

## QUESTIONS & ANSWERS (RFP)

**52. Reference: NNS-L 1001 (c), Page L-6, Overall Arrangement of Proposal** states, “All pages of each volume shall be appropriately numbered, and identified with the name of the Offeror, the date, and the solicitation number.”

**Reference: NNS-L 1001 (g)(1) Page Description, Page L-7** states, “The solicitation number, page number and the legend at FAR 52.215-1(e), "Restriction on Disclosure and Use of Data," as appropriate, shall be provided on each page and is the only information that can be displayed within the one inch top, bottom, and side margins.”

**Question:** These two instructions are in conflict. Please clarify what information is required and allowed to be included in the margins.

**Answer:** *NNS-L-1001(c) of Section L of the solicitation will be amended to delete the sentence, “All pages of each volume shall be appropriately numbered and identified with the name of the Offeror, the date, and the solicitation number.”*

*NNS-L 1001 (g) “Page Description” will be amended to state that it is applicable to Volume II only. Paragraph (g) (1) will be edited to read essentially as follows: “Page size shall be 8.5 x 11 inches for text pages and a maximum of 11 x 17 inches for spreadsheet, charts, tables, diagrams or design drawings. For text pages, page margins shall be a minimum of one inch at the top, bottom and each side. The only information that may be displayed within these margins are the Offeror’s name, the solicitation number, page number and the legend at FAR 52.215-1(e), "Restriction on Disclosure and Use of Data," as appropriate. A font size smaller than that which is described in subparagraph (2) below can be used for this information; however, other text reductions are unacceptable.”*

**53. Reference Question/Answer #51 Clarification (Transition Period)**

The answer indicates that the transition period is October 1 – 31, 2011. Based on this answer, for purposes of completing the L-8 Staffing Plan Summary DPLH and FTE, column “CFY1” should reflect 11 months of actual contract performance (i.e. SPO post manning, etc.) and not 12 months. Please clarify.

**Answer:** *The L-8 Staffing Plan properly reflects a 12 month period of performance (rather than an 11 month period of performance), during the first year. The transition period represents one month of the first twelve months period of performance, and the estimated labor cost for the first month and subsequent eleven months is included in the total ceiling price for CLIN 0001. Both the Staffing Plan Summary and Cost Proposal should reflect the same manning hours for twelve months of performance.*

**54. Reference: Solicitation Section H-1026, paragraph (2), page 58** states that reasonable amounts for other costs such as expenses relating to the grievance processing, arbitrations, etc. are allowable as an indirect cost component of the fixed billing rates set forth in clause NNS-B-1014.

**Clause NNS-B-1014** states that loaded labor rates are not subject to revision unless required by the SCA.

**Answer to bidder question #36** reiterates bill rate adjustments only IAW FAR 52.222-43.

**Question:** So that bidders do not over or under estimate for unanticipated future expenses relating to grievances/arbitrations, which are “not” subject to revision by the SCA, will the Government either:

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- a. provide the historical data related to these costs?
- b. or, as these costs are allowable, consider treating them as a reimbursable ODC as opposed to part of the billing rate?

**Answer:** *Historically, such costs have been negligible; therefore, we do not intend to treat such costs as a reimbursable ODC as opposed to part of the billing rate.*

### **55. Reference: Attachments L-12 Pricing Schedule B's and Attachment L-8 Staffing Plan.**

The format for the billing rates on the pricing schedules requires separation of the DPLH by straight time, overtime, and double time labor categories. Please confirm if the L-8 Staffing Plan Labor categories should similarly be broken down by ST, OT and DT DPLH per labor category, or if they should reflect a summarized DPLH by labor category (ST+OT+DT).

**Answer:** *The offeror may populate the L-8 Staffing Plan using either method described above.*

### **56. Reference Attachments L-7 Cost Proposal Instructions, (a)(2) Baseline SPO FTE and hours and (d)(iv) Direct Labor Hours:**

The Baseline SPO hours table indicates a 48 hour workweek (48 hours x 52 weeks/year = 2,496), separated by ST and OT hours. Derivation of Direct Labor Hours instructs offerors to show how the DPLH estimates were calculated after deducting for nonproductive work such as paid absences, incidental training, and other types of non-direct charged activities.

**Question:** Please confirm that the hours shown in the Baseline table for the 195 SPOs are “not” DPLH hours, but represent their annual work schedule of 2,496 hours from which paid absences, training, etc. must be deducted to determine the DPLH, (similar to “starting” with 2,080 hours for non-shift workers and subtracting nonproductive work hours).

