



QUESTION & ANSWERS
FROM THE
PRESOLICITATION CONFERENCE
August 9, 2011



Holiday Inn Capitol ▪ 550 C Street, SW ▪ Washington, DC 20024

Question: What is DOE doing to streamline and consolidate its organization so that the new contractor just has one client organization? Are you going to address the NNSA site reorganization (PX & Y-12) that will be necessary to optimize the combined M&O contract? Draft RFP is silent on the NNSA site office structure that will align with the new contract structure and SOW. When will the government release how NNSA will be realigned to support this contract and interface with the successor contractor?

Answer: We are developing a model based on requirements, governance, contract consolidation, workforce skills analysis and an assessment of current capabilities, and increased nonproliferation activity. We have a Technical Advisory Panel of senior NNSA officials who review work and make recommendations to the NNSA Administrator for an organizational structure for Y-12 and Pantex that will be in place by the start of contract transition.

Question: With the political pressure against this contract, what is NNSA's plan to deal with Sen. Alexander?

Answer: As we have in the past, we fully intend to openly communicate with full transparency to all members of the legislative branch.

Question: When and where will the board make available the "Protest File" to include all previous related NNSA contracts for which protests have been filed? It can be argued that there have been no "Previous Protests" on the consolidated RFP, but that would undermine the good faith intent of the government to have a full and open communication and a "level playing field." The "Protest File" should contain all previous RFP contract protests related to any of the consolidated sites that previously were stand alone RFPs and the base CLINs. Furthermore, reasonable discovery would include any information related to the UPF and its potential as an anchor in the Construction Management contract announced over a year ago. This would also include the SRTO.

Answer: All protest decisions are publicly available on the GAO web page.

Question: With regards to security, does the Protective Force have to union covered workers? If so, can it be under one contract?

Answer: Protective Force employees at both Pantex and Y-12 are represented by two distinct unions. The successor contractor must continue to follow the National Labor Relations Act with respect to its conduct with the respective unions.



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Question: Please provide the estimated pension and benefit costs for each of the related sites/and or requirements (i.e. SRTO & UPF) for each year 2012 through 2022: Y-12; PX; and SRTO; UPF. This information is critical to “fair and open” innovation, efficiencies and management proffers.

Answer: Pension and benefits costs for each related site will be made available in the reading room during the final RFP.

Question: Commitment to small business community is lacking definition.

Answer: Per Section L, L-14 of the draft RFP, the contractor shall provide the following information “Approach to utilize small business concerns, veteran-owned small business concerns, service-disabled veteran-owned small business concerns, HUBZone small business concerns, small disadvantaged business concerns, or women-owned small business concerns including the extent to which they will participate and the work they will perform as a team member”. This information will be evaluated in accordance with provision M-5. Per Section L, L-13, “The offeror shall submit a Small Business Subcontracting Plan for Government Fiscal Year 2013, which contains all the elements required by the Contract’s Section I Clause entitled “FAR 52.219-9, Small Business Subcontracting Plan.” During contract performance, the contractor will be required to comply with Clause H-7, Small Business Participation.

Question: Will there be a stated small business goal for the contract? 45%, 60%?

Answer: Per the draft RFP, offerors will propose their small business goals for Fiscal Year 2013 as part of their Small Business Subcontracting Plan. The goals for future years will be negotiated once each fiscal year and will be set forth by letter as agreed to by the Contractor and Contracting Officer. A percentage is not mandated, however, NNSA will post the current sites small business accomplishments to the website.

Question: Are small businesses encouraged to attend the “one on ones” in Albuquerque, New Mexico?

Answer: Yes. All interest parties are encouraged to attend the one on ones.

Question: Will there be specific small business goals identified in the final RFP?

Answer: Per the draft RFP, offerors will propose their small business goals for Fiscal Year 2013 as part of their Small Business Subcontracting Plan. The goals for future years will be negotiated once each fiscal year and will be set forth by letter as agreed to by the Contractor and Contracting Officer.



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Question: Does a company have to meet the NAICS code 561210 size standard in order to be included as a small business that is a pre-selected subcontractor included in the fee pool as a member of the team but outside the LLC, or can the offeror (the LLC) select the appropriate NAICS code for small business participation within the fee pool based upon the scope of work assigned the subcontractor?

Answer: No to the first part, yes to the second. The company has to be a small business under the NAICS code for the work scope the company intends to perform, as a team member or subcontractor.

Question: How much weight is placed on having small business participating in the M&O contract?

Answer: The approach to small business participation will be evaluated in accordance with provision M-5.

Question: Are there particular NAICS codes involved?

Answer: Besides NAICS code 561210, no additional NAICS codes are provided.

