Questions and Answers

Questions #1 - #152: Released on December 19, 2013.

1. **Question:** NNS-F-2001 CONTRACT PERFORMANCE PERIOD (OCT 2013) (page F 24 of 75). Please explain the rationale the Draft RFP includes a one year base performance period and 4, 1-year options.

   Answer: Funding was not available to do a multi-year contract. This contract will be incrementally funded.

2. **Question:** NNS-L-2000 INSTRUCTIONS FOR PROPOSAL PREPARATION - GENERAL (TAILORED) (OCT 2013), (b) PROPOSAL FORMAT, (7) (page L 9 of 24) The font size for text, including spreadsheets, charts, tables, diagrams or drawings, graphs, and illustrations throughout the proposal is specified as 12 point (or larger). Because of the page constraints, would NNSA consider revising the font size for the text included in spreadsheets, charts, tables, diagrams or drawings, graphs, and illustrations to be a size smaller than 12 point, as long as it was clearly legible?

   Answer: Final RFP will be updated to allow a font size for text used in spreadsheets, charts, tables, diagrams or drawings, graphs, and illustrations throughout the proposal that is clear and legible however a font size smaller than 8 point will not be allowed. All other text will be 12 font.

3. **Question:** NNS-L-2002 PROPOSAL PREPARATION INSTRUCTIONS: VOLUME II--TECHNICAL AND MANAGEMENT INFORMATION (OCT 2013), (3) TAB - 3: Criterion 3 - Corporate Experience (page L 13 of 24). Please clarify the information to be presented in the Corporate Experience & Performance Self-Assessment Forms (Attachment L-3) and the separate two-page narrative for each contract. The narrative requirements stated on page L 13 are not the same as those stated on the Attachment L-3 form.

   Answer: Attachment L-3 will be updated to correct the discrepancies identified.

4. **Question:** NNS-L- 2002 PROPOSAL PREPARATION INSTRUCTIONS: VOLUME II TAB – 1 Criterion 1 Technical Approach and Staffing Plan. The approach to be described in this section is continuation of work that is ongoing, and covers activities that have been duplicated for over 10 years. When will DOE make available to all bidders, baseline information on current staffing, labor categories utilized, and anticipated budget projections for continuing future activities?

Answer: NNSA does not intend to release this information. NNSA believes sufficient information is available for a knowledgeable Offeror to prepare a proposal between the RFP and the electronic "Reading Room" documents.

5. **Question:** With respect to the OCI requirements in section NNS-H-2015 we are assuming our subcontractors can prepare an OCI compliance plan for their company as part of the prime contractor plan that is limited to their subcontractor role in the contract. Is this correct?

   Answer: Yes

6. **Question:** Regarding page L-12, (2) TAB - 2: Criterion 2, Key Personnel would you please provide the minimum qualifications of the key personnel?

   Answer: No, the Government does not intend to identify minimum qualifications. Offerors are expected to propose key personnel that are the best value to the Government.

7. Regarding page L-12, (2) TAB - 2: Criterion 2, Key Personnel would you allow years of experience in lieu of degree for the qualifications of the key personnel?

   Answer: There is no minimum requirement. Offerors are expected to propose key personnel that are the best value to the Government.

8. **Question:** Regarding page L-12, (2) TAB - 2: Criterion 2, Key Personnel would you consider requiring letters of commitment from key personnel and adding penalties for key personnel removal?

   Answer: The NNSA will add a requirement for letters of commitment for duration of 3 years upon release of the final RFP. Any replacement of key personnel will have to be approved by the Contracting Officer. Penalties will not be required.

9. **Question:** Regarding page L-13, (3) TAB - 3: Criterion 3 - Corporate Experience "… Submit no more than three contracts for each proposed team member for the work experience cited…" Would the government evaluate higher an offeror with three projects with similar size, complexity, and scope versus an offeror that only has one to obtain a fully qualified and experienced prime contractor?

   Answer: Offerors are expected to propose teams that offer the best value to the Government.

10. **Question:** Regarding page L-13, (3) TAB - 3: Criterion 3 - Corporate Experience, Would the government consider requiring a minimum of three project descriptions for the prime contractor to ensure NNSA will obtain fully qualified and experienced prime contractor? Requiring the same number of project descriptions per team would allow for equal comparison between offerors.

Answer: No.

11. **Question:** Regarding NNS-L-2002 (b) (1) (B) please clarify what is meant with "conceptual geologic source term". The phrases "conceptual model" and "hydrological source term" are used in the FFACO and other UGTA documents, but the phrase used in this RFP section does not appear to be defined.

    Answer: The Government intends to add a comma after geologic and before source term to provide clarity.

12. **Question:** Regarding NNS-M-1002 BASIS OF CONTRACT AWARD, (3) Criterion 3 - Corporate Experience (TAB 3) on page M 3 – Would the government evaluate the role of the offeror on the project description and experience sections in addition to considering only size, complexity, and scope? In this contract it is important that the offeror is an experienced prime contractor to the government. Section L requires the role in the project be described but in Section M does not explicitly state it will be part of the evaluation.

    Answer: No, the Government is not evaluating the role of the team member but the corporate experience of each team member as it relates to the role it will perform.

13. **Question:** Regarding NNS-L-2000 INSTRUCTIONS FOR PROPOSAL PREPARATION – GENERAL, page L-9, (B)(8) Given the large extent of information to be described and its complexity would the government consider extending the page limitation to 50 to allow offerors to provide a more comprehensive response?

    Answer: The Government intends to increase the technical page limit from 30 pages to 50 pages.

14. **Question:** Regarding NNS-L-2000 INSTRUCTIONS FOR PROPOSAL PREPARATION – GENERAL, page L-9, (B)(7) Given the large extent of information to be described and its complexity would the government consider allowing legible but smaller font sizes (i.e., smaller than 12) on graphs, charts, and tables?

    Answer: See answer to question #2.

15. **Question:** Regarding NNS-L-2000 INSTRUCTIONS FOR PROPOSAL PREPARATION – GENERAL, page L-9, (B)(7) Given the large extent of information to be described in the Primavera Schedules and its complexity utilizing 12 font would make schedule presentation very difficult. Would the government consider allowing legible but smaller font sizes (i.e., smaller than 12) on graphs, charts, and tables?

Answer: See answer to question #2.

16. **Question:** Regarding Page L-12 (1) TAB-1: Criterion 1 states "The Offeror shall describe its proposed technical approach for accomplishing the following selected requirements of the PWS. For Soils, it states "… Characterization of radiologically contaminated soils over widespread areas varying in size from several acres to more than 1,000 acres…" The PWS for soils on the other hand, includes activities and deliverables that are related to closure of sites, not only characterization (e.g., Closure Reports and Corrective Action Plan preparation, etc.). Are we limited to addressing only the characterization approach and not the other areas of the PWS element 3.2.1 for soils?

    Answer: Offerors should only address characterization.

17. **Question:** Regarding NNS-L-2002 PROPOSAL PREPARATION INSTRUCTIONS: VOLUME II--TECHNICAL AND MANAGEMENT INFORMATION, (1) TAB - 1: Criterion 1, (A) Soils, page L-12 we are asked to include a discussion of collection and utilization of data. The PWS elements relating to collection of data on pages 6-7 are very extensive. Are we required to address all PWS relating to data collection in our technical approach? We respectfully request that the page limitation be increased to 50 pages.

    Answer: The collection and utilization of data is for the UGTA requirements and not the Soils requirements. For the page limit increase see answer to question #13.

18. **Question:** Regarding the Performance Work Statement (PWS) Section **3.2.5** Program Integration, will NNSA provide additional information to adequately estimate the level of effort required such as:

    - Administrative support – does this include providing support to NFO staff, if so how many?
    - Public Involvement – what number/type of outreach products, additional public exchange meetings, data calls, etc.
      There are similar questions in all PWS elements of 3.2.5. We respectfully suggest that NNSA provide a list of activities and quantities for each PWS sub-element to allow for equitable comparison between offerors.

    Answer: NNSA believes sufficient information is available for a knowledgeable Offeror to prepare a proposal between the RFP and the acquisition's electronic "Reading Room" documents.

19. **Question:** Regarding (1) Criterion 1 - Technical Approach (TAB 1) 'The Government will evaluate the proposed Technical Approach and Staffing Plan to assess the Offeror's

understanding of the requirements and completeness and feasibility of the proposed technical approach associated with the PWS requirements identified for this Criterion in Section L," since the technical approach is limited to selected PWS elements and does not address the entire PWS, how can NNSA assess the completeness of the technical approach in addressing the PWS requirements?

Answer: NNSA's technical evaluation will include those areas of the PWS as identified in Section L, provision NNS-L-2002, of the RFP. NNSA will evaluate the proposed staffing plan to ensure it is consistent with the proposed technical approach for those areas identified. Additionally, for purposes of the cost realism analysis, NNSA will evaluate the proposed types and quantities of personnel to ensure that they are realistic to perform the entire PWS.

20. **Question:** The staffing plan is to include the entire PWS, how will NNSA evaluate the reasonableness of the staffing estimates proposed by the offerors to perform the PWS elements (e.g., Program Integration) not addressed in the Technical Approach.

    Answer: The Offeror is required to provide a "Basis of Estimate" (Attachment L-11) which provides a discussion of each Offeror's estimate.

21. **Question:** Regarding (1) Criterion 1 - Technical Approach (TAB 1) "Inconsistencies between the proposed technical approach and the Staffing Plan Summary submitted with the Cost Proposal may adversely impact the Offeror's rating for this Criterion", since the technical approach is based on selected elements of the PWS and the staffing plan is based on the entire PWS how will NNSA evaluate inconsistencies?

    Answer: The Government will be looking for inconsistencies between the Offeror's proposed technical approach in accordance with Section L, NNS-L-2002, and the Staffing Plan Summary.

22. Leveling the playing field:

    Question: Given that several of the bidding teams currently have access to the program's life-cycle baseline, as well as other relevant OUO documents through their incumbency on the current EPS contract, will NNSA consider making those documents available to all prospective bidders now so that we have adequate time to familiarize ourselves with that material in advance issuance of the final RFP?

    Answer: The 5 year contract baseline is available in the acquisition's electronic "Reading Room." The Government believes they have made available all pertinent documents for a knowledgeable Offeror to prepare a proposal. In addition, see answer to question #119.

Question: Will NNSA consider providing Offerors the direct labor rates for the incumbent staff, since the successful Offeror will likely give consideration to retaining many of those individuals under the new contract? This would allow Offerors to develop their pricing in a manner that reflects the current workforce and prevents Offerors from "low balling" the direct labor during the bid process, only to hire incumbent staff at higher rates post award. DOE-CBC provided average labor rates by category for non-key incumbent staff on the recent Moab Remedial Action contract RFP. This contract was also structured by CLIN with a CPAF CLIN and a fixed unit rate CLIN. The incumbent contractor was performing under a CPAF contract; thereby, DOE had access to direct labor rates.

This approach resulted in Offerors using direct labor rates that reflected the incumbent workforce (not general labor surveys, which are traditionally much lower than actual direct labor salaries) burdened with their company-specific fringe and overhead rates. Post award, this approach resulted in a contract and associated baseline that showed little deviation from the Offeror's cost proposal.

Answer: No.

23. Referencing pp. 42–43, Section H, NNS-H-2009, Limitation of Future Contracting, and p. K-8, Section K, 952.209-8, Organizational Conflicts of Interest Disclosure -Advisory and Assistance Services:

    Question: Given these clauses, would a company that participates as a team member (prime, sub, or JV capacity) for this NTS EPS contract be precluded from participating as a team member (prime, sub, or JV) on the current NNSA NTS M&O contract or any future NTS M&O contracts?

    Answer: This will be determined on a case-by-case basis in accordance with the requirements of the clauses and specific situation. It is the Offeror's responsibility to address potential OCIs in its OCI Disclosure and Mitigation Plan.

24. Per Attachment L-7, Staffing Plan, the RFP requires the use of the labor categories identified in Attachment L-8, Common Occupational Code System (COCS) Descriptions. These same labor categories will, in turn, be used in completing Attachment L-7, Staffing Plan, and Attachment L-6, EPS Cost Model. The COCS labor categories do not allow for varying levels of experience (i.e., junior vs. midlevel vs. senior).

    Question: Is NNSA requiring a single rate for a Geologist, for example, or can we assume that we can propose subcategories under the COCS category that represent appropriate levels of experience and associated commensurate rates?

