At a minimum, the Contractor must account for the following non-billable functional areas of responsibility:

- Operations Manager
- EFP Manager
- Scanning Supervisor/Manager
- Coding Supervisor/Manager
- IT/Data Processing Manager
- Quality Assurance Manager
- Administration Manager
- Billing/Accounting Manager

(c) Higher levels of activity may require additional non-billable management hours and/or other contract resources.

#### **C.4.3.2 Division-Specific Management and Staffing**

(a) The Contractor must understand that the seven primary user Divisions for this Contract operate separate Automated Litigation Support programs, which require separate Contractor support staffs. The Contractor shall implement and maintain management and staff structures to support these seven programs separately. For example, the Government does not want or intend to use one Division's Document Center, or one Division's Document Center staff, to perform work for other Divisions. Similarly, the lists of Key Personnel provided in Section H.15 are not shared resources among the Divisions.

(b) The number of key personnel required by the primary user components will likely fluctuate during the term of this contract, according to workload. For example, the Civil Rights Division may at various points require one Project Manager, or more than one Project Manager; or sometimes even no Project Managers. Any individual performing work at the Key Personnel level is subject to the following:

- (1) Replacement of any key personnel is subject to the prior approval of the COTR.
- (2) Requests for replacement shall include a detailed resume containing a description of position duties and mandatory qualifications, as well as information about the qualifications of the individual(s) proposed.
- (3) Contractor proposals to move any key personnel off the Contract or from one portion of the Contract to another shall be submitted at least 30 calendar days in advance of proposed move, and are subject to the approval of the relinquishing COTR, including approval of proposed replacement.

(c) The Government reserves the right to review the qualifications of all staff selected to work on the Contract before assignment, including the individuals proposed (in the Contractor's proposal) and any replacements for these individuals, and to reject individuals who do not meet the qualifications set forth in this contract.

(d) In cases of Contractor initiated reassignment of any personnel, written notice shall be provided to the COTR at least thirty (30) calendar days prior to reassignment; such reassignment must also allow sufficient

time for any Contractor-provided training of replacement personnel. This notice shall also include the resume(s) and employment security approval status (if any) of the proposed replacement personnel. All replacement personnel are subject to the prior written approval of the COTR.

(e) The Government reserves the right to require the Contractor to reassign from this Contract any Contractor employees who are deemed incompetent, careless, unsuitable or otherwise objectionable, or whose continued use under the contract is deemed contrary to the best interests of the Government.

(f) The Contractor shall remove any employee from performance of Contract tasks within five working days of receiving notice from the Contracting Officer that the employee's performance is unsatisfactory. The Contractor shall reimburse the Government for the cost of any Government provided or funded training given to Contractor employees who cease to perform Contract duties within six months after receiving that training.

#### **C.4.3.3 Staffing/Training**

(a) The Contractor shall be responsible for providing trained, experienced staff for performing the work ordered under this Contract, and for continuously monitoring, managing and controlling the work. The Contractor shall make its best efforts to retain staff members who have gained experience on this Contract, and to minimize staff turnover. All staff assigned to perform work under this Contract who will have access to DOJ facilities or IT systems shall be United States citizens.

(b) The Contractor shall train its own staff so as to ensure that all personnel are able to perform their duties under each Task Order satisfactorily. For example, the Contractor shall train its own staff in image scanning requirements and procedures, in document coding rules, in database search techniques, in database setup procedures and conventions, and in specific software packages, including database and imaging software such as Summation and Concordance, and courtroom presentation software such as Trial Director and Sanction. The Contractor shall also provide training for its staff should any hardware or software upgrades occur. The Contractor will furnish the COTR with formal documentation of the training provided to each labor category under the Contract as requested by the COTR, including testing tools, documentation of training provided (certifications, etc.), and demonstrations that individual employees have achieved competence in their labor categories. Except where specifically approved by the COTR, training is not separately billable. Specialized training requested by the COTR beyond that which would normally be required to perform under the contract will usually be approved by the COTR as billable.

(c) In addition to job-specific or professional training, the Contractor shall ensure its employees on this contract are trained on "contract-specific" issues such as DOJ ethics, standards of conduct, individual conflicts of interest, confidentiality requirements, DOJ security requirements (including both facility and computer security), understanding of litigation processes and terminology, understanding of the function of reporting, and the importance of quality control and quality assurance. In addition, Contractor managers shall be educated in the terms and conditions of the contract.

(d) The Government will be responsible for providing training on the primary DOJ computer-assisted legal research system (such as WestLaw), and on the JCON office automation systems and their successors. Contractors shall submit training requests for specific individuals to the COTR for approval on an as-needed basis.

**C.4.3.4 Facilities/Equipment**

(a) The work to be performed under this contract will involve access to classified information as well as access to unclassified information. Classified information may be found in hard and/or electronic copies of contract documents as well as in electronic databases. Classification levels will go up to the Top Secret level. In accordance with Section H.5, the Contractor shall provide fully furnished and equipped facilities acceptable to the Government for contract work to be performed at Contractor facilities in the Washington, D.C. area. These secure facilities must be easily accessible (nearby and served by public transportation) to the COTR, litigation support case managers and attorneys working on the cases being supported. The facilities for document processing, database support, non-Document Center trial/deposition support, and contract management must be within a 30 mile radius of the Main Justice Building, 10th and Constitution Ave., NW, Washington, DC. Cost for these facilities is not separately billable.

(b) Access to such Contractor-provided secure facilities must be restricted to Government staff and those Contractor and Subcontractor employees who have been granted employment security approval by DOJ, who have signed appropriate confidentiality agreements (see Attachment (4)), and who are authorized to have access to the documents.

(c) Physical separation of materials from other Contractor projects, including projects under other Government contracts, and between DOJ component users under this Contract, is required. Some Contractor facilities and employees may require DSS clearance.

(d) For Contract work at a Government facility, the Contractor will be provided secure space by the Government. Access to such space will be restricted to Government staff, to Contractor and Subcontractor employees who have been granted employment security approval by DOJ, who have signed appropriate confidentiality agreements, and who are authorized to have access to the documents, and to other personnel approved by the Government. Contractor and Subcontractor personnel shall comply with the requirements of Section H.5.

(e) The Contractor shall provide all furniture, equipment, supplies, etc. needed for the performance of this Contract, except for equipment provided by the Government in a Document Center or in Government-provided space. The Contractor shall provide, for example, all furniture, equipment, supplies, etc., needed for the performance of unit rate image scanning work, or unit rate photocopying, or work performed by data processing staff in Contractor-provided space. Cost for these items is not separately billable.

**C.4.3.5 Management Reports**

(a) The Contractor shall be responsible for reporting progress on each task and subtask for each case and project it is working on. The COTR may require a wide variety of daily, weekly, and monthly progress and status reports. Examples include document processing pipeline reports, data processing status reports, daily task reports, daily, weekly, and monthly progress and financial status reports, monthly narratives of accomplishments, etc. Samples and descriptions of some of these reports are provided in Attachment (5) to show the level of detail required. Actual reports required for individual cases will vary with the needs of the case; the Contractor shall modify all reports to accommodate the needs of the individual cases. The Contractor should note that numerous specialized reports may be required, particularly on large and complex projects, and particularly as regards the progress of batches of documents through the database creation process. The Contractor shall also provide case-specific ad hoc reports and timely written minutes of ad hoc case-specific

meetings as required by the COTR.

(b) All reports must be generated in a timely fashion; for example, weekly reports will generally be due by COB Monday following the week covered in the report. Report deadlines will be specified by the COTR. Weekly, or even daily, face-to-face meetings with the COTR and DOJ Case Managers will often be required, often with little or no advance notice, to discuss these reports and project status. Fiscal reporting must conform to the Government's fiscal year, October 1 through September 30.

(c) All reports described in this section are considered part of overall Project Management, and are not separately billable. Costs for copying reports for distribution are not separately billable. Reports may also be required in electronic form, as specified by the COTR.

(d) The Contractor shall, at a minimum, establish and maintain appropriate tracking systems which shall enable it to prepare and submit the management reports required. Creation and maintenance of these tracking systems is not separately billable.

(e) The COTR may require the Contractor to implement systems for "paperless" reporting, including financial and progress reporting. This might include, for example, setting up a secure web site to which the Contractor would post daily reports, for access by authorized Government users. Specifications and requirements for systems will vary from component to component. Creation and maintenance of any such reporting tool is not separately billable.

#### **C.4.3.6 Government Management and Tracking Systems**

Instead of the Contractor-supplied management and tracking systems required for the Contractor to provide the reports described above, the COTR may require the Contractor to establish and/or update and maintain Government tracking systems to facilitate the Government's management of its Automated Litigation Support programs. For example, the Civil Division has established a variety of systems for tracking and recording information about past cases, microfilm or CD locations, detailed information as to Government-owned equipment, etc. Creation and maintenance of these systems is separately billable to the Government.

#### **C.4.3.7 Quality Control/Quality Assurance**

(a) All work performed under this contract shall be performed in accordance with the standards given in Section C and all associated attachments to this contract. Work failing to meet these standards shall be rejected, and the Contractor shall be required to perform the work again at no additional cost to the Government.

(b) To ensure all deliverables conform to contract specifications, the Contractor shall implement quality control procedures for all tasks as delineated in its proposal.

(c) The Contractor shall stress to its staff the importance of quality control and quality assurance. The Contractor shall maintain quality control of all work performed, review the condition and appearance of output, check output for accuracy and consistency, ensure completion of all steps, and produce the required number of deliverables as specified in the task order.

(d) As one example of the importance of quality control, many source documents to be processed are

obtained by the DOJ from other parties, or are official Government records from client agencies. Very frequently the Department obtains them under an agreement to return them complete, undamaged, and in the same condition and sequence in which they were received (e.g., all binding and fasteners restored exactly as they were at the time of receipt.) Accordingly, the Contractor must take extreme care to ensure that, unless specified otherwise in a task order, source documents are returned to their source in sturdy boxes labeled at both ends with the document number range, matter name, box numbers, and date. All documents within the box must be returned in the exact order in which they were received, and must be bound exactly as when received, unless directed otherwise by the Government.

(e) The importance to the Government of quality work cannot be overstated. The Government is committed to the production of deliverables that meet the contract specifications when first presented to the Government; the Government will reject work not meeting contract quality standards and will insist re-work be done at the Contractor's expense. Repeated failure to deliver acceptable work may result in contract termination. Thus, the Government views it as being in the Contractor's best interest to have in place a thorough and robust quality control program.

**C.4.3.8 Access To Facilities, Training, Manuals, etc. for Quality Assurance**

(a) The Government intends to award a separate Contract for the performance of quality assurance review of the work performed under this contract for Automated Litigation Support services. The ALS Contractor shall be required to provide the Quality Assurance contractor with complete access to their facilities, document coding systems, data processing systems, screener and coder training sessions, coding and data entry manuals, process control logs, and other materials necessary to the performance of these quality assurance reviews, as identified by the COTR.

(b) Should the Quality Assurance contractor be disqualified - for example, for reasons of organizational conflict of interest - from performing quality assurance services for a particular case or project, the Government may order quality assurance services from one of the Automated Litigation Support contractors. All ALS contractors shall provide the contractor selected to perform these QA services with the same access to facilities, manuals, training sessions, document coding systems, data processing systems, logs, and other materials, as they would provide to the Quality Assurance contractor.

**C.4.3.9 Security**

(a) Each Contractor employee must clear the Contractor Personnel Security Process with a favorable outcome before beginning work under the Contract (see Section H.5).

(b) The Contractor is responsible for screening all prospective employees for suitability for work on this Contract, including credit check screening.

(c) When beginning a new project for a particular Division, the Contractor must supply suitable, appropriately cleared employees *without* depleting existing staff already supporting other Divisions.

(d) The Contractor shall retain all personnel security files for all individuals who perform work under the contract for the life of the contract. File retention and storage costs are not separately billable.

(e) The Contractor shall be responsible for providing a number of reports relating to personnel

security, usually on a monthly basis, to each COTR for whom work is being performed. These will include, for example:

- (1) Security status for all Contractor employees working on the contract during the month.
- (2) Contractor employees who are overdue for a background reinvestigation or who will be due for reinvestigation within the next three months.
- (3) Security status for all Contractor employees who received security waivers more than 30 days ago but whose employment security approvals have not yet been completed.

Reports may need to be sorted in a variety of ways. Examples of some of these reports are included in Attachment (5).

### **C.5 LITIGATION SUPPORT PRODUCTS**

(a) This section describes the requirements for the CLINs contained in Pricing Table B-1. These products involve Government and non-government source documents/media to be made available to the Contractor by the COTRs in the Washington, DC area. Task Orders including support product CLINs will be issued on a firm fixed-price or not-to-exceed (ceiling price) basis. These CLINs may also be included in the multiple project, "blanket" task orders some of the Divisions may issue.

(b) The Contractor is responsible for furnishing all resources required to produce these deliverables. Examples of such items include, but are not limited to: automated and manual equipment such as calculators, computer hardware and software, photocopy equipment, scanning equipment; labor and supervision; facilities to house Contractor furnished equipment, software, supplies and staff; utilities such as electric, telephone, etc.; pick-up and delivery of source documents/media; and supplies and materials such as paper, CDs and magnetic tapes containing images, and diskettes.

(c) The delivery requirements specified for each support product are based on business days (Monday through Friday) excluding Federal Government holidays (see Section F.7 for listing).

(d) For any CLIN in this Section, as requested by the Government, the Contractor shall provide documentation which supports the actual number of units processed, completed and delivered for which payment is requested by the Contractor.

(e) The products described in this section are, in some cases, essentially the same as the support services described in Section C.6. Use of the support product CLINs in lieu of the support services will depend upon a number of factors, including the quality, quantity and location of the source documents/media, but will be based on what is most reasonable and best value to the Government. The COTR will make the final decision on the appropriate CLIN to use for each project.

(f) For purposes of example, and to clarify the Government's intent with respect to these unit rate, Litigation Support Product CLINs, note that the Government expects to build many of its litigation support applications, particularly those which are of fairly standard design, by using the unit rate Litigation Support Product CLINs in Table B-1 exclusively.

(g) For example, given the requirement to scan and build a document database containing fielded and full-text data and images for a population of 30,000 document pages, the following might be the only billable CLINs:

<b>CLIN</b>	<b>Unit</b>	<b>Number Billable</b>	<b>Comments</b>
01-1101 - Org., Prep., Index Document Collection	Page	30,000	Includes preparation of documents for scanning, file level indexing.
01-1204 - Scan to Image - Commercial Product - Light/Moderate	Image	30,000	Includes 2 copies of media.
01-1211 - OCR Surcharge	Image	30,000	
01-1503 - Mini-Coding	Document	10,000	3 pages per document.
01-1701 - Image-Enabled Document Database	Database	1	Includes system design documentation, user documentation.
01-1704 - Load Image and Data Files	Data File + Image File	4	Average 3,000 records (10,000 images) per file.

(h) Under this scenario, the result of this work would be a fully set up, populated, and ready to search imaging database for the 30,000 page (10,000 document) collection, typically hosted on a DOJ server. Except for a few hours of Project Manager time (in this instance, perhaps 10 - 15 hours), no additional labor hour or cost reimbursable CLINs would be billable for coordination, quality control, supervision, documentation, clean up, rework, copies, training, data processing, facilities, logging and controls, production tracking, management reporting, etc. The Contractor must perform these functions, but must build their cost into the unit rates bid.

**C.5.1 Document Acquisition**

**C.5.1.1 Organization and Indexing of Document Collection**

(a) The Contractor shall provide organization and indexing services for document collections, where the COTR determines this to be necessary, typically immediately prior to image capture. When the services are necessary, they are typically provided by personnel other than the scanner operators. Required services include:

- (1) Preparing the site for imaging operations, obtaining or arranging for any necessary furniture and equipment (including power supply, fax machines and phone lines, photocopying machines, etc.), creating detailed inventories of the collection to be imaged, preparing logs and workflow procedures, marking and recording the container numbers for the document containers to be imaged, and providing for pulling, movement, and reshelving of document containers as required. This is usually only required for non-Contractor-site scanning operations.

- (2) Preparing file level indices to the document collection. This will usually only be required when the scanning operation can be made more efficient by inserting slip sheets to capture such as file source, file owner, file title, production request information, etc., as opposed to a scanning work flow in which the scanning operator enters this information for each file. In either case, note that this information is stored and associated with each image captured; sometimes, for example, in the TIFF header.

