

PERFORMANCE WORK STATEMENT (PWS)

FOR



MONTANA ARMY NATIONAL GUARD (MTARNG) RECRUITING AND RETENTION BATTALION (RRB)

1.0 General:

1.1 Scope: The contractor shall provide all personnel, equipment, tools, materials, supervision, and quality control necessary, except as specified in Paragraph 3.0 as Government Furnished, to perform Name, Image, Likeness Influencer Marketing Services, as defined in this PWS.

1.1.1 Objectives: The objective is to build brand awareness while also utilizing well known college athletes as influencers to join the MTARNG.

1.2 Background: The MTARNG wants to conduct a Name, Image, and Likeness Campaign with University of Montana student athletes. The student athletes, also referred to as Civil Leaders, will partake in MTARNG Events, Social Media Campaigns and Hype Videos created by the MTARNG. Civil leaders will need to meet certain criteria details in Paragraph 5 and must be under a current NIL agreement with a School Recognized NIL Partner. Awardee will be responsible for producing Shirts/Hoodies with the National Guard logo present and visible as outlined in Paragraph 5. The MTARNG Will Provide Hats to Civil Leaders.

Civil leaders will be recognized in 2 Tiers referenced as Tier 1 and Tier 2. Tier 1 and Tier 2 Civil Leaders must meet eligibility requirements outlined in Paragraph 5. Civil leaders will be required to meet certain social media, Event, and Photo requirements outlined in Paragraph 5. Awardee will be responsible for finding 2 Tier 1 Civil Leaders and 2 Tier 2 Civil Leaders.

The goal of this Campaign is to increase brand recognition of the MTARNG by partnering with Civil Leaders who have a strong influence in the target market the MTARNG is trying to reach. Through targeted Social Media and Events the MTARNG wants to use the influence provided by the Civil Leaders to inform the general public of the opportunities the MTARNG has to offer.

1.3 Period of Performance (PoP): The Period of Performance shall be for 1 July 2024 Through 30 Nov 2024 (5) months and give the MTARNG exclusivity for NIL deals with the Military.

1.4 General Information:

1.4.1 Place and Performance of Services: The contractor shall at all times maintain an adequate work force for the uninterrupted performance of all tasks defined within this

PWS. When hiring personnel, the contractor shall keep in mind that the stability and continuity of the work force are essential.

1.4.1.1 Telework: The Government will permit the contractor to telework in support of this requirement. In furtherance of Continuity of Operations Planning (COOP), a telework program may be enacted to ensure that the Government's mission-critical operations stay operational during times of national emergency or incidents of national significance. Telework shall be at no additional cost to the Government.

1.4.1.2 Unscheduled gate closures by the Security Police may occur at any time causing all personnel entering or exiting a closed installation to experience a delay. This cannot be predicted or prevented. Contractors are not compensated for unexpected closures or delays. Vehicles operated by contractor personnel are subject to search pursuant to applicable regulations. Any moving violation of any applicable motor vehicle regulation may result in the termination of the contractor employee's installation driving privileges.

1.4.1.3 The contractor's employees shall become familiar with and obey the regulations of the installation, including fire, traffic, safety and security regulations while on the installation. Contractor employees should only enter restricted areas when required to do so and only upon prior approval. All contractor employees shall carry proper identification with them at all times and shall be subject to such checks as may be deemed necessary. The contractor shall ensure compliance with all regulations and orders of the installation, which may affect performance. The Government reserves the right to direct the removal of an employee from Government property or revoke access to Government systems for misconduct, security reasons, or any overt evidence of communicable disease. Removal of contractor employees for reasons stated above does not relieve the Contractor from responsibility for total performance of this contract.