Question: What are the rules for small business Joint Venture (JV), i.e. if a small business teams (JV) w/large business, is it still considered small business for M&O contract?

Answer: The SBA rules determine when a business is considered a small business.

Question: Does “best value to Government” include more than cost?

Answer: Yes. Best value is defined in FAR 2.101 as “the expected outcome of an acquisition that, in the Government’s estimation, provides the greatest overall benefit in response to the requirement.” Also see Provision M-3 in the draft RFP for a description of how the selection of the best value to the Government will be achieved.

Question: Will the government provide financial incentives to bid and award work to small businesses? Frequently small business is a bait & switch exercise!

Answer: The draft RFP includes FAR 52.219-16 Liquidated Damages – Subcontracting Plan, which provides for liquidated damages for lack of a good faith effort to comply with its Small Business Subcontracting Plan. The draft RFP also includes Clause H-7, which states, in pertinent part, “The Contractor’s performance in meeting and exceeding its proposed socio-economic business participation shall be assessed as part of the fee determination under this Contract.”



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Question: Please embellish on the OCI clause between the construction management and the consolidated M&O contracts.

Answer: The draft RFP includes DEAR 952.209-72 Organizational Conflicts of Interest. Conflicts of interest under any future contract will be determined utilizing the DEAR 952.209-72 clause.

Question: Why is relevant experience valued higher than past performance on CLIN 00012. This implies favoritism towards the incumbent.

Answer: We are assuming the question is referring to CLIN 0002. UPF is a large important construction project and companies must have corporate experience that exhibits the ability to manage projects such as UPF.

Question: Is SRTO a weighted factor in CLIN 0001's evaluation or is it an option that is unweighted?

Answer: Savannah River Tritium Operations is not specifically a weighted factor; however, the offerors ability to operate all three sites will be considered.

Question: Criteria for evaluating Tritium Operations?

Answer: The evaluation criteria for CLIN 0001 applies to the ability to operate all three sites.

Question: There was an issue relating to the corporate view of location of company HQ at one of the sites or at some site other location. Is it a requirement in the proposed RFP and is it weighted to have the corporate HQ at one of the site or at some other site to be named? If so, what is the value of the weight in the evaluation and over what period of time must the location/relocation take place?

Answer: In the cover letter to the draft RFP, industry was asked to comment on the following "How the decision concerning the location(s) of the contractor's home office should be made". NNSA will consider this information in formulating its own site reorganization plans, however, it will not be considered as a factor in selection.

Question: There was the statement about "formation of a new corporation," is this a requirement? Note the "requires formation of a new corporation is this for CLIN 2." If a requirement, does this apply to both CLINs (L-12 pg. 8)?

Answer: The work for CLIN 0001 and 0002 performed by the offeror shall be conducted by a single legal entity separate from its parent organization that will be totally responsible for all contract activities. See Provision L-12(b).



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Question: Is the oral presentation a recap of the 100-page submittal presented over a several hour period to the SEB? Or is it to be an extemporaneous (without slides or notes) presentation by the team of technical and management approach?

Answer: The Source Evaluation Board will conduct an oral presentation session with the offeror's Key Personnel who shall respond extemporaneously to problems representative of the activities required under CLIN 0001. The oral presentations are not intended to be a recap of the 100-page proposal submittal.

Question: Since the offeror's team will not be allowed to bring electronics or media, will the Technical Volume be made available by the board for the purpose of discussion in a slide form?

Answer: Offerors will not be allowed to bring electronics or media and the Source Evaluation Board will not provide the offeror's technical volume. However, the Source Evaluation Board will provide for numerous communication tools to provide for effective oral presentations.

Question: Or, does the board wish a slide presentation based upon the technical and management approach submitted with the proposal for the Orals presentation?

Answer: The Source Evaluation Board will conduct an oral presentation session with the offeror's Key Personnel who shall respond extemporaneously to problems representative of the activities required under CLIN 0001. The oral presentations are not intended to be a recap of the 100-page proposal submittal or a slide presentation of the written proposal submitted.

Question: To what degree does poor performance of another DOE/NNSA site affect an offeror's proposal for the Y-12/Pantex RFP?

Answer: See Provisions M-4 and M-5 of the draft RFP.

Question: Who is the source selection official?

Answer: Ms. Neile L. Miller, Principal Deputy Administrator, NNSA.

Question: When does the government expect to make contract award?

Answer: After the comment period has closed, the schedule includes approximately 60 days to review comments followed by release of the final RFP with approximately 90 days to respond. No final contract award date has been released because several factors can determine the time of award after receipt of proposals.