(b) One printed copy and one electronic copy of the indices associating the file information with the correct range of image numbers are deliverable with the images. Note that the COTR may also require delivery of a preliminary version of the index immediately upon completing scanning of each "container" or batch.

(c) Work may be required to be performed at a Contractor facility or at other facilities, in the Washington, DC area or elsewhere. For work performed at sites outside the Washington, DC area, the Contractor will be compensated at the unit rate and for travel expenses according to the Government travel guidelines in effect at the time. See Part 31 of the Federal Acquisition Regulations; see also Section B.4.2.

#### **C.5.1.1.1 Delivery Requirements**

Document collection sites, including field discovery sites, shall be prepared for image scanning within three business days of notification to the Contractor that the site is available. Documents shall be inventoried, logged, prepared, and indexed for scanning within one day of being made available to the Contractor. Maximum required throughput rate is 300,000 pages organized, prepared, and indexed at a file level per day.

#### **C.5.1.1.2 Performance Standard**

Documents shall be accurately and consistently logged for management tracking and control purposes. File level indices shall be 100% accurate to the file information available to the indexers. Inaccurate information shall be corrected by the Contractor at no cost to the Government.

#### **C.5.1.2 Number Documents**

(a) The Contractor shall number document pages sequentially, using a Bates numbering machine or computer-generated sequential number labels. Numbers must be consecutive, unless otherwise specified by the COTR. Prefixes or other designations to identify site or document subpopulation may be required. Placement of the number on the document page (upper left corner, bottom center, etc.) will be consistent for a given document population. Numbers must not cover over or obscure any of the information on the document pages. Numbers must be placed on both sides of pages that carry meaningful information on both sides. Contractor will need to have an established quality control procedure in place. The Contractor must have procedures in place to record and account for all numbers used. This task may take place in Contractor space or elsewhere. For work performed at sites outside the Washington, DC area, the Contractor will be compensated at the unit rate and for travel expenses according to the Government travel guidelines in effect at the time. Cost of Bates numbering machines and/or cost of generating sequential number labels must be included in the cost basis for this CLIN.

(b) If original documents are being numbered, the Contractor must maintain them in, and restore them to, their original order and condition, including all fasteners, bindings, etc., the only modification being the addition of the document number.

(c) Note that this CLIN does not apply to numbered copies of documents which are generated as blowback from digital images, or which are numbered by a photocopying machine as part of the copying process. See sections C.5.3, Blowback/Hard Copy Creation, and C.5.4, Photocopy Documents.

**C.5.1.2.1 Delivery Requirements**

Numbered documents shall be delivered within three business days of the date the documents were made available to the Contractor for numbering. Maximum required throughput is 1,000,000 pages per three day period.

**C.5.1.2.2 Performance Standard**

This task must be performed with 100% accuracy. The Contractor shall ensure that all sides of all pages that contain information are uniquely numbered, and that procedures are in place to account for all numbers used and for all gaps. A page that has information on both sides must have each side numbered.

**C.5.1.3 Document Preparation/Unitization**

(a) The Contractor shall provide document preparation and unitization services, as required by the COTR. Document unitization, in this context, refers to identifying and marking the boundaries of "documents" within the collection, where a document is defined as the smallest fastened unit in a bundle; that is, these documents will be defined by the physical attachment (staples, clips, rubber bands, etc.) of pages within the collection. This type of unitization does not require the Contractor to determine true "logical document" boundaries. The intent of this is to prepare a collection for high speed image scanning by Government staff, on a Government machine.

(b) Prior to image scanning, the Contractor shall prepare the collection for scanning by removing staples and other bindings, and by marking the boundaries of documents by inserting bar code or target sheets prior to the beginning of each document, where a document is defined as in (a), above. The COTR will provide guidance as to the type of marker or slip sheet which should be used. The COTR may also require additional preparation of the collection for image scanning, such as replacing double-sided documents with single-sided copies, replacing oversize documents such as maps with standard size copies (or standard size copies of the legend, for example), grouping together documents which require special handling during the image scanning process, such as legal size documents, onionskin, fanfold computer paper, etc.

(c) Original source documents will need to be reassembled to their original state after scanning; Contractor preparation of the documents must anticipate this. In the case of several documents fastened together, for example, the Contractor will also need to mark where the larger fastening unit begins and ends, to enable reassembly of the larger fastening unit after scanning.

(d) Note that this is essentially the same document preparation work which the Contractor would be required to perform were the Contractor doing the image scanning on its own high speed scanners. See C.5.2.1(g) and (h) for example. That means that if the Contractor is doing the scanning, the Government will not also order this "Document Preparation/Unitization," since these services are already included in the image scanning CLINs.

(e) The Government may require that this work be performed on site in Government space, or at the

Contractor's facility. The Contractor will be responsible for providing all necessary supplies, including target/slip sheets. These supplies are not separately billable; cost for them must be included in the cost basis for the unit prices offered.

**C.5.1.3.1 Delivery Requirements**

Documents shall be prepared and unitized for image scanning within one business day of being made available to the Contractor. Maximum required throughput rate is 300,000 pages prepared and unitized per day.

**C.5.1.3.2 Performance Standard**

Documents shall be accurately and consistently prepared and unitized in accordance with the instructions provided by the COTR, including marking to record original source file configuration. File and document integrity and order must be maintained to a level of 100% accuracy.

**C.5.2. Scan to Digital Image**

**C.5.2.1. Scan to Digital Image**

(a) The Contractor shall provide document image scanning and related services. Image scanning and related services shall be provided for Government and for non-Government documents, at Government and non-Government sites, including the Contractor's or subcontractor's facilities.

(b) These CLINs are intended to produce deliverable digital image files which may be viewed on an image by image basis on a computer monitor, using appropriate image viewing software. Image format for images produced under these CLINs will be predominantly TIFF Group IV images, single page per image file, 300 dpi; if there are different requirements, they will be specified by the COTR in the Task Order. Other image formats, such as PDF or multi-page TIFF, may be required on occasion; billing rate to the Government will be the same regardless of image format required. Images will be predominantly black and white; surcharge CLINs for color imaging are also included (see C.5.2.3). A surcharge CLIN for OCR in conjunction with digital image scanning has also been included (see C.5.2.4).

(c) Note that if the Contractor performs document coding (as described in C.5.5) using these images, any costs for conversion of the digital images produced using these (C.5.2) CLINs to image files for use by the Contractor coding purposes, if any such conversion is necessary, are not separately billable, as "Image File Conversion" or otherwise.

(d) A system of creating a unique, sequential number for each page imaged will be required. This unique number identifies the location of each document in the collection and will control document indexing, storage, and retrieval processes throughout the course of a litigation. The accuracy with which the numbering and indexing procedures are performed is therefore critical to the subsequent use of the image-based systems and products, and is as important as the physical quality of the image products themselves. Scanning systems should provide for at least the following numbering options:

- 1) The unique, sequential number for the image is actually "endorsed" onto the image, and becomes a permanent part of the image, displayed within the display frame, and printed as an

integral part of the image hard copy. The number must not obscure any information on the document page, and in fact ideally lies in an "information channel" appended to the document image.

- 2) The unique, sequential number for the image is uniquely associated with the image file - for example, as the image's file name, or in the TIFF header - but not actually endorsed onto the image, in such a way that the appropriate image viewing software always shows the number in association with the image, and allows the user the options of printing the image with or without the number.

(e) Scanning and numbering systems must accommodate sequential, consecutive numbering for two-sided originals.

(f) The numbering system must have the flexibility to duplicate a numbering scheme which has already been used on the documents, when there is one. Such flexibility must accommodate alphanumeric characters, including imbedded blank spaces, in any order and length specified by the COTR for the project.

(g) Specifications and standards for digital image scanning are included in Attachment (6). Most scanning will be performed at 300 dpi. It is extremely important that the quality of the images be such as to ensure readability and admissibility in court, and it is extremely important that the Contractor have in place and adhere to procedures to maintain the integrity of the document collection and of the collection of digital images, so that document authenticity can be proven in court, if necessary.

(g) The Contractor shall prepare documents for image capture (i.e., remove staples, paper clips, and prong fasteners), image each page, and reassemble the documents in accordance with COTR instructions. The Contractor shall control the flow of documents through supervision, the use of log sheets, and other procedures. Batches of documents must always be so controlled that a particular batch may be immediately retrieved if required. The Contractor shall maintain document integrity throughout the processing cycle. The proper collation and integrity of documents, document packets (several documents fastened together), file folders and file drawers must not be lost.

(h) The Contractor shall use an "F/L" indicator system to record information as to the physical attachments present in the original source document file. See Attachment (6) for additional description of this system.

(i) The Contractor shall also ensure that all documents designated for imaging are in fact imaged and that an orderly flow of documents through the imaging process is maintained. In addition, the Contractor shall be responsible for supervising the imaging crew and for dealing with various Government and non-Government officials at field locations (including DOJ trial attorneys, other trial staff members, and adversaries) in order to gain access to and image document collections. The Contractor shall ensure that all document collections are kept secure and restore them to their original state after imaging. Supervision is not separately billable, but is considered part of the cost for the appropriate units.

(j) Organizing, preparation, and file level indexing of document collections, where necessary as a separate step, will be ordered under those CLINs, as described in Section C.5.1.1.

- (k) The Contractor shall provide all pickup and delivery services associated with performing the

imaging and related services. Pickup and delivery services are not separately billable.

(l) In order to obtain the optimal image quality and throughput for source documents of differing qualities, the Contractor shall, at a minimum, employ the following techniques:

- (1) Adjustment of scanner settings to accommodate the characteristics of different document populations, as necessary.
- (2) Use of enhancement techniques of a particular scanner by the scanning technician. This will involve both hardware and software techniques and procedures.
- (3) Scanner monitoring and quality control as described in ANSI/AIIM MS44-1993, Recommended Practice for Quality Control of Image Scanners, including use of test targets.
- (4) Continual monitoring of image quality by the scanning operator as the images are scanned.
- (5) The use of target test sheets, especially at the start of all batches of documents for scanning, when the type of source documents changes to require new scanner optimization settings, or when a scanning technician suspects hardware inaccuracy. The target test sheets shall measure the scanner performance with regard to gray scales, resolution, continuous tones, precision measurement marks, linearity, rectangularity, scan size, alignment of page and text characters.
- (6) Use of optical lens filters for improved image quality as appropriate.
- (7) Visual comparison of sample image prints to source documents.

(m) Careful page number records shall be kept of any enhancements or adjustments made to images to ensure that legal admissibility is not a problem.

(n) Output media may include CDs, DVDs, removable hard drives, magnetic tape, etc., and will be specified by the COTR. Image format will usually be TIFF Group IV, single page image per file, although other formats may be ordered on occasion; as required by the COTR. Periodic review of scanning technology will be required to maintain the highest possible standards. Output must be compatible with downstream information management use of the images in litigation.

(o) The Contractor shall provide the following as standard deliverables for each unit of digital image media produced:

- (1) Two copies of the images on the output media specified. These will function as original and working copies.
- (2) One hard copy of file level indices.
- (3) Electronic copy of level indices, as specified by the COTR.
- (4) QC/QA reports showing Contractor inspection of the deliverables, and the results of the inspection.

Note that these standard deliverables are not separately billable, but are part of the CLIN cost.

(p) As specified by the COTR, the Contractor shall deliver one copy of the images to a location specified by the COTR for archival storage. The Contractor may be required to store the other copy at its own facility for use in providing other, subsequent litigation support services, such as blowback and document processing; this storage is not billable.

(q) The Contractor shall provide one hard copy of the file level indices along with the scanned images. These indices must be free of typographical errors. The Contractor shall also establish and maintain a comprehensive library of file level indices for all scanning work performed under the Contract. This library shall be turned over to the Government at the COTR's direction, or at the conclusion of the Contract.

(r) Failure to meet turnaround times specified in C.5.2.1.1 will result in credit to the Government for late delivery, per Section F.8

(s) At the discretion of the COTR, for image scanning assignments at sites other than the Contractor's (or subcontractor's) facility, up to four Scanner Operator hours may be billable for each scanner sent to the site, to cover travel time and workstation set up.

(t) For unit rate scanning at sites outside the metropolitan Washington, DC area, including sites outside the United States, which is not performed at a Contractor (or subcontractor) site, scanning will be ordered at the "Non-Contractor Site" rate, and the Contractor will also be compensated for travel expenses and for workstation shipping expenses according to the Government travel guidelines in effect at the time. See Section B.4.2 and Part 31 FAR.

(u) Note that there is no minimum order limitation or daily minimum image guarantee. In those unusual instances in which the media or the site conditions are extremely difficult, such that the Contractor cannot scan at an average rate of even 1,500 pages per workstation per day, scanning will generally be ordered on an hourly basis, using the 02-/03-/04-1204/1205, Scanner Operator CLINs. This must be approved in advance by the COTR who will, after consultation with the contractor, make a determination of an acceptable minimum per-hour throughput rate requirement for that media or site.

(v) Depending on the complexity of the case, the sites, and the document acquisition task, scouting trips to survey document collections and sites may be required. Detailed scouting trip plans and post-trip reports may also be required. Scouting trips will be ordered on an hourly basis.

(w) Document screening, involving the application of established, written criteria for the selection of documents to be scanned for a particular case, will be ordered on an hourly basis.

(x) Compatibility of scanned images with existing Government optical imaging equipment is required. Offerors should submit a CD conforming to the requirements of this Solicitation with their Technical Proposals, for testing purposes. Offerors should also describe how the scanned images meet the contract requirements for image numbering and an external file level index. Offerors proposing to use subcontractors to perform any portion of the image scanning task must submit one such sample CD for each subcontractor proposed.

**C.5.2.1.1 Scan to Digital Image - Document Determination**

(a) The Government may also order digital image scanning services, including insertion of markers or grouping of page images to indicate logical document boundaries. Note that this is not the same as the “F/L” markers which record physical groupings and attachments such as staples and binders clips. Rather, “Document Determination,” in this context, means identifying true document boundaries in preparation for building a document database. For example, a stack of loose pages might be organized into a series of multi-page documents of varying size, or a stapled set of pages might need to be subdivided into a cover letter and several multi-page attachments.

(b) Document Determination under these CLINs will usually be only at a single level. That is, logical document boundaries will need to be identified, but the Contractor will not usually be required also to capture “document package” or “parent/child” information.

(c) The Government may also order digital image scanning which includes both document determination and document date. In this instance, in addition to the logical document boundaries, the Contractor shall capture the date of each document, according to established instructions for identifying document date. Date will be delivered as part of the cross reference file which associates page image files together as a document record.

(d) The Contractor must have standard, written instructions governing document determination and identification of the document date. Instructions are subject to review and approval of the COTR.

(e) Imaging requirements are the same as those described under C.5.2.1; that is, for example, mostly single-page TIFFs, 300 dpi, etc. Numbering requirements are the same, as are requirements for capture of file level index information, orderly flow and maintenance of documents, and management and tracking of the scanning process. Output media may include DVDs, CDs, hard drives, etc. Pickup and delivery services are not separately billable, but must be included as part of the unit prices offered.

(f) The Contractor shall provide the following as standard deliverables for each unit of digital image media produced:

- (1) Two copies of the images on the output media specified. These will function as original and working copies.
- (2) One hard copy of file level indices.
- (3) Electronic copy of level indices, as specified by the COTR.
- (4) Electronic cross reference file associating pages together as documents, and document date, where applicable, for purposes of associating documents and pages with OCR, and for downstream loading of data into a document database.
- (5) QC/QA reports showing Contractor inspection of the deliverables, and the results of the inspection.

Note that these standard deliverables are not separately billable.

(g) As specified by the COTR, the Contractor shall deliver one copy of the images to a location specified by the COTR for archival storage. The Contractor may be required to store the other copy at its own facility for use in providing other, subsequent litigation support services, such as blowback and document processing; this storage is not billable.

(h) The Contractor shall provide one hard copy of the file level indices along with the scanned images. These indices must be free of typographical errors. The Contractor shall also establish and maintain a comprehensive library of file level indices for all scanning work performed under the Contract. This library shall be turned over to the Government at the COTR's direction, or at the conclusion of the Contract.

(i) Compatibility of scanned images with existing Government optical imaging equipment is required. Offerors should submit a CD disk conforming to the requirements of this Solicitation with their Technical Proposals, for testing purposes. Offerors should also describe how the scanned images meet the contract requirements for image numbering and an external file level index. Offerors proposing to use subcontractors to perform any portion of the image scanning task must submit one such sample CD for each subcontractor proposed.