1.4.2 Recognized Holidays: The following are recognized United States (US) holidays. The contractor shall not perform services on these days:

1.4.2.1 New Year's Day: January 1st

1.4.2.2 Martin Luther King, Jr.'s Birthday

1.4.2.3 President's Day

1.4.2.4 Memorial Day

1.4.2.5 Independence Day: July 4th

1.4.2.6 Labor Day

1.4.2.7 Columbus Day

1.4.2.8 Veteran's Day: November 11th

1.4.2.9 Thanksgiving Day

1.4.2.10 Christmas Day: December 25th

1.4.3 Quality Control (QC): The contractor shall develop and maintain an effective QC Plan (QCP) to ensure services are performed in accordance with this PWS. The contractor shall develop and implement procedures to identify, prevent, and ensure non-

recurrence of defective services. The contractor's QCP is the means by which it assures itself that its work complies with the requirements of the contract. As a minimum, the contractor shall develop QC procedures that address the areas identified in Technical Exhibit 1, Performance Requirements Summary (PRS).

1.4.4 Quality Assurance (QA): The Government will evaluate the contractor's performance under this contract in accordance with the Quality Assurance Surveillance Plan (QASP). This plan is primarily focused on what the Government will do to ensure that the contractor has performed in accordance with the performance standards. It defines how the performance standards will be applied, the frequency of surveillance, and acceptable quality level(s) or defect rate(s).

1.4.5 Installation Access and Security Requirements. The contractor shall comply with all applicable installation/facility access and local security policies and procedures, which may be obtained from the COR. The contractor and all associated subcontractor employees shall provide all information required for background checks to meet installation access requirements to be accomplished by installation Provost Marshal Office, Director of Emergency Services, or Security Office. The contractor shall ensure compliance with all personal identity verification requirements as directed by Department of Defense (DoD), Headquarters Department of Army (HQDA) and/or local policy (see PWS 6.0). Should the Force Protection Condition (FPCON) change, the Government may require changes in contractor security matters or processes.

1.4.5.1 For contractors requiring Common Access Card (CAC):

1.4.5.1.1 Homeland Security Presidential Directive (HSPD)-12 Background Investigation Requirements:

1.4.5.1.2 Trusted Associate Sponsorship System (TASS):

1.4.5.1.3 Contractor personnel shall obtain a CAC from the nearest Real Time Automated Personnel Identification Documentation System (RAPIDS) Issuing Facility (typically the local Military Personnel Flight (MPF)):

1.4.5.1.4

1.4.5.1.5

1.4.5.1.5.1

1.4.5.1.6

1.4.5.2

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1.4.5.4

1.4.5.5 Communications Security/Information Technology (COMSEC/IT) Security: All communications with DoD organizations are subject to COMSEC review. All telephone communications networks are continually subject to intercept by unfriendly intelligence organizations. DoD has authorized the military departments to conduct COMSEC monitoring and recording of telephone calls originating from, or terminating at, DoD organizations. Therefore, the contractor is advised that any time contractor personnel place or receive a call they are subject to COMSEC procedures. The contractor shall ensure wide and frequent dissemination of the above information to all employees dealing with DoD information. The contractor shall abide by all Government regulations concerning the authorized use of the Government's computer network, including the restriction against using the network to recruit Government personnel or advertise job openings.

1.4.5.6 Use of Government Information Systems (IS) and access to Government networks is a revocable privilege, not a right. Users are the foundation of the DoD strategy, and their actions affect the most vulnerable portion of the Army Enterprise Infostructure (AEI). Contractor employees shall have a favorable background investigation or hold a security clearance and access approvals commensurate with the level of information processed or available on the system. Contractor employees shall:

1.4.5.6.1 Comply with the command's Acceptable Use Policy (AUP) for Government owned IS and sign an AUP prior to or upon account activation.

1.4.5.6.2 Complete initial and/or annual Information Assurance (IA) training as defined in the IA Best Business Practices (BBP) training (https://atc.us.army.mil/iastar/docs/Training_BBP.pdf).

1.4.5.6.3 Mark and safeguard files, output products, and storage media per classification level and disseminate them only to individuals authorized to receive them with a valid need to know.

1.4.5.6.4 Protect IS and IS peripherals located in their respective areas in accordance with physical security and data protection requirements.

1.4.5.6.5 Practice safe network and Internet operating principles and take no actions that threaten the integrity of the system or network.