Answer: The Government is not requiring a single rate. Subcategories to the COCS categories can be proposed to represent appropriate levels of experience and associated commensurate rates. If subcategories are used, Offerors shall ensure they define and differentiate those subcategories.

25. **Question:** Will the reference to Yucca Mountain Support PWS apply to potential new future activity at Yucca Mountain, or simply to current site maintenance?

    Answer: The reference to Yucca Mountain does not apply to either new future activity or to current site maintenance. It applies only to support in maintaining existing Yucca Mountain permits and/or agreements.

26. **Question:** Will NNSA provide the identity of the Source Selection Official for this procurement?

    Answer: No.

27. **Question:** Under CLINs for Travel, Material, Supplies and Equipment: Will the contractor's indirect allocations in accordance with its approved accounting system be considered allowable?

    Answer: Yes, during contract performance the contractor will be able to use its approved indirect rates; however, for proposal purposes assume all indirect rates are included in the Government baselined amounts.

28. **Question:** In regard to Clause NNS-H-1043, TIME AND MATERIALS (T&M)/LABOR HOUR SUBCONTRACTS (OCT 2013) (p. 41 of 75):

    All T&M/Labor Hour subcontracted effort shall be removed from the contractor's available fee base/pool. Within 15 days of each award fee period, the Contractor shall provide a reconciliation of all amounts invoiced to the Government for any T&M/Labor Hour subcontracts performed under this contract.

    The available award fee pool shall be reduced proportionately for all T&M/Labor Hour effort invoiced during the period. For example, if the total invoiced T&M/Labor Hour subcontracted effort for the period represents five percent (5%) of the total amount invoiced for the period (both subcontracted and prime contractor effort), the total available award fee pool for the period shall be reduced five percent, rounded to the nearest dollar.

    Question: The above clause indicates that if a subcontractor is on a T&M basis, then upon fee evaluation, the available fee pool will be reduced by a dollar for dollar based on the amount of T&M subcontract amounts invoiced. Any subcontract regardless of contact type carries with it inherent risk which is covered by some fee amount. Can NNSA provide

additional information on why this clause is being implemented on this contract? Alternately, would fixed unit rate subcontracts be an acceptable alternative to a T&M contract type?

Answer: The rationale for use of this clause is to discourage use of T&M/Labor Hour subcontracts.

29. Under Paragraph 6, Section NNS-L-2003 PROPOSAL PREPARATION INSTRUCTIONS: VOLUME III—COST (p. L-17 of 24): The Government indicates that baseline burdens established including direct and indirect costs are included in the baseline amounts. Each contractor's allocation methods may vary depending on G&A allocation methods.

    Question: Under a competitive bid, how will NNSA determine indirect allocations when it is typically part of the contractor's submission?

    Answer: Offerors shall identify their G&A allocation base as required in the RFP provision NNS-L-2003. However, for proposal purposes the Offeror shall use the Government baselined amounts (which include all direct and indirect costs that shall not be further burdened by Offerors.)

30. DOE Request under Section L: The Offeror shall provide its latest balance sheet and income statement, including the names of banks or other financial institutions with which the Offeror conducts business. If the financial statements are more than 60 days old, a certificate should be attached stating that the financial condition is substantially the same, or if not the same, state the changes that have taken place. The financial statements will be treated as confidential. Provide a point of contact with a phone number of one bank reference for the Government to verify general financial information such as average monthly balance or any delinquency on loan payments.

    Question: Should DOE request the last three years of Audited Financial Statements, including the latest interim statements?

    Answer: No, propose in accordance with the directions provided in the RFP provision NNS-L-2003.

31. DOE Request under Section L: (7) Subcontract Proposal Submission and Analysis:

    It is the Prime Contractor's responsibility to conduct appropriate subcontract cost or price analysis to establish the reasonableness of proposed subcontract prices-see FAR Part 15.404-3. The Offeror shall provide these analyses as part of its cost proposal. Proprietary subcontract cost information may be submitted directly to the Contracting Officer/Contract Specialist.

Question: FAR 15.403-3 relates to the prime contractor and not to subcontractors. With adequate competition, and if the subcontractors are proposing fixed unit rates, what analysis under FAR 15.403-3 is the Government requesting? Please provide clarification on the information being requested.

Answer: FAR 15.404-3 does require a prime contractor to conduct appropriate price and cost analysis to establish the reasonableness of proposed subcontract prices. The question being cited by the Offeror is citing a different FAR part (15.403-3).

32. Regarding clause NNS-H-1004 INFORMATION TECHNOLOGY EQUIPMENT USE (NOV 2009) (p. 33 of 75): a) The Contractor is not authorized to acquire any information technology equipment, real or personal property, or data at the Government's expense, under this contract, without the prior written approval of the Contracting Officer. The Government will allow for access to its computer systems on an as-required basis and will provide the network capability (exclusive of hardware which will be provided by the Contractor). (b) Requirements for information technology equipment which were not included in the Contractor's original proposal may not be acquired (leased or purchased) without the prior written consent of the Contracting Officer. If Contracting Officer consent is required, the Contractor shall furnish to the Contracting Officer information concerning the need for and selection of such information technology equipment, including the specific make and model; and the lease-versus-purchase determination.

    Question: Does the Government intend to provide fully functioning work station, inclusive of all necessary software, for the EPS employees? Attachment 6 – Government Furnished Equipment lists a large number of computer items and laptops currently in the equipment inventory of the incumbent contractor. Should we assume these will all be transitioned to the new contractor?

    Answer: Yes, the Government intends to provide fully functioning work stations and software to the awardee. The Government also intends to provide all equipment in its current condition to the awardee for use during contract performance. Equipment costs have been baselined for proposal purposes.

33. Regarding clause NNS-L-1010, WORKER SAFETY AND HEALTH PROGRAM INSTRUCTIONS (p. L-5 of 24). The resulting contract requires performance on a DOE/NNSA site. When working at a DOE/NNSA site, the Offeror, or their subcontractor(s) at any tier, shall comply with the requirements of 10 CFR 851, Worker Safety and Health Program. The Offeror shall develop a written Worker Safety and Health Program that provides the methods of implementing the requirements of Subpart C of 10 CFR 851 (or Part 851 or §851). This Worker Safety and Health Program must be submitted with your proposal.

Question: Typically, during the transition period of an ongoing contract similar to the EPS, the new contractor would undertake a blue sheeting process to review, update, and revise the incumbent contractor's contract specific Safety and Health Plan for use in the new contract. Will the Government allow the new contractor to work under their Corporate Safety and Health plan or the incumbent contractor's contract-specific plan during transition until such time as their plan has been approved by DOE's Office of Health, Safety and Security HS-1?

Answer: No, however the Government intends to update Attachment 2, Reporting Requirements Checklist, to have the WSHP be submitted electronically 90 calendar days after the due date of proposals. A hard copy of the WSHP will be requested upon contract award.

34. **Question:** Attachment L-7, Staffing Plan, does not include PWS 3.2.6, Yucca Mountain Regulatory Support. Where should this level of effort be included in Attachment L-7?

    Answer: The Government will update Attachment L-7, Staffing Plan Summary, to include the Yucca Mountain Regulatory Support.

35. **Question:** Under which PWS element in Attachment L-7, Staffing Plan, should the Program Manager be included?

    Answer: Offerors may allocate the Program Manager's time or place it entirely under section 3.2.5, Program Integration. Offerors shall ensure that their approach is clearly documented in Attachment L-11, Basis of Estimate Log.

36. ATTACHMENT 2 - Reporting Requirements Checklist. The Worker Health & Safety Program Plan required by 10 CFR 851 is required with Proposal/Bid/Application. A WHSP typically references specific methods or procedures for hazard identification, any agreements between other agencies or fire departments to provide emergency services, specific occupational medical providers, and an implementation matrix which includes a detailed list of safety and health procedures and other specific information.

    Question: Would NNSA consider providing a copy of the incumbent contractor's approved WHSP to be utilized during the proposal preparation process?

    Answer: No.

    Question: Will NNSA provide Offerors a copy of the incumbent contractor's security plan to assist in the proposal development process?

    Answer: No.

37. **Question:** General Inquiry. In bidding on similar contracts, it is often helpful to have aerial drawings available showing the general layout of the site as a whole and the approximate locations of the CAUs and CASs. Can/will drawings showing these features be provided?

    Answer: General Inquiry: The Government will provide a web link in the acquisition's electronic "Reading Room" that provides aerial map and approximate locations of the CAUs and CASs (http://nnssremediation.dri.edu).

38. **Question:** PWS, Section 3.1, 2nd Paragraph. This paragraph indicates all documents must be prepared in accordance with the provisions of the FFACO Standardized Outlines. In review of the FFACO available from NDEP, the Standardized Outlines could not be located. Can the Standardized Outlines be provided?

    Answer: The Standardized Outlines are provided on the acquisition's electronic "Reading Room."

39. **Question:** FFACO, Part XII.2, and PWS, Section 3.2.1, 5th Paragraph. These sections indicate the CAUs will be initially prioritized, and re-prioritized on a regular basis. Will NNSA provide the list of CAUs in priority order?

    Answer: See the EPS Baseline Schedule provided in the acquisition's electronic "Reading Room". The Government anticipates adding instructions in Section L of the RFP that provide further clarification.

40. **Question:** PWS, Section 3.1.1, 1st Paragraph. This paragraph references quality assurance, health and safety, public involvement, field sampling and waste management information being required for CAIPs. Given the mature nature of the facility, we assume there are a number of established/accepted procedures and plans for these types of activities. Can established/accepted procedures and plans be provided? Similarly, a number of other sections indicate work must be performed according to approved plans, procedures, and quality control protocols. Can these approved documents the Contractor must adhere to be provided?

    Answer: If a procedure is not prescribed anywhere in the RFP (including in attachments such as the PWS or other documents incorporated by reference) the contractor is responsible for their own procedures and plans.

41. **Question:** PWS, Section 3.2.4.1. Approximately how many waste generator sites are there?

    Answer: A map of the current active NNSS approved waste generator sites can be found in the acquisition's electronic "Reading Room."

42. **Question:** *PWS, Section 3.2.4.4.* This section indicates the Contractor must establish and implement a document control process. Reading this statement as written, it implies there is no existing document control process for waste acceptance. Is this correct?

    Answer: A document control process is required, however there is no document control process specified. A sample of the current document control process is provided in the acquisition's electronic "Reading Room."

43. **Question:** *PWS, Section 3.2.4.4.* This section indicates the Contractor will not provide physical support/assistance to the generators by packaging or shipping the generator's waste. It is assumed the Contractor WILL provide support to generators to ensure packaging and shipping methods are appropriate as well as review packaging and shipping methods used by generators. Is this assumption correct?

    Answer: Per the PWS (Section 3.2.4.4, Waste Acceptance Support) the Government MAY task the contractor to provide technical support to ensure packaging and shipping methods are appropriate and review packaging and shipping methods.

44. **Question:** How can a proposed offeror submit a staffing plan without knowing:
    a. The locations of the various waste generation sites throughout the United States and its territories;
    b. The types and quantities of wastes generated at these locations;
    c. Information regarding the status of investigation and remedial activities at the various correction action areas;
    d. Etc.

    If the government can provide the current staffing plan, that would be helpful. However the government indicates the staffing plan is part of Criterion 1 in the evaluation. If the government cannot provide the current staffing plan, it seems the incumbent(s) have a great advantage due to the general nature of the RFP documents.

    Answer: No, the Government will not provide the current contractor's staffing plan. The Government believes that sufficient information is provided in the PWS and the acquisition's electronic "Reading Room."

45. **Question:** Is this considered a prime/standalone contract or does it fall as a subcontract under the umbrella site administration contract?

    Answer: This is a prime/standalone contract.

46. **Question:** Can you clarify the payment structure for the contract?

Answer: Small businesses may periodically invoice for their incurred costs as stated in the RFP. There will be no provisional payment of award fee and payment of performance incentive fee will be made upon verified completion of milestones.

47. **Question:** Are there critical or specialized personnel currently working at the site that the government will want to be retained by the new prime contractor if awarded?

    Answer: The Government is not requiring any retention beyond those requirements specified in the RFP.

48. **Question:** Will DOE consider adding minimum requirements such as education and years of experience for the listed Key Personnel positions? This will help to clarify to offerors how their candidates will be evaluated and scored.