**Answer:** *We confirm that the hours shown in the Baseline table for the 195 SPOs are “not” DPLH hours, but represent their annual work schedule of 2,496 hours from which paid absences, non-mandatory/incidental training, etc., must be deducted to compute DPLH. Attachment L-7 Cost Proposal Instructions, (a)(2) Baseline SPO FTE, will be corrected to clarify this statement, as follows:*

**Baselines:** *Offerors are instructed to propose Protective Force direct labor categories and Direct Productive Labor Hours (DPLH), based on the annual labor Full Time Equivalent (FTE) Baseline estimates below. Proposed DPLH shall reflect the FTE labor hour estimates below, minus the offeror's estimated non-productive labor hours (such as paid absences, non-mandatory/incidental training, and other non-direct charged activities).*

### **57. Reference: Attachment L-7 Cost Proposal Instructions, (b) Teaming Arrangements, page 3:**

**Question:** Please clarify – are proposed subcontractors also required to submit the documentation listed in L-7(e), pages 8-9, “Other Financial System Information”?

**Answer:** *The documentation is required for the Offeror, for all participants if the Offeror is a teaming arrangement, and for any subcontractor whose estimated cost exceeds 25 percent of the total proposed cost.*

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### **58. Reference: Unpredicted Overtime Rates – Attachment J-13:**

The RFP requires compliance with the CBA, which mandates a 48 hour week which includes 16 hours of standard, scheduled overtime for the ProForce, plus additional standard, mandatory overtime for work on holidays and in support of NNSA requirements that fall outside normal shifts. This equates to a minimum of 33.33% predicted/planned overtime for standard shifts, plus an additional 3 - 4% overtime for holiday work, plus an unknown amount of mission-essential overtime outside normal shifts.

**Question:** Will the Government increase the unpredicted overtime threshold for the ProForce to 37%? If not, how is the contractor expected to recover its labor costs with a lower unpredicted overtime penalty rate?

**Answer:** *Given the staffing level of 195 SPOs, the Government expects the Contractor will incur no more than 1,040 standard overtime hours per SPO which equates to a 25% unpredicted overtime threshold. However, as per the third paragraph of clause NNS-B-1016 entitled 'Overtime', Unpredicted Overtime can be increased upon approval of the Contracting Officer to cover unforeseen overtime caused by a national emergency and other overtime deemed to be outside of the contractor's control.*

### **59. Reference: Attachment L-7(a) Schedule of Current CBA & Non-CBA Current Contract Labor Categories:**

**Question:** This list includes "Sergeants", which do not appear in the CBA or the Attachment L-7 Baseline FTE Estimate ProForce table. Has the Sergeant labor category been omitted from the SPO/SO Baseline FTE estimate? If not, please clarify what base lined category includes the Sergeants.

**Answer:** *Sergeants are included in the SPO 1 and SPO 2 baseline FTE estimates.*

### **60. Reference: Attachment L-7(d)(iv) Direct Labor Hours:**

**Question:** Is new hire training for SPOs considered directly billable, or, should this initial training be included within the loaded billing rate (meaning it is "not" directly billable)?

**Answer:** *New hire training (and other mandatory training) is directly billable.*

### **61. Reference: Attachment L-7 paragraph (a)(2) Baselines:**

There are no OT hours for uniformed Lieutenant and Captain positions. Site security directives require these positions to mirror CBA shifts. Numerous legal decisions regarding application of the Fair Labor Standards Act and its implementing regulations have established that such positions require payment for overtime hours.

**Questions:** 1) Will the Government add an OT rate for these positions? 2) If not, will the Government indemnify the contractor and allow reimbursement of legal fees if it is later determined that employees in these positions are entitled to overtime compensation not recognized in the contract?

**Answer:** *Attachment L-7 paragraph (a)(2) Baselines will be corrected to reflect the following revised annual baseline hours for uniformed Major, Lieutenant, and Captain positions:*

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BASELINED CATEGORY	FTE	ST	OT	HRS/FTE
Major	1	2080		2080
Captains	6	2080	416	2496
Lieutenants	30	1664	832	2496
CAS Operators	20	1664	832	2496
SPO III	30	1664	832	2496
SPO II	44	1664	832	2496
SPO I	101	1664	832	2496

**62. Reference: Attachment J-13, Unpredicted Overtime Rate Schedule:**

This Schedule requires Offerors to supply loaded rates, but does not appear to require an extended price for unpredicted overtime. However, CLINs 0001, 1001 and 2001 indicates that amounts billed under these CLINs are also for Unpredicted Overtime DPLH Rates listed at Attachment J-13.

**Question:** Are Offerors supposed to price the unpredicted overtime using their Attachment J-13 multiplied against some estimated quantity of hours, or, is the requirement only to fill-in rates at Attachment J-13 for future use when unpredicted overtime occurs?

