

DRAFT RFP QUESTIONS & ANSWERS

“NNSA Pantex/Y-12 National Security Complex and DOE Oak Ridge Office Consolidated Protective Force Services”

Solicitation No. DE-SOL-0003552

1. **Question:** Is an Offeror required to have an active DOE clearance to submit a proposal for the Oak Ridge Services? Would the Oak Ridge facility serve as “sponsor” if selected for this contract?

Answer: An Offeror is not required to have an active DOE Facility Clearance to be able to submit a proposal under solicitation DE-SOL-0003552. However, should the Offeror currently not have a DOE Facility Clearance, an Offeror must be able to obtain a DOE facility clearance in accordance with the rules and regulations defined within the solicitation. The Cognizant Security Office could either be the National Nuclear Security Administration or the DOE Oak Ridge Office.

2. **Question:** Of the 6 union contracts currently in force, 5 will most likely expire before this contract is awarded. How does the Government intend to deal with these expiring contracts?

Answer: Offerors shall propose to the CBA’s included in the RFP (Attachment J-6 to J-11). New CBA’s will be incorporated into the contract at time of award.

3. **Question:** Does the Government assume liability for future funding of the Defined Benefit Pension Plans?

Answer: See RFP clause NNS-H-1027.

4. **Question:** Under the Award Fee Plan, Performance Objective #1 it states “Provide a paramilitary protective force (PF) operations and other security services at Pantex/Y-12 facilities for the protection of special nuclear material (SNM), classified material, personnel and property.” What are the “other security services” required?

Answer: As outlined in the Performance Work Statement, some protective force work scope at the NNSA Production Office sites cannot be characterized as “paramilitary operations.” Examples include routine duties associated with the protection of classified matter, personnel and non-nuclear government property. See PWS sections 4.1.3.6 (escorts), 4.2.1.1 (Security Officers), and 4.2.2 (Central and Secondary Alarm Station monitors).

5. **Question:** Will the Government provide access to the SSSP and minimum post requirements to enable bidders to organize efficient operations and support staffs?

Answer: The Site Safeguards and Security Plans will not be provided. Minimum post requirements have been provided to prospective Offerors via attachment L-11, "Site Post and Hour Requirements."

6. **Question:** "Tab 6" is not defined in the DRFP. Can we assume Tab 6 is "Exceptions and Deviations"?

Answer: The reference to Tab 6 under Provision NNS-L-1002, first sentence, shall be corrected in the final version of the RFP. Subparagraphs (g) Exceptions and Deviations and (h) Additional Information shall be relocated under Tab 4 as subparagraphs (6) and (7).

7. **Question:** Do all incumbent non-CBA staff work in government provided facilities and use Government owned equipment?

Answer: No, see clause NNS-H-1008.

8. **Question:** Will the government provide a list and description of all government provided training facilities available at each location?

Answer: Attachment J-12 provides a list of all PF related facilities and equipment to include training facilities.

9. **Question:** Will security clearance processing be the responsibility of the security contractor, or will this function be consolidated under the M&O contractor?

Answer: Security clearance processing is not within the scope of this acquisition.

10. **Question:** With the cost of producing proposals, many government agencies no longer require written copies of proposals. Would the government consider an electronic version of the proposal?

Answer: Review Provision NNS-L-1001 for proposal submittal requirements.

11. **Question:** Has NNSA determined the location of the New Production Office responsible for the Y-12 and Pantex sites?

Answer: The NNSA Production Office will be a single federal office with geographically dispersed functional leads that enable mission, manage the contract, and provide oversight at multiple NNSA production sites. The Production Office Manager is Steve Erhart and he will be located in Oak Ridge, Tennessee. Pantex and Y-12 will have Deputy Managers, who will

play a key role in operations at their respective sites. This is scheduled to be in place prior to contract award.

12. **Question:** Can NNSA provide any details of the organizational structure of the new office?

Answer: See answer to question #11.

13. **Question:** What are the current services subcontracted at each site? Which services require security clearances? What firms currently provide the services?

Answer: The approach for meeting the Government's requirement is at the discretion of the Offeror.

14. **Question:** If there is not an Organizational Conflict of Interest for BWXT bidding on this contract in a teaming/JV type arrangement with Wackenhut/G4S it would result in an alignment of two incumbents with access to information not available to other bidders. Has the Government determined if there is an OCI issue which would preclude from joining together to bid on this contract?

Answer: The Contracting Officer has determined that no significant OCI issues currently exist. At any time during the process, the CO may reevaluate if any significant issues are disclosed and determine whether action needs to be taken to mitigate any identified OCI.

15. **Question:** The DRFP states "The cost proposal will not be rated, but will be used in determining the best value to the Government in accordance with Section M, NNS-M-1002..." This sends the signal that cost savings and innovation are less important than business as usual and that the Government is willing to pay a higher price to a contractor with a DOE protective force history. Is the Government more comfortable with what it considers "reasonable" based on historical data versus a more efficient and less expensive alternative?

Answer: See Section M, NNS-M-1002.

16. **Question:** Is there any additional scope being planned for inclusion for the procurement: Technical Security, Physical Security, Information Security, Badging, Material Control and Accountability, Vulnerability Analysis or Classified Security?

Answer: Offerors are instructed to propose to the requirements specified in the RFP.

17. **Question:** Would the Government consider significantly reducing the small business goal for this particular procurement?

Answer: Offerors are directed to review Provision NNS-L-1003, Tab 6, Criterion 6 which states “Reasons for significant deviation from this goal should be explained in the Participation Plan (as an attachment).”

18. **Question:** RFP reference - NNS-L-1004 Cost Volume Requirements (10) Award Fee. If the offeror obtains competitively bid subcontracts and selects a subcontractor based on competition and the subcontractor includes fee in their bid is the offeror permitted to apply fee to the total subcontract price?

Answer: No. The competition of subcontracts has no bearing on the allowability of pyramiding fee/profit. Pyramiding of fee/profit is expressly unallowable for this acquisition and any resulting contracts. Offerors are directed to review Section H, NNS-H-1042 – Pyramiding of Fee.

19. **Question:** RFP Reference: NNS-L-1004 Cost Volume Requirements (2) Proposal Accuracy: The DRAFT RFP indicates we are to use MS EXCEL version 2007 or lower, Our systems have been updated to MS EXCEL version 2010. Will the government accept the cost files in MS EXCEL version 2010?

Answer: The completed and submitted MS Excel spreadsheets have to be compatible with version 2007 or lower. Most versions of MS Excel allow the saving of documents “as is” in a lower version.

20. **Question:** Section NNS-L-1001(b), Overall Arrangement of Proposal Number of Copies for Volumes. For each Volume, there is (1) more hardcopy than electronic CD-ROM copy; for instance Volume I requires four (4) hardcopies (one original + three copies) and three (3) CD-ROMS. Should the one (1) original hardcopy contain a CD-ROM?

Answer: No, the Government requirement is to have Offerors provide a total number of CDs as referenced under NNS-L-1001(b).

21. **Question:** Section NNS-L-1002(f), Offer Volume I, TAB 5 Subcontracting Plan. This section refers several times to “a Plan”, however, it appears that the Offeror is required to submit two (2) separate Small Business Subcontracting Plans as per Section J Attachment 19 (Pantex/Y-12) and Attachment 20 (DOE-OR). Are (2) separate Small Business Subcontracting Plans required?

Answer: Yes. Two subcontracting plans (1 plan – NNSA Contract; 1 plan – DOE-OR contract) shall be submitted by Large Business Offerors. In addition, the final RFP will standardize references identifying “plan” to reflect “plans.”

22. **Question:** Section NNS-L-1003(b)(6), TAB 6 Small Business Participation Plan. Please confirm: Is only (1) Small Business Participation Plan required, addressing both Pantex/Y-12 and DOE-OR combined?

Answer: No. Two separate plans are required (1 plan for the NNSA contract and 1 plan for the DOE-OR contract).

23. **Question:** Section NNS-L-1003(b)(6)(b)(2), TAB 6 Small Business Participation Plan, fill-in sections c, d and e. Please confirm: Are the Total Proposed Contract value and dollar/percentage values of Prime Contractor participation for both Pantex/Y-12 and DOE-OR combined?

Answer: No. Tab 6 fill-ins apply to each separate participation plan based on each individual contract’s Small Business Participation Plan requirements.

24. **Question:** Section NNS-L-1003(b)(6)(b)(5), Technical Proposal Volume II, TAB 6 Small Business Participation Plan, DOE/NNSA target of 9%. Is the DOE/NNSA target of 9% based on combined total contract value for both Pantex/Y-12 and DOE-OR Contracts?

Answer: No. The 9% shall be based on the total contract value for each contract.

25. **Question:** Section NNS-L-1020 Cognizant Agency for Indirect Rate Negotiation. In which Volume of the Offeror’s proposal should this information be provided?