1.4.5.7 Army Training Certification Tracking System (ATCTS):

1.4.5.8 Information Assurance (IA) Training:

1.4.5.9

1.4.5.10 Protection of Personally Identifiable Information (PII). The contractor shall protect all PII encountered in the performance of services in accordance with Defense Federal Acquisition Regulation Supplement (DFARS) 224.103 Personally Identifiable

Information and Department of Defense Directive (DoDD) 5400.11, Department of Defense Privacy Program, and DoD 5400.11-R. If a PII breach results from the contractor's violation of the aforementioned policies, the contractor shall bear all notification costs, call-center support costs, and credit monitoring service costs for all individuals whose PII has been compromised.

1.4.5.11 OPSEC Training:

1.4.5.12 OPSEC SOP/Plan:

1.4.5.13 Access to Classified Information

1.4.5.14 Threat Awareness and Reporting Program (TARP). Per AR 381-12, Threat Awareness and Reporting Program (TARP), contractor employees with security clearances must receive annual TARP training by a counterintelligence (CI) agent or other trainer as specified in Chapter 2 Threat Awareness and Education, Section II, paragraph 2-4b. The contractor shall identify annual TARP training, personnel trained, and date of training within 15 days of training completion.

1.4.6 Physical Security. The contractor shall safeguard all Government property provided for contractor use. At the close of each work period, Government facilities, equipment and materials shall be secured.

1.4.6.1 Key Control.

1.4.6.1.1

1.4.6.1.2

1.4.6.1.3

1.4.6.2 Lock Combinations:

1.4.7 Special Qualifications:

1.4.8 Post Award Conference/Periodic Progress Meetings: The contractor agrees to attend any post award conference convened by the KO in accordance with FAR 42.5. The KO, COR and other Government personnel, as appropriate, may meet periodically with the contractor to review the contractor's performance. At these meetings, the KO will apprise the contractor of how the Government views the contractor's performance and the contractor shall apprise the Government of problems, if any, being experienced. The contractor shall resolve outstanding issues raised by the Government. Contractor attendance at these meetings shall be at no additional cost to the Government.

1.4.9 Contract Manager (CM): The contractor shall designate a CM who shall ensure performance under this contract. The name of this person, and an alternate who shall

act for the contractor when the CM is absent, shall be designated in writing to the KO. The CM or alternate shall have full authority to act for the contractor on all contract matters relating to daily operation of this contract. The CM shall work through the COR to resolve issues, receive technical instructions, and ensure adequate performance of services. The CM shall ensure that contractor employees do not perform any services outside the scope of the contract without an official modification issued by the KO. The CM shall ensure contractor employees understand that services performed outside the scope of the contract are performed wholly at the expense of the contractor.

1.4.10 Identification of Contractor Employees: All contractor personnel attending meetings, answering Government telephones and working in other situations where their contractor status is not obvious to third parties are required to identify themselves as such to avoid creating an impression that they are Government employees. The contractor shall ensure that all documents or reports produced by contractor personnel are suitably marked as contractor products or that contractor participation is appropriately disclosed. The contractor's status as a "contractor" shall be predominantly displayed in all correspondence types (to include signature blocks on e-mail) and dealings with Government or non-Government entities. Contractor personnel shall wear identification badges distinguishing themselves as such. The badges shall have the company name, employee name and the word "contractor" displayed.

1.4.10.1 The contractor shall retrieve all identification media (including vehicle passes) from its employees who depart employment for any reason. The contractor shall return all identification media (i.e., badges and vehicles passes) to the KO within 14 days of an employee's departure.

1.4.11. Combating Trafficking in Persons: The United States Government has adopted a zero tolerance policy regarding trafficking in persons. Contractors and contractor employees shall not engage in severe forms of trafficking in persons during the period of performance of the contract; procure commercial sex acts during the period of performance of the contract; or use forced labor in the performance of the contract. The Contractor shall notify its employees of the United States Government's zero tolerance policy, the actions that will be taken against employees for violations of this policy. The contractor shall take appropriate action, up to and including termination, against employees or subcontractors that violate the US Government policy as described at FAR 22.17.

1.4.12 Contractor Travel

1.4.13 Data Rights: The Government has unlimited rights to all documents/materials produced under this contract. All documents and materials, to include the source codes of any software, produced under this contract shall be Government owned and are the property of the Government with all rights and privileges of ownership/copyright belonging exclusively to the Government. These documents and materials may not be used or sold by the contractor without written permission from the KO. All materials supplied to the Government shall be the sole property of the Government and may not

be used for any other purpose. This right does not abrogate any other Government rights.