    Answer: See answer to question #6.

49. **Question:** Will DOE consider adding commitment letters and penalties for key personnel? This will help to ensure that bidders do not "bait-and-switch" by proposing key personnel who will not remain to perform the work.

    Answer: See answer to question #8.

50. **Question:** A contract of this size and scope will require a continuous focus and dedicated leadership on ESH&Q. Will DOE consider adding an ESH&Q Manager as a key position?

    Answer: No, Offerors can propose other management personnel who will not be evaluated as Key Personnel.

51. **Question:** Will DOE consider adding a requirement for a Transition Plan to be submitted with the proposal? Currently it appears there is a requirement to provide a cost for transition but no requirement to present a plan for performing transition.

    Answer: In accordance with Attachment 2, Reporting Requirements Checklist, the Transition Plan is required at time of proposal. This deliverable will be clarified in Section L of the RFP.

52. **Question:** Will DOE include a minimum number of contracts per company to be included in the Experience section? Currently there is language that limits this to three per company, but does not require a minimum. This could make comparing experience between bidders difficult.

    Answer: No.

53. **Question:** Section NNS-B-1007 of the RFP indicates that the base fee is $0. This seems unreasonable for a small business contract and we request that NNSA consider adjusting upwards to at least 2%.

    Answer: The base fee will remain at $0.

54. **Question:** NNLS-L-2000, paragraph (b)(1), requires proposals to be submitted in Word 2007 or lower and Excel 2007 or lower. Please revise this requirement to Word 2010 or lower and Excel 2010 or lower as these are the current industry standards.

    Answer: No, the Government does not have Microsoft Office 2010 available to them.

55. **Question:** NNLS-L-2000, paragraph (b)(2) requires 1 original, 8 copies, and 9 CDs of Volume II and III. The number of copies seems excessive. Would NNSA consider reducing the number of hard copy submittals given that the proposals are to be submitted electronically through FedConnect as well?

    Answer: The Government will consider this and update the number of copies in the final RFP.

56. **Question:** NNLS-L-2000, paragraph (b)(9), documents page count exclusions; however, it is not comprehensive. Please add the key personnel resumes, and Staffing Plan to the elements of Volume II that are excluded from the page count limitation.

    Answer: The Government will review provision NNS-L-2000 and ensure it accurately reflects the correct information.

57. **Question:** NNLS-L-2002, paragraph (b)(1)(D) requires offerors to submit a Staffing Plan that shows total quantity and mix of labor categories. Will NNSA provide employee demographics and existing labor rates by category for current incumbent employees? An example of this type of information being provided to all offerors is the recent Portsmouth bid.

    Answer: No.

58. **Question:** FAR 52.222.46 is incorporated in this procurement. In order to level the playing field for all companies and ensure professional employees are compensated properly and fairly, we request that NNSA establish minimum benefit requirements in the proposal. It is becoming a standard RFP requirement to include fringe benefit minimums that needed to be met. This precludes bidders from “low-balling” the fringe benefits in their proposal, which might result in loss of continuity and stability of staff, thereby jeopardizing the quality of work and continuity of knowledge.

Answer: The Government will not specify minimum benefit requirements as this information is based on each Offeror's technical approach.

59. **Question:** Attachment L-3, Corporate Experience and Performance Self-Assessment Form. The page limitations of this form are not clear. The bottom of the form states that each Experience Form shall be limited to 3 pages; however block 13 states that there is no limit for the information provided in that block, and the note at the bottom of the page asks for a narrative explaining the similarity of the experience to the EPS contract? Is the two pages allowed for the similarity narrative in addition to the 3 pages allowed for the experience form itself? Perhaps it would be easier to add a Block 14, Relevance of Experience, and increase the page limit for the experience form to 4 pages.

    Answer: See answer to question #3.

60. **Question:** Attachment L-3, Corporate Experience and Performance Self-Assessment Form instructions. We respectfully request that NNSA re-evaluate the requirement to describe the nature and scope of past experience projects by year performed. As stated in the evaluation criteria in Section M, our past corporate experience will be evaluated on the relevancy (similar in nature, size in dollars, and complexity) and depth of the experience as it relates to the PWS. As long as the project meets the timeframe requirements (completed within the last five years and in place for at least nine months), we believe that it is irrelevant in what year the project's specific tasks were performed. The year the project tasks were performed will not be evaluated per Section M, so we believe it will be more beneficial to the evaluators to describe the work by relevance to the PWS items rather than by year performed.

    Answer: The Government intends to correct this and not require corporate experience to be reported by year.

61. **Question:** Section 3.3 of the Performance Work Statement states that support on this contract will continue to be required from several NNSA National Laboratories. How are third party costs for National Laboratory support to be accounted for in the cost proposal? Are these costs accounted for in the Baseline Other Direct Costs provided by NNSA?

    Answer: DOE will fund the national laboratories directly and these costs are not part of this contract.

62. **Question:** Attachment J-2, Reporting Requirements Checklist, indicates that a Work Environment, Health & Safety Plan; Transition Plan; ISM Program Description; Quality Assurance Plan; and Radiation Protection Plan are required to be submitted with the proposal? Section L and Section M do not specify the Volume for these submittals nor information on how they will be evaluated. We request that each of these items be submitted by the winning offeror after award.

Answer: The Government will review this and consider revised submittal dates for the plans being requested under this RFP. All plans being requested at time of proposal shall be included in Volume I. The Government intends to update Section L to include this information. Also, see answer to question #33.

63. **Question:** Why is an organizational approach, organization chart, or rationale not requested?

    Answer: The Government does not require this information.

64. **Question:** The RFP asks for resumes in both an Appendix in body of Tab 2. Please clarify.

    Answer: Key personnel resumes will not be part of the technical requirement page count and are limited to 3 pages each. This will be clarified in the final RFP.

65. **Question:** Will NNSA provide minimum qualifications requirements for Key Personnel that they will be evaluated against? This leads to a less subjective evaluation of the resumes.

    Answer: See answer to question #6.

66. **Question:** It is unclear whether a Worker Safety and Health Program Plan is required to be submitted with the proposal (see NNS-L-1009 and Attachment J-2). A WSHP is a highly prescribed document and is usually required as one of the first submittals following award. Why would NNSA require multiple offerors to spend our indirect dollars developing this document prior to an award?

    Answer: See answer to question #33.

67. **Question:** It appears there is no requirement to guarantee the Program Manager will remain on the contract for a set period of time. We request that NNSA add a requirement that the Program Manger remain for the duration of the contract and enforce a monetary penalty if this key person is removed or substituted prior to the end of the contract period of performance.

    Answer: See answer to question #8.

68. **Question:** Will NNSA provide the baseline for this contract?

    Answer: The EPS Baseline Schedule and WBS Scope Statements are provided in the acquisition's electronic "Reading Room" for the proposed period of performance.

69. **Question:** Are the companies that make up Nuclear Security Technologies, LLC able to participate as subcontractors on this procurement, or is there a conflict of interest between the M&O work scope and that of the EPS contract?

Answer: See answer to question #23.

70. **Question:** In consideration of DOE's goal to identify work that can be awarded FFP in new procurements, would NNSA consider identifying specific work scopes under the EPS contract that could be bid as FFP with appropriate bonding requirements to reduce risk to DOE and guarantee performance?

    Answer: The Government believes the correct contract type has been identified for this requirement.

71. **Question:** Can NNSA confirm that our Sources Sought submittal has been read/evaluated? Does NNSA have any direct questions for us regarding any information we have provided?

    Answer: All Sources Sought submittals were read and it was determined that there was adequate small businesses available to perform this requirement. The Government does not have any questions regarding any information provided.

72. **Question:** Are Offerors required to have NNSS direct experience? (This question is paraphrased from its original version)

    Answer: No, however **t**he Government expects Offerors to propose team members that bring relevant experience in order to demonstrate best value.

73. **Question:** To level the playing field, we request access to the current contract baseline (even if certain information needs to be redacted). Specifically we request access to Primavera/P6 files (or similar) to fully understand the details of work performed to date and projected for the duration of the project. Having this information will allow us to understand current site status as well as NNSA's current/future expectations. This will further allow us to identify project execution changes – to reduce cost, accelerate schedule, re-sequence technical elements, etc.

    Answer: PDF P6 files and all pertinent information for the EPS contract have been provided in the RFP and the acquisition's electronic "Reading Room."

74. **Question:** We request the NNSA provide a list of activities that are contained in the baseline to which the current contractor is performing. This may include WBS elements, CLINs, etc.

    Answer: All pertinent information for the EPS contract has been provided in the RFP and the acquisition's electronic "Reading Room."

75. **Question:** We request the NNSA provide a copy of the FINAL contract including ALL exhibits, amendments, and Modifications (MODs) executed between NNSA and the current contractor.

Answer: The current contract information can be found at http://www.nv.energy.gov/about/business/contracts.aspx.

76. **Question:** We request the NNSA provide a copy of ALL Contract REAs and any pending REAs submitted to the NNSA by the current contractor.

    Answer: The Government will not provide this contractor proprietary information.

77. **Question:** We request the NNSA provide a copy of Health and Safety statistics from the commencement of the original contract (i.e., OSHA recordable, lost work days, etc.) including any medical cases.

    Answer: There have been no significant health and safety performance issues under the current contract. No further information will be provided.

78. Performance Work Statement (PWS) 3.2.5 Program Integration: In order to ensure Offerors can provide a realistic cost estimate for Program Integration, can the Government provide work load data to support estimating the Program Integration scope? The PWS describes various activities within Program Integration and the Work Breakdown Structure (WBS) Scope Statement provides certain assumptions that can be utilized.

    For example, the PWS for 3.2.5.1 Administrative states: "*The Contractor shall provide administrative support through management, integration, and oversight of administrative activities. These support activities include infrastructure, communications, facilities, vehicles, security management, Nevada Site Specific Advisory Board (NSSAB) miscellaneous expenses/travel, procurement, contract administration, document production, records management, information systems, lessons learned, and strategic planning. The drivers for these activities are the contracts, applicable United States Department of Energy (DOE) orders, directives, policies, and project support requirements.*"

    The WBS Scope Statement includes assumptions for that PWS such as:

    - Management principles in NSO O 413.XC Project Management Principles and Practices, and Good Practice Guides, as applicable, will be used to support the EM baseline.
    - Software and hardware warranties and maintenance renewals will be updated to ensure continuity of work.
    - The security program will continue as defined by both DOE and National Nuclear Security Administration (NNSA) as a requirement to have a Q-cleared Security Administrator, Integrated Safeguards and Security Management, and Information System Security Officer for each entity.

- The contractor system/network must follow the approved certification and accreditation process in order to keep the System Security Plan current.

The assumptions provide some insight into requirements, but in order to provide a realistic estimate additional work load data would be helpful.

Question: Can the Government provide historical work load data for the program integration scope? For example, is any direct Federal support included in this scope, and if so, how many full-time equivalents (FTEs) are involved? With regard to providing communications support, does that include assisting Federal staff in drafting, tracking, and maintaining correspondence? If so, how many FTEs historically have been devoted to those activities?

Answer: All pertinent information for the EPS contract has been provided in the RFP and the acquisition's electronic "Reading Room."

79. NNS-L2002 (b) (1) (D). Staffing plan states "Show how the total quantity and mix of labor was estimated..." "Discuss the basis of estimate to support proposed hours. Describe how the types and quantities of labor hours were estimated and completed Attachment L-11 accordingly."

    Question: What level of detail does NNSA desire in this section of Volume II? Does NNSA desire detailed Basis of Estimate documents at the lowest level of the WBS? Or, does NNSA expect offerors to only complete Attachment L-11?

    Answer: The minimum level has been identified in Attachment L-7, Staffing Plan Summary, and it is a business decision to break the Staffing Plan Summary down further. Attachment L-11, Basis of Estimate Log, shall be expanded as needed and shall be no higher than the level identified in Attachment L-7, Staffing Plan Summary.

80. NNS-L-2002 (b) (1) (D) Staffing Plan states the staffing plan should delineate the staffing necessary to execute the entire PWS. NNS-M-1002 states "*The Government will evaluate the proposed Technical Approach and Staffing Plan to assess the Offeror's understanding of the requirements and completeness, and feasibility of the proposed technical approach associated with the PWS requirements identified for this Criterion in Section L, risks and associated strategies for minimizing or avoiding such risks. Inconsistencies between the proposed technical approach and the Staffing Plan Summary submitted with the Cost Proposal may adversely impact the Offeror's rating for this Criterion*."