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Question: What is the anticipated content and format for the one-on-ones (week of 8/29)?

Answer: The process for one-on-ones will be released to the website.

Question: Is there a reason for one-on-ones being the week of Aug 29 rather than closer to the date of Sept 19?

Answer: August 29, 2011 was selected to allow offerors time to consider one-on-one meetings in order to provide meaningful comments to the draft RFP by September 19, 2011.

Question: Are you going to ask that if you are teamed together at the time of the one-on-ones, that you attend as a team?

Answer: No.

Question: What will be the protocol for the one-on-one meetings?

Answer: All information regarding the one-on-ones will be posted to the website.

Question: Are there any restrictions for participation in the one-on-one meetings; i.e. subcontractors and primes, large and small businesses, specific components, etc.?

Answer: The one-on-ones are open to all interested parties.

Question: With regards to the 1:1 meetings, do you expect teams to come together or should firms come individually? How many meetings have you allocated time for? How much time are you allocating for each meeting?

Answer: Firms can come together as a team or individually. Final allocated time will be covered in the future on the website.

Question: Would you consider amending the solicitation to allow contractors to bid only CLIN 002?

Answer: The draft RFP has been released for comments. All comments will be considered.

Question: What would afford the government a best-value determination?

Answer: Please see Provision M-3 in the draft RFP.



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Question: Is CLIN 002 a throwaway option? If it isn't take seriously and isn't going to be executed, why is the government wasting industries' resources to provide offers for a CLIN that has little relevance and weight in the evaluation?

Answer: NNSA's intent is to award both CLINs under one contract using a best value determination, unless it is determined, after analysis/evaluation of the proposals to be in the interests of the Government to separately compete CLIN 0002.

Question: Do the references to UPF being potentially excluded from the M&O mean that decision will be made at award time? In other words if the offeror is awarded both CLIN 0001 & CLIN 0002 can it be assumed that CLIN 0002 will remain with the offeror for the duration of the contract?

Answer: The period of performance applies to both CLIN 0001 and CLIN 0002.

Question: Who has design authority on UPF?

Answer: The M&O Contractor maintains design authority for UPF.

Question: Will the 50+ GPP projects be included in the scope of work?

Answer: Yes, all General Plant Projects will be performed under this contract.

Question: Will the dRFP for the construction management contract be issued before Pantex/Y-12 comments are due on the 19th of September?

Answer: The final structure of the Enterprise Construction Management solicitation is still pending with an anticipated solicitation release date by the end of September 2011.

Question: Is NNSA still planning a construction management contract? How integrated with Pantex/Y-12?

Answer: The final structure of the Enterprise Construction Management solicitation is still pending with an anticipated solicitation release date by the end of September 2011. This solicitation and the Pantex/Y-12 solicitation are two separate stand-alone procurements.

Question: Criteria for evaluating UPF?

Answer: Provisions M-4 and M-7 of the draft RFP provides our evaluation criteria for CLIN 0002.



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Question: What will the criteria be that NNSA uses to decide to award UPF with Y-12/Pantex vs. not award and compete separately?

Answer: Provisions M-4 and M-7 of the draft RFP provides our evaluation criteria for CLIN 0002.

Question: Does an offeror have to bid on both CLIN 1 and CLIN 2 or can they propose on only one?

Answer: Offerors must bid on both CLIN 0001 and CLIN 0002.

Question: Are we allowed to only bid CLIN 0002?

Answer: Offerors must bid on both CLIN 0001 and CLIN 0002.

Question: Is there going to be an IME/CM contract?

Answer: The final structure of the Enterprise Construction Management solicitation is still pending with an anticipated solicitation release date by the end of September 2011.

Question: What criteria will be applied to extract work scope from the M&O contract and assign to the IME/CM contract?

Answer: The Statement of Work, Chapter 2, Paragraph 1.1.3, iii (A) states “The Contractor shall perform design and construction activities for all projects under \$10M (Expense and General Plant Projects). New projects over \$10M, including Expense and Line Item, may be included if determined by the NNSA to be in the government’s best interest.”

Question: UPF is a separate CLIN in this solicitation. What is the assumption for all other infrastructure projects mentioned today?

Answer: The Statement of Work, Chapter 2, Paragraph 1.1.3, iii (A) states “The Contractor shall perform design and construction activities for all projects under \$10M (Expense and General Plant Projects). New projects over \$10M, including Expense and Line Item, may be included if determined by the NNSA to be in the government’s best interest.”



