

## **NAVICPLA26 - Dynamic Pricing Event - Procuri.com (AUG 2001)**

### **1.0 Price - Dynamic Pricing Event**

Revised priced will be submitted during a competitive, anonymous, on-line reverse auction (Dynamic Pricing Event). The Dynamic Pricing Event will be conducted on ( ). Offerors will be notified of the specific time prior to ( ). Notwithstanding FAR 52.215-5, Offerors will submit revised pricing only through the online mechanism supplied by Procuri.com. Offerors will not submit revised pricing via any other mechanism including but not limited to post, courier, fax, E-mail, or orally unless specifically requested by the Contracting Officer.

### **1.1 Prior to the Dynamic Pricing Event**

Offerors shall submit initial price proposals to the NAVICP and complete the registration process through Procuri.com (<http://www.govauctions.procuri.com>) in accordance with the established procedures and guidelines. Procuri.com and/or personnel from the NAVICP will contact each offeror and provide training for the Dynamic Pricing Event (DPE). Additional information and instructions are provided in Attachment A.

### **1.2 During the Dynamic Pricing Event**

Electronic offers shall be submitted by offerors during the DPE period. Offerors, however, are not required to revise their initial pricing proposal during the DPE. This DPE shall constitute discussions with the offeror. The DPE will be conducted for a time period of (\_\_\_\_\_). If an offer is submitted within the last (\_\_\_\_\_) minutes of the time period, the time period shall be extended for an additional (\_\_\_\_\_) minutes beyond the time of that offer (provided the offer was the lowest offer received). The time period shall be extended for additional (\_\_\_\_\_) minute periods (up to an unlimited number of (\_\_\_\_\_) minute extension periods) if a lower offer is submitted within the last (\_\_\_\_\_) minutes. The Auction is considered closed when no further offers are received during the Quiet Period or extension period. The final price revision during the DPE will be considered the offeror's final price submission. The Contracting Officer reserves the right to award upon initial price proposals, and may elect not to conduct a DPE.

### **1.3 After the Dynamic Pricing Event**

No price revision will be accepted after the close of the DPE, unless discussions are held and final proposal revisions are requested in accordance with FAR 15.307.

### **1.4 Agreement by the Offerors**

Submission of a proposal in response to the solicitation will be considered consent to participate in the Dynamic Pricing Event and to reveal their prices in anonymity during the DPE. By participating in the DPE, offerors agree that the only knowing disclosure by the offeror of its price to any other offeror will be during the DPE. The offeror further agrees that disclosure by the offeror of its prices during the DPE shall not be for the purposes of restricting competition

**Attachment A**  
**Information for Submitting Revised**  
**Pricing for Dynamic Pricing Events**

**1. Procuri.com Interaction with Offeror:** Any and all offeror interaction with Procuri.com is for the sole purpose of facilitating the Dynamic Pricing Event (DPE) and shall not be considered discussion with the offeror within the meaning for FAR Part 15.

a. NAVICP or Procuri.com will (1) contact each offeror identified by the Contracting Officer to participate in the Dynamic Pricing Event (DPE), and (2) explain the process to such offerors.

b. In order for an offeror to participate in the Dynamic Pricing Event (DPE), such offeror must agree with the terms and conditions of the entire solicitation, including this Attachment, and agree to the terms of the User Agreement, usage Guidelines, and Privacy Policy provided by Procuri.com during registration and included as Attachment B to the solicitation. Submission of a proposal in response to the solicitation will be considered such agreement by the offeror.

c. Each offeror is an independent contractor with respect to Procuri.com. Each offeror agrees to release Procuri.com from any liability with respect to the DPE or the conduct of any participant in the DPE, regardless of whether such liability arises under contract, tort, or any other theory.

d. Offerors shall keep the passwords and other confidential materials provided by Procuri.com and/or the NAVICP, and all pricing provided by another party. Offerors shall keep their own pricing in confidence until after contract award.

e. Any offeror experiencing difficulties during a DPE must notify the Contracting Officer (\_\_\_\_\_) immediately. The Contracting Officer's telephone number at the Auction location will be made available during the DPE. "Difficulties" include any event or problem, which interferes with the offeror's ability to participate in the DPE and may include, but is not limited to: data entry errors, software problems, or hardware problems. Offerors will have ( ) minutes after a Lot goes into the "Post-Auction Period" status to notify the Contracting Officer of any problems. If the Contracting Officer judges that any offeror has been disadvantaged by a problem, Procuri.com and/or NAVICP will correct the problem and may reopen the DPE.

**2. Dynamic Pricing Event Connection:**

The Offeror shall be provided the opportunity to connect to the Procuri.com website (www.govauctions.procuri.com) via internet connection. Offerors will register for the scheduled event using the Procuri.com software solution. Offerors shall be responsible for (1) providing their own personal computers, and (2) connection of such personal computers to the telecommunications service used for each DPE via the offeror's Internet Service Provider (ISP).

### 3. Training:

a. NAVICP and/or Procuri.com will train designated employees of each offeror in telephone training sessions using "test auctions" and hard copy supplier User Manuals to familiarize the offerors' employees with the online auctioning system.

b. An employee of an offeror who successfully completes the training provided by Procuri.com and/or NAVICP pursuant to Paragraph 3.a shall be designated as a "trained offeror." Only trained offerors may participate in a DPE. The Contracting Officer reserves the right to request that offerors provide an alternate offeror employee to become a "trained offeror." The Contracting Officer also reserves the right to take away the "trained offeror" designation from any trained offeror who fails to abide by the terms and conditions of the RFP, including this Attachment, and the Procuri.com User Agreement.

**4. Conduct of the DPE:** For the preparation and conduct of each DPE, Procuri.com and/or NAVICP will provide staff to handle all DPE related activities as follows:

a. Load all relevant DPE and technical parameters provided by the NAVICP into the online auctioning system;

**b. Ensure that only invited Trained Offerors and designated NAVICP personnel have access to appropriate DPE information;**

c. Authenticate the identities of all trained offerors and designated NAVICP personnel involved in the DPE and maintain password security within the online auctioning system;

d. Maintain a designated location and designated personnel to call with questions or technical problems before, during, or within a reasonable time after the DPE;

e. Establish and maintain a secure web-based online auctioning system;

f. Respond in a timely manner to Trained offerors issues with software or connectivity;

g. Communicate any changes or adjustments to all trained offerors; and

h. Respond to trained offerors problems that might prevent participation.

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