    Question: How will NNSA evaluate the staffing plan in light of the fact that a technical approach is being provided for only a portion of the PWS?

    Answer: See answer to question #19.

Question: Attachment L-7 is titled Staffing Plan Summary. Is the Staffing Plan summary to be included in Volume II in accordance with NNS-L-2002 (b) (1) (D), or in Volume III as described in section NNS-M-1002 (1) (D)? Or, both?

Answer: The Staffing Plan Summary shall be submitted in Volume II.

81. NNS-L-2002 (b) (3) (A) states "…*Additionally, the offeror shall include a narrative description for each proposed team-member, not to exceed two pages each, describing the proposed responsibilities of the team-member under the contract. The narrative shall include an explanation of why the corporate experience listed for that team-member is relevant (similar in nature, size in dollars, and complexity) to the team-member's proposed role in under the contract…*"

    Question: Can you confirm that these two pages are separate from and in addition to submitting the Attachment L-3? Also, can you confirm that we may submit two pages for the Prime, in addition to submitting two pages for each team member?

    Answer: Submittals are required for the prime and each team member. The number of pages will be clarified in the final RFP.

82. **Question:** NNS-M-1002 (3). What does NNSA view as relevant experience/past performance with respect to the groundwater/UGTA work? The characterization and modeling of underground test activities is very unique, so what type of modeling and other GW/characterization work would be considered relevant?

    Answer: It is incumbent on the Offeror to demonstrate what is relevant experience/past performance. This is the purpose for requesting the narrative explanations under Corporate Experience.

83. **Question:** Please confirm that team members will be evaluated based on the size/scope/complexity of the work expected to be performed by them i.e. a team member included for modeling will be evaluated based on that work, and would not be expected to be prime on a large characterization/ integration contract.

    Answer: Yes, this is correct.

84. **Question:** In the Contract Security Classification Specification provided for DE-SOL-0005982, Item 10 indicates the highest level of classified to be accessed and stored for this contract to be Confidential-Restricted Data. It also indicates the highest access authorization required to be "Q." Per the DOE/NNSA Directives, only an "L" access authorization is

required for access to Restricted Data classified at the Confidential level. To justify "Q" access authorizations, the level of classified to be accessed must be at least Secret-Restricted Data. Please clarify the level of classified to be accessed/stored under this contract and the highest personnel clearance required to perform this work.

Answer: The Government will review this form and provide clarification in the final RFP. The Government anticipates the use of both "L" and "Q" clearances under this contract.

85. **Question:** Please provide guidance on what elements of this contract would require access to classified information and/or secure areas; therefore, requirement of personnel clearances. For example, would everyone performing work under this contract need to be cleared or are there elements of the work that could be performed by uncleared personnel (even on-site)?

Answer: As briefed at Industry Day, approximately 50% of the staff currently has clearances.

86. **Question:** Can we get a list of incumbent employee's to contact?

Answer: No.

87. **Question:** What was the cost of this contract last four years?

Answer: See answer to question #75.

88. **Question:** How many FTE's does the contract maintain?

Answer: The Government does not believe this information is pertinent to the current RFP.

89. **Question:** Will any underground drilling be required of the contractor?

Answer: No, the M&O performs underground drilling.

90. **Question:** Can we get a copy of the award fee report for performance?

Answer: No.

91. **Question:** Can we get a copy of the baseline schedule?

Answer: See answer to question #68.

92. **Question:** Is the current baseline schedule ahead or behind schedule?

Answer: See answer to question #68.

93. **Question:** What is the FY14-19 budget projections for this contract?

    Answer: The Government will not disclose this information.

94. **Question:** Can we get a copy of the existing Regulatory Documents and Regulatory Comments, with resolution comments, and the document current status?

    Answer: This information is provided in the acquisition's electronic "Reading Room."

95. **Question:** Will aerial based detection studies be required of the contractor?

    Answer: No, the M&O performs aerial based detection studies.

96. **Question:** Can the current status of the NNSS site be provided concerning Soil CAUs?

    Answer: The Government does not believe this information is pertinent to the current RFP.

97. **Question:** Will an analytical laboratory be required for this contract?

    Answer: Yes.

98. **Question:** Will any well drilling be required of the contractor?

    Answer: See answer to question #89.

99. **Question:** Will any well development be required of the contractor?

    Answer: Yes.

100. **Question:** Will the current groundwater models be made available to the contractor? Previous data sets provided?

     Answer: The Government will provide this information upon contract award.

101. **Question:** Can we get a status of the current UGTA related milestones?

     Answer: The Government does not believe this information is pertinent to the current RFP. All pertinent information is provided in the RFP and the acquisition's electronic "Reading Room."

102. **Question:** Can we get a status of the current Industrial Sites related milestones?

     Answer: The Government does not believe this information is pertinent to the current RFP. All pertinent information is provided in the RFP and the acquisition's electronic "Reading Room."

103. **Question:** Can we get a list of the current WARP members?

Answer: The Government does not intend to provide names of the WARP members however Offeror's can view the RWAP Procedures in the acquisition's electronic "Reading Room" that provides information related to the people that staff the WARP.

104. **Questions:** Can we get a list of the current FEs that have been performed and the current status of those evaluation corrective actions?

Answer: No.

105. **Question:** Please provide an organizational chart of NFO and the incumbent contractor?

Answer: The Government intends to add a NFO EM Organizational Chart to the acquisition's electronic "Reading Room." The Government will not provide an organizational chart for the incumbent contractor.

106. **Question:** With respect to the Experience section of the proposal (page L-13), the number of contracts to be included is limited to 3 per company (team member). However, there is no minimum number that is required. How will the NNSA evaluate a company that does not submit any contracts similar in size, scope, and complexity, or that only submits a single project? This issue is compounded because the Past Performance section is linked to the Experience section. To avoid this issue, will the NNSA consider requiring that each company provide 3, and no more than 3, relevant contract examples?

Answer: See responses to question #9 and #10.

107. **Question:** With respect to the importance of Evaluation Criteria (page M-2), there are currently no weighting factors provided for each of the criterion. Instead, the draft RFP states that the evaluation criteria are listed in descending order of importance. Will the NNSA consider adding a weighting factor to each of the individual evaluation criterion?

Answer: No, the RFP states that they are listed in descending order of importance. NNSA will not consider adding a weighted factor to each of the evaluation criterion.

108. The following questions deal with the Key Personnel requirements defined in the draft RFP:

Question: Currently, the Key Personnel clause (page 44 of Section H) includes five positions. Given the increased relative role that the UGTA program will have over the next 5 years and the importance of modeling in defining, defending and validating the groundwater contaminant boundary location for each UGTA CAU over 1000 years, will the NNSA consider adding the UGTA Modeling Manager as a key position?

Answer: No.

Question: Will the NNSA consider adding a Key person position description that includes minimum educational, years of experience, and type of experience requirements?

Answer: See answers to question # 6 and #7.

Question: We believe it is critical that individuals being proposed as Key Personnel be fully committed to the successful performance of this contract. Since the Key Personnel clause does not currently define a length of commitment or require a commitment letter, will the NNSA consider adding language that requires both a 3-year commitment and a letter confirming this commitment for each key person?

Answer: See answer to question #8.

109. **Question:** Does EPS have an approximate date as to when the schedule for the RFP will be published?

Answer: The Industry Day slides have been posted and they indicate the final RFP is anticipated to be released in January 2014.

110. **Question:** Does EPS expect any major changes to the CLIN or work scope identified in the DRAFT RFP?

Answer: The Government anticipates making some minor changes.

111. **Question:** Is EPS aware of any outstanding regulatory or performance issues currently open with regards to:
   a. Nevada Department of Environmental Protection
   b. DOE-EM
   c. DOE-NNSA

Answer: No.

112. **Questions:** Several corrective actions seem to be in various stages of evaluation/completion. To what level of completion should the awardee expect these corrective actions to be in at the time of transition? Basically are all the identified corrective actions in an active state working toward completion and what is the expected FY2014 Budget for those corrective actions.

Answer: Offerors are advised to review the schedule and WBS scope statements found on the acquisition's electronic "Reading Room." The Government intends to provide additional clarifying information in Section L upon release of the final RFP and to add

clarifying language to the WBS scope statements. The Government does not intend to release any budget figures for the corrective action units.

113. **Question:** Does EPS expect current NNSS personnel to remain/roll-over to the contract awardee? Are certain NNSS personnel 'protected' and unavailable for roll-over or are certain positions to be open for a selection process by the awardee?

Answer: See answer to question #47. Where the RFP does not impose a requirement Offerors are free to propose their own approach.

114. **Question:** The DRAFT RFP refers to Technical Assistance to the RWAP and WARP, along with Profile review and waste acceptance. Is this meant to supplement the existing expertise on the RWAP and WARP? To what level of involvement is the awardee expected to have with the process especially as it involves the client waste generator sites?

Answer: No, it is not meant to supplement the existing expertise and are new requirements under this contract. The level of involvement with the generator sites is described in the Performance Work Statement.

115. **Question:** What does EPS expect to be the interface between the awardee with regards to waste acceptance and the current operations of Area 5?

Answer: All pertinent information for the EPS contract has been provided in the RFP and in the acquisition's electronic "Reading Room."

116. **Question:** The DRAFT RFP did not identify a cost ceiling for transition. When does EPS expect to publish that information?

Answer: Offerors are to see the Transition CLIN in the final RFP.

117. **Question:** Can the Government provide a "List of Interested Parties" for teaming purposes?

Answer: The Government will provide a List of Attendees from the Industry Day.

118. **Question:** In regards to timeline do you anticipate a 30 day response to the RFP?

Answer: The Government anticipates a 45 day response period for the final RFP. However, please check the final RFP for the official response period.

119. **Question:** Since a 45 day response period is anticipated will the OUO documents be available soon?

Answer: The only OUO documents that the Government intends to release are the Nevada Field Office (NFO) Orders which mirror the DOE Orders and are amplified with site-specific information. The Government is considering releasing this information earlier than the final RFP.

120. **Question:** Can the Government provide the budget for this contract for next year?

Answer: The Government will not provide this information.

121. **Question:** Is there a potential for the EPS contract scope to expand?

Answer: The Government is constrained when expanding scope without competition.

122. **Question:** Is RWAP included in the current contract? What is the rationale for bringing it into the new contract?

Answer: RWAP is currently not part of the current contract but is being added to the EPS contract and is a technical requirement of the solicitation. The Government is trying to achieve independence from the Contractor that operates the disposal facility.

123. **Question:** Will an Offeror be able to get a sense of coordination required between other agencies and organizations from the information provided in the acquisition's "Reading Room?"

Answer: Yes.

124. **Question:** Are there multiple steps and reviews that go into review documents and controls that go to the State of Nevada?

Answer: The Contractor will not be required to directly interact with the State of Nevada. See the acquisition's electronic "Reading Room" for additional information.

125. **Question:** Will the acquisition's electronic "Reading Room" documents provide information on the percentage of employees that are onsite versus offsite?

Answer: Each Offeror shall propose the location of their staff based on their technical approach. The Government is not establishing a percentage and intends to accommodate the proposed onsite personnel.

126. **Question:** It is understood that DOE EM coordinates with the State of Nevada. However, is coordinating with the Air Force and other contractors under the scope of the EPS contract? It is our understanding that the Contractor will be responsible for coordinating with the NNSS and the neighbor organizations, stakeholder, site specific advisory board. I want to clarify that the Contractor is fully involved with those things but not the State?

Answer: The Contractor will support the Government in interacting with all the organizations listed above.

127. **Question:** Can an Offeror modify the level of the Staffing Plan Summary template?

Answer: An Offeror cannot roll the Staffing Plan Summary to a higher level but may provide a lower level of detail based on their technical approach.

128. **Question:** Can the Government provide insight if there are any potential changes to the FFACO that may impact the EPS PWS as currently described?

Answer: The Government does not anticipate any changes at this time. In the event there are changes, the Government would notify potential Offerors immediately through an amendment to the RFP.

129. **Question:** Can the COCS categories be broken out further to offer the Government a better understanding?

Answer: Yes, an Offeror can propose subcategories to the Common Occupational Coding System (COCS) and must differentiate between those subcategories. Offerors must ensure that a description of the subcategories be provided in their proposal for the Government's review.

