



Ordering Guide

NNSA DOE -Wide National Environmental Policy Act
(NEPA) Support Services BPA with DOE/NNSA &
FERC

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Definitions

Blanket Purchase Agreement (BPA) – Refers to an agreement between the Government and a contractor(s) allowing repetitive Order (no minimum Order guaranteed) during a specified period (See FAR 8.405-3).

Contractor and BPA Holder - Refers to the entity that is awarded a BPA

Blanket Purchase Agreement Contracting Officer (BPA CO) – The Contracting Officer is the final authority in all contractual matters relating to the BPAs. The BPA CO has overall responsibility for BPA administration and is authorized to take action on behalf of the Government relating to the BPAs.

Order Contracting Officer (OCO) – The OCO will have final authority for individual awarded Orders. The OCO may delegate certain responsibilities to the Order Contracting Officer Representative (Order COR) associated with the performance of individual Orders. Order CORs name and contact information as well as delegated responsibilities will be provided to the contractor by the OCO.

Order Contracting Officer's Representative (Order COR) – The Orders will indicate who has been designated as the Order COR to assist the OCO in the discharge of contract administration responsibilities. Under the specific Order the basic responsibilities of the Order COR will be outlined in a delegation memo provided to the Order COR at Order award. Some of these duties include but are not limited to, inspecting and accepting deliverables, monitoring Contractor performance, reviewing invoices, issuing technical direction, perform evaluations of the contractor's performance, etc. The Order COR is not a Contracting Officer and is not authorized to modify the terms and conditions of an Order or to Place Orders. All orders must be in writing and signed by the Contracting Officer.

Contractor Teaming Arrangement (CTA) – A formal written arrangement in which two or more GSA Schedule Contractors work together to meet agency requirements. Each member of the CTA must have a Schedule Contract and is responsible for duties addressed in the CTA written agreement. These designated duties must fall within the scope of the individual Schedule contracts. Each team member of the CTA has privity of contract with, and can interact directly with the Government. Only one proposal submission for BPA Task RFQ's by the identified lead of the BPA Holders (CTA Leads/Members) will be permitted.

CTA Leader – Refers to an entity that is the leader of the CTA. Only one CTA Leader is allowed per CTA. The CTA Leader is responsible for ensuring only one Member of the CTA responds to each Request for Quote in accordance with the CTA Document and BPA reporting requirement as outlined in this BPA. A CTA Leader is also a BPA Holder and Contractor. **CTA Team Member** – Refers to an entity that is a member of a CTA. The Team Members will be awarded their own BPA; however they shall abide by their CTA Document during RFQ Order competition.

Prime Contractor – Refers to the entity that is awarded a BPA but has opted not to enter into a CTA. A Prime Contractor is synonymous with BPA Holder and Contractor. A single contractor who holds multiple Schedule contracts that contain the required SINs that offers a full solution to the RFQ requirements.

Subcontractor – Refers to an entity performing work in support of the Prime Contractor or CTA. The Subcontractor is not required to have a schedule contract but rather provides work under the prime or CTA's schedule contract. Subcontractors do not have privity of contract with the Government and are accountable to the Prime Contractor.

1. Introduction

The Department of Energy (DOE), National Nuclear Security Administration (NNSA) has awarded a DOE-Wide National Environmental Policy Act (NEPA) support services Blanket Purchase Agreement (BPA) that includes the Federal Energy Regulatory Commission (FERC) and DOE. The awarded BPA is a competitive multiple-award BPA that allows the Government to place recurring orders with BPA holders. The BPA has a five-year period of performance and a maximum estimated usage of \$91 million. The BPA supports strategic sourcing, promotes increased use of small businesses, and is designed to provide environmental support services to DOE-Wide NNSA and FERC program offices. Of the 6 (six) awards, 4 (four) of the BPA holders are small businesses. CTA Leaders and Prime Contractors are as follows:

- 1) Leidos, Inc.;
- 2) Potomac Hudson / S.S. Papadopoulos Associates Inc. / Trinity Engineering Associates, Inc.;
- 3) SC&A, Inc.;
- 4) SOLV LLC. / Alliant Corporation;
- 5) Tetra Tech, Inc.;
- 6) Toeroek Associates, Inc.;