#### **C.5.2.1.2 Delivery Requirements**

(a) Maximum required throughput for CLINs 01-1201 through 01-1203 for image scanning is 2,000,000 images for any given one week period.

(b) All deliverables, including all copies of images and file level indices, as well as cross-reference files with document determination and document date information, where ordered, shall be delivered within three business days of the date the source documents were made available to the Contractor.

#### **C.5.2.1.3 Performance Standard**

(a) The Contractor is responsible for ensuring that all deliverables meet applicable AIIM and ANSI standards, as well as all other contract requirements for resolution, contrast, grey scaling, skew, integrity of phrase label index, and general workmanship, as described in Attachment (6). The Contractor shall certify at the end of each task order for a case that includes image scanning that the image record is complete, the sequence numbering is correct, and that all image products, including hard copy, meet all contract requirements.

(b) Each page of a source document shall be imaged so that each line, character and image on the source documents is clearly legible with the naked eye on paper copies made from the digital image. The reproduction ratio and document orientation shall be such that the entire original page appears on the hard copy page, and such that the image is not unnecessarily reduced. Media with missing lines or characters, or with pages that are not clearly legible due to lack of contrast between the information and the background, will be rejected by the Government where the condition is not due to the quality of the source document provided to the Contractor. Rejected media shall be reimaged by the Contractor at no cost to the Government.

(c) Imaged pages shall be returned in the exact order, collation and condition in which they were received. Batches not properly collated shall be rejected by the Government and re-assembled to the proper pagination and condition by the Contractor at no cost to the Government.

(d) Document Determination and Document Date information, where ordered, must conform to the Contractor's written guidelines and instructions for identifying this information, as approved by the COTR.

**C.5.2.2 Scan to Digital Image - Commercial Product**

(a) The Contractor shall provide basic document image scanning and related services, with deliverables comparable to those available through the many commercial vendors offering such services. These image scanning and related services shall be provided for Government and for non-Government documents, at the Contractor's or subcontractor's facilities, in the Washington DC metropolitan area.

(b) These CLINs are intended to produce deliverable digital image files which may be viewed on an image by image basis on a computer monitor, using appropriate image viewing software. Image format for images produced under these CLINs will be predominantly TIFF Group IV images, single page per image file, 300 dpi; if there are different requirements, they will be specified by the COTR in the Task Order. Other image formats, such as PDF or multi-page TIFF, may be required on occasion; billing rate to the Government will be the same regardless of image format required. Images will be predominantly black and white; surcharge CLINs for color imaging are also included (see C.5.2.3, below.) A surcharge CLIN for OCR in conjunction with digital image scanning has also been included (see C.5.2.4, below.)

(c) These CLINs will be used for scanning of paper collections which have low to moderate quantities of staples, binder clips, etc., and consist of relatively new or clean standard sized paper that can be machine processed at high speeds. That is, the source materials are not folded, crumpled, curled or stuck together from having been wet, etc. Some of these collections may require light to moderate preparation before being auto-fed for scanning.

(d) A system of creating a unique, sequential number for each page imaged will be required. This unique number identifies the location of each document in the collection and will control document indexing, storage, and retrieval processes throughout the course of a litigation. The accuracy with which the numbering and indexing procedures are performed is therefore critical to the subsequent use of the image-based systems and products, and is as important as the physical quality of the image products themselves. Typically, the unique number for the image is actually "endorsed" onto the image, and becomes a permanent part of the image, displayed within the display frame, and printed as an integral part of the image hard copy. The number must not obscure any information on the document page, and in fact ideally lies in an "information channel" appended to the document image. Image number format will be specified by the COTR. Image numbering is not separately billable; associated costs should be built into the unit rates. Scanning and numbering systems must accommodate sequential, consecutive numbering for two-sided originals.

(e) The Contractor shall prepare documents for image capture (i.e., remove staples, paper clips, and prong fasteners), image each page, and reassemble the documents in accordance with COTR instructions. The Contractor shall control the flow of documents through supervision, the use of log sheets, and other procedures. The Contractor shall maintain document integrity throughout the processing cycle. The proper collation and integrity of documents, document packets (several documents fastened together), file folders and file drawers must not be lost.

(f) The Contractor shall use an "F/L" indicator system to record information as to the physical attachments present in the original source document file. For these C.5.2.2 CLINs only, the F/L system need only identify the most basic level of physical attachment (eg, the first and last pages of a stapled collection of

paper), and need not record the more complicated nested relationships described in Attachment (6) using FFs and LLs, etc. The F/L information may be endorsed on the images, or may be included in the cross-reference file delivered along with the images, as specified by the COTR.

(g) The COTR may require the Contractor to prepare file level "phrase label" information for a document collection (usually under CLIN 01-1101). As part of the image scanning process, the Contractor may be required to incorporate this phrase label information - sometimes endorsing the information onto the images themselves, sometimes incorporating the information into the cross-reference file delivered along with the images - as specified by the COTR. The COTR will typically require that this information be delivered in a form which will facilitate loading it into a field in a document database or a file level database.

(h) The Contractor shall ensure that all documents designated for imaging are in fact imaged and that an orderly flow of documents through the imaging process is maintained. The Contractor shall ensure that all document collections are kept secure and restore them to their original state after imaging.

(i) It is extremely important that the quality of the images be such as to ensure readability and admissibility in court. Careful page number records shall be kept of any enhancements or adjustments made to images to ensure that legal admissibility is not a problem.

(j) The Contractor shall provide all pickup and delivery services associated with performing the imaging and related services. Pickup and delivery services are not separately billable.

(k) In order to obtain the optimal image quality and throughput for source documents of differing qualities, the Contractor shall, at a minimum, employ the following techniques:

- (1) Adjustment of scanner settings to accommodate the characteristics of different document populations, as necessary.
- (2) Use of enhancement techniques of a particular scanner by the scanning technician will be required. This will involve both hardware and software techniques and procedures.
- (3) Monitoring of image quality by the scanning operator as the images are scanned.
- (4) The use of target test sheets is expected to be employed at the start of all batches of documents for scanning, when the type of source documents changes to require new scanner optimization settings, or when a scanning technician suspects hardware inaccuracy. The target test sheets shall measure the scanner performance with regard to gray scales, resolution, continuous tones, precision measurement marks, linearity, rectangularity, scan size, alignment of page and text characters.

(l) Output media may include CDs, DVDs, removable hard drives, magnetic tapes, etc., and will be specified by the COTR. Output must be compatible with downstream information management use of the images in litigation.

(m) The Contractor shall provide the following as standard deliverables for each unit of digital image media produced:

- (1) Two copies of the images on the output media specified. These will function as original and working copies.
- (2) Electronic copy (ASCII or word processing file) of typed file level index, as specified by the COTR, on media as specified by the COTR.
- (3) QC/QA reports showing Contractor inspection of the deliverables, and the results of the inspection.

Note that these standard deliverables are not separately billable as "Additional Digital Media," or under any other line items.

(n) Depending on the intended use of the images, the COTR may also require delivery of an electronic cross reference file for use in linking the images to OCR, or database records, or for loading to an image viewer application. This is not separately billable.

(o) As specified by the COTR, the Contractor shall deliver one copy of the images to a location specified by the COTR for archival storage. The Contractor may be required to store the other copy at its own facility for use in providing other, subsequent litigation support services, such as blowback and document processing; this storage is not billable.

(p) The Government views ordering of these CLINs as analogous to ordering, for example, photocopying work from the commercial vendor - that is, this is viewed as a commercially available product, and not as a customized specialty litigation support service. Accordingly, the Government does not expect to require the Contractor and/or subcontractors to perform conflict of interest checks prior to being awarded the work.

#### **C.5.2.2.1 Scan to Digital Image - Commercial Product - Document Determination**

(a) The Government may also order digital image scanning services, including insertion of markers or grouping of page images to indicate logical document boundaries. Note that this is not the same as the "F/L" markers which record physical groupings and attachments such as staples and binders clips. Rather, "Document Determination," in this context, means identifying true document boundaries in preparation for building a document database. For example, a stack of loose pages might be organized into a series of multi-page documents of varying size, or a stapled set of pages might need to be subdivided into a cover letter and several multi-page attachments.

(b) Document Determination under these CLINs will usually be only at a single level. That is, logical document boundaries will need to be identified, but the Contractor will not usually be required also to capture "document package" or "parent/child" information.

(c) The Government may also order digital image scanning which includes both document determination and document date. In this instance, in addition to the logical document boundaries, the Contractor shall capture the date of each document, according to established instructions for identifying document date. Date will be delivered as part of the cross reference file which associates page image files together as a document record.

(d) Imaging requirements are the same as those described under C.5.2.2; that is, for example, mostly single-page TIFFs, 300 dpi, etc. Numbering requirements are the same, as are requirements for capture of file level index information, orderly flow and maintenance of documents, and management and tracking of the scanning process. Output media may include DVDs, CDs, hard drives, etc. Pickup and delivery services are not separately billable, but must be included as part of the unit prices offered.

(e) The Contractor shall provide the following as standard deliverables for each unit of digital image media produced:

- (1) Two copies of the images on the output media specified. These will function as original and working copies.
- (2) One hard copy of file level indices.
- (3) Electronic copy of level indices, as specified by the COTR.
- (4) Electronic cross reference file associating pages together as documents, and document date, where applicable, for purposes of associating documents and pages with OCR, and for downstream loading of data into a document database.
- (5) QC/QA reports showing Contractor inspection of the deliverables, and the results of the inspection.

Note that these standard deliverables are not separately billable.

(f) As specified by the COTR, the Contractor shall deliver one copy of the images to a location specified by the COTR for archival storage. The Contractor may be required to store the other copy at its own facility for use in providing other, subsequent litigation support services, such as blowback and document processing; this storage is not billable.

(g) The Contractor shall provide one hard copy of the file level indices along with the scanned images. These indices must be free of typographical errors. The Contractor shall also establish and maintain a comprehensive library of file level indices for all scanning work performed under the Contract. This library shall be turned over to the Government at the COTR's direction, or at the conclusion of the Contract.

(h) Compatibility of scanned images with existing Government optical imaging equipment is required. Offerors should submit a CD disk conforming to the requirements of this Solicitation with their Technical Proposals, for testing purposes. Offerors should also describe how the scanned images meet the contract requirements for image numbering and an external file level index. Offerors proposing to use subcontractors to perform any portion of the image scanning task must submit one such sample CD for each subcontractor proposed.

#### **C.5.2.2.2 Delivery Requirements**

(a) Delivery schedules shall be as specified by the COTR on a project by project basis. There are no contractual maximum required throughputs for these C.5.2.2 CLINs.

(b) Credits to the Government for late delivery do not apply to these C.5.2.2 CLINs.

(c) Deliverables under these CLINs will be considered billable when delivered to the COTR or designee.

**C.5.2.2.3 Performance Standard**

(a) The Contractor is responsible for ensuring that all deliverables meet applicable AIIM and ANSI standards, as well as all other contract requirements for resolution, contrast, grey scaling, skew, integrity of phrase label index, and general workmanship, as described in Attachment (6). The Contractor shall certify at the end of each task order for a case that includes image scanning that the image record is complete, the sequence numbering is correct, and that all image products, including hard copy, meet all contract requirements.

(b) Each page of a source document shall be imaged so that each line, character and image on the source documents is clearly legible with the naked eye on paper copies made from the digital image. The reproduction ratio and document orientation shall be such that the entire original page appears on the hard copy page, and such that the image is not unnecessarily reduced. Media with missing lines or characters, or with pages that are not clearly legible due to lack of contrast between the information and the background, will be rejected by the Government where the condition is not due to the quality of the source document provided to the Contractor. Rejected media shall be reimaged by the Contractor at no cost to the Government.

(c) Imaged pages shall be returned in the exact order, collation and condition in which they were received. Batches not properly collated shall be rejected by the Government and re-assembled to the proper pagination and condition by the Contractor at no cost to the Government.

(d) The images created using these C.5.2.2 scanning CLINs may be reviewed by DOJ's QA contractor, and, as with other scanning deliverables under this contract, the COTR may require the litigation support Contractor to correct defective or problem images at no additional cost to the Government.

(e) As with all work under this contract, the Government plans to consider "past performance" by the Contractors as a factor in awarding additional work. Past performance considerations include both product quality and timeliness of delivery.

**C.5.2.3. Scan to Digital Image - Color**

(a) The Contractor shall provide color image scanning and related services. Two "surcharge" CLINs are included, which may be ordered in addition to CLINs 01-1201 through 01-1206 and/or 01-1209 when all or some portion of an image scanning job is in color.

(b) The first CLIN is intended to cover those situations in which an entire "container" is scanned in color, such as a collection of charts which must be scanned in color in order to retain the meaning of the charts. This situation might also include containers which are predominantly color documents, with a few black and white documents mixed in, such that it makes sense to scan the whole container on a color scanner (at the discretion of the COTR). This CLIN is also intended to cover those situations in which selected color documents may be removed from a container for separate color scanning, and in which the color images do not need to be reintegrated with the black and white documents to match the way they occurred in the files

originally. In a situation such as this, for example, the color images might be numbered so as to indicate that they came out of the same container as the black and white images, but with a sequential page number sequence separate from that of the black and white images. The entire container would be billable using the appropriate 01-1201 through 01-1206 and/or 01-1209 CLIN, and the Color - Whole Container surcharge CLIN would be applied to those images scanned in color.

(c) The second CLIN is intended to cover those instances in which some documents in a container must be scanned in color, and in which those color images must be reintegrated with the black and white images to match the way they occurred in the files originally. For example, if the third page of a five page document is a color chart that needs to be scanned in color, the scanned color image must be “reinserted” in the image file so that it is numbered sequentially as the third page of the five page document, and so that it comes up in the right place when browsing through the image files. If there were, say, 50 pages in a particular container that needed to be scanned in color, the Government would, at the discretion of the COTR, order the container to be scanned using the appropriate 01-1201 through 01-1206 and/or 01-1209 CLIN, and the “selected images” surcharge CLIN would be applied to the images scanned in color. In this instance, all of the cost of pulling the color pages for color scanning, scanning on a color scanner, and reintegrating both the original paper and the resulting digital images must be built into the unit rates, to the extent that these steps are necessary to the Contractor’s pipeline process.

(d) Image format for color images will be predominantly JPEG. Other formats, such as color TIFF, PDF, etc., may be required by the COTR. Proposed rates must accommodate differing format requirements.

(e) Other requirements are the same as described in C.5.2.1, including numbering, control and management of work flow and source documents, F/L indicators, pickup and delivery, scanner and image quality requirements, output media, deliverable items, etc.

**C.5.2.3.1. Delivery Requirements**

See Section C.5.2.1.2.

**C.5.2.3.2. Performance Standard**

See C.5.2.1.3.

**C.5.2.4 Scanning/Optical Character Recognition**

(a) The Contractor shall process digital document images to produce computer-readable ASCII data via an optical character recognition scanning process. Two CLINs are provided. The first CLIN (01-1210) will generally be used when the documents have been previously imaged, whether by the Contractor or by some other vendor, and the images must now be OCRed in a separate processing pass.

(b) The second CLIN (01-1211) is an OCR surcharge which may be applied to any of the digital image scanning CLINs 01-1201 through 01-1209 when OCRing is performed in the same processing pass as the image scanning.

(c) OCR data will be deliverable on DVD, CD, removable hard drive, etc. as required by the COTR. Data will be delivered in a format specified by the COTR, and be ready for processing and loading, most

typically to an image-enabled document database. The Contractor shall retain backup copies of all delivered data for six months following delivery.

(d) The Contractor shall exercise proper precautions in handling, logging, tracking, and controlling all source and output materials - electronic image files, OCR data files, optical media, magnetic media - so that no materials are lost, all images to be OCR'd are processed once and only once, and the source materials returned in the same order and condition as they were sent.

(e) When OCR'd data is to be loaded into a database along with coded data, the Contractor may be required to merge OCR'd and coded data prior to delivering the data files for loading. If required, this merging activity is not separately billable, but should be included as part of the activity under the OCRing CLIN. The Contractor may also be required either to subdivide OCR'd text into "page" units which correspond to the original document pages, or to join together "page" units of OCR'd text so that the text for all pages of a multi-page document is part of a single document data file record. These activities are considered to be part of formatting the data so that it is ready to be loaded to the target application, and are not separately billable.

#### **C.5.2.4.1 Delivery Requirements**

Delivery of data files and return of source materials within four business days of the date the source materials are made available for OCR processing. Rework must be delivered within five business days of being rejected and made available to the Contractor for rework. Deliveries which do not meet required turnaround times will result in credit to the Government for late delivery, per Section F.8. Combined maximum required throughput rate for CLINs 01-1210 and 01-1211 is 2,000,000 pages per week.