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Question: Recent proposal evaluations have not given credible weight to comparable experience or industrial competence for complex, high hazard capabilities? Industry has high regard for comparable technologies and capabilities with standards that must be achieved. In many regards, the hired technical evaluators and junior level federal employees lacked the knowledge of the industry standards, high hazard operations, complex industrial experience and had minimum, if any, basic experience, how will this board insure a “fair” evaluation of high hazard comparable competencies?

Answer: The board will solicit additional external expertise in the form of advisory boards or specific subject matter experts when it is so required. Ex-officio members are also key participants in the overall process and include Site Office Managers, Federal Program Managers from Headquarters and other key individuals. The Source Evaluation Board will ensure that the proper technical expertise is brought to bear as the need arises.

Question: What is NNSA’s position/direction regarding WFO? Should it be grown or marginalized?

Answer: Work for Others is an important part of maintaining/exercising critical skills and performing contract work for the nation. We encourage the growth of Work for Others, but only on a non-interference basis with NNSA work.

Question: Can you discuss your vision for community support from the contractors?

Answer: The community involvement plan is the official document on how you intend to work and support the local communities. It is required but will not be evaluated under the evaluation criteria.

Question: Will the government provide incentives for community involvement, good neighbor activities? As noted, especially at Y-12, DOE is in the middle of the community and must partner to be successful.

Answer: A community involvement plan is required and we fully expect this contractor to be a viable and active member in all three communities.

Question: Suggestion. Ted Sherry delineated 6 elements which are important to him (e.g., operation, security, business, etc.). Put these in the RFP and do the same for Pantex. Tell the offerors what is important to NNSA.

Answer: Mr. Sherry brought up several points during his verbal presentation, and these will be included with presentation materials on the NNSA website.



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Question: Will contract baselines be provided for CLIN 1 and CLIN 2? (values over 10 year period) Does the savings calculation cover the first year only and not subsequent years? For example, will credit for savings in year 1 be recognized in years 3, 4 – etc. if it is clear that the savings implemented here continued in later years? How does the Y-12/Pantex/SRS Tritium (option) Draft RFP, with separate CLIN for UPF and potential to remove line items over \$10M from CLIN 1, affect the timing for the CM contract (rumors it will come out shortly)? Will the M&O under CLIN 1 be responsible for managing the potential increased funding to clean-up the Y-12 facility?

Answer: The cost structure and costs used for the government's estimated savings under CLIN 0001 will be provided during the final RFP. The savings calculation is based on a ten year period of cumulative sustained savings for CLIN 0001. The timing for the CM contract is not affected by UPF or the potential to remove line-items. The draft RFP allows for on-going footprint reduction activities at all three sites.

Question: Would you share the fee calculation that resulted in 6.4% fee calculation described by Robert Scott? Please show calculations.

Answer: DEAR clause 915 Fee Curve calculations suggest a 2.2% fee for this contract for the total available fee. The government is allowing the contractor to bid a fee within a 1.2% - 3.2% range (+/- 1% of the suggested DEAR clause 2.2% fee). The share in savings can be no more than the maximum total savings available fee of 3.2%, so 3.2% total available fee + 3.2% share in savings fee = 6.4% maximum available fee.

Question: For fee, do all years of the main contract include all option years, as they are not part of the base?

Answer: The bidder will bid fees for all 10 years of the contract (5 base years + 5 additional option years). Fees are earned each year of the contract.

Question: Are only merger savings considered for CSIF? Will cost savings recognized at each site apply?

Answer: All hard, sustained savings related to CLIN 0001 will be considered for the cost savings incentive fee. Cost savings at any site will be considered, not just merger savings.



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Question: Will failure to meet the gateway automatically trigger a recomplete, or can NNSA still extend the contract for other reasons?

Answer: Per Clause F-5 of the draft RFP, “When deciding whether to exercise the option in accordance with the Contract’s Section I Clause entitled “FAR 52.217-9, Option to Extend the Term of the Contract” the Contracting Officer will consider the gateway decision made by the Fee Determining Official (FDO) and NNSA’s requirements”.

Question: What process will be used by the government for validation of cost savings? Who will perform this validation?

Answer: NNSA’s newly formed Office of Acquisition and Project Management, together with the NNSA’s offices of Field Financial Management and Defense Programs, will perform the validation in accordance with its internal processes.

Question: Good idea accepted in proposal can be over come over the life of the contract by things (e.g., budget, change in mission, etc.) outside the control of the M&O.

Answer: Baselines will have change control features for issues outside contractor control.

Question: The hard cost savings appear to be mission only related savings. What about UPF?

Answer: Clause H-8 of the draft RFP implements the Cost Reduction clause, DEAR 970.5215-4, for purposes of all savings achieved by the contractor in accordance with its Cost Reduction Proposal approved at time of contract award, savings for CLINs 0001B, and 0001G, and savings sustained.