130. **Question:** At the Industry Day presentation the Government stressed that subcontracts should not be setup as T&M/Labor Hour contracts. Does the Government expect them to be firm-fixed priced?

Answer: Contract type is a business decision. However, the Government is discouraging the use of T&M/Labor Hour type contracts as it is the least preferred contract type.

131. **Question:** The RFP calls for a detailed Transition Plan but there is no discussion of this plan in Section L. Will it be incorporated as part of the technical criteria?

Answer: See answer to question #51. The Transition Plan is not part of the technical criteria.

132. **Question:** Can an Offeror wait to setup subcontracts? With preselects do we have to treat them as a team member at time of proposal?

Answer: Refer to clause FAR 52.244-2, Subcontracts - Alt 1.

133. **Question:** How is the basis of estimate requirement in the Volume II – Technical Requirements different from the basis of estimate requirement contained in the Volume III – Cost Proposal?

Answer: The basis of estimate information requested for Volume II - Technical Requirements relates to the proposed types, quantities, and skill mix of personnel proposed to perform the Performance Work Statement. No dollars shall be listed in Volume II to include Attachment L-7, Staffing Plan Summary or Attachment L-11, Basis of Estimate Log. The basis of estimate information requested in Volume III relates to the prices that are proposed and will be reflected in the completed RFP Attachment L-6, Cost Element Summary. The information will include the rationale and reasoning for the proposed direct and indirect rates as reflected in the Volume III instructions.

134. **Question:** The Key Personnel clause on page 44 of 75 in Section H only includes five positions. We recommend DOE expand this to seven to allow for the inclusion of an ESH&Q manager and a Business/Contracts Manager. Both of these positions have been Level 1 Managers for a decade. The ESH&Q scope and milestone, in fact, accounts for 20 percent of the award fee pool. Also, these two functions maintain 90 percent of the required procedures for the work scope. These two positions are and have long been important key managers.

Answer: See answer to question #50. No additional key personnel will be added.

135. The Key Personnel clause on page 44 of 75 in Section H does not state how long of a commitment is expected of key personnel. We recommend DOE require a commitment of 3 years for each key person.

Answer: See answer to question #8.

136. **Question:** The Key Personnel clause on page 44 of 75 in Section H does not state a penalty for key personnel being replaced. This opens the door for companies to propose high quality staff and then switch them out immediately (bait and switch). We recommend a substantial penalty for removal of key personnel.

Answer: See answer to question #8.

137. **Question:** Page 44 of 75 in Section H states that 40 percent of all fee will be in the award fee pool. The Payment of Fee section on page 48 of 75 in Section H states that this fee will only be paid once a year after an annual fee determination evaluation period. It seems unfair for companies to only receive such a large percentage of potential fee so infrequently. Please reconsider this clause and implement one that allows for more frequent evaluation and payment of award fee.

Answer: Provisional fee will not be paid under this contract. However, performance incentive fee is paid upon completion and acceptance of the milestones throughout the period.

138. **Question:** Page L-8 states that only Word 2007 or lower and Excel 2007 or lower are to be used for electronic file submission. We recommend PDFs be permitted instead of Word 2007 which we have found to sometimes randomly change formatting when opened on differently configured computers. The change in formatting can cause a shifting in the number of pages or other proposal compliance issues. Also, do 11x12 inch pages count as one page or two, when used?

Answer: PDF's will not be accepted. See Section L provision, NNS-L-2000(b)(6) for clarification on page size.

139. **Question:** Text size is limited to 12 points even for spreadsheets, graphics, and tables. We recommend smaller type be permitted for these special communication elements. 12-point type limits their effectiveness. 10-point is very effective.

Answer: See answer to question #2.

140. **Question:** The Volume II page limitation of 30 pages, given all the information requested, seems extremely tight. To allow teams of companies to present a clear picture of team capabilities and approaches, please increase this page limitation.

Answer: See answer to question 13.

141. **Question:** Item 9 on page L-9 states that the only exceptions to the page count limit on Volume II are the table of contents, title pages, glossary, and past performance questionnaires. At the top of the same page, however, is a footnote that states resume data is to be in an appendix to Volume II and is outside the page limit. Please clarify what is included in the page count in the final RFP. Also, please exclude tabs from the page limitation.

Answer: See answer to question #64.

142. **Question:** We recommend that in addition to a table of contents and glossary that DOE require a compliance matrix as front matter, outside the page limitation, in each volume of the proposal.

Answer: This is not a requirement of the RFP and if included it is part of the page count limitation.

143. **Question:** Page L-12, Item 1 states that the "staffing plan" is not included in the Volume II page limit. Earlier, only the front matter and the past performance questionnaires (and

perhaps the resumes) are excluded. Please clarify in the final RFP what is included in the page limitation and what is not.

Answer: Clarification will be provided in the final RFP.

144. **Question:** Criterion 1 on page L-12 requires a technical approach and risks and mitigations for only three of six key elements in the Performance Work Statement. Excluded are 3.2.3 Industrial Sites, 3.2.5 Program Integration and its six sub-elements, and 3.2.6 Yucca Mountain Regulatory Support. We recommend that the proposal require an understanding and approach to the full Performance Work Statement. Otherwise, DOE may select contractors unable to support to full Performance Work Statement.

Answer: See answers to questions #19 and #20.

145. **Question:** Criterion 2, Key Personnel, page L-12. On this page, resumes are to be provided behind Tab 2. On page L-9, resumes are to be included as an appendix. Please clarify where resumes are to be provided. Also, this section does not state whether these are in the page limit for Volume II or not, only that they are limited to 3 pages each.

Answer: See answer to question #64.

146. **Question:** Key Personnel. No place in the RFP are minimal requirements stated for key personnel. No minimal educational or years of experience are stated. This is likely to result in a protest. Without more specific requirements, it will be difficult to justify a score for the resumes. DOE should provide a description of each key position with minimal educational and years of experience required.

Answer: See answers to question #6 and #7.

147. **Question:** Page L-13, while the number of contracts to be included in the Experience section is limited to 3 per company, there is no minimum number. How will the government evaluate a company that does not submit any contracts similar in size, scope, and complexity? This issue is compounded because the past performance section is linked to the experience section. To avoid this issue, we recommend DOE state that three, and no more than 3, per company is required.

Answer: See answer to question #10.

148. **Question:** Page L-7 Baselined Other Direct Costs. We'd like to note that many of the CLINs are merely a restatement of the table presented on this page. For instance, CLINS 1003, Travel; 1004, Equipment; and 1005, Materials and Supplies would be the numbers in column 3. Because we are not permitted to add or subtract from these ODCs, all bidders will have the same totals for 15 of the CLINs, is this was [what] DOE intended?

Answer: Yes.

149. **Question:** Page M-2, no weighting factors are included in the table at the bottom of the page. Though the sentence before the table says the evaluation criteria are in descending order of importance, we recommend including weighting factors.

Answer: See answer to question #107.

150. **Question:** Attachment 1, Performance Work Statement: 3.2.1 Soils. The SOW requires use of ground based detector systems and Thermoluminescent Dosimeters (TLDs). This level of specificity will make it difficult to propose alternative, perhaps more cost-effective, approaches and is not directly compatible with the requirements of DOE O 458.1. We recommend removing the last sentence of the third paragraph of this section.

Answer: The Government will clarify this in the final RFP documents.

151. **Question:** Attachment 1, Performance Work Statement: We understand that DOE has been considering adding additional scope to the Industrial Sites task (Section 3.2.3). In particular, discussion have occurred regarding addressing EMAD, above ground piping into event cavities, and above ground structures not previously identified in the FFACO. Are we to assume that these activities will not be a part of the scope of this contract and, therefore, do not need to be addressed in the staffing plan?

Answer: Offerors shall prepare their proposals based on the RFP and the acquisition's electronic "Reading Room" material. Additional clarification will be provided in Section L of the final RFP.

152. **Questions:** Section B. Please confirm the period of performance for each CLIN throughout the RFP. For instance, in Section B on page 6, CLIN 0006 is ending on September 15 with the next CLIN beginning October 1. We believe DOE intended the CLIN to end on September 30. Also, related to Period of Performance are the option years for CLINs 1001 to 1006 , 2001 to 2006, 3001 to 3006, and 4001 to 4006 which seem to be starting with 1001 to 1006 at the same time as the base period October 1, 2014 to September 30, 2015.

Answer: Inconsistencies will be corrected in the final RFP.

Questions Released on December 24, 2013 are below. During this posting question #37 was updated above to reflect the correct website.

153. During the 2009 procurement for the current Nevada Field Office EPS contract, the winning Offeror's approach included combining CAUs in a configuration different than what was approved in the FFACO resulting in a substantial reduction in their costs,

which was allowed by the Agency in its evaluation but denied by GAO (GAO protest decision dated March 25, 2009).

Question: Will NNSA allow Offerors to present approaches to executing the PWS that are different from what is approved in the FFACO?

Answer: NNSA anticipates including clarifying instructions in Section L which state something like the paragraph below. Offerors are hereby cautioned that they must see Section L of the final RFP for the exact language. If there are inconsistencies between this answer and the RFP, the RFP shall prevail. NNSA reserves the right to include this exact language or to use different instructions/language in the final RFP at its sole discretion:

"Offerors may propose innovative work approaches and/or efficiencies to the extent that they do not conflict with the express mandatory requirements or processes identified in the PWS or Federal Facility Agreement and Consent Order (FFACO). It is the Offerors' responsibility to clearly demonstrate that any proposed innovative approaches will not result in a negative impact to FFACO regulatory deadlines/ milestones and that they will provide identifiable benefits to the Government. For proposal purposes, Offerors shall assume that all documents and references provided in the electronic acquisition reading room are current. In-process/draft strategies currently being negotiated between the Government and the regulator or any other developments which are not currently reflected in the PWS, FFACO or other applicable documents in the electronic acquisition reading room shall not be reflected in the Offerors' proposals. Offerors shall assume that all FFACO documents (Corrective Action Investigation Plans [CAIPs], Corrective Action Decision Documents [CADDs], Corrective Action Plans [CAPs] and Closure Reports [CRs]) for Soils activities are to be prepared in accordance with the process specified in the PWS and FFACO. Additionally, for proposal purposes, Offerors shall not combine Soils deliverables through the use of Streamlined Approach for Environmental Restoration (SAFER) plans, CADD/CAPs or CADD/CRs, and Offerors shall not modify the current Corrective Action Units (CAUs) or grouping of Corrective Action Sites (CASs) identified in the FFACO. Failure to comply with the requirements of this provision may render a proposal unacceptable and ineligible for award."

Question: Are there ongoing discussions with NDEP or pending changes to the FFACO that will impact the PWS and the level of effort to execute the PWS?

Answer: Offerors shall prepare a proposal based on the acquisition's electronic "Reading Room" material and shall assume it is current.

154. **Question:** Would DOE consider alternative modeling strategies for UGTA that could potentially improve the defensibility of the models and save time and cost?

Answer: See answer to question #153.

155. Regarding Soils (PWS 3.2.1):

Question: Please describe the decision process used to determine whether or not the SAFER process can be applied to reduce the review times, administrative burden, and duplication of effort required to prepare the CAIP/CADD/CAP separately.

WBS states assumption that all soils CAUs will be closed with waste in place and ICs, i.e., not cleaned up. FFACO Appendix VI implies that sites will be cleaned up where possible (not by us, per PWS).

Answer: For purposes of this proposal the documents required for each CAU are defined in the PWS and the acquisitions electronic "Reading Room. NNSA will revise the PWS to clarify the documents. CADD/CR, CADD/CAP and SAFER will be removed as alternatives from this requirement.

Question: Which sites are assumed to be cleaned up vs. closed with ICs?

Answer: For proposal purposes, assume all Soil sites will be closed and in place with institutional controls.

Clarification: Please advise where electronic copies of completed CADDs, CAIPs, CAPs, CRs, SAFERs, and annual monitoring and post-closure monitoring reports can be found, so that we can determine the level of effort required for each type of report.

Answer: Electronic copies of these documents can be found on the Office of Science and Technical Information (OSTI) website. Link is provided in the acquisition's electronic "Reading Room."

Question: Please identify the location(s) of the historical site data required to complete the CADDs, CAIPs, CAPs, CRs, SAFERs (e.g., the EMIS or physical libraries) and the procedures required to request and download data, including training.

Answer: This information can be found on the Office of Science and Technical Information (OSTI) website. A web link is provided in the acquisition's electronic "Reading Room."