#### **C.5.2.4.2 Performance Standard**

OCR is machine-only. The Contractor shall utilize state-of-the-art OCRing software at all times, in order to optimize the quality of the delivered text. It will not be acceptable simply to run the file through on the fastest setting, and to deliver whatever comes out. The Contractor shall make appropriate use of techniques such as despeckling and deskewing, as well as software packages which incorporate voting algorithms to produce the best possible interpretation of the image files. Individual batches of documents may have to be run through on a test basis prior to commencing production runs, in order to identify optimal settings for the software. Deliverables must include OCR for all pages in the source population.

#### **C.5.3. Blowback/Hard Copy Creation**

(a) The Contractor shall produce hard copies from digital image media. The Contractor shall provide all facilities, equipment, labor, supplies, etc. for performing this work. Work ordered under this line item will not be performed at Government-funded Document Centers. Blowbacks shall be delivered in the same order as they appear in the digital media, unless otherwise directed by the COTR. The CLINs under this section provide for ordering blowback in a variety of ways:

(b) Whole Container/Whole Media. Work ordered under these CLINs will generally be for blowback of entire digital media (whole CDs or hard drives, for example), or for blowback of selected entire "containers" of document images, as represented on the digital media. A "container," in this context, usually reflects the boundaries of an original source document container - box, or file drawer, for example - and typically consists of 2,000 to 4,000 consecutive pages. A full CD might hold three to six such containers. Work under these

CLINs will usually be appropriate for high speed image blowback equipment, and will require a minimum of operator intervention.

(c) Selected Images/Selected Media. Work ordered under these CLINs will generally be for many selected images, or image ranges, sometimes widely scattered on the media. Depending on the circumstances, work may be appropriate for high speed blowback equipment; however, this kind of work may require close operator attention, if, for example, documents must be blown back on a one-by-one basis, in a particular order, or based on search results which cannot be used to automatically produce blowback of selected images in a particular order.

(d) Color Surcharge. Color hard copy from color images. Two surcharge CLINs are provided. The first CLIN applies when an entire container or piece of media - CD, hard drive, etc. - needs to be blown back in color. In this instance, the entire blowback job could be run on a color printer, for example. CLINs 01-1301 and 01-1303 would both be billable for the pages blownback. The second color surcharge CLIN (01-1304) applies when only selected pages in a job need to be blownback in color. This CLIN may be applied in conjunction with either 01-1301 and 01-1302, depending on the overall blowback job requirements; of course, the surcharge applies only to those pages produced in color. Note that CLIN 01-1304 may require color pages to be integrated with black and white pages for delivery; this effort is not separately billable, but is considered part of the CLIN cost. Color copies will typically be ordered on standard paper stock.

(e) The Contractor shall provide facilities, equipment, labor, paper and other supplies for producing these hard copies. Image media (CDs, etc.) provided to the Contractor for blowback shall be properly handled and returned in good condition. Reconstruction of blowback copies based on "first/last" image markers may be required.

(f) The quality of the hard copy must be vigorously controlled so that all information on an image appears legibly on the hard copy.

#### **C.5.3.1 Delivery Requirements**

Required turnaround is three business days from Contractor receipt of materials to be blownback. Maximum required combined throughput for CLINs 01-1301 through 01-1304 is 2,000,000 pages per three day period.

#### **C.5.3.2 Performance Standard**

(a) Each image shall be blown back so that every line and character in the image appears on the blowback and is clearly legible. Unless otherwise specified by the COTR, the reproduction ratio and document orientation should be such that the entire original page appears on the blowback. The COTR may require that the image number be printed on the blowback and that it not obscure any document information; or, the COTR may require that the image number specifically not be printed on the blowback. The COTR may require the "phrase label information" per C.5.1.1., Organization and Indexing of Document Collection, be printed on the blowback in a position that does not overlap or obscure any portion of the image. The image should not be unnecessarily reduced on the page.

(b) Blowbacks with missing lines or characters and blowbacks which are not clearly legible due to lack of contrast between the information and the background shall be rejected by the Government where the

condition is not due to the quality of the media. In instances where blowbacks are rejected by the Government, the Contractor shall be responsible for blowing back (or rescanning, if need be) the rejected pages at no additional cost to the Government.

(c) Blowback delivered in an order other than that specified by the COTR, and blowback incorrectly reassembled from the media "first/last" markers will be rejected and the work redone at no additional cost to the Government.

#### **C.5.4 Photocopy Documents**

(a) The Contractor shall provide high-volume photocopying of documents at the Contractor's (or subcontractor's) site. The Contractor shall provide all facilities, equipment, labor, supplies, etc. for performing this work. Work ordered under this line item will not be performed at Government-funded Document Centers.

(b) Note that a separate surcharge CLIN is provided for color copying. This surcharge CLIN will apply to color copies, when they are required, and is in addition to the base photocopying price. This surcharge CLIN does require reintegration of color copies with black and white copies, as directed by the COTR.

(c) The Contractor must have in place established procedures for ensuring that all incoming documents are logged, tracked, and accounted for at all times. The Contractor must have established quality control procedures in place to ensure that all pages are copied, that the correct numbers of copies are produced, etc. It is extremely important that the integrity of the document collection be maintained. Original documents will often have to be disassembled for copying, and then reassembled exactly as they originally appeared, including nested stapling, tabs and inserts, etc. Copies will also be reassembled to exactly match the original document collection, unless otherwise specified by the COTR. Documents must also be returned in good condition. The Contractor must have in place established management reporting and controls for performing production jobs of this sort. Document preparation, logging, disassembly and reassembly, quality control, local delivery, are all part of the photocopying task, and may not be separately billed. Costs associated with all these subtasks should be included as part of the unit rates bid for photocopying.

(d) Work ordered under this line item will generally be local to the Washington, DC metro area. High-volume field site photocopying will usually be ordered on an hourly rate or ODC basis.

(e) Photocopying of oversize documents and other non-standard photocopying will not usually be ordered under these Product CLINs, but will instead be ordered either on an hourly basis using Document Center resources and Services CLINs, or on an Other Direct Cost basis using Table B-5 CLINs should the job need to be outsourced to a specialized vendor.

(f) Completed work will be delivered locally as directed by the COTR. Separate local courier/delivery charges are not billable.

##### **C.5.4.1 Delivery Requirements**

(a) Required turnaround is one (1) business day from Contractor receipt of materials to be copied.

(b) Maximum required throughput for non-color copying is 500,000 first photocopies and 1,000,000 second and subsequent photocopies produced per day, for a total of three photocopy sets of 500,000 pages each

in one day.

(c) Maximum required throughput for color copying is 100,000 first photocopies and 200,000 second and subsequent photocopies produced per day, for a total of three photocopy sets of 100,000 pages each in one day.

#### **C.5.4.2 Performance Standard**

(a) Each page shall be reproduced so that every line and character on the original page appears on the reproduced page and is clearly legible. Documents will also be collated and assembled as per originals or special instructions by the COTR. Output paper size, quality, and weight shall be the same as the original documents unless otherwise specified by the COTR. Copies must be free of wrinkles, folds, tears, or other physical defects.

(b) Reproduced pages with missing lines or characters or pages which are not clearly legible due to lack of contrast between the information and the background will be rejected by the Government when the condition is not due to the quality of the original page. In such instances, the Contractor shall reproduce the rejected pages at no additional cost to the Government. The Government will also reject improperly collated or improperly assembled copies; the Contractor will bear the cost of reassembling the originals and copies to the proper pagination. The Government will also reject copies containing physical defects such as folds, wrinkles, tears, etc.; the Contractor shall bear the cost of recopying all rejected output.

#### **C.5.5 Document Coding**

(a) The Contractor shall provide document coding services as specified by the COTR in the task order. Document coding involves the identification of specific information from source documents and entering such information into a data file. Document coding may be ordered at any of several different levels of treatment:

- (1) Logical Document Determination Only
- (2) Document Determination and Document Date
- (3) Mini Coding
- (4) Header coding
- (5) Bibliographic coding
- (6) Bibliographic with mentioned names coding.

These are described in more detail in Sections C.5.5.1 through C.5.5.6, below.

(b) In most instances, the source documents to be coded will be litigation sensitive materials. All Contractor staff working on document coding efforts must meet the security requirements of this Contract, including any Division-specific requirements. The Contractor must maintain an environment secure to the extent that exposure of Grand Jury documents is strictly limited to the staff expressly cleared to work with those documents.

(c) The Contractor shall provide all personnel, training, facilities, equipment and supplies for the performance of these services for contractor site work. It is anticipated that most contractors will use image-enabled workstations for document coding. Document coding services require the creation and maintenance of detailed procedures and forms for document intake, processing, and quality control, as well as appropriate

management, reporting, and tracking procedures and forms.

(d) The Contractor shall also provide supporting resources, such as staging and storage space, and shall develop and implement the necessary procedures for these support, control and tracking functions. The Contractor shall be responsible for storing all documents, media, etc., as well as supporting records such as logs, generated in the course of the Contract, for the life of the Contract at the appropriate level of security, according to the instructions of the COTR. The COTR may also instruct that sets or subsets of these materials be shredded or otherwise destroyed with appropriate security precautions. Neither storage nor shredding/destruction of these materials is separately billable.

(e) Document coding services also require establishing control over the movement of all materials (including delivery and pickup), and the associated logging, tracking, and reporting, including coordination between the document coding team and other Contractor activities, such as scanning, EFP, data processing file maintenance, etc. Local pickup and delivery services associated with document coding are not separately billable. Costs for local pickup and delivery services should be included as part of the cost basis for document coding unit rates.

(f) The Contractor shall also develop quality control procedures for all document coding tasks, to ensure compliance with the coding instructions. Quality control procedures shall include procedures for modifying the instructions themselves, as well as for timely dissemination of any changes to the instructions and/or procedures. Procedures will be submitted to the COTR for approval.

(g) The Contractor shall perform quality control on all assigned document coding tasks, in order to ensure that deliverables conform to Contract accuracy standards and have been performed according to approved instructions, guidelines and procedures. See Attachment (7) for applicable accuracy standards. Quality control procedures and performance of quality control are not separately billable. Cost associated with these services should be included as part of the cost basis for the document coding unit rates.

(h) The Contractor shall provide training to all appropriate Contractor personnel, including supervisors, team leaders, coders, and quality control reviewers, so as to ensure that such personnel are able to perform their duties satisfactorily under the task order. Training is not separately billable.

(i) Training will also require that the Contractor develop and maintain thorough, explicit document coding instructions (coding manuals) and a system of coder alerts and updates. Instructions and system for generating and disseminating alerts are subject to COTR review and approval. It has also been the Government's experience that coding staff cannot be adequately trained without the creation and use of a set of sample documents; sample documents must be representative of the actual document population to be coded, and must be coded so as to show proper application of the coding instructions and rules. Creation of this set of sample coded documents is not separately billable, but is considered part of training.

(j) The Contractor's prices for these items shall include all labor, training, supervision, management, facilities, equipment, hardware/software, supplies, etc. required for the performance of these services, including, for example, copies of coding manuals for the coding group, PCs or computer terminals, and support staff for logging and control, workflow management, data file editing, correction, and formatting, etc. Hiring and associated costs, such as security processing, are also included, as well as any reporting required by the COTR. If the Contractor opts to code from hard copy, blowback produced for purposes of coding from document images created under the contract is not separately billable. The Contractor's prices for all unit rate

document coding shall also include document unitization and determination by the coding team - that is, the identification and processing of sequences of document pages as document units, and the identification and processing of groups of document units which are associated together, such as transmittals and the documents they transmit - as specified by the COTR. Pre-sorting of documents and creation of "templates" for auto-coding are also included in the unit prices and are not separately billable. The Contractor's prices for all unit rate document coding shall also include assignment of Quality Assurance numbers to each coded document record for use both by the Litigation Support Contractor in performing quality control, and by the Quality Assurance Contractor for QA purposes.

(k) Deliverable output from the document coding process is a data file directly loadable under the database management package used for a particular application, e.g., a data file ready to load under Concordance, or Summation, or Oracle. This includes any image pointer or cross reference files necessary to an image-enabled application, as well as integration of any OCR files with the coded data in preparation for loading to the target database application.

(l) For situations in which the document images have already been captured in digital form by the Contractor, the Contractor shall be responsible for making the documents available to its coders in whatever form it favors for purposes of coding - hard copy, digital images, etc. Conversion of the digital images is not separately billable; loading of the digital images to the on-line coding system is not separately billable.

(m) For situations in which the document images have already been captured in digital form by some other vendor, and require conversion to the coding contractor's on-line coding system, the Government will separately order conversion of the digital images, either under the document acquisition unit rates or on an hourly basis, at the discretion of the COTR.

(n) Where OCR has been, or is being created for delivery, the Contractor must track and flag imaged documents that have OCR'd poorly - for example, handwritten documents - and which may require special attention during the coding or QC process, particularly if the Contractor is using an auto-coding approach. The Government expects the Contractor to correct auto coding errors, as a result of poor OCR or otherwise, as part of its quality control process. This is not separately billable. The Contractor must also be able to provide a report to the COTR of imaged documents with poor OCR, as the Government, depending on the auto coding effort underway, may or may not decide to enhance coding of such documents to compensate for poor or inadequate OCR. Such subsequent, second pass enhancement of document coding is separately billable, typically on an hourly rate basis.

(o) The Government expects that the Contractor will make full use of appropriate technologies in performing the work under these CLINs, including, for example, auto-coding technologies. Technologies will no doubt continue to emerge during the course of this contract, and the Government expects its Contractors to seek competitive edges in harnessing new technologies for work under this contract, and, of course, to pass any realized cost savings on to the Government.

#### **C.5.5.1 Logical Document Determination**

This type of "coding" will usually apply to situations in which the document pages have not already been grouped into logical document units - e.g., a three page memo with two one-page attachments - but have been OCR'd. This enables creation of a database consisting of logical document units and their associated, searchable OCR, with no other structured data fields. Coders will adhere to documented rules for identifying

document boundaries. Anticipated processing rate is upwards of 40 documents per hour per coder.

#### **C.5.5.2 Logical Document Determination and Document Date**

This is similar to Logical Document Determination coding, but adds the requirement of coding the document date. Coders will be required to review the document and identify the date to be used as the document date according to coding rules established in writing in the coding manual. Anticipated processing rate is upwards of 35 documents per hour per coder.

#### **C.5.5.3 Mini Coding**

Mini coding typically captures only minimal identifying information for each document, usually no more than four to five fields of information. Historically, these have usually been Document Number, Document Date, Document Package, and Document Title. This kind of coding does require the coders to identify document boundaries and document package boundaries, as well as the date of the document. Document title may be captured either verbatim, where a title exists, or from the OCR'd text of the document, as directed by the COTR. Coders will not usually be required to compose document titles; however, if the Contractor's data entry system does not give the coders the ability to import information directly from OCR'd text, the coders may be required to type in verbatim text from the document in order to capture it. When document text is used as a document title in this way, 100 to 300 characters are usually captured per document. Historically, we have experienced coding rates for this kind of coding in the neighborhood of 25 to 35 documents coded per hour.

#### **C.5.5.4 Header Coding**

Typical header coding involves coding the document number (first and last image numbers), the document date, first author, first addressee, and perhaps one or two other fields, such as Bates number, or verbatim file name or document title, or document type. Generally, no more than eight or ten fields are coded. Header coding can usually be performed at a rate of 15 to 20 documents per hour. Unit rate Header coding does require the Contractor to identify document boundaries and "document package" boundaries.

#### **C.5.5.5 Bibliographic Coding**

(a) Bibliographic coding consists of identifying and recording categories of information that can be located without reference to the body of the text of the source document. Bibliographic coding includes recording the unique document number for an image (or series of images) and other easy to identify categories of information such as date, document type, title, author(s), etc. Bibliographic coding requires the coders to perform document determination for all documents coded, as well as determination of document packages (eg, parent and attachment documents). Bibliographic coding sometimes also requires coding of phrase label information or other file level data, and may require the document coders to create or compose a title for documents which do not have titles. Bibliographic coding will normally consist of no more than 15 separate fields.

(b) Bibliographic coding also includes those applications where simple data identification and recording from standard sets of pre-printed forms are entered directly from the source documents onto case-specific formatted terminal screens; for example, where standard sets of purchase orders, bills of lading, shipping receipts, and invoices constitute the sole document types in a database designed to track business

transactions.