Answer: The Government shall include this information in the final RFP under Volume I, Tab 3.

26. **Question:** Attachment L-5, Paragraph II.F, Page 3. The form allows the use of a separate sheet if necessary to complete Item 2 of the referenced section. Will the Government allow the use of a separate sheet for Items 1 and 3 also?

Answer: A page limit will be established upon release of the final RFP.

27. **Question:** Attachment L-5, II.F, Page 2. Please comment on the overall satisfaction of your organization with the contractor’s performance and provide reasons for your assessment (you

may attach a separate sheet if necessary). Will the Government allow more than one ancillary sheet? If so, are there any limits?

Answer: See answer to question #26.

28. **Question:** Section NNS-L-1003 Technical Instructions Volume II, Tab 6: Criterion 6, Small Business Participation Plan. The offer shall provide...a copy of any binding subcontracts or other written commitments to subcontract with firms identified in the table. The Small Business Participation Plan is limited to five pages. Will the Government allow the subcontract or other written commitments section to be not page counted?

Answer: The Government will exclude binding subcontracts or other written commitments to subcontract in the overall page count in the final RFP.

29. **Question:** NNS-L-1001 INSTRUCTIONS FOR PROPOSAL PREPARATION – GENERAL, Paragraph (f)(1), Page L-6 "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." Are 11 x 17 inch sheets to be counted as one page or as two pages?

Answer: 11 X 17 page sizes shall count as one page.

30. **Question:** Attachment L-6, Security, Environment, Safety, Health, and Quality Assurance Performance Form, Data table and second paragraph. The second paragraph states, "Include a brief explanation of the circumstances, to include the work being performed and any other information pertinent to the matter." Items (1) and (3) in the table reference specific, distinct items. Item (2) is a composite rate, not referencing specific items. Does the Government want the brief explanation of the items listed in items (1) and (3) only?

Answer: The Government will address this under the final RFP.

31. **Question:** Attachment L-6, Security, Environment, Safety, Health, and Quality Assurance Performance Form, first paragraph, Page 1. Information shall be consolidated as it relates to the Offeror, its predecessor companies, parent or holding companies (if relevant), all teaming participants, and/or any of its subcontractors responsible for providing security services. We define the term "security services" as those services provided by armed and/or unarmed Security Police Officers. Is this correct?

Answer: Security services include all work described in the PWS.

32. **Question:** Section L, Proposal Instructions: Volume 1, Offer and Other Documents, Paragraph 1, Pages L-7 of 30. "Volume I, Offer and Other Documents, shall contain a Proposal Cover Letter and Tabs 1 through 6 as follows." There are only (5) five Tabs shown in the instructions. Please advise, what information should be included in Tab (6) Six?

Answer: See answer to question #6.

33. **Question:** Attachment J-1, Draft PWS, 3.0 Background, Federal Building Complex, last paragraph, Page 5. Although not part of the FBC, the ORPF also currently provides security at the Office of Secure Transportation, Secure Transportation Center located at the intersection of Highway 58 and Blair Road. This facility consists of a 40,000 square foot building on about 53 acres of land with approximately 24 acres fenced as a LA. Currently security is provided to USEC in their Oak Ridge Research Office as required by their CRADA with ORNL. USEC is separately billed by the Security Contractor. Is it the intent of the Government that this security support will cease at the award of the contract?

Answer: The Protective Force Services provided to the USEC facilities at ETTP are covered under the Draft Performance Work Statement. This solicitation will not include security support to USEC at the Oak Ridge Research Office.

34. **Question:** Attachment J-1, DPWS, 4.0 Requirements, Para 3, Bullet 4, Technical Surveillance Countermeasures, Page 6. Services including, but not limited, to those listed below shall be purchased through other Government contractual agreements: Technical Surveillance Countermeasures. Technical Surveillance Countermeasure teams are provided to both NNSA-YSO and DOE-ORO in the current security contract scope of work. Is it the intent of the Government that Technical Surveillance Countermeasures will not be included in the scope of this RFP?

Answer: Technical Surveillance Countermeasures (TSCM) services will not be included in the Performance Work Statement for this solicitation.

35. **Question:** Section H, NNS-H-1027, Workforce Transition, Management, Pay, and Benefits, A. Pension and Post Retirement Benefits Second Sentence, Page 40. At Oak Ridge, all non-bargaining unit employees hired prior to June 4, 2007 participate in a defined benefit pension plan. Should the sentence have added at the end "and defined contribution plan". Note: The current employees hired before June 4, 2007, have both a DBP and DCP.

Answer: Yes, the final RFP will reflect this addition.

36. **Question:** DPWS, Services Purchased through other Government Contractual Agreements, Para 3 Bullet 6. Building maintenance and life cycle replacement, Page 6, Services including, but not limited, to those listed below shall be purchased through other Government contractual agreements. Is it the intent of the Government that the facilities maintenance and replacement at the Central Training Facility be performed by the selected contractor vice purchasing the services through “other government contractual agreements”?

Answer: Yes, it is the Government’s intention the selected contractor will perform the facilities maintenance and life cycle replacement at the Central Training Facility. The Government will clarify in the final RFP.

37. **Question:** Attachment J-4, DOE/NNSA DIRECTIVES AND OTHER DOCUMENTS, DOE - Oak Ridge Only Bullet 6, Page 6. BJC-EH-4000 – Bechtel Jacobs Company LLC Radiation Protection Program. Is it the intent of DOE-ORO that the contractor use the BJC-EH-4000 “Radiation Health Program” vice the currently applicable UCOR “Radiation Health Program” BJC/OR-301 for operations at ETTP?

Answer: BJC-EH-4000 has been re-designated as PPD-RP-4000, “Radiation Protection Program Description for URS|CH2M Oak Ridge LLC, Oak Ridge, Tennessee”. Only PPD-RP-4000 is applicable to the protective force contractor at ETTP.

38. **Question:** Section L, Instructions, L-7 Volume I Offer and Other Documents, NNS-L-1002 Proposal Preparation Instructions (4), Page L-7. A statement specifying the extent of agreement with all terms, conditions, and provisions included in the solicitation and agreement to furnish any or all items upon which prices are offered at the price set opposite each item as reflected on the Proposal Schedule (Part I, Section B, Supplies or Services and Prices/Costs) attached to the Standard Form (SF) 33. The DRFP provided an SF1447 in front of the Section B (Schedule B) sheets. The instructions state to complete Part 1, Section B, Supplies and Services and Price/Costs attached to the SF33. Does DOE require the SF1447 or an SF33 to be submitted?

Answer: The current SF 1447 cover page will be updated in the final RFP to reflect a SF 33.

39. **Question:** DPWS, Attachment J-1, Page 6. Services including, but not limited, to those listed below shall be purchased through other Government contractual agreements: Human Reliability Program (HRP). DPWS, page 7, 4.1.1.8 Coordinate administration after HRP for the PF personnel with the responsible contractor. Do bidders price and include costs for HRP mandated physicals, psychological and drug tests or are these services to be purchased through other government contractual agreements as per the PWS?

Answer: These services will be purchased through other Government contractual agreements.

40. **Question:** NNS-H-1002 Para (d). The amount of liability coverage on other policies shall be commensurate with any legal requirements of the state and locality, plus sufficient to meet normal and customary claims. The requirement to provide insurance coverage "sufficient to meet normal and customary claims" is ambiguous. Please clarify the required insurance coverage types and amounts.

Answer: It is up to Offerors to determine what is considered sufficient insurance coverage to meet normal and customary claims within the protective force industry.

41. **Question:** NNS-L-1002 & NNS-L-1009, NNS-L-1002(e)(4) & NNS-L-1009(b), Page L-8 and L-9, Paragraph L-1002(e)(4). Requires the Offeror to provide a hard copy of the signed SF 328 as part of Volume I. However, paragraph L-1009(b) states that "Hard copies (SF328) are no longer required." The directions in the cited paragraphs appear to be in conflict. The Government is requested to clarify their direction?

Answer: (**Corrected on 05/29/2012**) NNS-L-1009(b) refers to the complete eFOCI package in which hard copies are no longer required as specified in the eFOCI system. The SF 328 is still required to be submitted in hard copy under Volume I, per the instructions under Section L. The Government will provide clarification upon release of the final RFP.

42. **Question:** Are offerors limited to small and/or minority owned businesses (or partnerships) and those firms outside of this classification are not going to be considered?

Answer: Provision NNS-M-1001 shall be updated to clarify the acquisition will be solicited under full and open competition.

43. **Question:** Section L, Instructions, Conditions, and Notices to Offerors, page L-6 of the draft RFP, states that fonts are limited to a Courier, Geneva, Arial, or Universal font type. By font type, do you mean the offeror can use any member of that font family, e.g., Arial Narrow?