156. **Question:** We noted some items in the SOW where the activities described conflict with current agreements between NNSA/NFO and NDEP. Will DOE clarify how bidders should propose in cases where there is a conflict between the SOW and current agreements?

Answer: See answer to question #153.

157. **Questions:** General: Other than the current contractor's accounting system Deltek, are there any systems that will not be transitioned to the new contractor, such as SBMS, ACTS, EIMS, Primavera, Pert Master, Analytical database, etc?

Answer: EM Information System (EMIS) is the only system subject to transition. The Government will ensure that DOE-owned data is made available to the successful Offeror for use in non-proprietary systems**.**

158. **Question:** Why is NNSA not requesting a Management Approach and rationale to help them evaluate all offerors?

Answer: The Government does not believe this is necessary given the stated RFP requirements.

159. When NNSA released the sources sought for this opportunity, the draft PWS included the following statement for each sub-project. "*The accomplishment of tasks may be altered in response to innovative work approaches and/or efficiencies if there is no negative impact to specified funding limits or regulatory deadlines/milestones*." The draft Request For Proposal (RFP) and its PWS omits that statement.

Question: Can you explain the significance of deleting that statement? Is NNSA expecting offerors to propose the timing and execution of work in accordance with the program schedule provided in the reading room?

Answer: See answer to question #153.

160. NNS-L-2001 (b) Tab 3 (1) states, "Offerors who have either a Department of Defense or Department of Energy Facility Clearance must provide a DOE Facility Clearance code for themselves and all proposed team members/ subcontractors."

Question: Can you please clarify? Does this mean IF an offeror, team member, and/or subcontractor has a facility clearance we must provide the code? Or, does this statement mean that all Offerors, team members and subcontractors must have a facility clearance in order to propose on this work?

Answer: If the proposing Offeror, along with any team members or subcontractors that are part of the proposal have an active FOCI, they need to provide their Facility Code and cage code. Should, any entity not have a active FOCI/FC at time of submission of proposal, they may still participate in the proposal phase, however they must comply with

NNS-L-1009 "INSTRUCTIONS FOR SUBMITTING FOREIGN OWNERSHIP, CONTROL OR INFLUENCE (FOCI) INFORMATION)," for submitting an eFOCI package.

161. **Question:** Based on the classification levels provided with the draft RFP, we understand the Prime must have a Foreign Ownership Control or Influence (FOCI) clearance from DOE. Can team members and/or subcontractors without an affirmative FOCI participate in the project?

Answer: Team member or subcontractors made up of the proposing team may participate in the proposal. They do not need to have an active FOCI/FC, however, must comply with solicitation requirements, by following instructions within NNS-L-1009 "INSTRUCTIONS FOR SUBMITTING FOREIGN OWNERSHIP, CONTROL OR INFLUENCE (FOCI) INFORMATION)."

162. **Question:** Although the draft RFP states that a Management Plan is due within 15 days after contract execution, the proposal requirements do not currently provide for a discussion of a management approach, including team and program organizational structure, approach to safety and health, EVMS and other management systems, retention of staff and other HR issues, and transition activities. Given the importance of this approach to overall contract performance, will NNSA consider expanding the proposal requirements to include a management approach?

Answer: No.

163. **Question:** In reviewing the Draft Performance Work Statement, the listed scope of work activities do not reflect current agreements between NNSA/NFO and the Nevada Department of Environmental Protection (NDEP). Since this issue (i.e., identified scope in the RFP not reflecting current agreements) served as the basis for a protest during the last procurement of this contract, will the NNSA consider revising the Performance Work Statement to ensure that all scope elements reflect the current agreements in place with the NDEP?

Answer: See answer to question #153.

164. **Questions:** For Corrective Actions identified, how receptive is EPS and NDEP to alternative processes/proposals at this time?

Answer: See answer to question #153.

165. **Questions:** Describe overall organization (with names), responsibilities and relationship to understand how the M&O, NNSA, others and the new contract fit together.

Answer: All pertinent information to the EPS contract has been provided in the RFP and the acquisition's electronic "Reading Room."

166. **Question:** Page L-11, item 4 asks for the Offeror's balance sheet and financial information. Should this information be provided by each team member or subcontractor or only for the prime contractor? Please clarify this in the final RFP.

Answer: Yes, this information should be provided by each team member (which includes subcontractors). See RFP Section L, provision NNS-L-2003(6).

167. **Question:** The resume format should include whether the person currently has a clearance, whether the individual has specialized certifications (CSP, CHP, etc.), any honors received, scientific papers prepared or presentations made, and similar information that will help justify the person's overall qualifications.

Answer: The Government cannot require the person to currently hold a clearance, only that they can obtain a clearance. Offerors can provide any information in the required resume that demonstrates best value to the Government and which they feel justifies the key personnel's qualifications for the position. The Key Personnel Resume Form provided (Attachment L-2) allows for such information to be provided.

168. **Question:** Attachment 1, Performance Work Statement: Program Integration does not include any mention of support to NvE [Nevada Enterprise] initiatives. We understand that the incumbent currently provides a number of FTEs to support work control, consolidated REOP, risk management, etc. Are we to assume that these activities will not be a part of the scope of this contract and, therefore, do not need to be addressed in the staffing plan?

Answer: No. NNSA believes sufficient information is available for a knowledgeable Offeror to prepare a proposal between the RFP and the acquisition's electronic "Reading Room."

169. **Question:** Attachment 1, Performance Work Statement: Section 3.2.5. The Program Integration scope does not include Information Technology/Security nor Data Management. Historically these activities have been addressed by as many as 15 full-time staff. Has DOE reconsidered the importance of Data Management as the end state for the EM program and no longer sees it as necessary to this contract? Are we to assume that these activities will not be a part of the scope of this contract and, therefore, do not need to be addressed in the staffing plan?

Answer: No. NNSA believes sufficient information is available for a knowledgeable Offeror to prepare a proposal between the RFP and the acquisition's electronic "Reading Room."

170. **Question:** Attachment 1, Performance Work Statement: The Performance Work Statement has no mention that the contractor's subcontracted laboratories must be in the DOECAP program and that the contractor must support the DOECAP program. Several incumbent staff members are lead DOECAP auditors. We recommend the final RFP include a requirement that the contractor and its laboratory subcontractors support the DOECAP program.

Answer: Comment noted. The Government is considering whether or not to provide additional clarifications in the final RFP.

171. **Question:** Attachment 1, Performance Work Statement: The Performance Work Statement includes no mention that contractor is to be the integrating contractor for the UGTA program. This has long been a role of the incumbent and the incumbents before it. This integration includes development and maintenance of the UGTA participant QAPP, development and maintenance of the UGTA participant condition/corrective action tracking system, oversight of participant analytical lab performance. Are we to assume that these activities will not be a part of the scope of this contract and, therefore, do not need to be addressed in the staffing plan?

Answer: No. NNSA believes sufficient information is available for a knowledgeable Offeror to prepare a proposal between the RFP and the acquisition's electronic "Reading Room."

172. **Questions:** Billable time identified in Section H NNS-H-1005 Observance of National Holidays (2) on page 34 of 75, states that billable time outside of normal duty hours will be reimbursed at normal salary or hourly rates; this is understood for exempt employees but may not be consistent with nonexempt employees where the Fair Labor Standards Act or Service Contract Act require overtime premiums. It also is in conflict with the RFP's Section NNS-L-2003 (b) (4) (C) and Section L page 16. In the final RFP, please clarify this contradiction.

Answer: Clarification will be made to clause NNS-H-1005. Please see other contract clauses addressing overtime premiums, e.g. 52.222-2.

173. **Question:** As the EM Director what are the challenges currently facing the stakeholders?

Answer: The NFO EM program routinely interacts with stakeholders through multiple means including the Nevada Site Specific Advisory Board (NSSAB), activities as outlined in the FFACO and Agreement in Principle, and the public outreach program. Over the past year the NFO EM program has seen an increase in stakeholder concerns

primarily related to the potential shipment of a specific waste stream, the Consolidated Edison Uranium Solidification Project (CEUSP) waste, from the Oak Ridge site to the NNSS. The public and the State of Nevada have raised concerns over the potential shipment and disposal of this waste stream at the NNSS. Currently these concerns are being addressed by a working group formed by Nevada Governor, Brian Sandoval, and Energy Secretary Ernest Moniz. In addition, groundwater issues associated with historic underground nuclear testing activities remains a topic of interest to stakeholders.

174. **Question:** The proposal requirements do not include a discussion of management approach, of safety and health capabilities and approach, of EVMS and other management systems, of how bidders will retain staff and handle HR issues, of team organization, of program organizational structure, or of transition. We recommend DOE expand the requirements to include a Management Approach section discussing organization and a full range of management systems and processes and to include a transition approach.

Answer: See answer to question #162.

175. **Question:** Attachment 1, Performance Work Statement: For UGTA drilling activities, there is no mention of whether the contractor of [or] the M&O contractor is responsible for providing radiological technician and health physics support and for ensuring 10 CFR 835 compliance. Because of the requirement of a staffing plan, this is essential information. Please state which organization is responsible for these activities. Also, please note that 10 CFR 835 is not listed in the requirements table. We recommend it be added to the table.

Answer: In instances where multiple contractors are performing work at a single location, all contractors are responsible for ensuring their organizations' compliance with worker safety and health requirements (including radiation protection).

176. **Question:** Attachment 1, Performance Work Statement: The UGTA Performance Work Statement requires safety inspections during field work, but the Soils and other SOW activities that include field work do not. Are similar safety inspections required of non-UGTA related field activities as specified in the UGTA scope section? Again, this information is essential to being able to prepare a full staffing plan.

Answer: The Contractor shall all perform work safely, in a manner that ensures adequate protection for employees, the public, and the environment, and shall be accountable for the safe performance of work. The Contractor shall exercise a degree of care commensurate with the work and the associated hazards. The Contractor shall ensure that management of environment, safety and health (ES&H) functions and activities

becomes an integral but visible part of the Contractor's work planning and execution processes.

177. **Question:** What kind of ground modeling flow is available under the EPS contract? Are there current reports and model outputs available?

Answer: All pertinent information for the EPS contract has been provided in the RFP and the acquisition's electronic "Reading Room."

178. **Questions:** NNS-H-1042 Pyramiding of Fee, please explain and provide an example. This seems to be in conflict of NNS-H-1043 Time and Materials (T&M) Labor Hour Subcontracts which excludes all labor and not just fee for the prime contract available fee based pool.

Answer: Clause NNS-H-1042 is not in conflict with clause NNS-H-1043. As detailed in RFP clause NNS-H-1042, the pyramiding of fee/profit is expressly unallowable. If Offerors propose subcontractors that include fee at the subcontract level, the prime contractor has to remove the fee portion of the subcontractor's price from its fee allocation base. For example, if a proposed cost-type subcontract includes $900k in costs and $100k in fee, the prime contractor could include only the $900k in its fee base and not the $100k fee proposed at the subcontract level (in accordance with NNS-H-1042). If the same effort were proposed as a T&M or Labor Hour subcontract, both the $900k in cost and the $100k in profit would have to be excluded from the prime contractor's fee allocation base (in accordance with NNS-H-1043).

179. **Question:** The SOW activities for Rainier Mesa/Shoshone Mountain CAU do not reflect current agreements between NNSA/NFO and NDEP. Should the current agreements be used as a basis for scope determination or should we use only those included in the Performance Work Statement?

Answer: See answer to question #153.

180. **Question:** What M&O contract scope changes will be made as a result of the new EPS contract?

Answer: At the start of the EPS contract the following changes to the M&O contract will be implemented:

<u>REMOVED SCOPE</u>:

- Soils document support
- Soils post-closure monitoring activities
- Industrial Sites post-closure monitoring activities for all EM and Defense Program (DP) sites
- D&D surveillance activities

- UGTA Geologic Modeling
- RWAP support

REDUCED SCOPE:

- Soils, Industrial Sites, and RWAP project management support
- UGTA project management and general support

REMAINING SCOPE:

- Soils field support of investigation and closure activities
- Provide estimates for Soils field support of closure alternatives
- Soils field support of post closure maintenance at sites on the NNSS or accessed from the NNSS (e.g., maintenance activities at TTR are not included)
- Radiation Services activities such as periodic assessments of posted Soils areas
- Maintenance activities for Soils and Industrial Sites post-closure sites and D&D sites
- Coordination of Soils and Industrial Sites field support activities
- Provide Subject Matter Expert(s) (e.g., waste operations, nuclear safety, performance assessment) for waste profile reviews as part of the WARP
- Provide Subject Matter Expert(s) for review of NNSS Waste Acceptance Criteria and supporting procedures and documentation
- Coordination of M&O WARP support
- Provide interface between EPS RWAP contractor and M&O waste operations

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Questions #181 - #220: Released on January 15, 2013. These are the final questions received for the Draft RFP.