(c) Historically, this level of coding has been performed at a rate of approximately eight (8) to twelve (12) documents per hour. Historically, these bibliographic document records have contained between 150 and 250 characters per record.

**C.5.5.6 Bibliographic with Mentioned Names Coding**

(a) Bibliographic with mentioned names coding consists of identifying and recording the types of information described for Bibliographic Coding, above, and the additional identification and recording of case-specific names, places, dates, numbers, locations, products, etc. from within the body or the text of the document.

(b) Historically, bibliographic with mentioned names coding has been performed at a rate of approximately six (6) to ten (10) documents per hour. Historically, these records have contained between 200 and 350 characters per record.

**C.5.5.7 Document Coding - Commercial Product**

(a) The Government may elect to order any of kinds of coding described above in C.5.5.1 through C.5.5.6 as a “Commercial Product.” All of the requirements described in C.5.5, above, apply, except that the Government will apply a relaxed accuracy standard to coding produced using these CLINs 01-1511 through 01-1516, as described in Attachment (7).

**C.5.5.8 Document Coding - AutoCoding, Machine Only**

(a) The Government may require the Contractor to perform machine-only autocoding for some document populations. In these instances, the Contractor would not be required to perform manual QC of the autocoding product, except if it is ordered separately, on an hourly basis. The accuracy standards described in Attachment (7) would not apply.

(b) Fields captured in the autocoding process will vary, but will typically include Document Number, Page Count, Document Date, Estimated Date, Title, Document Type, Author, Addressee, Copyee, Mentioned Names, Mentioned Organizations, Mentioned Dates, and Other Numbers.

**C.5.5.9 Document Coding - OCR Surcharge**

An OCR surcharge CLIN has been provided for those situations in which the entire document processing effort may be most cost effectively served by performing OCRing as “part of” the coding process. This is sometimes the case with auto-coding approaches, for example. The COTR will determine if this kind of approach is in the best interest of the Government, price and other factors considered. When this approach is taken, the OCR surcharge CLIN would be billable in addition to whatever Document Coding CLINs apply. OCR is assumed to be machine only. OCR requirements as described in C.5.2.4, including approval of OCRed sample documents for subcontractors, apply to OCR under these circumstances as well.

**C.5.5.10 Delivery Requirements**

(a) The Government estimates that 90% of the coding performed will be document determination, document determination with document date, and mini coding.

(b) The Contractor shall deliver data files ready to be processed and loaded to the database within five business days of the date the documents were made available for coding. Maximum required throughput rate for CLINs 01-1501 through 01-1506 is 200,000 documents per day.

**C.5.5.11 Performance Standard**

Accuracy will be measured on a character basis as described in Attachment (7). Records which do not meet the Government's accuracy and quality requirements will be rejected, and the rejected work shall be redone by the Contractor at no cost to the Government. Turnaround time for correcting rejected work is one week from the date the Contractor is notified of the rejection.

**C.5.6 Electronic Files Processing**

(a) The Contractor shall provide processing of electronic files and related services as specified by the COTR. Processing may be required when electronic files are produced by client agencies, opposing counsel, and/or third parties. The Government may receive electronic files in formats such as email and word processing files, for example, and on different types of media such as DVD, CD, data tape, removable hard drive, etc. These files need to be processed, usually in preparation for production and or loading to a document database system. The Government anticipates that the majority of work to be performed under these CLINs will involve access to unclassified materials, some of which will be sensitive. The processing of files containing classified material must be performed by the Contractor in facilities approved by the appropriate Government agency.

(b) Several CLINs have been provided, to accommodate different approaches to this task, at the discretion of the COTR.

01-1601	EFP - Intake and Process to Load Files
01-1602	EFP - Intake and Process to On-Line Review System
01-1603	EFP - On-Line Review System Hosting
01-1604	EFP - Output from On-Line Review System to Load Files
01-1605	EFP - Image Files Creation.

These are described below. Note that the separate CLIN - 01-1605 - for Image Files Creation is intended to be used in conjunction with either 01-1601, EFP - Intake and Process to Load Files, or 01-1604, EFP - Output from On-Line Review System to Load Files. That is, 01-1601 and 01-1604 do not include delivery of image files.

**C.5.6.1 EFP - Intake and Process to Load Files**

(a) The Contractor shall receive and process electronic files, as required by the COTR. For CLIN 01-1601, EFP - Intake and Process to Load Files, the Contractor shall perform all processing and deliver files ready for loading to a document database system, such as Concordance or Summation, etc., including extracted

metadata, text, cross-reference files, etc., and including any files necessary for loading digital images, if they are also ordered (under CLIN 01-1605).

(b) Costs associated with logging, control, and tracking of the physical media, transportation to the system site, mounting and processing of data files to processing system are included in the cost underlying this CLIN, and are not separately billable.

(c) The billing unit for this CLIN is decompressed input gigabyte. So, for example, a removable hard drive might carry files totaling 6.44 gigabytes, including not only document and data files, but also zipped files, system files, program files, email containers such as PSTs, etc. After decompressing the zipped files and other compressed files, including the PST containers, the volume might turn out to be 25.2 gigabytes; the Contractor would bill for 25.2 units. The Government will typically ask for this volume information prior to actually instructing the contractor to proceed with the processing. This decompression step is not separately billable.

(d) This CLIN is intended to cover processing of all types of electronic files, including (but not limited to) word processing and other text files, spreadsheet files, database files, graphic files, presentation files, email files (including email attachments), and web site files. Because of the many different application formats these files may come in, and because it is not possible to anticipate all of the new application formats that will become available during the life of the contract, the Government will not attempt to dictate in advance what new formats the contractors should be capable of processing. Rather, each contractor should keep the COTRs current and informed as to what formats they are capable of processing under this CLIN; task awards under this CLIN will be made at least partly on the basis of which contractor is most likely to be able to handle the formats required for that particular task. The Government expects each contractor to add electronic files to the list of files it can process as it acquires experience in processing additional file types. The Government expects contractors to be able to discern file types based on content, not just file extension. Contractors should describe the standard processing steps they will take to process electronic files of different types to produce database ready load files. The Government does not expect to attempt to process files that are inappropriate for electronic conversion and processing, such as program/executable files, or system configuration files, using this CLIN.

(e) In general, the Government will not expect the contractors to be able to convert data directly from obsolete or unusual physical formats as part of the price for this CLIN - such as, for example, 12 inch optical platters or 9 track tapes. Rather, processing to convert these files to on-line storage or to a more current standard - CD, for example - will usually be ordered on an ODC or labor hour basis. This does not mean that all conversions to on-line storage will be billable on an hourly labor rate basis. The Government expects most material to come in on currently standard media - CDs, or DVDs, or removable hard drives, etc.

(f) The Contractor must utilize appropriate physical and data security procedures through the life cycle of the project, beginning when the Contractor takes possession of the physical media and data. The Contractor must be able to sign a declaration or affidavit, and/or provide oral testimony that describes and supports efforts by the Contractor to preserve data integrity in the processing of electronic files, if and when required by the COTR and by the Court.

(g) Many of the media to be processed will first need to be reviewed and inventoried by the contractor to identify the number of files, file sizes, file extensions/formats, etc. This is in addition to the file decompression that the contractor will need to perform in order to provide the Government with volume information (gigabytes) prior to processing. The Government may decide to process the entire media or only

certain files or file types from a particular source. The CLIN unit rates for file processing must include the following:

- (1) Creation of a file inventory, either electronic or in hard copy, at the discretion of the COTR. Inventory should include individual files contained in compressed, “zipped” files on the original medium, as well as accounting for individual emails and attachments in email container files.
- (2) Filtering, on the basis of file type or extension, for the purpose of identifying files to include or exclude from processing, as required by the COTR. Filtering may also be performed on the basis of file date, or files custodian. Task awards under these CLINs will be made at least partly on the ability to provide advanced filtering as part of the unit price.
- (3) De-duplication within a single container, across several physical media (eg, several CDs), or, sometimes, even across an entire (relatively small) collection, as required by the COTR. The Contractor should describe the standard process for de-duping electronic files. Contractors will be required to create and maintain a log or database, depending on volume, of files determined by a contractor to be duplicates. Contractors will be required to track and demonstrate why files were flagged as a duplicate and either removed or retained for processing.
- (4) The identification and extraction of embedded files, such as an Excel spreadsheet file embedded in a PowerPoint presentation slide.
- (5) The identification of files infected with computer viruses or other malicious code. The Contractor will record these on a problem report, and provide to the Government for determinations regarding further processing.
- (6) The identification and processing of encrypted or password protected files. The COTR will determine the reasonable number of attempts required to decrypt encrypted files after consultation with the Contractor. Task awards under these CLINs will be made at least partly on the ability to decrypt files as part of the unit price. Encrypted or password protected files that cannot be processed will be recorded on a problem report and provided to the Government.
- (7) The identification of corrupted files. Corrupted files that cannot be processed will be recorded on a problem report and provided to the Government.
- (8) The flagging of any files that the Contractor has difficulty converting, and troubleshooting to determine if the files can be processed. The COTR will determine the reasonable number of attempts required to troubleshoot such files after consultation with the contractor. Problem files that cannot be processed will be recorded on a problem report and provided to the Government.
- (9) Identification of files which are candidates for conversion to color documents. The COTR will determine which, if any, files must be converted to color documents.

None of this processing is separately billable. Offerors must build costs associated with these

processes into the cost basis for their proposed unit rates.

(h) Deliverables under this CLIN will include: converted text or OCR files; extracted metadata; and associated cross reference files. These must all be delivered in a format suitable for directly loading into a database system, such as Concordance, Summation, Oracle, etc. Note that this would include, for example, email files and their attachments. The target host for the database system for a particular task will be specified by the COTR. With respect to the extracted metadata, contractors should assume that only metadata already in the electronic file needs to be extracted - that is, this electronic processing does not include any separate manual coding. If the Government also orders digital image files (under CLIN 01-1605), all cross reference files necessary for loading these correctly must also be included.

(i) The Government may also elect to retain each converted file in its native format, for possible use later in its native application. This may be particularly useful for spreadsheet files, for example. In this case, the database records may need to contain links back to the files in their native versions.

(j) After initial processing of the files, the Contractor will be required to provide output reports listing the following: all files on media including extensions and file size; all files processed; all files not processed; and the reason files were not or could not be processed. Examples of the kinds of exception reports that will be required are described above (C.5.6.1.g). Some files may require special processing; this second or third pass processing will be billable outside of this unit rate EFP CLIN, typically on an hourly basis, at the discretion of the COTR. For example, the Government expects that the Contractor may sometimes have to make several passes at files to successfully process them, such as encrypted and password protected files. The decision to attempt to process beyond what is reasonable (see Section C.5.6.1.g) is made by the COTR. Costs for this, as well as project management fees, should be anticipated in formulating CLIN prices.

(k) The Contractor shall ensure that all files designated for processing are in fact processed and that an orderly flow of the files through the electronic process is maintained. The Contractor shall ensure that all physical media and file collections are kept secure at all times. The Contractor must have sufficient non-billable IT systems to hold and manipulate interim data during the processing of work performed under Table B-1. See Section C.4.3.1.1(5).

(l) The Contractor shall provide all pickup and delivery services associated with performing the imaging and related services. Pickup and delivery services are not separately billable.

(m) Output media may include tapes, removable hard drives, CDs, DVDs, etc., and will be specified by the COTR. Output must be compatible with downstream information management use of the data in litigation.

(n) The Contractor shall provide the following as standard deliverables for each media unit electronically processed: two copies of the data and other associated files on the output media specified. These will function as original and working copies. Note that these standard deliverables are not separately billable as "Additional Digital Media," or under any other line items.

(o) As specified by the COTR, the Contractor shall deliver one copy of the data and other associated files as specified by the COTR for archival storage. The Contractor may be required to store this copy at its own facility for use in providing other, subsequent litigation support services, such as blowback and document processing; this storage is not billable.

**C.5.6.1.1 Delivery Requirements**

Initial inventories of files on the electronic media must be provided within two business days of the receipt of the electronic media by the Contractor. Fully processed files, including final processing reports, must be delivered within five business days of the date the original media is made available to the Contractor. The maximum required throughput is 100 gigabytes of decompressed input files, fully processed and delivered as specified as output files within any given one week period.

**C.5.6.1.2 Performance Standard**

All text files must be complete, and all cross reference files must accurately match up text files, metadata files, native format files, and image files (where ordered).

**C.5.6.2 EFP - Intake and Process to On-Line Review System**

**C.5.6.2.1 Intake and Process Electronic Files to On-Line Review System**

(a) In certain instances, the Government may elect to cull electronic files by means of an on-line review tool or system, prior to actually loading the files to a traditional litigation support document database such as Concordance or Summation. This approach can offer the advantage of reducing the volume of files that need to be fully converted to loadable files (including digital images), as well as reducing the number of documents that need to be loaded to the litigation document database.

(b) Intake and processing in these instances will be similar to the kind of processing described in C.5.6.1., above, and will typically include elimination of system and application files, de-duplication, automated filtering, password cracking, decrypting, etc. However, instead of producing fully converted and loadable files to deliver, in these instances, the Contractor will instead process the files into its on-line review system (or, perhaps, the on-line review system of a subcontractor). Files in the on-line review system will need to include at least extracted metadata and searchable text. Contractors must ensure that they do not alter the original metadata in the process.

(c) The Government anticipates the work to be performed under this CLIN will involve access to unclassified materials, some of which will be sensitive. The processing of files containing classified material must be performed by the Contractor in facilities approved by the appropriate Government agency.

(d) The billing unit for this CLIN is decompressed input gigabyte. So, for example, a removable hard drive might carry files totaling 6.44 gigabytes, including not only document and data files, but also zipped files, system files, program files, email containers such as PSTs, etc. After decompressing the zipped files and other compressed files, including the PST containers, the volume might turn out to be 25.2 gigabytes; the Contractor would bill for 25.2 units. The Government will typically ask for this volume information prior to actually instructing the contractor to proceed with the processing. This decompression step is not separately billable.

(e) The Government's requirements as to the type and variety of data and physical media it expects the Contractor to be able to process are described in C.5.6.1, above. The Contractor should describe the standard processing steps it will take to process electronic data into its on-line review tool.

(f) The Contractor must utilize appropriate physical and data security procedures through the life cycle of the project, to begin when the Contractor takes possession of the physical media and data. The data must be collected and processed using methodologies that maintain a legally defensible audit trail and avoid contamination and altering of the original/native files and their metadata. The Contractor must be able to sign a declaration or affidavit and/or provide oral testimony that describes and supports efforts by the Contractor to preserve data integrity in the processing of electronic files, if and when required by the Court.

(g) The CLIN unit rates for processing the data to a uniform format to load to an online review tool must include the following:

- (1) Creation of a file inventory, either electronic or in hard copy, at the discretion of the COTR. Inventory should include individual files contained in compressed, “zipped” files on the original medium, as well as accounting for individual emails and attachments in email container files.
- (2) Removal of system and application files.
- (3) Filtering, on the basis of file type or extension, for the purpose of identifying files to include or exclude from processing, as required by the COTR. Filtering may also be performed on the basis of file date, or files custodian. Task awards under these CLINs will be made at least partly on the ability to provide advanced filtering as part of the unit price.
- (4) De-duplication within a single container, across several physical media (eg, several CDs), or, sometimes, even across an entire (relatively small) collection, as required by the COTR. The Contractor should describe the standard process for de-duping electronic files. Contractors will be required to create and maintain a log or database, depending on volume, of files determined by a contractor to be duplicates. Contractors will be required to track and demonstrate why files were flagged as a duplicate and either removed or retained for processing.
- (5) The identification and extraction of embedded files, such as an Excel spreadsheet file embedded in a PowerPoint presentation slide.
- (6) The identification of files infected with computer viruses or other malicious code. The Contractor will record these on a problem report, and provide to the Government for determinations regarding further processing.
- (7) The identification and processing of encrypted or password protected files. The COTR will determine the reasonable number of attempts required to decrypt encrypted files after consultation with the Contractor. Task awards under these CLINs will be made at least partly on the ability to decrypt files as part of the unit price. Encrypted or password protected files that cannot be processed will be recorded on a problem report and provided to the Government.
- (8) The identification of corrupted files. Corrupted files that cannot be processed will be recorded on a problem report and provided to the Government.
- (9) The flagging of any files that the Contractor has difficulty converting, and troubleshooting to

determine if the files can be processed. The COTR will determine the reasonable number of attempts required to troubleshoot such files after consultation with the contractor. Problem files that cannot be processed will be recorded on a problem report and provided to the Government.