Answer: The final RFP will reflect a font change from Courier, Geneva, Arial, or Universal font type to Times New Roman, 12 point (or larger) font type.

44. **Question:** Section L, Instructions, Conditions, and Notices to Offerors, page L-28 (bottom) of the draft RFP, states that "To enable the Government to anticipate the number of proposals to be evaluated, Offerors are requested to submit the name, address, and telephone number of the firm or organization and any subcontractors...within 10 business days after the release of

the final solicitation....” Would supplying this information restrict the offeror from making changes in the composition of the team in the final proposal submission?

Answer: No. Supplying Offeror information will not restrict Offerors in changing their team composition at final proposal submission.

45. **Question:** Section L, Instructions, Conditions, and Notices to Offerors, page L-14 (bottom) of the draft RFP, instructs offerors to include a Small Business Participation Plan in Tab 6 of the Technical volume. However, on page L-12, the government also instructs that no cost information should be presented in the Technical proposal. Should the participation plan be presented in the Offer and Other Documents volume instead? Or should the dollar amounts be replaced by the percentages of the total bottom line dollar number?

Answer: Further information regarding the handling of cost information associated with the Small Business Plan will be clarified in the final RFP.

46. As this procurement is unrestricted, will there be any opportunity for small business set-aside parts of the same safeguards and security requirements that are procured directly by NNSA and DOE/ORO?

Answer: In order to obtain information regarding other procurements outside of this procurement, suggest Offerors contact our Small Business Program Manager, Mr. Greg Gonzales at (505) 845-5420 to discuss future NNSA small business opportunities.

47. **Question:** Section NNS-L-1013, UNCLASSIFIED ORAL PRESENTATION PROCEDURES (DEC 2011) Page L-25 of 30. a) General: (3) The proposed key personnel whom the Offeror considers essential shall be physically present and actively participate in the oral presentation.”

Section NNS-M-1003 TECHNICAL EVALUATION CRITERIA (DEC 2011) Page M-3 of 5. b) Criterion 2 - Key Personnel “(2) Oral Presentations: The Government will evaluate the Offeror's Key Personnel's leadership, communication, problem solving and teamwork as demonstrated in the oral presentation responses to the managerial scenario(s).”

” Teamwork” is an attribute to be evaluated at Orals, then it follows that NNSA should require the whole Key Personnel Team to participate and respond to the technical/managerial problems in order to demonstrate the teamwork that will be needed during contract operations.

Section M Criteria clearly applies to all Key Personnel, yet Section L states only those Key Personnel who the Offeror considers essential need be physically present at Orals. Would DOE please require all key personnel to participate?

Answer: The Government is allowing the Offerors to determine those Key Personnel that they feel are essential for participation in the Oral Presentations. The only restriction is that participants be identified as Key Personnel. The Government will clarify this in the final RFP.

48. **Question:** Reference: DRFP, Section NNS-L-1013, UNCLASSIFIED ORAL PRESENTATION PROCEDURES (DEC 2011) Page L-26 of 30. (8) Clarification questions from the SEB during the oral presentation will be asked only if needed to provide immediate information that cannot wait until the presentation is concluded (e.g., unfamiliar words or terms, or to request that the speaker repeat something that was not heard clearly). To better facilitate the SEB's understanding of the oral presentation of the response to the technical/managerial problem, may the NNSA ask the Offeror clarification questions following the presentation of the response to the problem?

Answer: See NNS-L-1013. The Government reserves the right to solicit clarifications from Offerors during and after each Offeror oral presentation.

49. **Question:** DRFP, Section NNS-L-1013, UNCLASSIFIED ORAL PRESENTATION PROCEDURES (DEC 2011) Page L-26 of 30. "(b) Schedule: The Government will schedule oral presentations based on a random drawing and will notify each SF33 signatory within five working days after the proposal submission due date. The Government will notify each Offeror as to the date, time, and other instructions related to its oral presentation in this notification. Oral presentations will be held at -TBD-. Time slots may not be rescheduled or traded except under extenuating circumstances. A request to reschedule a time slot must be submitted in writing to and approved by the Contracting Officer. The oral presentations will commence within approximately five to ten working days of notification. The Government reserves the right to conduct oral presentations prior to the above timeline, or may reschedule an Offeror's presentation at its sole discretion." The location of orals is unspecified and offerors will need to be able to schedule Key Personnel to travel and prepare for the Orals. A relatively short response time after the Orals notification of the Orals date and location is given, favors incumbent contractors, we request that the time to respond be increased from "5 to 10 days" to "10 to 15 days."

Answer: Orals will be held in Albuquerque, NM. A tentative date and exact location will be provided to Offerors within the final RFP.

50. **Question:** DRFP Section L, NNS-L-1013 Unclassified Oral Presentation Procedures, Page L-25 of 30. (9) The Offeror will be responsible for all travel related expenses for its scheduled oral presentation. Would the NNSA please name the likely location of Orals to enable Offeror's to initiate travel and logistical planning?

Answer: See answer to question #49.

51. **Question:** DRFP, Section NNS-L-1013, Unclassified Oral Presentation Procedures Page L-25 and 26 of 30. There is no mention of the Offeror being allowed a specified time for conducting an introduction of the team. Would NNSA consider specifying Offeror's will have 15 minutes to conduct introductions?

Answer: Specific details will be provided under the NNSA webpage prior to the proposal submission date. The Government will take into consideration any additional timeframes.

52. **Question:** DRFP Section L, NNS-L-1013 Unclassified Oral Presentation Procedures, Page L-25 of 30. There is no mention of the Offeror being allowed a specified time for making a closing statement. Would NNSA consider allowing the Offeror to make a closing statement to the SEB after the conclusion of technical/managerial problem presentations that is limited to 15 minutes solely limited to summarizing the oral information presented and not to allow any summary or elaboration of the written proposal?

Answer: Specific details will be provided under the NNSA webpage prior to the proposal submission date. The Government will take into consideration any additional timeframes.

53. **Question:** DRFP Section L, NNS-L-1013 Unclassified Oral Presentation Procedures, Page L-25 of 30. Would the NNSA please distribute the floor plan set up and size dimensions of the oral presentation room?

Answer: **(Corrected on 06/01/2012)** Specific details may be provided under the NNSA webpage prior to Offeror notification of scheduled presentation.

54. **Question:** Draft PWS, 1.0 Overview and Objectives. Would NNSA please advise the physical location of the NPO?

Answer: See answer to question #11.

55. **Question:** Section L, Page L-14 (6) Tab 6: Criterion 6, Small business Participation Plan (Page limit: 5 pages to include attachments) and Section L, Page L-16 Section 4: A copy of any binding subcontracts or other written commitments. NNSA has limited Tab 6 to 5 pages

including attachments. It also has requested copies of agreements and commitments in Section 4). Due to the anticipated large number of agreements, please exclude Section 4 from the page count or increase the number of pages substantially than allowed in Tab 6.

Answer: See answer to question #28.

56. **Question:** SF1447 and Section B Schedules. The 1447 Form shows the solicitation number as DE-SOL-0003552. On the bottom of the Schedule Bs the number DE-RP52-NA-30691 appears. Would NNSA please clarify the proper solicitation number?

Answer: Solicitation number will be corrected upon release of the final RFP.

57. **Question:** NNS-L-1010 (Worker Safety and Health program Instructions) Part IV, Section L, NNS-L-1010(f) Page L-11 "The WSHP will include primary documents with any attachments that address the following" [six categories]. Since the primary documentation is anticipated to be over 450 pages, will the Government allow it to be included in an ancillary 3-ring binder?

Answer: Yes. Can be included in an ancillary 3-ring binder and shall be tabbed in accordance with Section L RFP instructions.

58. **Question:** May 17, 2012 Y-12 ORO Site Tour. Will DOE please list on the internet website the written script (History of OR) used during the tour?

Answer: A copy of the slides for the site tours has been put on the contracting webpage. The scripts will not be provided.

59. **Question:** Attachment L-11 Site Post and Hour Requirements and Attachment J-9 CBA DOE-OR and Y-12 IGUA for CASB9. On the L-11 "SOW" worksheet tab for Y-12, there are posts/hours for CAS Operators, but not for the labor category "Beta 9 Operators". The CBA has "Beta 9 Operators" as a separate labor category. Is the SOW/Post for the Beta 9 Operators excluded from this solicitation?

Answer: No, Beta 9 Operators will be updated to the Site Post and Hour Requirements on Attachment L-11 as a 24 hour/7 day a week post.

60. **Question:** Page L-9 states that the DOE Small Business Goal is 52%. Page L-15 states the DOE/NNSA small business participation goal is 9%. Can you explain why there is a difference and which goal should offerors attempt to achieve?