181. **Question:** In the Questions and Answers provided under the Draft RFP, Answer 28 stated that the rationale for use of Clause NNS-H-1043 was "to discourage use of T&M/Labor Hour subcontracts". Are Firm-Fixed Price (FFP) subcontracts discouraged as well?

Answer: The referenced clause only applies to T&M or Labor Hour subcontracts. The NNSA Acquisition Team established the majority of the contract line item numbers (CLINs) for the EPS RFP as cost-type based on the risks and requirements of this specific acquisition. Awarding firm fixed price subcontracts for significant portions of the Performance Work Statement effort may result in numerous modifications for this effort during performance where task plans are issued annually and cleanup sites and priorities change relatively frequently. The Offeror is required to demonstrate best value to include proposed subcontract types. Subcontract type is ultimately a business decision of the Offeror within the confines of the regulations and the requirements of this RFP.

182. **Question:** Section NNS-L-2003 (a)(7) requires the Prime Contractor to conduct appropriate cost or price analysis to establish the reasonableness of proposed subcontract prices. Section NNS-L-2003 (b)(7) states that if the subcontract is not competed, provide a complete cost proposal that is submitted directly from the sub to the contracting Officer. Can we assume that the submission of a complete cost proposal by a proposed subcontractor to the CO is considered adequate cost or price analysis and that no further evidence of a price/cost analysis is required by the Prime contractor in its proposal?

Answer: No. A proposed subcontractor can send the detailed subcontract proposal by cost element directly to NNSA for analysis so as not to reveal proprietary rates to the Prime Offeror. However, the Prime Offeror is still required to conduct appropriate subcontractor analyses to establish the reasonableness of the proposed subcontract prices, and to provide that analyses to the Government—see the FAR citation below.

FAR part 15.404-3 (b) states:

The prime contractor or subcontractor shall—

(1) Conduct appropriate cost or price analyses to establish the reasonableness of proposed subcontract prices;

(2) Include the results of these analyses in the price proposal.

183. **Question:** NNS-H-1043 removes all T&M subcontracted effort from the fee base. Please clarify that subcontract work done on a Firm-fixed-price basis or on a cost-type basis would be included in the fee base.

Answer: RFP clause NNS-H-1043, *Time and Materials (T&M)/Labor Hour Subcontracts*, applies only to T&M and Labor Hour subcontracts.

184. **Question:** Section NNS-L-2000(a)(6) defines "Offeror" as including the entire contractor team arrangement, including subcontracts. Sections NNS-L-2001 and NNS-L-2003 require information from the Offeror. Should we always read this as including all teaming partners/subcontractors, or only when the section specifically requests the information from the teaming partners/subcontractors? Section NNS-L-2001(b) requires that "the Offeror shall complete Blocks 13 through 18 of the SF 33". . . would this only be the prime contractor? On the other hand, Section K is specifically required from "each member of the teaming arrangement". . . is this when we should provide for all team members, including subcontractors?

Answer: In accordance with provision NNS-L-2001, the SF33 shall be signed by the Offeror (prime contractor), by an official who is authorized to bind the company in accordance with instructions at FAR 4.102, Contractor's signature**.** RFP provision NNS-L-2003 (a)(6) addresses how the Offeror (prime contractor) shall share this information with their teaming arrangement and the submission requirements. The final RFP will be reviewed and clarify those areas where there may be inconsistencies.

185. **Question:** In Section K, Article NNS-K-1001, is this asking for the largest single contract? If so, is this the largest single cost-type contract? If not the largest single contract, should the Offeror provide a list of contracts that comprise the preponderance of work under the applicable government agency and provide the related offices, names and phone numbers of all listed contracts? Or just the largest contract in the agency with the preponderance of work?

Answer: The referenced Section K provision is addressing FAR Part 42 that establishes which agency is normally the cognizant federal agency (CFA) for a Government contractor. As detailed below, the CFA is normally based on the agency "with the largest dollar amount of negotiated contracts, including options." Offerors should provide the requested information for their established CFA and not a list of contracts.

<u>FAR Part 42.003 -- Cognizant Federal Agency.</u>

(a) For contractors other than educational institutions and nonprofit organizations, the cognizant Federal agency **normally will be the agency with the largest dollar amount of negotiated contracts, including options** (emphasis added)**.** For educational institutions and nonprofit organizations, the cognizant Federal agency is established according to Subsection G.11 of OMB Circular A-21, Cost Principles for Educational Institutions, and Attachment A, Subsection E.2, of OMB Circular A-122, Cost Principles for Nonprofit Organizations, respectively.

186. **Question:** Can proprietary subcontract cost information be provided in a sealed envelope with the prime bid, or must it be submitted directly to the Contracting Officer (Section L, NNS-L-2003 (b)(7))?

Answer: It may be provided with the Prime Offeror submission.

187. **Question:** Can the offeror add rows/columns to Table 1 & 2 of Attachment L-6 to clearly segregate subcontract fee so it is easily and clearly excluded from the prime contractor's Total Fee base, in accordance with NNS-H-1042?

Answer: Attachment L-6 is an outline that should be modified to match the specifics of the Offeror's unique circumstances as they relate to this acquisition. The Offeror is

required to demonstrate best value to include the structure of its proposal, so the final format is a business decision as long as it complies with the requirements of the RFP. However, rather than adding rows/columns to Attachment L-6 to highlight and segregate subcontract fee (if proposed), the Prime Offeror could merely link back to the subcontractor's total cost amount contained in the subcontractor's electronic spreadsheet. As listed in the "Notes" to Attachment L-6, "If subcontractors are proposed, please link amounts from associated tabs to this Top Summary sheet." The Notes section of L-6 also states, "Each team member shall also complete a similarly detailed and formatted electronic workbook."

188. **Question:** NNS-L-2000 (b) (1) requires the proposal files to be submitted in Word or Excel. Can copies of the signed forms, such the SF33 and the Entity Certification in Volume I, be submitted as PDF files?

Answer: See answer to question #138.

189. **Question:** With the contract heavily incentivized by performance fee tied to specific deliverables that are reliant on input from other program participants (e.g. labs, DRI, etc.), to what extent does the EPS contractor have authority to direct those program participants to ensure quality work is produced on schedule and cost?

Answer: The EPS contractor has no authority to direct other program participants and will not be held responsible for the quality, cost or timeliness of other participants' work.

190. **Question:** Will companies that send waste for disposal at NNSS be allowed to set up joint ventures or other entities in order to mitigate any conflict of interest with managing the RWAP?

Answer: Yes. It is the Offeror's responsibility to address potential OCIs in its OCI Disclosure and Mitigation Plan. If the conflict cannot be mitigated to the Government's satisfaction, the Government may render a proposal unacceptable and ineligible for award.

191. **Question:** Page L-8, Paragraph (b) Proposal Format, states "Proposal files are to be formatted in the following applications: Word 2007 or lower and Excel 2007 or lower for Volume III." Would it be acceptable to provide proposal files in Adobe final format instead of Word?

Answer: See answer to question #138.

192. **Question:** Page L-9 – Paragraph (9), states that the only exceptions to Volume II page count are: TOC, Title Pages, Glossary, and Past Performance Questionnaires; Page L-12-Paragraph (1) also excludes the Staffing Plan from the page count. Please clarify.

Answer: NSS-L-2000, paragraph (b)(9) of the final RFP will be revised to expressly exclude the staffing plan from the page limitations.

193. **Question:** Are Key Personnel (5) resumes (limit 3 pages each) to be placed under Tab 2 of Volume II 2 (as stated on page L-12, Tab 2(A)) or in a separate appendix to Volume II as stated near the top of page L-9 – "Resume data provided in accordance with Section L, Attachment L-2 is to be included as a separate Appendix to Volume II and is excluded from the Volume II page count limitation."?

Answer: See answer to question #64. In addition, the final RFP will be clarified to state that the resumes shall be submitted under Volume II, Tab 2 and not in an appendix.

194. **Question:** Per the Draft RFP, a Staffing Summary will be required which will be the bases for developing the Cost Summary. Will DOE be providing current or estimated staffing levels? (Based on the current PWS, determining staffing levels will be most favorable for the incumbent as specific scope details are limited.)

Answer: No. See answer to questions #4 and #44.

195. **Question:** Cover Letter – The cover letter states that the contract will cover work "at three sites (Nevada National Security Site, Nevada Test and Training Range and Tonopah Test Range).

CLIN 0001 states that the contractor will perform work "to include the Nevada National Security Site, the Nevada Test and Training Range, and Tonopah Test Range."

Will the work under this contract be limited only to the identified three sites as stated in the cover letter or could it include work beyond those sites as implied by CLIN 0001?

Answer: The EPS contractor shall perform environmental characterization and remediation services at the Nevada National Security Site and parts of the Nevada Test and Training Range and Tonopah Test Range. Waste acceptance services will be performed at the NNSS and at waste generator sites.

196. **Question:** CLIN 0001 states "Waste acceptance services will be performed at the NNSS and at waste generator sites."

Is the reference to waste generator sites limited to sites only at the three locations described in the cover letter and elsewhere in CLIN 0001 (NNSS, Nevada Test and Training Range, and Tonopah)? If not, what other waste generator sites could be included in the execution of the work? If there are other sites that could be included,

how is this work to be priced for proposal purposes? Will DOE consider providing a "plug number" for activities at these other sites to ensure parity among all bidders?

Answer: See answer to question #195, the Performance Work Statement, and the Waste Generator Map and WBS Scope Statement in the acquisition's electronic "Reading Room".

197. **Question:** The CLINs for travel, equipment, and material/ supplies state "This is a cost reimbursable item only and is non---fee bearing." Will offerors be allowed to apply G&A and/or a materials handling charge to these costs as allowed by their individual Disclosure Statements?

Answer: During performance, the awardee should follow its standard business practices and individual Disclosure Statement (as applicable) for burdening the Government baselined ODCs. However, for proposal purposes the Offeror shall not burden these costs consistent with RFP provision NNS-L-2003 (b)(6).

198. This CLIN addresses costs for transition and further states that the estimated costs will be converted to a ceiling amount.

Question: Including transition costs in the pricing that will be considered during the evaluation process provides a significant advantage for the incumbent(s). This advantage is exacerbated by the requirement to include key personnel relocation costs and to mobilize the management team immediately upon award. While both of these are reasonable requests, they will likely represent significantly higher costs for non---incumbent offerors. We understand the need for DOE to receive an estimate of transition costs for planning purposes, but would DOE consider adding language that explicitly states that this CLIN will not factor into any aspect of the evaluation process?

Answer: No, transition costs will not be eliminated from the evaluation as they are costs that are reasonably expected to be incurred during performance. Furthermore, the Government cannot envision any scenario where the costs associated with the 30-day transition would be material as compared to the costs for the other 59 months where the contractor is responsible for the full-performance of the Performance Work Statement.

199. **Question:** Application of the ceiling amount creates a cost reimbursable not to exceed situation in which the offeror is being asked to take all of the financial risk (any costs exceeding the ceiling cannot be billed; actual cost below the ceiling accrues advantage only to DOE). The CLIN language that says that the contractor is to do "all things necessary" seems inconsistent with a cost ceiling approach. At a minimum, it prevents a significant risk advantage to the incumbent(s) because they will have a better

understanding of transition requirements and a lower transition cost subject to a ceiling. Would DOE consider removing the cost ceiling language from this CLIN? Or, at a minimum, would DOE consider making this CLIN a firm fixed price estimate to balance the risk/reward?

Answer: Offerors shall carefully review the Transition CLIN data description structure in the final RFP. The Transition CLIN will be changed in the final RFP to a firm-fixed-price effort.

200. **Question:** CLIN 0007 defines the transition period as the first 30 days from the effective date of the contract. The incumbent(s) have a distinct advantage in this regard in that they will likely have the ability to provide a transition period of significantly less duration. Since CLIN 007 is non---fee---bearing, the incumbent(s), if the successful bidder, would be able to move into fee---bearing work much quicker than any non---incumbent offeror. Would DOE consider making the non---fee---bearing transition period a mandatory 30 days to ensure parity among offers?