1.4.14 Organizational Conflicts of Interest (OCI): The contractor and subcontractor personnel performing services under this contract may receive, have access to or participate in the development of proprietary or source selection information (e.g., cost or pricing information, budget information or analyses, specifications or work statements, etc.) or perform evaluation services which may create a current or subsequent OCIs, as defined in FAR Subpart 9.5. The contractor shall notify the KO immediately whenever it becomes aware that such access or participation may result in any actual or potential OCI and shall promptly submit a plan to the KO to avoid or mitigate any such OCI. The contractor's mitigation plan will be determined to be acceptable solely at the discretion of the KO. In the event the KO unilaterally determines that any such OCI cannot be satisfactorily avoided or mitigated, the KO may impose other remedies as he or she deems necessary, including prohibiting the contractor from participation in subsequent contracted requirements which may be affected by the OCI.

1.4.15 Phase In / Phase Out Periods

2.0 Definitions and Acronyms:

2.1 Definitions:

2.1.1 Contractor: A supplier or vendor awarded a contract to provide specific supplies or service to the Government. The term used in this contract refers to the prime.

2.1.2 Defective Service: A service output that does not meet the standard of performance associated with the PWS.

2.1.3 Deliverable: Anything that can be physically delivered and includes non-manufactured things such as meeting minutes or reports.

2.1.4 Key Personnel: Contractor personnel that are evaluated in a source selection process and that may be required to be used in the performance of a contract by the PWS. When key personnel are used as an evaluation factor in best value procurement, an offer can be rejected if it does not have a firm commitment from the persons that are listed in the proposal.

2.1.5 Physical Security: Actions that prevent the loss or damage of Government property.

2.1.6 Quality Assurance: The Government procedures to verify that services being performed by the Contractor are performed according to acceptable standards.

2.1.7 Quality Assurance Surveillance Plan (QASP): An organized written document specifying the surveillance methodology to be used for surveillance of contractor performance.

2.1.8 Quality Control: All necessary measures taken by the Contractor to ensure that the quality of an end product or service shall meet contract requirements.

2.1.9 Subcontractor: One that enters into a contract with a prime contractor. The Government does not have privity of contract with the subcontractor.

2.2 Acronyms:

AEI	Army Enterprise Infostructure
AR	Army Regulation
AT/OPSEC	Antiterrorism/Operational Security
BI	Background Investigation
CM	Contract Manager
COR	Contracting Officer Representative
DA	Department of the Army
DD254	Department of Defense Contract Security Classification Specification
DFARS	Defense Federal Acquisition Regulation Supplement
DoD	Department of Defense
FAR	Federal Acquisition Regulation
GFP/M/E/S	Government Furnished Property/Material/Equipment/Services
HQDA	Headquarters, Department of the Army
HS	High School
HSPD	Homeland Security Presidential Directive
IA	Information Assurance
IS	Information System(s)
KO	Contracting Officer
MIARNG	Michigan Army National Guard
NGB	National Guard Bureau
NIL	Name, Image, Likeness
OCI	Organizational Conflict of Interest
PII	Personally Identifiable Information
PIPO	Phase In/Phase Out
POC	Point of Contact
PRS	Performance Requirements Summary
PWS	Performance Work Statement
QA	Quality Assurance
QASP	Quality Assurance Surveillance Plan
QC	Quality Control
QCP	Quality Control Program
SCR	Service Contract Reporting
SSN	Social Security Number
TE	Technical Exhibit

USD(I)

Under Secretary of Defense for Intelligence

3.0 Government Furnished Property, Material, Equipment and Services (GFP/M/E/S):
The Government will provide the property, material, equipment, and/or services listed below solely for the purpose of performance under this contract:

3.1 Property:

3.2 Materials:

3.3 Equipment:

3.4 Services:

3.5 Utilities: All utilities in the facility will be available for the contractor's use in the performance of this contract. The contractor shall instruct employees in utilities conservation practices. The contractor shall operate under conditions that preclude the waste of utilities, which include turning off the water faucets or valves after using the required amount.