Answer: DOE Small Business Subcontracting goal of 52% have been established between DOE and SBA and are based on total subcontracting dollars. The SBA Participation Plan target goal of 9% was established by NNSA and SBA for this acquisition and is based on the total contract value for each contract. Offerors shall explain any deviations from these goals in their proposals and shall justify in an attachment any variations to these established goals.

61. **Question:** Do the post hours provided with the DRFP for all sites include training relief elements? If so, what are the relevant factors? If not, what factors are currently applied?

Answer: No. The maximum reimbursable training hours are listed in Attachment L-11. Offerors are expected to propose their technical approach for accomplishing training requirements in a cost-effective manner.

62. **Question:** Will the government provide a comprehensive list of all services which will be provided to the successful offeror by each sites M&O contractor?

Answer: A listing of services that will be provided to the successful offeror by the M&O contractor or other site contractor(s) is provided in the PWS, under Section 4.0.

63. **Question:** Section NNS-L-1004 Cost Volume III, (b)(3), Cost Proposal Summary. This section states “provide summary level cost information as specified in Attachment 11.” Attachment 11 is the Site Post and Hour Requirements which has only hours and not costs associated with it. Please clarify this request.

Answer: The final RFP will change the reference from Attachment L-11 to Attachments L-7 and L-8.

64. **Question:** Section NNS-L-1004 Cost Volume III, (b)(5)(A)(2), Service Contract Act (SCA) and Attachment L-7 Pantex/Y-12 Cost Model Table 1. This section directs Offerors to “INCLUDE Government baselined legacy defined benefit pension plans and post retirement benefits for the NPO in the proposed fringe pool (CLINs 0003 and 0011).” However, these baselined benefits are included as ODCs in the Attachment L-7 cost model, Table 1. Please clarify: should offerors propose these benefit baselines for Pantex/Y-12 as a fringe or as an ODC?

Answer: The final RFP will clarify that for the NPO Offerors shall include the Government baselined legacy defined benefit plan costs and post retirement benefit costs in the proposed fringe pool, and not as ODCs. Attachment L-7 will be adjusted accordingly.

65. **Question:** PWS 4.0 Requirements. This section lists a number of services that “shall be purchased through other Government contractual agreements” (i.e. vehicle fuel and maintenance, HRP). Are these items excluded from the Government’s ODC baseline amounts list in Section L-1004 of the Cost Volume?

Answer: The Offeror shall not include any costs associated with the services listed in section 4.0 of the Performance Work Statement. The ODC baseline amount shall be used by all Offerors to prepare their cost proposals.

66. **Question:** Attachment L-7 and L-8, Cost Models, Table 1 Summary. The note on this worksheet tab states “If the award periods do not align exactly with the Offeror's fiscal year, please adjust periods to match your CFY.” Do the dates in rows 5 and 6 of this template reflect the contract year?

Answer: The dates were not meant to imply that Offerors should propose costs according to those exact periods, and the Attachments will be revised accordingly. The cited worksheet tab note is correct and Offerors should propose column periods that match their established fiscal year, as rates change based on fiscal years. If the Offeror’s fiscal year does not begin on the anticipated award date of October 1, 2012, then Offerors will necessarily have to adjust the cost model columns to reflect their fiscal years. For example, if an Offeror has a fiscal year that begins on January 1 and ends December 31, the structure of the costs model column periods would be as follows (effectively adding two additional column periods to the model):

| | |
|---|---------------------|
| Transition Period: | 10/1/12 to 11/31/12 |
| 1 st Base period after Transition: | 12/1/12 to 12/31/12 |
| Next Base Period: | 1/1/13 to 12/31/13 |
| Next Base Period: | 1/1/14 to 12/31/14 |
| Final Base Period: | 1/1/15 to 9/30/15 |
| 1 st Option Period: | 10/1/15 to 12/31/15 |
| Next Option Period: | 1/1/16 to 12/31/16 |
| Next Option Period: | 1/1/17 to 9/30/17 |

It is important that Offerors tailor the cost model periods to reflect their fiscal years, while covering the RFP three-year Base Period and two-year Option Period.

67. **Question:** Attachment L-7 and L-8, Cost Models, Table 1 Summary. Columns entitled “Base” (Columns B, E, H etc). For the CBA, WD and Exempt labor categories, should the data inserted in the “Base” columns be the total direct labor hours for each labor category?

Answer: Yes, the data should reflect proposed direct labor hours for each labor category.

68. **Question A:** Attachment L-7 and L-8, Cost Models, Table 4, Key Personnel Compensation. The notes on this worksheet tab state “The key personnel costs shall be included in both Table 2 and this table (Table 4) to highlight the proposed key personnel costs.” Are the key personnel costs required in Table 2 only if the key person is a subcontracted position or part of an inter-organizational transfer?

Answer: No, the Government evaluation team desires insight into the proposed key personnel costs regardless of the team member providing those key personnel.

Question B: There is a separate key personnel tab (Table 4) for Pantex and Y-12. If the proposed key person’s span of control bridges both locations, do you want that person’s total compensation information entered on both tables?

Answer: No, list the approximate costs equivalent to the Offeror’s proposed approach for allocating time between the sites if a key person spans more than one location.

69. **Question:** Section NNS-L-1004 Cost Volume III, (b)(6) All Other Direct Costs (ODCs). Are the government’s baselined ODCs listed in this section for CY1 representative of 10/12’s of one year’s ODCs?

Answer: No, the baselined ODCs for CY1 included in the Draft Cost Models represented the entire year and will be adjusted accordingly in the Final RFP to represent 10/12s of the year.

70. **Question:** NNS-L-1003 (Proposal Preparation Instructions -- Volume II Technical Proposal) /Attachment J-3 (Reporting Requirements Checklist). Section L... Tab 4: Criterion 4, Transition Approach / Attachment J- 3... Paragraph 6 - Special Instructions (Attachments), Page L-14.

Tab 4: Criterion 4, Transition Approach: "The Offeror shall submit two transition plans; one that describes the transition approach to a consolidated contract and the merging of PF operations at Pantex and Y-12, and a second plan that describes the Offeror's transition approach for the DOE-OR contract." / Paragraph 6 - Special Instructions (Attachments): Table Line 1 shows Transition Plan due "Once after award."

Are the Transition Plans to be submitted with the proposal?

Answer: The Government requires the documented approach for transition at time of proposal. A detailed Transition Plan will be required in accordance with Attachment J-3, Reporting Requirements Checklist after contract award.

71. **Question:** Section NNS-L-1003, Tab 4: Criterion 4, Transition Approach (Page Limit: 10 pages per plan). 1) Due to the complexity and the geographical dispersity of the Pantex and Y-12 sites, will the Government consider increasing the maximum page count per plan from 10 to 20 pages for each plan? 2) Alternatively, will the Government allow Offerors to re-allocate the total page count for both plans (currently 10 pages per plan) as appropriate, to help ensure that the Pantex and Y-12 transition is fully addressed?

Answer: The page count will be increased to 15 pages per plan in the final RFP.

72. **Question:** Attachment J-1, DPWS, 4.0 Requirements, Para 1, Page 6. The Contractor agrees to protect the national security interests, facilities, government property, and personnel necessary to perform within the terms and conditions of these contracts. The Contractor shall ensure systems and processes are designed and implemented to streamline how business is performed, reduce the cost of operations, and increase productivity to maximize mission accomplishment. The Draft Performance Work Statement does not mention the contractor providing or procuring Canine explosive and human detection capabilities. Is it the intent of the Government that the successful security contractor will provide the Canine services?

Answer: The Government will clarify the PWS requirement to include canine services in the final RFP.

73. **Question:** DPWS, Attachment J-1, Pages 1-13. Contractors currently supply canine services. There is no mention of Canine Services in the PWS. Will canine services be provided by contractors? Should these services be priced in contractor bids?

Answer: See answer to question #72.

74. **Question:** NNS-H-1035 Para (A), Page H-48. The Contractor must perform a joint wall-to-wall physical inventory with the incumbent contractor(s) of all accountable high-risk and sensitive property during the transition period and accept full accountability for the high-risk and sensitive property at the end of transition. Will you please define what is considered "high-risk and sensitive property" to be covered in this inventory?

Answer: See Attachment J-4, DOE/NNSA Directive Listing, for applicable requirements and definitions. Also, refer to Attachment J-12, Government Furnished Property Listing, for a listing of the type of equipment included with these contracts.

75. **Question:** In Section H, Special Contract Requirements, page 40 of the draft RFP, it states that DOE-H-1027, only applies to the DOE/OR Office contract. Could you explain why a diversity program is not required for Pantex/Y-12?

Answer: NNSA refers to their programs as Affirmative Action and Equal Opportunity which are included by reference under Section I of the RFP.