**Answer:** *The unpredicted rate schedule does not have estimated hours associated with it. The requirement is only to fill-in rates for future use when unpredicted overtime occurs.*

**63. Reference: Attachment L-7 paragraph (c)(vi) Indirect Pool and Base Expenses:**

A supporting cost exhibit is required to identify the Accompanying Payroll Costs for CBA/WD personnel, but not for positions “not” covered by a CBA/WD.

**Question:** Is the intent for offerors to include the payroll costs for non-covered CBA/WD personnel under “fringe benefits”?

**Answer:** *Yes, it is the intent for offerors to include the payroll costs for non-covered CBA/WD personnel under “fringe benefits”.*

**64. Reference: Proposal Instructions, Section L, Overall Arrangement of Proposal (c)** states, “All pages of each volume shall be appropriately numbered and identified with the name of offeror, the date, and the solicitation number.”

Volume I, (Offer and Other Documents) contains a number of Standard Forms, Reqs and Certs, SF 33, Schedule B, ORCA copies, Vets 100 statement, CSCS Form, SF 328, NNS-H-1007, and NNS-H-1005. Many of the forms are not set up with the room and margins to accommodate the page number, name, date, and solicitation number.

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**Question:** Will you please remove the page numbering instructions on these forms and allow bidders to list them by section in the Table of Contents.

**Answer:** See answer to Question number 52.

**65.** Many of the CBA benefits are based on tenure/seniority.

**Question:** So that bidders may accurately bid these costs into the fringe portion of the fixed billing rates, will the Government please provide a seniority list by labor category (names are not needed, just job title and seniority date)?

**Answer:** The following table represents the age structure of employees under the current Protective Force contract:

<b>Age Structure (% of total employees in each age group by duties)</b>								
<b>Duties</b>	<b>18-25</b>	<b>26-30</b>	<b>31-35</b>	<b>36-40</b>	<b>41-45</b>	<b>46-50</b>	<b>51+</b>	<b>Total</b>
SO								
CAS Operator		1.28%	0.85%	0.85%	0.85%	1.71%	2.99%	8.55%
SPO I		8.55%	5.13%	2.99%	1.71%	7.26%	7.69%	33.33%
SPO II		12.39%	8.97%	1.71%	2.14%	1.28%	0.43%	26.92%
SPO III		9.40%	4.27%	0.85%	0.43%	0.43%		15.38%
CAS Supervisor								
SPO I Supervisor								
SPO II Supervisor		0.85%	2.14%	1.28%	0.85%	1.28%	1.71%	8.12%
SPO III Supervisor		0.43%	2.14%	1.28%	0.43%	0.43%	0.43%	5.13%
Shift Supervisor					0.43%	1.28%	0.85%	2.56%
<b>Total</b>		<b>32.91%</b>	<b>23.50%</b>	<b>8.97%</b>	<b>6.84%</b>	<b>13.68%</b>	<b>14.10%</b>	<b>100.00%</b>

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### 66. Reference: Attachment 7-Proposal Preparation Instructions: Volume III (a) General Requirements, (2) Baselines:

Offerors are instructed to propose ProForce direct labor categories and hours using the annual labor baseline estimates in the table listed. The instructions further state that SPO figures are based upon the estimated MAXIMUM number of 195 SPOs allowable under the contract.

**Question:** In addition to using the exact labor categories and hours in the table, are offerors also directed to use the exact number of FTEs in each category, listed in that table?

#### Annual Baseline FTE Estimate for SPOs and Security Officers

BASELINED CATEGORY	FTE**	ST**	OT**	HRS/FTE
Major	1	2080		2080
Captains	6	2080	416	2496
Lieutenants	30	1664	832	2496
CAS Operators	20	1664	832	2496
SPO III	30	1664	832	2496
SPO II	44	1664	832	2496
SPO I	101	1664	832	2496

\*\* FTE = Full Time Equivalent (includes paid productive hours and paid non-productive hours)

\*\*ST = Straight Time

\*\*OT = Overtime

**Answer:** Offerors are instructed to use the exact number of baselined FTEs in each category. As stated in the Government's answer to Question #56, baselined FTE hours are not DPLH hours, but represent listed labor category annual work schedules from which paid absences, non-mandatory (incidental) training, and other types of non-direct charged activities must be deducted in order to establish DPLH labor hours for each required FTE. Therefore, proposed DPLH for each FTE will be less than "HRS/FTE" shown in the table above. Accordingly, the offeror is responsible for making the determination as to how many DPLH per FTE will be proposed.