4.0 Contractor Furnished Property, Materials, and Equipment (CFP/M/E):

4.1 General: Except for those items specifically stated to be Government-Furnished in Paragraph 3.0, the contractor shall furnish everything required to perform these services as indicated in Paragraph 1.1.

4.2 Secret Facility Clearance:

4.3 Contractor Security Clearance:

5.0 Requirements: The contractor shall:

5.1 Key Personnel: Key personnel assigned to this contract shall procure specified civil leader for marketing and advertising purposes.

5.1.1 Civil Leaders Required: No specific athlete will be required but all athletes selected through the collective will meet requirements outlined in Paragraph 5.1.2. Athletes can be chosen from any Men's or Women's Varsity Sports Program to include Rodeo as long as they meet requirements outlined in Paragraph 5.1.2. Awardee must include at a minimum 1 female.

5.1.2 Civil Leader Requirements: Civil Leaders will meet 1 of the 2 required tiers in order to be qualified for NIL Partnership.

Tier 1 Civil Leaders will need to meet two (2) of the following outlined criteria: 1.) Collegiate academic or athletic awards at Team, Conference or National Level. 2.) Volunteers in 1 community outreach event per year. 3.) Significant Social media

Presence with minimum of 1,000 followers on Meta Platforms. 4.) Participates in pregame or post-game interviews or weekly television or radio media interviews.

Tier 2 Civil Leaders will meet the following outlined criteria: Any athlete of any Gender or Sport that competes for a Varsity Level team and is in good Academic/Athletic Standing.

5.1.3 Civil Leader Apparel: Athletes will be required to wear National Guard branded apparel at all events sponsored by the MTARNG. Shirt/hoodie apparel will be provided by the Awardee and include the National Guard logo. Hats will be provided to the Civil leaders by the MTARNG to be work during events, post-game interviews and media interviews. The MTARNG will give the Awardee the ARNG branding style guideline regulation to use for all National Guard Logos on apparel.

5.1.4 Each Civil Leader will be required to share one MTARNG social media post per month, at a minimum, staggered weekly.

5.1.5 Each Civil Leader will pose for a photo with participating recruiters (no greater than 90). Photo shoot will take place at agreed upon site in Bozeman, MT. MTARNG will provide backdrop, cameraman and equipment. Photos will be utilized to create MTARNG Marketing Material that will be used at recruiting events around the state. Duration of photo shoot not to exceed 90 minutes. This task must be completed within 21 days of contract being awarded.

5.1.6 Management company will compile data analytics for social media sharing and share that information with the MTARNG monthly.

5.1.7 Each Civil Leader will attend 2 MTARNG sponsored events. Events will be within 50 Mile radius of Bozeman. Events will be no longer than 90 minutes and will include meet and greet, photos and autograph signing for the general public. Civil leaders will be responsible for creating and sharing 1 social media post from each event to share across their Social Media Platforms as well as sharing 1 MTARNG post of the event.

6.0 Applicable Publications: Publications applicable to this PWS are listed below:

Publication (Chapter/Page)	Date of Publication	Mandatory or Advisory	Website
Federal Acquisition Regulation		Advisory	https://www.acquisition.gov/?q=browsefar
Defense Federal Acquisition Regulation Supplement		Advisory	http://www.acq.osd.mil/dpap/dars/dfarspgi/current/index.html or https://www.acquisition.gov/dfars
Joint Travel Regulation (JTR)		Advisory	https://www.defensetravel.dod.mil/site/travelreg.cfm
DoDM 1000.13-M-V1 DoD Identification (ID) Cards (Enclosure 2, paragraph 3.b)	01/23/2014 (Change 1: 07/28/2020)	Advisory	http://www.esd.whs.mil/Directives/issuances/dodm
Federal Information Processing Standards (FIPS) Publication 201-2 Personal Identity Verification (PIV) of Federal Employees and Contractors (paragraph 9)	August 2013	Advisory	http://nvlpubs.nist.gov/nistpubs/FIPS/NIST.FIPS.201-2.pdf