76. **Question:** Section H, NNS-H-1025, Nondisplacement of Qualified Workers, (a)(2), page 38. This section states that the Contractor is not required to offer a right of first refusal to any employee(s) of the predecessor contractor who are not service employees within the meaning of the Service Contract Act of 1965, as amended, 41 U.S.C. 357(b), which defines a “service employee” as any person engaged in the performance of a contract entered into by the United States and not exempted under section 356 of this title....(other than any person employed in a bona fide executive, administrative, or professional capacity, as those terms are defined in part 541 of title 29, Code of Federal Regulations...)...” Is it the intent of DOE and NNSA that all exempt level administrative and professional employees be excluded from a right of first refusal of employment in positions for which they are qualified?

Answer: The RFP incorporates the requirements of Executive Order 13495 including obligating the successor contractor to provide a right of first refusal of employment in required positions for which covered service contract employees are qualified. The Executive Order’s preference in hiring applies to Service Contract Act covered employees only.

77. **Question:** Section H, NNS-H-1025, Nondisplacement of Qualified Workers, (c), page 38. Should titles be added to the certified list of names and anniversary dates of each service employee that is to be provided to the Contracting Officer?

Answer: The final RFP will be changed to include position titles.

78. **Question:** Section H, NNS-H-1027, Work Force Transition, Management, Pay and Benefits, B. Labor Relations, (5), page 44. Department of Energy Order 350.1, Change 1, Contractor Human Resource Management Programs requires Contractors to provide the Contracting Officer with a settlement summary within 30 to 60 days after formal ratification of the agreement, using the “Report of Settlement” form. Is it the intent of DOE and NNSA to shorten that timeframe to “no later than 30 days after formal ratification?”

Answer: No. The final RFP will be changed to reflect a settlement summary within 30 to 60 days after formal ratification of the agreement.

79. **Question:** DRFP Section L, Page L-23 of 30, (10) Award Fee. DOE is emphasizing the use of Small Businesses by directing a target goal of 9%, TOTAL CONTRACT VALUE; however, discouraging the use of Small Business by directing that these businesses share in the earned Award Fee. Instead of having subcontractors share in the Award Fee, will DOE please allow subcontractors to earn fee separately on their scope of work?

Answer: No. The fee structure listed in the RFP was designed to emphasize successful performance by all proposed team members regardless of the proposed team structure.

80. **Question:** Section NNS- L PROPOSAL PREPARATION INSTRUCTIONS: VOLUME II -- TECHNICAL PROPOSAL. (1) TAB 1: CRITERION 1, TECHNICAL APPROACH AND STAFFING PLAN a. Program Management: "The Offeror shall describe its approach and organizational structure for merging PF operations comprised of multiple unions at geographically-dispersed sites with a single management team, and providing business functions necessary to meet the requirements of the PWS. Describe the approach for integrating performance of the contract with the work of other on-site contractors. Include detailed organizational charts for all non-bargaining unit personnel (identify direct and indirect) that graphically depict the positions and their interrelationships in the proposed team. Identify the programmatic risks associated with the proposed approach and how the risks will be avoided or mitigated."

In the last sentence, with regard to the phrase "programmatic risks associated with the proposed approach," please clarify if the "proposed approach refers to the Technical Approach to all 3 sections A. Program Management, B. Duties, and C. Training," or is the requirement only to address the programmatic risks of the proposed technical approach to Section A. Program Management?

Answer: The "programmatic risks" refer to the risks applicable to accomplishing the requirements associated with program management under the PWS.

81. **Question:** Attachment L-7 and L-8 Worksheet Tabs "Key Prsnl - Tbl 4." There is a "Table 4" worksheet in each Attachment for each site (Pantex, Y-12, and the three ORO locations). Since key personnel may cover multiple sites within a contract, can Table 4 be consolidated into a single Table, with an additional column for the site(s) with which the Key Person is associated? (This would avoid duplication of the same Key Person on several Table 4 worksheets).

Answer: No, list the approximate costs for each site equivalent to the Offeror's proposed approach for allocating time between the sites if a key person spans more than one location.

82. **Question:** NNS-L-1003 (b)(1) TAB 1, Staffing Plan and Attachments. L-9/L-10 Staffing Plan Summary (b)(1) TAB 1, Staffing Plan and Attachment Worksheets. "The Staffing Plan shall describe the labor categories and job duties of all proposed personnel required to perform work identified under the PWS (see Attachment L-9 and L-10)." Instructions for the Staffing Plan require descriptions for the labor categories of ALL personnel; however, in Attachments L-9/L-10 the heading for the labor category columns, (columns A), says "ALL DIRECT LABOR." We request clarification on the treatment of direct and indirect labor on the L-9/L-10 forms, namely: 1) Should "indirect" personnel be listed on the L-9/L-10 forms? 2) Further, "indirect" personnel, by definition, should be allocated to the (2) contracts via a "rate" that reflects a pool of indirect costs...not by a fraction of an FTE or DPLH. So, if "indirect" personnel should be listed on the L-9/L-10 forms, how should bidders incorporate these personnel into the provided spreadsheet format?

Answer: The Final RFP will clarify that the Staffing Plans should include only direct-charge personnel.

83. **Question:** Of the six union contracts currently in force, five will most likely expire before this contract is awarded. How does the Government intend to deal with these expiring contracts? Will the new contracts result in amendments that will affect the cost proposal causing amendments and schedule delays?

Answer: See answer to question #2.

84. **Question:** Will the Government consider reducing the 9% goal for small business contracting and if not identify those non security police officer services that could be subcontracted?

Answer: The small business participation plan target goal of 9% will remain as stated in the RFP. If an Offeror cannot meet or achieve this target goal the RFP allows for an attachment to be included explaining any deviations. It is up to each Offeror to determine which support services could be subcontracted out in accordance with their technical approach.

85. **Question:** Has the Government determined if there is an OCI issue which would preclude any of the incumbent contractors from bidding on this contract?

- a) Did either incumbent assist the government in any way in developing the Statements of Work for this procurement?
- b) In developing any aspect of the RFP?
- c) If so, please identify the contractor(s).

Answer: See answer to question #14. Furthermore, the incumbent contractors have not assisted the DOE/NNSA with developing the Performance Work Statement or any aspects of this RFP.

86. **Question:** Will the RFP scope be expanded to include vulnerability assessments and plans, as well as full ownership and operation of security protective systems?

Answer: No. The scope is defined in the PWS.

87. **Question:** Will the Government consider an additional Site visit at each Site at the time of the release of the Final RFP for the protective forces contract? The May 2012 visits gave the appearance of shielding the protective forces security activities from the registered attendees or potential bidders. The site tour was not helpful unless you knew what you were looking at, the description by the presenters were of very limited value. It was very unusual that no protective force or protective force –related support activity was visible to the tour.

Answer: No additional site tours are anticipated at this time.

88. **Question:** Would you provide us with additional information as to the historical workload required for each of the following functions?

- a) Maintenance of vehicles, equipment and facilities that will be required
- b) Environmental, Safety and Health functions – are any services provided by the M&O contractor
- c) Performance Testing and Quality Control
- d) Public Affairs and information release to the media
- e) Protective Force training both weapons and tactical – numbers of weapons, numbers of armories, location of armories
- f) Administrative functions such as Accounting, Contracting, Human Resources, Secretarial Support
- g) Number of daily guard-mounts and locations
- h) Number of physical fitness instructors and locations

Answer: (**Corrected 06/07/2012**) The Government intends to release additional information in the final RFP. Offerors are expected to propose their technical approach for staffing non-collective bargaining agreement positions.

89. **Question:** Is drug and alcohol testing a Government-furnished service? Is our assumption correct that this includes initial drug testing for employment (i.e., new hires)?

Answer: HRP drug and alcohol testing is a Government-furnished service.

90. **Question:** Is canine (K-9) support required for either Site as part of this contract?

Answer: See answer to question #72.

91. **Question:** Can the Government explain the dichotomy in approach to ODCs with fee versus ODCs without? Is there an assumption on cost of money built into the model prior to the fee calculations?

Answer: The RFP was structured to accommodate the varying perspectives and desires of two organizations. There is no assumption regarding cost of money and Offerors are instructed (see Cost Model notes) to tailor the cost models to match their “established accounting/estimating practices” consistent with any applicable Disclosure Statement or business practices.

92. **Question:** P.34 of 71 Key Personnel – The DRFP shows TBD for the list of people that are considered Key Personnel. Can the Government provide guidance on which positions are considered ‘Key’?

Answer: It is up to each Offeror to propose the Key Personnel they feel are essential to support their technical approach. The RFP states “TBD” because the proposed key personnel will be listed within each contract at time of award.

93. **Question:** P.34 of 71 Key Personnel – With the consolidation effort underway with the day to day program management and administration of security between the TN and TX locations, can the Government please provide the physical location of the new NPO? Will it be in TX, TX, NM, or DC?