Answer: No, it is unrealistic to artificially increase a CLIN's price that is not expected to be incurred during performance. Also, see answers to questions #199 and #200.

201. **Question:** Section H. 52.234---4 Earned Value Management System states that if an offeror does not have an EVMS that has been determined compliant at the time of award, they must take necessary actions to meet the milestones in the Contractor's EVMS Plan approved by the Contracting Officer. Please confirm that this clause requires an EVMS that is compliant with the ANSI/EIS Standard 748 but not an EVMS that is "certified" by DOE. Does the incumbent have an approved and/or certified EVMS in place today? Is it self-certified? Or has it been certified by DOE?

Answer: Correct. The contractor's EVMS must be compliant with the ANSI/EIS Standard 748 which must be self-certified and validated by DOE.

202. **Question:** NNS---H---1042 Pyramiding of Fee Section and NNS---H---1043 Time and Materials (T&M)/Labor Hour Subcontracts are intended to prevent any "fee---on--- fee" arrangements and ensure that the fee pool is the only fee paid in execution of work under this contract. The T&M clause states that the fee pool will be reduced proportionately for T&M/labor hour effort. How will DOE deal with firm fixed prices (FFP) subcontracting? Will the fee pool be similarly reduced proportionately for FFP work? If so, this would seem to negate the usual advantage of total cost assurance provided by FFP subcontracting and lead contractors to avoid otherwise beneficial subcontracting approaches that would negatively impact the available fee pool.

Answer: If an Offeror chooses to allow profit at the firm-fixed-price subcontract level, the profit portion of the firm-fixed-price subcontract shall be removed from the Prime Offeror's fee allocation base in accordance with RFP clause NNS-H-1042. To comply with RFP clause NNS-H-1042, it necessarily requires the Prime Offeror to breakdown all proposed subcontract prices, at a minimum, into the total profit/fee and total cost components.

203. **Question:** NNS---H---2006 Transition to Follow---On Contract states that the contractor must allow a successor contract to interview its employees and that the contractor "shall release such employees at the time established by the successor contractor or by NNSA." Does this clause exist in the existing contract? If we are the successful offeror, can we be assured full and unfettered access to all existing incumbent employees and is the incumbent under the same contractual obligation to release such employees?

Answer: The clause does exist in the current contract which will require the incumbent contractor to cooperate with a successor contractor.

204. **Question:** NNS---H---2013 Key Personnel defines mandatory key personnel positions, but provides no minimum qualifications or position descriptions. While most of the defined positions are fairly straightforward, it is unclear what DOE intends for the position entitled Program Integration Manager? Would DOE provide guidance, minimum qualifications, and/or a position description for the Program Integration Manager position? We are unable to find any other reference to this position in the Draft RFP and the Section L instructions do not ask for a management or integration approach. Is this a position in the incumbent's current organization? If so, their understanding of the role of this position presents a significant advantage for the incumbent(s) in their designation of key personnel.

Answer: The Government believes sufficient information is available in the PWS and the electronic "Reading Room" documents and does not intend to provide further guidance or a position description nor identify minimum qualifications. Offerors are expected to propose key personnel that are the best value to the Government.

205. **Question:** NNS---L---1009 Instructions for Submitting Foreign Ownership, Control or Influence (FOCI) Information requires the submittal of a completed and signed SF328 but does not designate where in the proposal package this form should be included. Would DOE please designate a specific submittal requirement for the SF328? Should it be submitted in Volume I?

Answer: Yes, the SF328 shall be submitted in Volume I, Tab 3. The final RFP will be corrected to reflect this change.

206. **Question:** NNS---L---1010 Worker Safety and Health Program Instructions – Activity I – Hazardous Work requires the submittal of a Worker Health and Safety Plan (WSHP) but does not designate where in the proposal package that this plan should be included. Would DOE please designate specific submittal requirements for the WSHP? Should it be included as a part of Volume I? Is there a page limit for this document? During the last procurement, DOE changed instructions by amendment to require only one copy of the WSHP. Is that the requirement for this procurement? If so, should it be submitted as a separate file unattached to any of the core volumes?

Answer: See answer to question #33. There is no page limit for WSHP. The final RFP will be corrected to include submission instructions in Section L, and in the Reporting Requirements Checklist.

207. **Question:** NNS---L---2000 Instructions for Proposal Preparation (a)(6) Contractor Teaming Arrangements states "Offerors shall provide full and complete information on each of the participating firms, including subcontractors, with particular emphasis placed on the ability of each member of the contracting team arrangement to satisfy the evaluation criteria." It further states "In addition, full and complete information must be provided on the management of any contractor team arrangement that may be involved in the performance of the work. Address each team member's role and responsibilities in this effort, where applicable, in Volume II."

There does not seem to be anywhere in the specific instructions for Volume II that this information should be addressed. The roles and responsibilities could possibly be addressed in Criterion 3, Corporate Experience, but that does not seem to be an appropriate place to address the "management of any contractor team arrangement."

Would DOE specify explicitly where this information is to be addressed? If in the Experience section, would DOE please confirm that any material provided to address these requirements is outside of any page limitations?

Answer: The final RFP will be corrected to include instructions.

208. **Question:** NNS---L---2000 Instructions for Proposal Preparation (b) (1---12) Proposal Format present several instructions that, while consistent with the last procurement, are inconsistent with the last procurement as amended.

Item (1) requires proposals to be formatted and submitted in Word 2007 or lower. Large Word documents are very unstable and open differently (even changing page breaks) on different computers and print differently based on printer configurations. This could lead to an otherwise compliant proposal being deemed non---responsive because it opens improperly on DOE's computer and appears to violate a page

limitation. Would DOE allow submittal of written documents as a read-only pdf using the Adobe software? The previous procurement was amended to allow pdf submittal.

Item (2) states that the Offeror "shall include a CD of the entire proposal" while the referenced table requests several CDs of each volume. Does DOE desire multiple CDs of each volume as defined in the table or "a CD" as defined in the text?

Item (6) defines page descriptions and allows 11x17 pages some applications. Will 11x17 pages count as one page or two pages in regards to page limitations? The previous procurement was amended to designate 11x17s as counting two pages.

Item (7) defines text requirements and limits all text, including graphics, to 12 point font. This is a very large font for tables and graphics. Would DOE allow a smaller font for spreadsheets, charts, tables, diagrams or drawings, graphs, and illustrations? The previous procurement was amended to allow font as small as 8 point in these applications.

Item (9) states that Past Performance Questionnaires are excluded from the page count, but it is not clear that they are even be included in the instructions for Criterion 4, Past Performance. The instructions seem to say that we should submit those questionnaires to our reference contacts and they are to submit them directly to DOE. Does DOE desire that we include the blank questionnaires as provided to our reference contacts in our proposal?

Answer: See answers to questions #2 and #138. The final RFP will be clarified.

209. **Question:** NNS---L---2003 Proposal Preparation Instructions: Volume III – Cost Proposal (a)(7) Subcontract Proposal Submission and Analysis states that it is the Prime Contractor's responsibility to conduct appropriate subcontract cost or price analysis. But it also states that proprietary subcontract cost information may be submitted directly to the Contracting Officer/ Contracts Specialist. How is the Prime Contractor able to conduct cost or price analysis if cost information is submitted directly to DOE?

Answer: The Government assumes subcontractor proprietary information would include specific identification of individual direct and indirect rates for a subcontractor and not higher level summary rates that do not reveal the breakdown of these individual components. In accordance with FAR Part 15.404-1(b)(1), "Price analysis is the process of examining and evaluating a proposed price without evaluating its separate cost elements and proposed profit." As applicable, an Offeror may use any of the price analysis techniques discussed in FAR Part 15.404-1(b)(2) to demonstrate reasonableness.

210. **Question:** NNS---M---1002 Basis of Contract Award provides a table of Overall Relative Importance of Evaluation Criteria but provides no values in the Weighting Factor column. Would DOE please provide the relative weighting of the evaluation criteria?

Answer: See answer to question # 107.

211. **Question:** NNS---M---1002 Basis of Contract Award (1) Criterion 1--- Technical Approach (TAB 1) evaluation criteria states "Inconsistencies between the proposed technical approach and the Staffing Plan Summary submitted with the Cost Proposal may adversely impact the Offeror's rating for this Criterion. But the instructions for Volume II state that the Staffing Plan is to be submitted with that volume. Does DOE desire the Staffing Plan to be submitted as a part of Volume II or Volume III? Or both?

Answer: The completed Staffing Plan is required for the Volume II submission only and the proposed types, quantities, and skill mix contained in the submitted Staffing Plan should be consistent with the proposed types, quantities, and skill mix of personnel priced in the completed RFP Attachment L-6, Cost Element Summary.

212. **Question:** NNS---M---1004 Cost Proposal Criterion (1) Reasonableness states that DOE will evaluate "The total price proposed for the base period and the option period . . . ." This language would seem to include Transition as the first 30 days of the base period. Evaluation of transition cost provides a distinct and substantial advantage to the incumbent(s). Would DOE amend this language to state something along the line of "except that Transition costs will not be included in the cost evaluation?"

Answer: See answer # 198.

213. **Question:** The locations of existing CAIPs, CADD, CAP, etc. for the identified sites in the PWS is requested.

Answer: See the answer to the clarification under question #155**.**

214. **Question:** Additional information on equipment, such as size, working condition, contamination conditions, especially for safety and health equipment, drilling equipment, radiological surveying equipment, and geophysical equipment is requested.

Answer: Information regarding all equipment that is part of this contract is provided in Attachment 6 of the RFP.

215. **Question:** Companies with limited site knowledge or access to site documents are at a distinct competitive disadvantage compared to incumbent contractors. Will DOE provide access to site information sufficient to create an investigation plan?

Answer: The Government believes that sufficient information about the site and access to site documents are provided in the PWS and the acquisition's electronic "Reading Room."

216. **Question:** Please clarify responsibilities for drilling between M&O and this contract; clarify the ability of available drilling/coring equipment to meet the expected needs of planned/typical investigation activities (needed to cost investigations). Attachment 6 identifies a diamond core rig and stand kit and a core rig, but does not provide any further specifications or information about condition, contamination of the equipment, or availability of parts and supplies.

Answer: See answer to question #89. The government believes the list provided in Attachment 6 is sufficient to perform typical activities associated with the contract. The diamond core rig referred to is equipment used in the past during Industrial Sites investigations to drill through concrete vault covers and is not likely to be needed as part of the new contract. The M&O will continue to be responsible for all drilling associated with the UGTA program. No other drilling is anticipated.

217. **Question:** In some cases, expected quantities are provided, such as conducting approximately twenty annual waste generator facility evaluations or provide support for approximately 10---12 annual meetings of the NSSAB. In other cases, the level of effort is not specified and the detail of the work scope seems insufficient to predict the required resources. Please provide additional detail on the amount of effort required for the integrating activities based on historical usage or anticipated need.

Answer: The Government believes that sufficient information is provided in the PWS; Reporting Requirements Checklist; List of Applicable DOE, NNSA, NFO Directives; and documents in the acquisition's electronic "Reading Room" such as the WBS Scope Statement, EPS Public Involvement Deliverables, FFACO Handbook and Outlines, Soils Activity and UGTA Activity Quality Assurance Plans, and UGTA Waste Management Plan.

218. **Question:** Please clarify why CLIN 0006, Data and Reports, is separated from CLIN 0001.

Answer: NNSA's rationale for separating CLIN 0006, Data and Reports, is to identify the deliverables required under this contract for performance under CLIN 0001.

219. **Question:** Please provide a list of required and/or existing permits that must be transitioned, obtained, and/or maintained. (NNS---H---2018).

Answer: A list of existing permits that will be required to be maintained for DOE under this contract is identified in the acquisition's electronic "Reading Room" in the WBS Scope Statement under Yucca Mountain Permits and Reclamation.

220. **Question:** In regards to NNS---H---2020, does the Government intend the Contractor to be the owner or generator of the hazardous waste or does this refer to waste coming from another site or Contractor?

Answer: In accordance with applicable regulations, the Contractor will act on the Governments behalf when generating, managing, or offering hazardous waste for transport; however, the Government is the owner/generator of the hazardous waste that is generated during characterization/remediation activities performed under the contract.