DoDM 5200.2 Procedures for the DoD Personnel Security Program (PSP)	04/03/2017	Advisory	https://www.esd.whs.mil/Directives/issuances/dodm/
DoDI 5200.46 DoD Investigative and Adjudicative Guidance for Issuing the Common Access Card (CAC)	09/09/14 (Change 1: 05/04/2018)	Advisory	https://www.esd.whs.mil/Directives/issuances/dodi/
Homeland Security Presidential Directive (HSPD)-12 Policy for a Common Identification Standard for Federal Employees and Contractors	08/27/2004	Advisory	https://www.dhs.gov/homeland-security-presidential-directive-12
DoDI 5400.11 Department of Defense Privacy and Civil Liberties Programs	01/29/2019	Advisory	https://www.esd.whs.mil/Directives/issuances/dodi/
DoD 5400.11-R Department of Defense Privacy Program	05/14/2007	Advisory	https://www.esd.whs.mil/Directives/issuances/dodm/
DoDD 8140.01 Cyberspace Workforce Management	10/05/2020	Advisory	https://www.esd.whs.mil/Directives/issuances/dodd/
DoD 8570.01-M Information Assurance Workforce Improvement Program	12/19/2005 (Change 4: 11/10/2015)	Advisory	https://www.esd.whs.mil/Directives/issuances/dodm/
DoD 5220.22-M National Industrial Security Program Operating Manual (NISPOM)	02/28/2006 (Change 2: 05/18/2016)	Advisory	https://www.esd.whs.mil/Directives/issuances/dodm/
Army Directive 2014-05 Policy and Implementation Procedures for Common Access Card Credentialing and Installation Access for Uncleared Contractors	03/07/2014	Advisory	https://armypubs.army.mil/ProductMaps/PubForm/ArmyDir.aspx
AR 25-2 Information Assurance	04/04/2019	Advisory	http://armypubs.army.mil/ProductMaps/PubForm/AR.aspx
AR 530-1 Operations Security	09/26/2014	Advisory	http://armypubs.army.mil/ProductMaps/PubForm/AR.aspx
AR 525-13 Antiterrorism	12/09/2019	Advisory	http://armypubs.army.mil/ProductMaps/PubForm/AR.aspx
AR 381-12 Threat Awareness and Reporting Program (TARP) (Section II, ¶ 2-4.b)	06/01/2016	Advisory	http://armypubs.army.mil/ProductMaps/PubForm/AR.aspx

TECHNICAL EXHIBIT 1

Performance Requirements Summary (PRS)

This PRS includes performance objectives the Government will use to determine contractor performance and will compare contractor performance to the Acceptable Quality Level (AQL).

Performance Objective	Performance Standard	Acceptable Quality Levels (AQL)	Surveillance Method / By Whom
5.1.1 Athlete selection	Any Men's or Women's Varsity to include Rodeo	100% of Selection	Validated by Awardee and MTARNG personnel
5.1.2 Tier 1 and Tier 2 Athlete Requirements	Athletes will meet required Tier requirements to qualify	100% of selection	Validated by Awardee and MTARNG Personnel
5.1.3 Civil Leader Apparel	Athletes will wear MTARNG Branded apparel.	100% MTARNG Apparel to be worn at MTARNG events.	Validated by Awardee and MTARNG Personnel
5.1.4 Social Media Sharing	Athletes will share 1 MTARNG social media post per Month.	100% of Selection.	Periodic Inspection by Awardee and MTARNG Personnel
5.1.5 Marketing Photo Shoot	Provide access to all collegiate athletes within 21 days of contract award.	Meets 100% of the standard in regard to the athlete presence but flexible up to 30 days on timeframe to conduct.	Random monitoring / COR
5.1.6 Compile data analytics	Provided timely 95% of the time. Reviewed monthly.	Reports are provided late less than 5% of the time.	Periodic Inspection / COR
5.1.7 MTARNG Event Attendance	Athletes will attend 2 MTARNG Events.	100% of selection	Validated by Awardee and MTARNG Personnel

TECHNICAL EXHIBIT 2

Deliverables Schedule

PWS Reference / Deliverable Title	Frequency	Number of Copies	Medium/Format	Submit To
5.1.1 Collegiate athletes required	Collegiate athletes need to be contracted within 10 days contract award.	1	Electronic	COR