Answer: See answer to question #11.

94. **Question:** P.57 of 71 Allowable Costs and Payment – paragraph (a)(1) states that payment will be not more often than every 2 weeks, but paragraph (3) states payment will make payments on the 30th day? Which is a more accurate depiction of the historical trend?

Answer: The DOE/NNSA historical trend is to make payment within 30 days.

95. **Question:** Page L-17 of 30 Small Business Participation Plan – Note 1 states that various databases will be used to verify the status of small businesses listed in our plan. What happens if the Small Businesses are typically used for commercial or COTS

products/services and are not listed by or do not sell directly to the Government? How will the Government verify their status?

Answer: All contractors doing business with the Government shall be registered in the Central Contractor Registration (CCR) online database in order to be eligible to receive a Government contract. Please visit the website at <https://www.bpn.gov/ccr/> for further information.

96. **Question:** Bidders on previous solicitations were not made aware of process improvements and innovations unique to the site and only known by the incumbent contractor, thus giving the incumbent a unique advantage for significant strengths. To level the playing field, would the Government provide some insight of what they would consider process improvements and innovations that are currently being considered at each Site?

Answer: As identified in Section L, Technical Approach and Staffing Plans, Offerors are requested to use their experience and expertise in the protective force industry to identify process improvements and innovations. Attachment L-11, "Site Post and Hour Requirements," reflects the post and patrol requirements for each site that Offerors are expected to propose against.

97. **Question:** Will DOE/NNSA support efforts at both sites to ensure that PF personnel who no longer qualify for PF employment because of medical/physical fitness issues receive primary consideration for available employment opportunities with other site contractors, and that longevity and other aspects pertaining to retirement benefits are transferable among site contractors? Are Y-12 PF members specifically excluded from such programs?

Answer: See the Statement of Work (SOW) for the "Y-12 National Security Complex, Pantex Plant, with Option for Savannah River Tritium Operations Management and Operating (M&O) Contract Competition," which specifies this preference in Chapter III, Section 6.3. The SOW can be found at <http://www.doeal.gov/MOContracts/Default.aspx>. Defined Benefit retirement plans are not transferable between DOE/NNSA contractors. The transferability of longevity and other benefits will be subject to the gaining employer's human resource policies and existing collective bargaining agreements, if applicable.

98. **Question:** The draft RFP indicates that Y-12 provides SRT support to the DOE operations on the reservation. Are the Contracting Officers amenable to other examples of joint support?

Answer: Offerors are encouraged to propose strategies that improve performance and the execution of protective force operations; reduce costs; and increase the effectiveness and efficiency of protective force operations.

99. **Question:** In order for offerors to accurately design an effective consolidated management structure for this contract and level the playing field, would the government provide to offerors a listing of all non-CBA positions currently authorized on each existing contract to include title, brief duty description, and quantity of each labor category currently authorized.

Answer: DOE/NNSA has adequately defined and scoped the Government's requirement in the RFP, to include the PWS (Attachment 1) and the Site Post and Hour Requirement document (Attachment L-11). Offerors must demonstrate best value to the Government in accordance with the RFP, and that includes their approach for managing and supporting the security operations. The Government may at its discretion provide additional information upon release of the final RFP.

100. **Question:** Paragraph 4.0 Requirements of the PWS, states, "Services including, but not limited, to those listed below shall be purchased through other Government contractual agreements," which is followed by a list of 11 services. The wording indicates no latitude for the provider to retain any of these services in-house: Who currently provides these services? In order to properly develop a cost effective management solution, will the government provide a description of services which the Protective Force contractor can reasonably expect to receive from these contractors and/or the O&M contractor?

Answer: See answer to question #62

101. **Question:** NNS-L-1001 INSTRUCTIONS FOR PROPOSAL PREPARATION – GENERAL Para (n) Teaming Arrangements, Page L-6. Offerors shall provide full and complete information on proposed participating firms....full and complete informationon the management of any teaming arrangements..... Please define the specific documents/requirements contained in "full and complete" information?

Answer: Offerors are responsible for ensuring that the proposed information addresses all of the requirements listed in the RFP.

102. **Question:** DRFP Section J-1 PWS. 4.1.3.4. "Participate in integrated management activities with other site contractors that include preparation and issuance of safety policies, critical core expectations, and supplemental documentation. Coordinate with and provide subject matter expertise to the M&O and other on-site contractors with regard to site projects and upgrades relating to security and protection systems." Please define what is meant by "critical core expectations." Is this a defined term with a specific meaning in the context of a DOE/NNSA Order or requirement?

Answer: Critical core expectations are those activities associated with day-to-day business activities that require interaction and agreement with the M&O and other onsite contractors.

103. **Question:** Attachment L-11 Site and Post Hour Requirements and CBAs, L-11 Site Worksheet Tabs / CBA SPO wages. Worksheet Column for "Officer Type Required", SPO Officer Type; CBA Articles on wages list three (3) types of SPOs as SPO I, SPO II, SPO III. Will the Government please provide specificity as to which SPO levels are required for the posts, so that bidders can accurately cost their bids with the appropriate mix of SPO officers (I, II, and III)?

Answer: Offerors shall use Attachment L-11 to determine the appropriate mix of SPOs in its proposal. The RFP instructions will be updated under provision NNS-L-1004 which will provide specificity regarding rate assumptions upon release of the final RFP.

104. **Question:** Due to the nuclear risks associated with this contract will the Government indemnify the contractor under Public Law 85-804 "Indemnification" and add clause 952.250-70 "Nuclear Hazards Indemnity Agreement" to the contract?

Answer: 952.250-70, Nuclear Hazards Indemnity Agreement is in the RFP, however FAR 52.250-1 Indemnification Under Public Law 85-804 will not be added to the RFP.

105. **Question:** If an organization does not have any DOE/NNSA contracts and therefore no DOE "Q" cleared staff would this be viewed as a stumbling block for an award, given the 60 day transition time frame?

Answer: See NNS-H-1003, Access to DOE-Owned or Leased Facilities, and NNS-H-1040, Security Qualifications, for the contract requirements with respect to clearances for individuals. Also, NNS-L-1003 Proposal Preparation Instructions: Volume II—Technical Proposal, Tab 2: Criterion 2, Key Personnel, states the clearance requirement for proposed Key Personnel. "Proposed Key Personnel must be United States citizens and must be eligible to receive a DOE 'Q' clearance, and may be required to participate in the Human Reliability Program."

106. **Question:** Page L-17 of 30 Small Business Participation Plan – Note 2; Can the Government provide more guidance on the difference between a small business participation plan and a small business subcontracting plan? They seem to have different goals as well, can that be explained further?

Answer: Small Business Participation Plan goals are based on total contract value. The goals are independently derived by the contractor and may rely on some form of government

guidelines or mandatory minimum standards. Small Business Subcontracting Plan goals are based on total subcontracted dollars (See FAR 19.701 & 52.219.9).

All Offerors are required to submit a small business participation plan. Small businesses may take credit for their own prime contract performance and through small business subcontracting. Only large businesses are required to submit a Subcontracting Plan (demonstrating small business commitment through subcontracting only). A Small Business Participation Plan has a relative order of importance as part of a proposal evaluation of offers (as a meaningful discriminator and weighted accordingly) while Subcontracting Plans are not.

107. **Question:** P.4 of CBA between WSI and IGUOA for OR – Can the government define SPO I, II, and III? Since there is no correlation between these identifiers and the number of hours listed, can the Government please break down the anticipated or historical hours by SPO I, II, and III for pricing purposes?

Answer: The definitions can be found in Attachment J-4, DOE/NNSA Directive Listing. See answer to question #103 for SPO rate assumptions for pricing purposes.

108. **Question:** Can an organization use its affiliate/sister/parent company's related past performance or experience in addition to its own when submitting a proposal? Can an organization incorporate some of its affiliate/sister/parent company's employees as Key Personnel without contingent hire letters?

Answer: An Offeror should submit past performance and experience information only for proposed team members (including subcontractors) and not for its affiliate/sister/parent company. Commitment letters are required for all Key Personnel (see provision NNS-L-1003).

109. **Question:** The current timeline for release of the final RFP and the amount of time Offerors will have to submit their proposals shows only 30 days, this appears to be an unrealistic timeline and an allotment of 30 days to submit a proposal of this magnitude appears overly aggressive. Will the Government consider allowing more than 30 days from release of the RFP to its due date?

Answer: The Government will consider this request and may update this upon release of the final RFP.

110. **Question:** Section NNS-L-1004 Cost Volume III, (b)(4)(C), Service Contract Act (SCA). Should Offeror's include in their cost proposal, escalation to the wages and benefits (i.e. Health & Welfare) for WD/CBA covered employees in contract Years 2 through 5?