- (10) Identification of files which are candidates for conversion to color documents. The COTR will determine which, if any, files must be converted to color documents.

None of this processing is separately billable. Offerors must build costs associated with these processes into the cost basis for their proposed unit rates.

(h) CLIN price must also include the cost of loading the resulting electronic files (after de-duping, filtering, etc.) into the Contractor's on-line review tool or system.

(i) The Government will typically elect to retain each converted file in its native format, for possible use later in its native application.

(j) Other requirements, including reporting, pickup and delivery, logging and controls, management, etc. are as described in Section C.5.6.1, above.

#### **C.5.6.2.1.1 Delivery Requirements**

Fully processed files, loaded into the on-line review system, including final processing reports, must be delivered within five business days of the date the original media is made available to the Contractor. The maximum required throughput is 100 gigabytes of decompressed input files, fully processed and loaded within any given one week period.

#### **C.5.6.2.1.2 Performance Standard**

All files must be complete, and all cross reference files must accurately match up text files, metadata files, and native format files.

#### **C.5.6.2.2 On-Line Review System Hosting**

(a) The Contractor shall provide an on-line review system, as specified by the COTR. The Government anticipates that this system will be web-based, and will enable the review of large volumes of electronic data generated as described under C.5.6.2.1, above. This on-line review tool will generally be utilized for the purpose of flagging a sub-set of files to be fully converted to files loadable to a standard litigation support document database application, such as Concordance or Summation. This review may be performed by attorneys, paralegals, or contractor staff. Output to loadable files is described below, under section C.5.6.2.3. The system will typically host sensitive but unclassified data.

(b) The system must allow for access by up to 500 authorized users simultaneously, from various sites across the country. Access will not necessarily be limited to DOJ employees. The Contractor must describe how its system provides for appropriate security, user ID tracking, response time and bandwidth, disaster recovery, etc.

(c) Access to and use of this system will be billed on the basis of gigabytes stored per month. Contractors should describe any anticipated system overhead for data storage. Contractors should describe how the system provides for appropriate accounting, tracking, and reporting for billing purposes

(d) The system must include the following functionality:

- (1) User friendly interface.
- (2) Flexible/customizable reviewer and administrator permissions.
- (3) Advanced searching, i.e. on term, boolean, and concept. The application must offer the ability to sort and categorize search results.
- (4) The ability to organize data into folders or sub-sets, the purpose of which is to provide users with the option to flag data for responsiveness and or privilege.
- (5) The ability to record (code) supplemental information for individual documents, such as subject matter codes. This supplemental information will need to be included as part of the load file information eventually generated for loading to the litigation support document database.
- (6) The ability to discern and to maintain relationships among the data files as they are being reviewed. For example, users may need to be able to review emails and their attachments in context - as they were kept within the original files, i.e. Microsoft Outlook (PST), Lotus Notes (NSF), etc. Task awards under these CLINs will be made at least partly on the application's handling of email, specifically the ability to maintain the related chain or thread created when messages were forwarded, etc.
- (7) The ability to manage duplicate electronic documents. Users shall be able to locate and folder (bulk tag) all duplicate electronic documents. Users shall be able to apply separate tags or folders to a single occurrence of a duplicate as well as manage duplicate exceptions. Users shall be able to apply annotations across the entire duplicate set or to a single occurrence of a duplicate.
- (8) The application must track and report on the following:
  - A) Updates to data within the application
  - B) Complete log of all search activity
  - C) Search history by user
  - D) Files reviewed and or annotated by user - historical usage information
  - E) Electronic documents tagged as duplicate
  - F) Files selected for further processing
  - G) Files de-selected for further processing.
- (9) Data download and print capability from within the application. Users shall be able to print locally and request printing via a Contractor production facility.

- (10) Reporting: the application should provide flexible reporting options, supplying information about the entire collection or sub-sets of the collection. The application should offer both “canned” reports and the functionality to create and customize reports based on a variety of criteria.
- (11) Ability to export data and corresponding annotations in standard formats for loading into a production litigation support document database, i.e., Concordance, Summation, etc.

(e) Contractor should describe how its solution will handle special files such as video, audio, databases, and color images.

(f) The Contractor must provide access to original native files. Native files may need to be reviewed as part of the culling process. If the on-line review system itself does not accommodate on-line access to the files in their native formats, then it must at least provide a link to the location of the native file on some portable device - eg, a removable hard drive, or CD, or DVD - provided by the Contractor for reference by the user during the culling process.

(g) The Contractor shall provide physical space, equipment, software, licensing, telecommunications access, maintenance, technical support services, help desk, user training, and documentation. Contractors should describe guaranteed service levels and user/help desk support. The hosting facility must have external data transmission rates of at least 10 mps.

(h) The Contractor must utilize appropriate physical and data security procedures through the life cycle of the project, to begin when the Contractor takes possession of the physical media and data for upload to the web-based application. The data must be uploaded and hosted in a manner that maintains a legally defensible audit trail and avoids the contamination and altering of the data. Hosting, for this purpose, includes all functionality inherent to the application. The Contractor must be able to sign a declaration or affidavit, and/or provide oral testimony that describes and supports efforts by the Contractor to preserve data integrity in the uploading and hosting of electronic files, if and when required by the Court.

(i) Contractors should describe provisions for keeping the Government’s data secure and separate from all other data being hosted. Contractors should also describe storage capacity and ability to ramp up storage capacity.

(j) The web-based application must meet DOJ and Government-wide security, certification and 508 compliance requirements. The application must be able to provide multi-factor authentication access to governmental and non-governmental entities.

#### **C.5.6.2.3 Output from On-Line Review System to Loadable Files**

(a) The Contractor shall generate standard format, loadable data files from the files selected using the on-line review tool. Target system will usually be a standard database system such as Concordance, Summation, etc. Target system and load files formats will be as specified by the COTR. Note that, in addition to data files, text files, and cross reference files, the COTR may also require digital image files; see Section C.5.6.3, below.

(b) The COTR may also require the Contractor to provide native file versions of the documents (and

links to these native files) for loading to the litigation support system.

(c) The billing unit is gigabyte of loadable files generated, including full text, coded data, metadata, and associated cross reference files.

(d) Load files will usually be produced in discrete “batches” of records, sometimes corresponding to original physical media or source. Batches may range in size from 2,000 to upwards of 10,000 records each; groupings will be as directed by the COTR.

(e) As specified by the COTR, the Contractor shall deliver one copy of the data and other associated files as specified by the COTR for archival storage. The Contractor may be required to store this copy at its own facility for use in providing other, subsequent litigation support services, such as blowback and document processing; this storage is not billable.

#### **C.5.6.2.3.1 Delivery Requirements**

Two copies of fully processed, loadable files, including final processing reports, must be delivered within three business days of COTR request. The maximum required throughput is 100 gigabytes of loadable files per three day period.

#### **C.5.6.2.3.2 Performance Standard**

All load files must be complete, and all cross reference files must accurately match up text files, metadata files, and coded data.

#### **C.5.6.3 EFP - Image Files Creation**

(a) The Contractor shall provide digital image files for the documents selected for output to load file formats under CLINs 01-1601 and/or 01-1604, as required by the COTR.

(b) Image format will typically be single page TIFF Group IV, 300 dpi, but other formats, such as PDF, or multi-page TIFFs, may be specified by the COTR. The processing of color files to color formats such as JPEG or color TIFFs is included as part of the CLIN prices, and is not separately billable. Image file requirements are as described in Section C.5.2. Note that document determination for these sets of images will typically be pre-determined, based on the contents of the electronic files as processed.

(c) A system of creating a unique, sequential number for each page imaged will be required. Typically, the Government will direct that each document image produced carry an “endorsed” number - that is, a number that is actually part of the image itself, ideally carried in an “information channel” outside the frame of the original document image. This number will display each time the image is displayed, and will print each time the image is printed

(d) When images are ordered, delivered load files must include necessary cross-reference files for loading images and matching them up with the correct documents.

**C.5.6.3.1 Delivery Requirements**

Two copies of digital image files must be delivered at the same time as the other load files for the documents that are output to load files; that is, extracted metadata, text files, cross reference files, and digital images files shall all be delivered at the same time. Throughput requirements are as described in Section C.5.6.1.1.

**C.5.6.3.2 Performance Standard**

The Contractor is responsible for ensuring that all image files meet applicable AIIM and ANSI standards for images, and for ensuring that all image files are delivered and accurately matched up with their other database load files information.

**C.5.6.4 Image Files Conversion**

(a) The Contractor shall provide image files conversion and related services as specified by the COTR. Image conversion may be required when images are produced by client agencies, opposing counsel and or third parties. The Government may receive images in formats such as PDF, JPEG, or multi-page TIFFs, for example, and on different types of media such as DVD or CD; the Government may elect to convert these images to single page TIFFs, for example, in preparation for production and/or loading to a document database system. These CLINs might also be used to produce number-endorsed versions of images, where the original set of images has not been numbered.

(b) These CLINs are intended to produce deliverable digital image files which may be viewed on an image by image basis using a computer monitor, using appropriate image viewing software. The image format for images produced under these CLINs will be predominantly TIFF Group IV images, single page per image file, 300 dpi; if there are different requirements, they will be specified by the COTR in the Task Order. Other target image formats, such as PDF or multi-page TIFF, may be required on occasion; billing rate to the Government will be the same regardless of image format required.

(c) These CLINs will also be used for situations in which Government receives both image files and associated OCR, and wishes to convert the images to a different format, while keeping/rebuilding the links to the OCR files for purposes of loading to a document database.

(d) A separate OCR surcharge CLIN has been provided. This will be applied when OCRing to ASCII text is required in conjunction with image conversion. This is intended for situations in which the Government has received images alone, but wants also to generate OCR for loading to a document database. Deliverables include separate digital files of the images and of the ASCII text associated with those converted images on a page by page basis.

(e) See Section C.5.2 for specifications for deliverable image files and OCR.

**C.5.6.4.1 Delivery Requirements**

(a) Maximum required throughput for any given one week period is 3,000,000 images.

(b) All deliverables, including two copies of converted images and associated OCR, shall be delivered

within five business days of the date the source images were made available to the Contractor.

**C.5.6.4.2 Performance Standard**

The Contractor is responsible for ensuring that all deliverables meet applicable AIIM and ANSI standards, as well as all other contract requirements for resolution, contrast, grey scaling, skew, and general workmanship, as described in Attachment (6). The contractor shall certify at the end of each task order for a case that includes image file conversion that the image record is complete, the sequence numbering is correct, and that all image products, including hard copy, meet all contract requirements.

**C.5.6.5 Audiotape and Videotape Digitization and Transcript Synchronization**

(a) The Contractor shall provide audiotape and videotape digitization, transcript synchronization and related services, as required by the COTR. The Contractor shall provide all equipment, labor, supplies, etc. for performing this work. The Contractor shall be responsible for providing the appropriate levels of supervision as well as maintaining established quality control procedures. Work ordered under this line item will not generally be performed at Government-funded Document Centers.

(b) Separate CLINs are provided for audiotape and for videotape digitization. A “surcharge” CLIN is also provided for synchronization of an electronic transcript file with the audiotape or videotape. The surcharge CLIN is intended to apply when digitization and synchronization can be performed by the Contractor “at the same time,” thus reducing costs for logging and control of media, and for management. A separate CLIN is provided for transcript synchronization when that service is ordered on a standalone or separate pass basis.

(c) The Contractor shall have in place established procedures for ensuring that all incoming media are logged, tracked, and accounted for at all times. The Contractor shall maintain established reporting mechanisms that reflect the processing status of jobs. The Contractor must also ensure that all media collections are maintained in a secure manner.

(d) The Contractor shall ensure that the quality of the processed audio or video allows it to be utilized in court through a computerized trial presentation system, such as Trial Director or Sanction. The Contractor shall comply with all applicable standards for the conversion of audiotape and videotape to digital files. The Contractor’s established quality control procedures must ensure that all requested portions of the media are processed appropriately and accurately

(e) Digital file format will usually be MPEG, but other formats may be required, as specified by the COTR. Output media will usually be CD or DVD. Up to five (5) copies of the delivered media may required by the COTR as part of these CLINs; costs for these copies are not separately billable.

(f) These services will typically be ordered on a whole transcript basis. Billing unit is “tape hour.”

**C.5.6.5.1 Delivery Requirements**

All deliverables shall be delivered within three business days after receipt of original media by the Contractor. Maximum required throughput is 50 audio or video tapes digitized (and synchronized, where required) within a three day period.

**C.5.6.5.2 Performance Standard**

All designated tapes and/or tape segments shall be accurately converted to the specified format, including accurate time-stamping, and accurately synchronized with electronic transcript files according to the requirements specified by the COTR.

**C.5.7 Litigation Support Databases**

(a) The Contractor shall design, create, maintain and update litigation support databases as required by the COTR.

(b) Databases will typically be implemented on Government-owned computer systems, whether servers, web servers, or standalone PCs, and make use of Government-licensed software. The Government may also make use of web hosting services.

(c) The Contractor shall provide all labor, training, supervision, facilities, equipment, supplies, etc., for designing, creating, installing, updating and maintaining the databases. For example, the Contractor shall provide its own office space for the analysts and programmers who are doing the work; the Contractor shall provide its own equipment and internet/telecommunications for accessing host servers; particularly for PC databases, the Contractor shall provide its own legally licensed copies of software packages to be used for application development - in many cases, the database will only be installed on the delivery system after it has been fully set up and tested.

(d) Contractor staff provided to perform this work must be well-versed in the software they are using, at all levels of experience, for all labor categories.

(e) Following is a partial list of the activities the Contractor will usually be required to perform in the course of setting up one of these standard litigation support databases. Costs for all of these activities should be included in the unit prices bid.

- (1) Attend initial design meeting with COTR/Case Manager and trial staff.
  - (2) Using existing Division-specific boilerplate, generate database/system design document for approval by COTR/Case Manager and trial staff. Since the standard databases typically have exactly the same design, this will typically require no more than specifying the database and case name, and checking to make sure the standard fields have not been changed.
  - (3) Database creation, including testing. Again, for standard databases, this will usually simply be a matter of copying an existing database design, and testing to make sure the components are operating correctly.
  - (4) Creation and testing of User Documentation for approval by COTR/Case Manager and trial staff. Here again, in most cases, this will be simply a matter of specifying case and database name, and checking to make sure the fields have not changed. Virtually all necessary user information already exists in standard form in boilerplate.
- (f) Where available, the Contractor will be required to make use of existing Division standards such as

file naming conventions, standard field structures, preprocessors, edits, and interrelationships.

(g) Because these are pre-established standard database designs, the Government expects that only a minimal amount of labor will be required to set up and document these databases. Units should be priced accordingly.

#### **C.5.7.1 Standard Databases**

(a) The Contractor shall design and implement "standard design" image-enabled databases as required by the COTR. In these databases, the database records are linked with their associated digital image files, so that the user, after retrieving a database record, can automatically bring up the appropriate images. Links to native files may also be required. Databases may be document level databases (that is, databases in which each record represents a document) or page level databases.

(b) These databases typically consist of a limited amount of structured data - document date, mini coding, header coding, bibliographic coding, etc. - often along with the text of the documents or pages as produced through an OCRing operation. Specific information regarding database design requirements will be provided by the COTR in meetings with the Contractor and Trial Staff.

(c) Groups of related databases which are concatenated, usually for database administration purposes, are considered a single database for purposes of this CLIN.

(d) Each Division may establish its own standard designs for its imaging databases. For example, the Civil Division has established a standard design for its document databases which involve mini-coding, and which are loaded to Concordance/Opticon. Similar standard designs have been established for file level and page level databases, using Concordance and other software packages, such as Summation, and ADIIS. New databases which are set up according to these designs will be billed using these unit rate database CLINS (01-1701 and 01-1703). If a new database does not substantially conform to an existing standard design, database design, setup, and documentation will be ordered using hourly labor rates.

#### **C.5.7.2 Load Data and Image Files to Database**

(a) The Contractor shall load data files and digital image files from CDs, magnetic tapes, diskettes, or other media to the imaging database in accordance with COTR instructions, and take all the necessary steps to correct the records rejected during either the initial load or subsequent updates. Data files may include OCR'd text. Data must be edited during the load process to ensure that, for example, only valid values are loaded to fields such as Document Type and Source Code, and that dates are valid dates or authorized alternatives (e.g., all X's for unknown dates), as specified by the COTR. Loading routines should also check to make sure that no duplicate documents are loaded to the database. Data file and digital image file loads are not considered complete until all errors and error files have been corrected and loaded to the database. Digital image files must be loaded at the same time as the data files with which they are associated and must be linked to their respective data records for display and print functions. Native files may also need to be copied to particular locations to enable links from the database records.

