- (H) The likelihood that the design of the project will successfully address the intended, demonstrated educational needs or needs.
- (I) How well and innovatively the project addresses statutory purposes, requirements and any priority or priorities announced for the program.
- (J) The quality of the plan for evaluating the functioning and impact of the project, including the objectivity of the evaluation and the extent to which the methods of evaluation are appropriate to the goals, objectives, and outcomes of the project.
- (3) *Quality and potential contributions of personnel.* (i) The Secretary considers the quality and potential contributions of personnel for the proposed project.
- (ii) In determining the quality and potential contributions of personnel for the proposed project, the Secretary may consider one or more of the following factors:
- (A) The qualifications, including training and experience, of the project director or principal investigator.
- (B) The qualifications, including training and experience, of key project personnel.
- (C) The qualifications, including training and experience, of proposed consultants or subcontractors.
- (D) Past performance of any personnel in any previous Department-supported grants or cooperative agreements.
- (4) Adequacy of resources. (i) The Secretary considers the adequacy of resources for the proposed project.
- (ii) In determining the adequacy of resources for the proposed project, the Secretary may consider one or more of the following factors:
- (A) The adequacy of support from the lead applicant organization.
- (B) The relevance and commitment of each partner in the project to the implementation and success of the project.
- (C) Whether the budget is adequate to support the project.
- (D) Whether the costs are reasonable in relation to the objectives, design, and potential significance of the project.
- (E) The cost-effectiveness of the project and the adequacy of the support provided by the applicant organization in any previous Department-supported grant or cooperative agreement.

- (F) The potential for continued support of the project after federal funding ends.
- (5) Quality of the management plan.(i) The Secretary considers the quality of the management plan of the proposed project.
- (ii) In determining the quality of the management plan of a proposed project, the Secretary may consider one or more of the following factors:
- (A) The adequacy of the management plan to achieve the objectives of the project, including the specification of staff responsibility, timelines, and benchmarks for accomplishing project tasks.
- (B) The adequacy of plans for ensuring high-quality products and services.
- (C) The adequacy of plans for ensuring continuous improvement in the operation of the project.
- (D) Whether time commitments of the project director or principal investigator and other key personnel are appropriate and adequate to meet project objectives.
- (E) How the applicant will ensure that a diversity of perspectives are brought to bear in the operation of the project, including those of parents and teachers, where appropriate.
- (F) How the applicant will ensure that persons who are otherwise eligible to participate in the project are selected without regard to race, color, national origin, gender, age, or disability.
- (G) The adequacy of plans for widespread dissemination of project results and products in ways that will assist others to use the information.

(Authority: 20 U.S.C. 6011(i)(2)(D)(ii))

§ 700.31 What additional evaluation criteria shall be used for grants and cooperative agreements?

In addition to the evaluation criteria established in § 700.30(e), criteria or factors specified in the applicable program statute shall be used to evaluate applications for grants and cooperative agreements.

(Authority: 20 U.S.C. 6011(i)(2)(D)(ii))

§ 700.32 What evaluation criteria shall be used for contracts?

(a) The evaluation criteria to be considered in the technical evaluation of contract proposals are contained in the FAR at 48 CFR 15.605. The evaluation criteria that apply to an

- acquisition and the relative importance of those factors are within the broad discretion of agency acquisition officials.
- (b) At a minimum, the evaluation criteria to be considered shall include cost or price and quality. Evaluation factors related to quality are called technical evaluation criteria.
- (c) Technical evaluation criteria may include, but are not limited to, the following:
 - (1) Technical excellence.
 - (2) Management capability.
 - (3) Personnel qualifications.
 - (4) Prior experience.
 - (5) Past performance.
 - (6) Schedule compliance.

(Authority: 20 U.S.C. 6011(i)(2)(D)(ii))

Subpart E—Selection for Award

§ 700.40 How are grant and cooperative agreement applications selected for award?

- (a) The Secretary determines the order in which applications will be selected for grants and cooperative agreement awards. The Secretary considers the following in making these determinations:
 - (1) An applicant's ranking.
- (2) Recommendations of the peer reviewers with regard to funding or not funding.
- (3) Information concerning an applicant's performance and use of funds under a previous Federal award.
- (4) Amount of funds available for the competition.
- (5) Any other information relevant to a priority or other statutory or regulatory requirement applicable to the selection of applications for new awards.
- (b) In the case of unsolicited applications, the Secretary uses the procedures in EDGAR (34 CFR 75.222 (d) and (e)).

(Authority: 20 U.S.C. 6022(i)(2)(D)(i))

§ 700.41 How are contract proposals selected for award?

Following evaluation of the proposals, the contracting officer shall select for award the offeror whose proposal is most advantageous to the Government considering cost or price and the other factors included in the solicitation.

(Authority: 20 U.S.C. 6011(i)(2)(D)(i)) [FR Doc. 95-13690 Filed 6-6-95; 8:45 am] BILLING CODE 4000-01-P