Answer: Reference RFP Section M, NNS-M-1004, paragraph (2):

Realism. The cost proposal will be evaluated to determine if the estimated proposed cost elements are realistic for the work to be performed, reflect a clear understanding of the PWS requirements, and are consistent with the Staffing Plan Summary submitted by the Offeror.

Consistent with the RFP (Section L, NNS-L-1004(b)(4)), Offerors are instructed to propose realistic costs and that includes addressing escalation for all direct labor over the entire period of performance whether covered by a WD/CBA or not.

111. **Question:** Part IV, Section L, NNS-L-1010 (d), Page L-10. The Contractor must submit a Worker Safety and Health Program for each contract to protect workers from the hazards of activities defined in or required to complete the performance work statement in accordance with the contractual safety and health clauses, applicable federal regulations, and site-specific requirements. In the interest of integration and efficiency will the Government allow one Worker Safety and Health Program for both contracts?

Answer: An Offeror must provide a Worker Safety and Health Program for each contract.

112. **Question:** The draft RFP states in section 4.1.2 (Performance and Operational Assurance) that the Contractor will “implement an effective and comprehensive contractor assurance system that is continually available for review and verification by DOE/NNSA, and which provides a comprehensive performance testing and analysis capability that supports the following: Vulnerability Assessments (VA); ongoing PF training; selection and implementation of security technologies; preparation of the respective site Security Plans; and development and execution of force-on-force exercises”.

The current requirement for a Performance Assurance Program lies in DOE M 470.4-1 (Safeguards & Security Program Planning and Management) which is a part of the M&O contract. The Manual states that the objective of the Program is to “demonstrate the effectiveness of the protection provided Departmental safeguards & Security (S&S) interests by systematically evaluating all protection program essential elements”. Performance Assurance Program Plan “must be an integral part of the site safeguards and security (SSSP)/site security plan (SSP), or material control and accountability (MC&A) plan, as applicable.

It seems that by DOE Manual definition, the overall Program lies with the M&O, however it is not clear as to how the Protective Force Contractor is expected to integrate into that Program.

Can clarification as to the roles and responsibilities of the PF Contractor vs. the M&O Contractor be provided as it relates to the formulation and execution of the overall Performance Assurance Program as defined in DOE M 470.4-1 (Safeguards & Security Program Planning and Management)?

Answer: The requirements of DOE O 470.4B are applicable to these contracts. In accordance with the PWS, the protective force contractor is also “responsible for coordination, collaboration, and teamwork with the other site contractors, tenant organizations and site users to facilitate a systems approach to the design and evaluation of security strategies.” This includes performance assurance.

113. **Question:** Paragraph 4.0 Requirements of the PWS, states, "Services including, but not limited, to those listed below shall be purchased through other Government contractual agreements," which is followed by a list of 11 services. The wording indicates no latitude for the provider to retain any of these services in-house:

- a) Is any of the following scope included in the current procurement: Technical Security, Physical Security, Information Security, Badging, Material Control and Accountability, or Classified Security?
- b) What are the current services subcontracted at each site?
- c) Would sub-contracting of these services be allowable under our small business plan?
- d) Which services require security clearances?
- e) What firms currently provide the services?

Answer: See answer to questions #13 and #16. Any subcontracting decisions are at the discretion of each Offeror and are based on their technical approach in accordance with the requirements of the PWS.

114. **Question:** Will the government provide a list and description of all government provided training facilities available at each location? Who is responsible for the maintenance of these facilities?

Answer: See answer to question #8. The Offeror shall be responsible only for the maintenance of the Central Training Facility which will be clarified in the final RFP. Additional information related to the training facilities will be added to Attachment J-12 upon release of the final RFP. In addition, an Offeror can view the Site Tour briefing charts published on the acquisition webpage which has additional facility information.

115. **Question:** The Site Safeguards and Security Plan (SSSP) would normally describe the site protection strategies. Without knowledge of the site protection strategies there is an

unfair advantage to the incumbents who have that access. Will the Government make the SSSP available to bidders?

Answer: The Site Safeguards and Security Plans will not be provided. Post requirements based on site protection strategies have been provided to prospective Offerors via Attachment L-11, "Site Post and Hour Requirements."

116. **Question:** CBA's make reference to the "OR Wackenhut Team Employee Benefit Handbook, January 2008". Can we obtain a copy of the most current version of this document?

Answer: No, this document is considered Company Proprietary Information.

117. **Question:** Page L -10 of 30 Worker Health and Safety Plan – How can an offeror, other than the incumbent, submit a Worker and Safety Health Program for the various sites without extensive knowledge of the sites, the interdepartmental relationships on site and the assets available to support a Plan? How would this plan be evaluated?

Answer: Each Offeror shall submit a Worker Safety Health Program that is in compliance with the requirements of 10 CFR 851 and the Performance Work Statement. The Worker Safety Health Program will not be evaluated but reviewed in accordance with the items being requested in Section L, provision NNS-L-1010.

118. **Question:** Is operation and maintenance of the Central Training Facility included in the scope of work? It is assumed that the contractor is only required to operate the CTF and is not required to maintain it. Will the Government please clarify their intent? In addition, if the Government wants the contractor to operate and maintain the CTF, will the Government provide historical cost data and information relative to operating and maintaining the CTF or equalize the competition by establishing a plug number that all contractors can use?

Answer: See answer to question #8 and #114. The maintenance costs for the CTF are included in the Government's baseline ODC. Offerors should propose the staff necessary for the operations of this facility.

119. **Question:** Can personnel be transferred between the DOE and NNSA work at Oak Ridge?

Answer: The Government neither encourages nor prohibits transferring of employees among the Oak Ridge sites. Such a transfer is the responsibility of the Contractor as employer of the

protective force employees at Oak Ridge and Y-12. The provisions for effecting transfers of bargaining unit members are provided in the respective CBAs.

120. **Question:** Does the Government assume liability for future funding of the Defined Benefit Pension Plans?

- a) We are concerned about the requirement that the contractor agree to become a sponsoring employer within a multiple employer defined benefit pension plan. The "last employer out" of such plans can end up shouldering (through no fault of its own) a very large burden of liability if the actuarial estimates used to allow earlier employers to withdraw from the plan prove, in retrospect, to have been insufficient to fund the benefits that must be paid by the plan. Is any protection against this large potential liability offered to the contractor by DOE under the terms of this Solicitation?
- b) When the contract ends, what language is in place to guarantee that the liabilities will be transferred to the new contractor?
- c) A similar issue arises in connection with Post-Retirement Benefits for medical care, etc. If the actuarial assumptions that are used to price these benefits prove to be inaccurate (as they often have over the years), and the cost of these benefits to the contractor substantially exceeds the amount paid to the contractor by DOE as compensation for providing them, is there any protection provided to the contractor under the terms of this Solicitation?

Answer: (a) See Section H, NNS-H-1027 (A)(1) and (A)(6) for further clarification.

(b) See Section H, NNS-H-1027, (A)(6) for further clarification.

(c) See Section H, NNS-H-1027, (A)(1) for further clarification.

121. **Question:** Please provide the cost of the current compensation packages, to enable offerors to propose (and cost/price) comparable packages as required by the RFP

- a) Which health and welfare plans are fully insured? Self insured?
- b) Please provide current premium rates or conventional equivalent rates if self-funded.
- c) Provide employee contribution requirements for non-union employees and any updates to bargaining agreement language relating to contributions.

Answer:

a) All plans are self insured.

b) Pantex Non-Bargaining Price Per Employee Per Year (PEPY) \$16,213
WSI Oak Ridge Non-Bargaining Price Per Employee Per Year (PEPY) \$12,764

c) See chart below.

| Active Health Benefits | | |
|------------------------|---|--|
| Site | Employee Cost Share Premium % Non-Bargaining | Employee Cost Share Premium % Employee PF Bargaining Unit |
| Pantex | Active Health: 20% Dental/Vision: 18% | Active Health: 15% (increase in premiums to 20% to be phased over five years of collective bargaining agreement) Dental/Vision: 20/25% |
| WSI Oak Ridge | Active Health: 16.3%; Dental/Vision: 16.5% | Active Health: 15% Dental/Vision: 15% |

122. **Question:** In order to provide benefit packages to retain as many incumbent personnel as possible, please provide Plan Documents, including pension plan, 401(k) plan, health & welfare and severance plan; Summary Plan Descriptions and any subsequent Summary of Material Modifications; Statement describing any plan changes that have been implemented but have not yet been formally written into the documents; Description of predecessor plans, if any; Trust Agreements, including any trust arrangements for MEWA; Investment Policy Statement(s) for defined contribution and defined benefit plans; Copies of contracts with service providers, such as recordkeepers, outside investment advisor, insurance companies, third party administrators, actuary, financial advice providers or others. Fee disclosures for each provider; Copies of insurance contracts, including stop loss contracts; Written procedures relating to retirement plan administration, such as benefit calculation tables, procedures regarding contributions and distributions, etc.; Written policies relating to plan administration, such as loan policy, QDRO policy, policy regarding payment of plan expenses, COBRA, HIPAA, or other matters; Copy of latest IRS Determination letters, or application for determination if any are pending approval; Copies of Form 5500 for past 3 years, including all attached schedules and financial statements; Copies of PBGC filings for past 3 years; Copies of most recent actuarial valuation reports, including pension valuations and FAS 106 valuation for retiree medical; Description of actions taken or pending under IRS or DOL correction programs, including self-correction, VCP, VFC, etc.; Statement describing whether any of the plans are currently under audit by the IRS, DOL or any other agency; Evidence of fidelity bond; Copies of results of retirement plan annual compliance testing, including ADP/ACP tests and coverage and nondiscrimination testing required under §410(b) or §401(a); Copy of most recent quarterly trust statements for retirement plans and MEWA.