(b) Data files will be defined by the discrete "batches" of document records created at the end of the document coding step. Data files will generally contain between 4,000 and 10,000 database records each, but may be larger or smaller as directed by the COTR. The COTR may require that data files and digital image

files be processed at night or on weekends, in order to avoid conflicts and/or problems with attorney access to the databases during normal office hours. Night/weekend data file processing requirements will be specified in the task order, in the litigation support plan, or on an ad hoc basis by the COTR as necessary.

(c) The COTR may require that the Contractor perform data file loads and indexing on the Contractor's own system, using Contractor-owned hardware and software, and then copy the resulting updated version of the database to the Government host system.

(d) The Contractor must have in place established procedures for controlling, tracking, and reporting the work. For example, the Contractor must ensure that all files are processed completely through all data file loading steps, including error correction and correction verification. The Contractor must be able to identify where any given file stands in the process at any point in time. The Contractor must be able to account for every coded record and every digital image file, and be able to verify that each has in fact been loaded to the database and is linked to its correct counterpart. For example, a standard step in data file loading for the Civil Division is the generation and verification of "Exception Reports," which account for, document, and validate any gaps or overlaps in the sequentially numbered document records, as well as in the sequentially numbered image numbers. All documents loaded to the database must be checked against document data already loaded to the database to ensure that no duplicate document numbers or duplicate sequential document record numbers are being loaded. None of these activities is separately billable.

(e) The Contractor must verify that the data as loaded to the database meets the accuracy standards in Attachment (7). The Document Number and the Document Date must be 100% accurate. The Contractor shall take the necessary steps to correct any data which falls below data accuracy requirements at no additional cost to the Government.

#### **C.5.7.3 Delivery Requirements**

(a) The System Design shall be delivered within one business day of the initial design meeting.

(b) The database shall be set up and ready to accept data within three business days of acceptance of the System Design.

(c) The User Documentation shall be delivered within five business days after initial load to the database.

(d) Data and image files shall be completely loaded, edited, corrected, etc. within three business days of the date the files are made available for processing. Maximum required throughput rate is 500 database data file batches and corresponding images per three day period.

#### **C.5.7.4 Performance Standards**

(a) All delivered documentation must be without typographical errors and must be accurate to the design discussions on which they are based. The Contractor shall deliver finished products to the Government which do not require quality control review, proofreading, editing, spelling corrections, etc. by the Government. Documentation not meeting these requirements shall be returned to the Contractor and corrected at no cost to the Government.

(b) The database as set up must match the design documentation and the Government's standards, as described above and as provided to the Contractor by the COTR.

**C.5.8 Managed Web Hosting Services**

(a) The Contractor shall provide a managed solution to host Sensitive But Unclassified (SBU) image and text databases, and to make them accessible via the Internet. The hosting system must provide access to an automated litigation support product that has all the features of industry standard automated litigation support database applications.

(b) At a minimum, the Contractor must provide the physical location, equipment, software, licensing, telecommunications access, maintenance, security, technical support services, help desk support, user training and documentation.

(c) The proposed system must be able to support up to 1,000 users concurrently. Secure access to individual databases or groups of databases must be controlled on an individual user ID basis, as required by the COTR. User IDs and passwords must conform to DOJ security requirements. Users will include not only DOJ employees, but other Government employees, consultants, contractors, expert witnesses, relators, and even co-counsel and other parties to the cases. The system must allow other litigation support contractors to perform database maintenance, including loading of data and images. Contractors must describe the procedures and safeguards they employ for ensuring that only authorized users are granted access to the different databases or groups of databases, and for ensuring that data from the various components and/or other customers is not commingled.

(d) The proposed system must provide users the ability to print images, data, and reports locally, and also provide for blowback via a contractor production facility.

(e) At a minimum, the help desk must be staffed 8 am to 6 pm Eastern Time on weekdays, and be able to respond to off hour and weekend calls within 3 hours. The contractor must also be able to accommodate the Government's request for evening and weekend coverage with seven days notice. The Government recognizes that it may incur additional cost for these extended hours.

(f) The system must be available to users 99% of the time, not including scheduled downtimes. A regular downtime will be scheduled during off peak hours once a week. If needed, additional downtimes may be requested by the contractor with the approval of the COTR.

(g) The Contractor must be able to increase storage capacity by 25% with five business days of notice by the COTR. The Government will only be charged for the actual storage space used in a given month. For Contractor management and planning purposes, when a component orders this CLIN, the Contractor will be provided with an estimate of anticipated storage requirements. (For example, the Civil Division anticipates that its initial requirements for space will be at 500 GB.)

(h) Data and image formats will usually be industry standard. The Contractor should describe how their proposed solution will handle special files such as video, audio, color images, spreadsheets, and e-mails.

(i) The Contractor must meet DOJ and Government-wide security, certification, and regulations, including Section 508 compliance requirements. The solution must be able to provide multi-factor

authentication access to Governmental and non-Governmental users. The Contractor will run one full and six incremental back-ups in a seven day calendar week.

(j) The hosting facility must have external data transmission rates of at least 10mps.

(k) The Government must be able to request hot site backup and 24x7 services for critical data with 10 day lead time.

(l) The Contractor shall only use widely implemented languages, standards, and tools in the upgrade and maintenance of the website and hosting system. The Contractor shall avoid proprietary standards, and tools in the upgrade of the website and hosting system. In instances where an open standards-based solution is not available, the contractor shall adopt the most widely adopted de facto standard consistent with industry best practices.

(m) Billing unit for this resource will be one gigabyte stored for one month. Prices must include all system administration, including assignment, tracking, and management for an unlimited number of user IDs, software and software upgrades, hardware and hardware upgrades, usage tracking and reporting, compliance with Government security requirements, basic help desk support as described in C.5.8(c), above, etc.

#### **C.5.8.1 Delivery Requirements**

The contractor solution shall have the internal capacity to load, index and make deliverable 100GB of data and images within one business day.

#### **C.5.8.2 Performance Standard**

The service must be available 99% of the time, not including scheduled downtimes as outlined. The hosting facility must have external data transmission rates of at least 10mps.

### **C.6 LITIGATION SUPPORT SERVICES**

(a) This section describes the requirements for the support services contained in Pricing Tables B-2 through B-4, and the cost reimbursable items/services in Table B-5. These support services will involve Government and non-government documents at locations in the Washington, DC metropolitan area or any location in the United States, and in a limited number of cases, outside of the United States. Task orders for/including support services CLINs will be issued on a labor-hour, or time-and-materials basis.

(b) Section C.6.1 describes some of the kinds of services the Government may require, so that offerors will understand the expertise, procedures, skills, etc. they would be expected to provide should they be awarded a contract. These descriptions of services are not intended to be exhaustive, and should not be viewed as specifications. Actual requirements will vary from assignment to assignment.

(c) Contractor furnished resources may be ordered to be performed in Contractor-provided facilities (Contractor's site) or elsewhere (Government site, discovery site, or document center, etc.) The specific resources to be furnished for the specified unit prices are delineated in this section, and Section B.3.

(d) The Contractor shall be prepared to start performance of support service CLINs within a maximum

of three (3) business days after receipt of a task order or litigation support plan. Performance periods may be specified in each task order. Contractors should be aware that litigation support work is usually time critical and rapid response is frequently necessary, sometimes within hours but often within days.

(e) The services described in this section are, in some cases, essentially the same as the products described in Section C.5. Use of the support services CLINs in lieu of the support products will depend upon a number of factors, including the quality, quantity and location of the source documents/media, but will be based on what is the most reasonable and the best value to the Government. The COTR will make the final decision on the appropriate CLIN, to include the appropriate support service labor category, for use under each project.

### **C.6.1. Litigation Support Services Descriptions**

#### **C.6.1.1 Document Acquisition**

(a) Scouting trips by Document Management Analysts, Paralegals, or other personnel specified in a task order may be required to locate and assess document collections. Preliminary research may be required prior to the scouting trips, which may be to local, national, or international sites. Generally a written "scouting trip report" will be required, outlining the findings, setting forth any problems, and making recommendations as to approach, staffing, and other logistical matters.

(b) The screening and organization of documents based on specified criteria may be required locally, nationwide and perhaps internationally. Depending on the nature and size of the screening and organization effort, most of the work may be performed by Paralegals or Document Management Technicians; a variety of other labor categories will also be involved. Obtaining or arranging for necessary space, furniture and equipment for the document organizing, screening, preparation, and image capture activities, and providing clerical support for moving boxes in and out of storage, and between the various work areas may also be required.

(c) Preparation of documentation containing both screening criteria and document handling/preparation procedures may be required for certain cases.

(d) The Contractor will be expected to ensure that all materials identified are correctly processed, and will be accountable for the quality of work. In practice, this means that the Contractor will need to have written procedures and a quality control process in place. These might need to include, for example, established and tested chain of custody procedures.

(e) The Contractor will be expected to manage and report on the work as requested by the COTR. Work will typically need to be tracked at least to the container (box) level. The reporting requirement may be extensive.

(f) The Contractor may be required to set up and maintain a manual filing system for discovery documents - a document repository.

(g) Document Management Technicians or other Contractor personnel may be required to prepare, organize, and index document collections prior to image capture. This may include preparation of file level "phrase label" information, which is incorporated in the image capture processing (see Section C.5.1.1).

(h) Manual numbering of documents through the use of a bates stamping device or sequentially numbered labels may be required. The requirements may, on occasion, include the identification of discrete sets of case documents that may be obtained at different sites or subsets of the document collection.

#### **C.6.1.2 Scanning and OCR**

(a) Digital image scanning of source documents on an hourly rate basis at any location anywhere in the United States, and on some occasions, anywhere in the world. At some locations, the facilities may be controlled by other parties who may be "hostile" litigants. The source documents will vary in size; however, the majority of the documents are expected to be letter and legal size.

(b) All image scanning shall conform to the requirements of Section C.5.2. There are two CLINs for Scanner Operator, one which includes the use of contractor furnished equipment (CFE), including software, media, etc., and one which assumes the Government will provide the necessary scanning equipment, software, supplies, etc.

(c) Specialty scanning, such as scanning to digital image from oversize documents or aperture cards, may also be required.

(d) Scanner Operators may also be required to perform OCRing of the digital images.

(e) Duplication of CDs and/or other image media may be required, including duplication of media produced by other parties.

(f) Blowback from CDs and other image media may be required, including blowback from media produced by other parties.

(g) Quality control will be required for all image and OCR scanning processes. Procedures must be documented and in place.

#### **C.6.1.3 Blowback, Photocopying, and Miscellaneous Reproduction**

(a) A variety of specialty blowback, photocopying, and reproduction services may be required, including, for example, blowback from microfilm or microfiche, or reproduction of oversize documents, such as drawings, ledgers, photographs, video tapes, etc.

(b) Quality requirements will typically be the same as for blowback or photocopies as described in Section C.5 under the appropriate Litigation Support Products sections. The Contractor will be expected to handle all source materials with care, and to return them in exactly the same condition as provided.

#### **C.6.1.4 Database Creation**

The Contractor will design, implement, populate, maintain, archive, and document a variety of databases and other automated litigation support applications using the Litigation Support Services CLINs, as directed by the COTR. Work may include (but will not be limited to) the following:

**C.6.1.4.1 Project Requirements Analysis/Design**

Project requirements analysis and technical design will be performed by the Contractor, based on information provided by the Government, and will be submitted to the COTR for review and approval. The result of the analysis will be a brief report describing requirements, a design and implementation schedule, estimated costs, and a design description. This requirements analysis and design shall address the entire project and is not intended merely to provide data processing design requirements; data processing design will be a portion of the overall analysis and design.

**C.6.1.4.2 Level of Treatment Analysis/Vocabulary Development**

Senior Contractor personnel or consultants may perform level of treatment analysis or develop evidence acquisition criteria for use by document acquisition paralegals and other document acquisition staff. Senior Contractor staff may also prepare vocabulary control tools for use in particular cases or projects.

**C.6.1.4.3 DCF and Database Design and Manuals**

(a) The Contractor shall design litigation support databases and other applications as required by the specific project. Applications may be PC-based, LAN-based, Internet-based, or even mainframe-based, and will make use of a wide variety of COTS products, as well as customized and proprietary software. Each database design shall accommodate any necessary information outlined in the requirements analysis and design. System design manuals shall describe information requirements and system design issues, define each data element, describe the relationships among the data elements, provide designs for data entry screens and output reports, etc.

(b) Database designs will generally be developed by Contractor technical support personnel (Systems Analysts and Programmers) based on information provided by Contractor Project Managers and by the Government. Electronic DCFs for on-line coding will be developed by Contractor technical support personnel; Contractor Technical Writers will assist in the preparation of manuals and other documentation.

(c) Contractors will be required to work with data and databases obtained in electronic form from other Government agencies or from opposing counsel. This may require replicating an existing database design, or converting data so that it may be loaded into an existing system.

**C.6.1.4.4 Database Implementation**

(a) The Contractor shall implement databases as designed on the designated systems. Implementation may include:

- (1) Setting up and testing the database on the host system. Note that the host system might be a commercial web hosting server. Databases may be required to conform to DOJ component standards and conventions - for example, database, directory, and file naming conventions, standard field structures and formats, etc.
- (2) Establishing user access to the database, including requesting appropriate user privileges and/or group memberships. User access may also have to conform to DOJ component standards; for example, to avoid unnecessary proliferation of shortcut icons on the user's

- desktop screen, or to conform to standards on user level privileges.
- (3) Creation and testing of user data entry screens, reports, query and navigation tools, etc.
  - (4) Creation and testing of preprocessors and edits.
  - (5) Creation and testing of procedures for database loading and verification, as well as for database updating.
  - (6) Creation and testing of procedures for database maintenance, such as periodic reindexing, adding fields or edits, software version upgrades, etc.
  - (7) Creation and testing of remote access to the database, and/or procedures for downloading the database, or a portion of the database (including images) to a laptop computer, and for synchronizing updates upon return.

(b) The Contractor shall provide to the Government copies of any programs or utilities developed in connection with this contract to format data or otherwise used in building these database applications, along with documentation and instructions on their use, as requested by the COTR.

#### **C.6.1.4.5 Document Coding**

(a) At the discretion of the COTR, the Government may order document coding using a combination of hourly rate CLINs. The Contractor shall perform document coding to collect information to be entered into the databases, as required by the COTR. See Section C.5.5 through C.5.5.11 for more information regarding document coding requirements. The Contractor will still be expected to train, perform quality control and quality assurance, supervise, perform logging and control functions, and manage the coding effort. Procedures for performing these functions must be well-established and well-documented.

#### **C.6.1.4.6 Electronic Files Processing**

The Contractor may be required to provided services to support electronic files processing, as requested by the COTR. IT professional services may be required, for example, to assist in preparing specifications for electronic file formats, or to provide supplemental EFP support for dealing with passworded or encrypted files.

#### **C.6.1.4.7 Database Loading, Updating, and Maintenance**

(a) The Contractor may be required to perform database populating and maintenance functions on an hourly basis, including loading data files to the system, processing database updates, and other database maintenance functions, such as reindexing, upgrading to new versions of software, adding new fields, etc.

(b) As directed by the COTR, the Contractor shall archive databases when they are no longer required. The Contractor shall develop procedures for the archiving process, and submit these to the Government for review. Following the approved procedures, the Contractor shall archive the databases (and related materials such as images, program code, scripts, and data entry and report modules), as directed, so that the databases can be restored readily at some future date, should the need arise. Databases may have to be saved in more than one format - for example, in internal database format, as a database report, and in ASCII delimited format. In

general, the Government will require the Contractor to maintain two copies of tapes or other stored electronic versions of the data and images in two different locations, and to maintain all necessary inventories, logs, procedures, and other records to restore the databases for the life of the contract.

**C.6.1.4.8 Documentation**

The Contractor shall provide documentation as required by the COTR, including both preliminary and final systems design documentation, and user documentation for the end user community. User documentation in particular will often be based on existing boilerplate or commercially available documentation, but will usually also require some tailoring to the specific database.