Question: What will NNSA do with achieved savings? Give back to Treasury vs. take on more mission?

Answer: See clause H-8, Cost Savings.

Question: Can you walk through a simple example of savings? If an IT systems changes over a net of \$10M every year for remainder of (after year 2) contract does contractor get \$2M (20%) each year in fee or is it front-end loaded?

Answer: Example: IT system change is contemplated and results in \$10M savings. The \$10M will be added to other savings each year for as long as the savings are sustained.



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Question: What impact, if any, do you anticipate the pending GAO report, on savings associated with the combined M&O, to have on the proposed acquisition schedule?

Answer: We do not anticipate that the GAO report will impact the current acquisition schedule, however, NNSA values and will consider all GAO comments.

Question: Will NNSA present detailed historical cost information to bidders so realistic cost savings can be proposed? Not doing so unfairly benefits the incumbent.

Answer: We will post detailed data at time of final RFP.

Question: Given that the primary reason for the consolidation of Pantex and Y-12 is to save money and create other efficiencies, why was the decision made to convert the prime security contract to a proprietary force under the M&O, which will add up to \$50M per year in costs?

Answer: Various factors were considered in determining the approach for provision of Protective Force services. However, the determining factor was consideration of the best alternative to provide enhanced long-term employment and retention opportunities for Protective Force employees. At this point we believe that inclusion within the M&O contractor provides the best solution. Specific comments provided on the draft RFP will be evaluated. The Source Evaluation Board does not recognize the \$50M per year figure stated above.

Question: How will the protective force be transitioned?

Answer: Issues regarding transition of the Protective Force will be addressed during contract transition by the government, the current incumbent, and the awardee.

Question: SOW is weak when addressing pro force.

Answer: Specific comments provided during the draft RFP comment period will be addressed.

Question: Explain the “transition of SRTO”? Time allotted, human capital, pensions and benefits.

Answer: A decision on inclusion of Savannah River Tritium Operations may come as early as the end of the first year of contract performance. The draft RFP (CLIN 0001F) specifies a proposed transition period. As part of the transition, a determination must be made regarding the applicable staff to be included within the consolidated M&O contractor, as well as services to be acquired from the Savannah River Site landlord. All aspects of staffing, pension and benefits must be identified and resolved during the transition period.



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Question: Can you tell us if the security (proforce) requirement is part of the M&O contract or will it be a separate requirement?

Answer: All security functions, including Protective Force, are the responsibility of the M&O contractor. Subcontracting of the Protective Force function is prohibited in the draft RFP.

Question: SRTO has developed a “severability plan” to accommodate planning for the SOW proposed in this solicitation. Will that plan or a summary thereof be made available to prospective bidders?

Answer: The Savannah River Site Tritium Programs severability plan was developed as part of the Savannah River Site M&O contract prior to determination of the NNSA consolidated contract approach. The severability plan was required by the Savannah River Site M&O contract to provide greater cost transparency for the NNSA mission supported by the site M&O contractor. The severability plan is an internal Savannah River Nuclear Solutions (Savannah River Site M&O) document and will not be released. However, during site visits actions taken since the beginning of FY09 to establish a severable business unit for Savannah River Tritium Operations will be described and should facilitate identification of core staff and functions for inclusion in the consolidated contract.

Question: Will schedule for one-on-one’s be posted on website in the future for scheduling purposes?

Answer: Details for the one-on-ones will be posted on the website.

Question: Given the prohibition against subcontracting security, does a JV with a security partner qualify?

Answer: Teaming with a security partner is acceptable.

Question: Regarding the new requirement to manage the master schedule for all production activities – Does this include production of Tritium producing burnable absorber rods and irradiation services at TVA?

Answer: Production of the tritium producing burnable absorber rods (TPBARS) and subsequent irradiation at Tennessee Valley Authority reactors is not included in the Nuclear Production M&O scope.



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Question: What are the key decision factors on potentially bringing savannah river tritium ops into the contract? Costs? Risks? Or What?

Answer: Inclusion of Savannah River Tritium Operations in the consolidated contract is consistent with the philosophy of contract consolidation as part of the nuclear weapons production enterprise. A determination on inclusion of Savannah River Tritium Operations will be made following analysis of the PX/Y-12 consolidation for compatibility as well as the effect on Savannah River Site performance.

Question: The protective force union in Oak Ridge strongly objects to being part under the M&O. The reason given for doing it (#1 reason) is to take care of SPO job portability. This does the opposite in Oak Ridge (due to ORNL and ETTP) – Why do it if the union does not want it?

Answer: We will consider any formal comments on the draft RFP from the union.