Answer: Information relative to this request will be provided upon release of the final RFP on the acquisition webpage.

123. **Question:** Please provide the following information related to labor mix and rates of the incumbent staff (non-key personnel), to enable offerors to prepare a realistic Cost/Price proposal in light of the requirement to give existing staff employment right of first refusal for positions for which they are qualified (per RFP clause NNS-H-1025):
- a) Number of staff in each class of service
 - b) Cross-reference for each class of service with the Occupation Codes in the Wage Determinations
 - c) Distribution of actual paid salaries for each class of service
 - d) Number of incumbent staff in good standing for each class of service
 - e) Number of staff in each class of service who have passed the physical and eligible to carry firearms.

Answer: The Government will provide information related to (a) and (d). This information will be provided upon release of the final RFP on the acquisition webpage. (e) For proposal purposes, an Offeror shall assume that the staffing levels identified in Attachment L-11, Site, Post and Hour Requirements, are those individuals that have passed the physical requirements and eligible to carry firearms. The Government will not provide information regarding (b) and (c).

124. **Question:** NNS-H-1034 states: “The Contractor shall cooperate with the successor Contractor and the Government with regard to the termination or transfer arrangements for such employees to assure maximum protection of employee service credits and fringe benefits.”

Since the Government has established the Right of First Refusal it is essential that the Offeror have access to each employee’s name and current pay and benefits to allow them the ability to develop a realistic and competitive price proposal. Will the Government provide a list of all personnel pay and benefits prior to the scheduled proposal submittal date?

Answer: Section H, Section NNS-H-1025, Nondisplacement of Qualified Workers, requires a contractor to provide a right of first refusal only to employees who are service employees within the meaning of the Service Contract Act of 1965, as amended, 41 U.S.C. 357(b) (SCA). Wages and benefits for employees in the bargaining units are set forth in the respective collective bargaining agreements. In addition, the Service Contract Act wage determination, which sets forth the minimum wages that Service Contract Act employees can be paid for work under this contract, is included as an attachment to this RFP.

125. **Question:** Please discuss/explain the relationship between the US Government and the Unions. In this RFP, in multiple areas it specifically requires the contractor to get “approval”

prior to negotiating with the Union at the table. How does that not make the Government a party to the CBA?

Answer: DOE/NNSA is not a party to the collective bargaining agreement and does not negotiate with the bargaining representatives of the contractor's employees. It is the contractor's responsibility to recognize and bargain with the unions in keeping with applicable law. See Section H, NNS-H-1027, B(4) Labor Relations. This provision merely provides for government review of proposed expenditures of public funds, it does not insert the government into the bargaining relationship between the contractor and the unions. FAR 21.101-1 (b) reinforces the concept that the agencies should not interfere with the relationship between the contractor and the bargaining representatives of the contractor's employees: "[a]gencies shall remain impartial concerning any dispute between labor and contractor management and not undertake the conciliation, mediation, or arbitration of a labor dispute."

126. **Question:** Can the Government discuss more of its expectation relative to the defined benefit or defined contribution plan transitions? Are these currently funded by the Government and what is the expectation going forward with respect to pricing these costs? Will the Government provide a more detailed, current seniority list so that competitors can determine years of service relative to retirement benefits, vacation accruals, etc.?

Answer: Clause NNS-H-1027 of the final RFP will be amended to clarify the Government's expectations regarding pension and health care benefits.

127. **Question:** P.41 of 71 Pension and Post-Retirement Benefits – The DRFP states that the successful offeror will be responsible for “funding, administering, and maintaining” the pension and benefits plans. First, can the Government provide copies of all the various plans as they currently exist? Second, can the Government provide historical data on and current participants in the plans so that we can assess our responsibilities and commitments?

Answer: See answer to question #122.

128. **Question:** P.44 of 71 Post Contract Responsibilities – Are the Benefit Value study and the Compensation Analysis prepared by the contractor's personnel on site or is this a corporate/3rd party function?

Answer: The benefit value study is typically prepared by a third party. The compensation analysis is typically prepared in-house.

129. **Question:** The CBAs speak of pension and health care attachments, but none are provided. Can the Government provide copies as part of the RFP documents for pricing and administrative manpower utilization purposes?

Answer: Yes, documents referred to in the CBA will be provided in the final RFP.

130. **Question:** What is the current rate of pay for incumbent employees covered under the provisions of these contracts?
- In order for offerors to accurately design an effective consolidated management structure for this contract and level the playing field, would the government provide to offerors a listing of all non-CBA positions currently authorized on each existing contract to include title, brief duty description, and quantity of each labor category currently authorized.
 - Please provide a current organization chart down to the first line supervisor with staffing levels indicated

Answer: The government will not provide the current rate of pay for incumbent employees or organization charts. Wages for positions covered by the SCA are subject to the SCA/CBA wage determination(s). Wages for non-SCA positions will be determined by the successor contractor.

131. **Question:** Will the Government provide a census of eligible employees to include: employee indicator, date of birth, gender, zip code, job title, annual salary, union status, information about current enrollment elections in health & welfare and 401(k) plans?

Answer: The demographic information that will be released by the NNSA is total payroll and total number of employees. Other demographic information is sensitive and will not be released.

132. **Question:** What has been the percentage of award fee received by WSI and BWXT (for the protective force services) over the previous three years, and what was the dollar amount of the awards?

Answer:

| Contract | Fiscal Year | Percentage of Award Fee | Award Fee Amount |
|-------------|-------------|-------------------------|------------------|
| B&W Pantex* | FY2009 | 92% | \$8,313,625 |
| | FY2010 | 95% | \$12,451,065 |
| | FY2011 | 96.8% | \$10,071,356 |

| | | | |
|------------------------------------|------------------|-----|-------------|
| Wackenhut Services, Inc. at Y-12 | FY2009, Period 1 | 93% | \$2,131,442 |
| | FY2009, Period 2 | 98% | \$2,599,883 |
| | FY2010, Period 1 | 99% | \$2,749,728 |
| | FY2010, Period 2 | 90% | \$2,798,645 |
| | FY2011, Period 1 | 93% | \$2,898,029 |
| | FY2011, Period 2 | 83% | \$2,716,523 |
| Wackenhut Services, Inc. at DOE-OR | FY2009, Period 1 | 95% | \$913,297 |
| | FY2009, Period 2 | 96% | \$1,143,455 |
| | FY2010, Period 1 | 97% | \$1,065,180 |
| | FY2010, Period 2 | 96% | \$1,058,672 |
| | FY2011, Period 1 | 97% | \$918,725 |
| | FY2011, Period 2 | 96% | \$989,806 |

*The B&W Pantex Award Fee amounts above reflect the total award fee earned by the M&O in the Operations area for the specified fiscal year. The Operations area includes, but is not restricted to, work performed by the Protective Force.

133. **Question:** Please provide copies of any MOUs between the incumbent and the multiple Managing and Operating/Integrating contractors, and other DOE prime contractors that discuss operating procedures, responsibilities, coordination processes, and any other areas where interfaces and/or interactions may be necessary expected.

Answer: Upon release of the final RFP, the Government intends to release the Memorandum Of Agreement Between BWXT Y-12, L.L.C. (BWXT) and Wackenhut Services, Incorporated - Oak Ridge (WSI-OR), dated October 30, 2007, on the acquisition webpage. This MOA describes the responsibilities of BWXT Y-12 and WSI-OR for implementing safeguards and security functional programs at Y-12. The Government will not release documentation on agreements or understandings between WSI-OR and the various contractors that support DOE-OR; however, the titles and a brief summary of such correspondence that the Government believes may be pertinent to protective force services will be placed on the acquisition webpage. There are no MOAs between the M&O contractor and other site contractors at Pantex that are relevant to protective force operations.