**C.6.1.4.9 General Technical Support**

Because of the rapid rate of change in information technology, it is impossible to predict what hardware and software the Contractor will be required to work with under this contract; however, the Government will undoubtedly require support for these as yet unspecified systems. The Contractor shall provide technical support staff trained in, and competent to work with, the specific technologies as the need arises. In addition to the current array of more or less established hardware, software, and other technologies, future technologies may include enhanced Internet and wireless technologies, technologies for auto-coding, intelligent search agents, enhanced presentation devices, PDA conversions, technologies for electronic court filing and for electronic signatures, etc. Data security and systems security will be of paramount importance.

**C.6.1.5 Database/Resource Administration**

As directed by the COTR, the Contractor shall provide qualified staff to administer certain Government-owned litigation support resources, such as servers providing LAN access to particular applications. As an example, the Civil Division has several Sun Microsystems servers which make Oracle available across the JCON network. Contractor system administration staff are responsible for maintaining these servers and for administering the software packages running on them. They are responsible for maintaining system performance, for implementing operating system and application software version upgrades, for establishing and executing routines for daily, weekly, and monthly backups, for maintaining connectivity with the network, for maintaining firewall security, for monitoring available storage space, for documenting the system, and for coordinating with the technical support staffs of all contractors who are setting up databases making use of these servers.

**C.6.1.6 Document Centers/Pretrial and Trial Support**

**C.6.1.6.1 Document Centers**

(a) As specified in the task order, the Contractor shall establish and maintain document centers for providing a full range of pre-trial, trial, and post-trial support. Document centers may be established in Washington, D.C., or anywhere in the United States; even, in a limited number of cases, outside the United States.

(b) Document centers are established to support the needs of all Division personnel working on the case or investigation specified in the Task Order. This may include Litigating Division attorneys in Washington, D.C., Assistant U.S. Attorneys located throughout the United States, and any other Government

personnel who require assistance for litigative or investigative purposes, including U.S. Government employees outside the United States. The purpose of a document center is to centralize support to staff members, allowing for fast, efficient, cost effective means of identifying and obtaining copies of any necessary documents.

Document centers can also function as centralized repositories of evidentiary materials for a case or investigation. User assistance staff at the document center provide support to the Division staff in performing searches against the databases which have been established in support of the case or project. Staff to assist Division personnel in assembling materials responsive to database searches are also provided. Other types of support which may be provided by document centers include, but are not limited to:

- (1) Organization and maintenance of case files, including evidence rooms, pleadings files, deposition and transcript files, investigative files, etc.
- (2) Creation of witness binders, subject binders, case reference indices, and other reference tools.
- (3) Locating documents for responses to interrogatories and requests for admission.
- (4) Production of grand jury and trial exhibits and exhibit sets; productions of exhibit lists.
- (5) Preparation of legal and factual research.
- (6) Database searching.
- (7) Word processing.
- (8) Photocopying of documents.
- (9) Preparation of trial support graphics, such as charts, overhead slides, video cassettes, and other multi-media graphics.
- (10) Installing computer applications on attorney desktop computers, and providing one-on-one training in the use of these applications.
- (11) Low volume document scanning and CD burning, using equipment installed at the Document center.

(c) Document centers may also be the source of information and document copies which the Government must provide in response to production requests from adverse parties, requests under the Freedom of Information Act (FOIA), or requests from the Legislative Branch.

(d)(1) If space for a document center is not available in a Government building, the Contractor will be required to locate commercial office space upon authorization by the COTR. Support for several cases may be co-located, thereby allowing for the sharing of equipment and personnel resources. The size of individual centers may vary from several hundred square feet to tens of thousands of square feet or more; a larger facility servicing a number of cases might require from 8,000 to 20,000 square feet. Task orders for even larger "mammoth" facilities of over 20,000 square feet will only be issued if the following three conditions are present: (1) the litigation documents which must be retained in paper form number over one million pages; (2) a large number of attorneys or other Government agencies are best supported through a centralized facility; and

(3) the litigation(s) are complex and long-lived.

(2) If the COTR provides authorization to locate commercial space for a document center as set forth above, the Contractor will be responsible for locating space that meets the Department's needs. If the Contractor intends to sign a lease for such space, the Contractor must notify the Contracting Officer of its intent to sign a lease at least two weeks prior to the date of planned lease execution. This notification should consist of a copy of the proposed lease, including attachments showing floor plan and proposed build-out if applicable, and the proposed lease signature date. The Contracting Officer, within one week of receiving such notification, will notify the Contractor what costs of the leased space will be an allowable other direct cost under the Contract. See Section B-3(6). The Contracting Officer's determination that any costs of the leased space are an allowable other direct cost is not a determination, endorsement, warranty, or approval of any kind for any purpose regarding any other aspect of the lease, including its other terms.

(e) The Government may sometimes locate employees from several different Contractors in the same document center, with one of the Contractors holding the lease. At the discretion and agreement of the Division COTRs involved, one Contractor may sometimes be required to support several different Divisions out of the same document center.

(f) Where Government-owned supplies/services are not available for use in the center, the Contractor will be required to procure equipment, supplies, or services as authorized by the COTR. These must be authorized in writing in advance by the COTR, and will require competitive price analysis and litigation-specific justification for acquisition. Examples of such items include: telephone/communications lines, word processing or office automation equipment, office furniture, copiers, microfilm or microfiche reader/printers, technical support equipment, software, general office supplies, and facsimile equipment.

(g) The Contractor may be required to produce and maintain procedures governing work performed at the document center, as requested by the COTR.

(h) In general, for Washington DC document centers, the Government will expect the document center to be located within a five minute walk of the location of the attorneys handling the case(s). The Robert F. Kennedy Main Justice Building is located at 10<sup>th</sup> and Pennsylvania, NW, Washington, DC. Most DOJ offices are located within a mile of this building.

(i) When it is not crucial that the document center be located in close proximity to the attorneys working on a case, the Government may require the Contractor to supply "document center services" out of its own facilities, making use of the Table B-2 CLINs instead of the Table B-3 CLINs.

(j) The primary user components have a number of existing document centers which they will expect to transition to the new contracts.

(k) Billing for document center space and utilities, equipment and equipment maintenance, furniture, supplies, shipping, and trial support graphics, etc. will be on a cost reimbursable basis under the Table B-5 CLINs, where applicable. Contractor billing may include actual cost plus a stated percentage markup for administrative handling. In order to allow the Government to evaluate cost proposals, offerors are required to state the administrative handling fee they propose to charge.

**C.6.1.6.2 Legal and Other Research and Analysis**

(a) Legal research and analysis services in support of trial teams. These services will often be based out of a document center, but may also be provided by contractor staff working on site in Government facilities, or even out of the contractor's own facilities. Types of services include, but are not limited to, the following:

- (1) Simple to complex legal research and associated preparation of draft filing based on the research.
- (2) Citation checking.
- (3) Compilation, indexing, preparation of potential trial material.
- (4) Summarizing of transcripts.
- (5) Preparation of exhibits, exhibit sets, and exhibit lists.
- (6) Organization and maintenance of case documents and case pleadings files.
- (7) Support to document production, evidence acquisition, and chain of custody activities.
- (8) Coordination with litigation consultants and expert witnesses.
- (9) Assistance with tracking and coordinating pre-trial and trial filings.
- (10) Filing documents with the court.
- (11) Monitoring the trial schedules and dockets for motions, responses by the parties, and court orders.
- (12) Assisting with trial preparations.
- (13) Assisting in support of post-trial and appellate activities.

(b) Subject matter, factual, technical or historical research performed in support of trial teams, including, but not limited to, the following:

- (1) Conducting interviews.
- (2) Gathering information from various sources.
- (3) Synthesizing and summarizing information.
- (4) Preparation of reports and potential trial materials.
- (5) Assisting with pre-trial, trial, post-trial, and appellate preparations.

(c) These services will generally be performed by a wide variety of labor categories, including Paralegals, Senior Paralegals, Law Clerks, Supervisory Paralegals, Document Management Analysts, Researcher/Interviewers, and many others, at the COTR's discretion. The Contractor must have good controls in place to ensure that quality products are delivered on time, and to report on progress as required by the COTR.

**C.6.1.6.3 Database Usage and Training/ Application Support**

(a) As directed by the COTR, the Contractor shall provide staff to perform retrievals against the databases, and/or to assist Government personnel in making efficient use of the databases. This may include, for example, development of searching tools and aids, query screens and report formats, specialized computer programs for statistical manipulation of the data, or for generating reports for use as exhibits, etc.

(b) As directed by the COTR, the Contractor shall provide training to DOJ and client agency staff, including trial attorneys and support personnel, in the use of litigation support or other databases. This training will generally be one half day or less in duration for any given session. Appropriate training materials, including handouts, user manuals, etc., are required.

(c) As directed by the COTR, the Contractor shall provide user help desk support for particular applications or litigation support application areas. For example, in the case of Summation installed for access across the JCON LAN, the Contractor may be required to provide help desk support to users, as well as to troubleshoot connectivity and other user problems related to use of Summation. Contractor user support staff will be required to stay up to date as to Summation features and releases, and to make recommendations to the Government for improving system performance, efficiency, and usability. Contractor staff will establish standards and standard procedures for setting up Summation applications, and will disseminate this information and provide formal and ad hoc one-on-one training as necessary.

**C.6.1.6.4 Information Management/Library Services**

Establishment and operation of litigation-specific or Division-specific libraries, generally focused on specialized areas such as legislative histories or consent decrees. On-line and hard-copy databases for Government and public access, and Contractor support for these systems, will usually be required. These services will usually be provided by Librarians, Library Technicians, and User Assistants.

**C.6.1.6.5 Trial Support Services**

(a) The Contractor shall provide trial support services as required by the COTR. In addition to the types of pretrial and trial support described above in relation to document center services, such as exhibit preparation and tracking, and trial site war-room support, a variety of more specialized services may be required, such as:

- (1) Trial consulting, to assist the attorneys in preparing their trial and courtroom strategies. Other kinds of trial consulting may include, for example, assisting the attorneys in specifying the hardware, software, and distribution systems required for a particular courtroom, and assisting in procuring and setting up the system.
- (2) Coordination with expert witnesses and litigation consultants on graphics, exhibits,

demonstratives, and relevant transcripts.

- (3) Focus groups and other jury research services.
  - (4) Graphics consulting, to assist the attorneys in developing effective graphic and demonstrative exhibits for courtroom use.
  - (5) Graphics services, including creation of specialized graphic exhibits such as animations and simulations, oversized exhibits, etc.
  - (6) Preparation of exhibits and other materials for the courtroom presentation system, including scanning, organizing, markups, etc. The courtroom presentation system itself - including hardware, software, cabling, etc. - will sometimes be provided by the Government, and sometimes provided by the Contractor.
  - (7) Assistance to the trial team in scripting their trial presentations.
  - (8) In-courtroom set up and operation of the courtroom presentation system, including coordination with the court, the court reporters, and adverse parties, as specified by the COTR.
- (b) Labor categories for these services will be as specified by the COTR.

**C.6.1.6.6 Trial Support Centers**

(a) As specified in the task order, the Contractor shall establish and maintain trial support centers specifically for providing trial support. Trial support centers may be established in Washington, D.C., or anywhere in the United States, and in a limited number of cases, outside the United States. If space for a trial support center is not available in a government building, the Contractor will be required to locate and lease commercial office space as authorized by the COTR. The Government will generally provide the Contractor with at least two weeks advance notice when leased facilities are needed. The size of a trial support center will vary depending upon the size and scope of the trial. Generally, trial support centers will be smaller than document centers, perhaps several hundred or several thousand square feet in size, and will be established for shorter periods of time - typically from several weeks before the trial starts through several weeks after the trial concludes. A trial support center in operation for from one to six months would not be unusual.

(b) Each center will serve as a case specific center. The purpose of the center is to centralize evidentiary materials, staff, and other resources for supporting the trial team, allowing for fast, efficient, cost effective means of assisting the Government in presenting its case as effectively as possible.

(c) Where Government-owned supplies/services are not available for use in the center, the Contractor will be required to procure equipment, supplies, or services as authorized by the COTR. These must be authorized in writing in advance by the COTR, and will require competitive price analysis and litigation-specific justification for acquisition. Examples of such items include: telephone/communications lines, word processing or office automation equipment, office furniture, copiers, microfilm or microfiche reader/printers, information technology equipment/software, general office supplies, and facsimile equipment.

**C.6.1.6.7 Industry Specialist/Consultant Services**

(a) The Contractor shall provide specialized services support as required by the COTR, including, but not limited to such specialized disciplines as: geology, hydrology, biology, toxicology, chemistry, medicine, psychiatry, engineering, architecture, special investigations, ballistics, and forensics. Consultants in these areas will generally be required to assist in understanding technical case documents, facts, and issues, and to provide an evaluation these in relation to the case. Evaluation of case-related materials, such as reports, analyses, and determinations of factual findings, will also be required.

(b) Specialized professional services such as professional translation, auditing and forensic accounting services may also be required.

(c) All personnel provided by the Contractor are subject to the security requirements described in Section H.5. and Section C.4.3.9. The Contractor must provide resumes for all individuals proposed under this task.

(d) These services may be required anywhere in the United States, and in a limited number of cases, outside the United States, in Contractor facilities or elsewhere.

(e) Consultants obtained through this contract will generally be performing preliminary investigation and analysis work used to develop the case and/or to help the attorneys assess the Government's position in the case, rather than expert witness work. However, expert witness testimony by these individuals may occasionally be required.

(f) Travel in connection with performance of this work is covered by the contract provisions in Section B.4.2. Progress on provision of these services must be included in the Contractor's management reports.

**C.6.1.6.8 Administrative Systems Support**

The Contractor shall provide administrative systems support as required. Past examples of this type of support have included support for Departmental processing of the Mariel Cubans, the Japanese-American Redress program, and Iran-Contra support.

**C.6.1.6.9 Geographical Information Systems Support**

(a) Geographical Information Systems (GIS) support required by the Divisions from the Contractor involves technical assistance to the Divisions using GIS in the following areas:

- (1) Programming support for GIS projects using personnel competent in the software products and associated litigation databases being employed by the Department of Justice component requiring said programming support.
- (2) Database development, modification or management in support of GIS projects.
- (3) Requirements analysis, cost-benefit analysis, technical alternative identification, and system/network design and implementation for GIS.

**C.6.1.7 Quality Assurance**

When ordered, the Contractor shall provide quality assurance services in support of DOJ's automated litigation support contracts. The types of automated litigation support functions and/or deliverables to be reviewed include:

- Screening for imaging/photocopying/microfilming
- Image capture, including digital image scanning
- Blowback/photocopying
- Screening for coding
- Document coding
- Data capture, including keying and OCRing
- Database integrity
- Data accuracy
- Full-text files
- Documentation (case manuals, procedures, and instructions)
- Training sessions
- Database corrections
- Specialized areas
- Litigation support processes

**C.6.2 Staffing Requirements for Support Services**

(a) The Contractor shall provide only personnel who are fully qualified and competent to perform their assigned work and who possess the minimum qualifications for each labor category as delineated in Attachment (9). Qualifications requirements are considered mandatory where they are described using the terms "required" or "must have" or "must be." Additional labor categories may be added during the contract period in accordance with the provisions of the Changes clause.

(b) In addition to the minimum qualifications, the qualifications of personnel assigned to each task performed under this contract shall include the specific expertise required for the performance of the task.

(c) Each employee of the Contractor providing support services under this contract is subject to the employment security approval requirements as set forth in Section H.5 and Section C.4.3.9.

(d) Positions in this Section may require extended periods of travel, for document acquisition tasks, trial support, etc.

(e) Hourly rates for Pricing Tables B-2 through B-4 labor categories shall reflect a requirement for the Contractor to staff a second shift or to work overtime as necessary. The Government estimates that 10% of the hours ordered may require second shift or overtime work. Only hours worked may be billed, and only at straight-time (normal) rates (unit prices).

(f) Note that, for those labor categories designated by the Contractor as "exempt," hours in excess of 40 per week may only be billed to the Government if the Contractor employee is compensated for those hours.

(g) Note that these labor categories are not intended to cover all of the Contractor's management positions and categories. As described in Section C.4.3, the Contractor is expected to provide competent overall contract management, for unit rate work, for hourly rate work, and for work that combines some of both; this management is not separately billable to the Government. Per Section C.4.3.1.1., the Contractor is also required to provide administrative and logistical services as part of its normal business operations and overhead; these administrative and logistical services are not separately billable. The labor categories in Attachment (9) are not intended to perform or cover these services either. The Contractor shall provide its own facilities, equipment, etc., for management, administrative, and logistical staff; these facilities, equipment, etc. are not separately billable to the Government.