See Appendix 2 for GSA federal supply schedule utilize by each CTA Leader

a. Contractor Team Arrangements (CTAs)

A CTA is two or more GSA Schedule contractors that work together to meet ordering activity needs. By complementing each other's capabilities, the CTA team offers a total solution to the ordering activity's requirement, providing a "win-win" situation for all parties. In a CTA, a Team Member has the ability to enter into an Order with the Government, as a prime contractor, utilizing its own BPA, GSA Schedule, labor Categories and rates. Under DOE/NNSA's NEPA BPA, both CTA Leaders and their Team Members have been awarded BPAs and have privity of contract with the Government. There are five CTA Leaders, four Prime Contractors and 15 Team Members—a total of 24 BPA Holders. **Please note that this BPA was partially set-aside for small businesses with four out of the six awards going to small businesses. The CTAs/Prime Contractor teams are a mix of small and other than small businesses.**

The CTA has a number of advantages over the standard prime/sub relationship. First, since each Team Member has their own BPA Award number, the Government will have privity of contract with each small business firm within the teams (excluding subcontractors) – allowing the government to engage small businesses directly rather than just through the CTA Leader or Order Lead under a standard teaming program. Second, this separate BPA number arrangement also spreads the Federal obligations out among the Team Members to mitigate the problem of having the Small Business CTA Leaders prematurely exceed their size standards, which has happened in the past under previous prime/sub

Federal Supply Schedule (FSS) contracts. For additional information on CTAs, see GSA link: <http://www.gsa.gov/contractorteamarrangements>

A complete list of all CTA Leaders and their Team Members' BPA Award numbers is provided in Appendix 1 of this Ordering Guide. In addition, each CTA Leader has multiple Team Members and subcontractors. A list of each CTA Leader's Team Composition is provided in Appendix 2 of this Order Guide. **Please note that the size status information for each vendor (CTA Leader, Prime Contractor Team Member, and/or subcontractor) may have changed. Please check GSA eLibrary (<http://www.gsaelibrary.gsa.gov/ElibMain/home.do>) and the System for Award Management (SAM <https://www.sam.gov/portal/public/SAM/>) to verify a vendor's size status.** A list of all BPA holders Contact Information is provided in Appendix 3.

b. Scope

The scope of the BPA includes the following three General Services Administration (GSA) Federal Supply Schedules (FSS): Schedule 899—Environmental Services (ENV) and the major task areas listed below.

- Environmental Management

c. GSA Schedules and Special Item Numbers (SINs)

The following SIN is covered under this BPA and are listed by GSA FSS Schedule:

Environmental Services (ENV) Schedule 899 SIN:

- 899 1 Environmental Consulting Services

d. Applicable North American Industry Classification System (NAICS)/Standard Industrial Classification (SIC) Code and Small Business Size Standards

The NAICS Code for DOE/NNSA's NEPA BPA 541620/ Environmental Consulting Services. Below is the GSA Schedule with its respective NAICS code and the small business size standard.

- For the ENV Schedule, there is one NAICS code — listing the small business size standard as follows:
 - o NAICS code 541620/ Environmental Consulting Services \$15.0 million

2. Ordering from DOE-Wide NEPA Support Services BPA

Any DOE, NNSA or FERC Warranted Contracting Officer (CO) may issue an Order under the NEPA BPA. Any DOE, NNSA or FERC OCO interested in placing an Order under this vehicle shall send a request via email to the BPA Administrative CO listed in this guide prior to issuing a RFQ. The Order Guide and other documents related to the NEPA BPA are located on the following NNSA intranet website: <https://nnsaportal.energy.gov/intranet/na-apm/NA-APM-10/SitePages/NNSA%20Enterprise->

[Wide%20Awards.aspx](#) or externally for FERC & Headquarter DOE access located at the following website: <https://www.energy.gov/nepa/doe-wide-nepa-contracting>. The OCO shall utilize STRIPES (Strategic Integrated Procurement Enterprise System) for all contract actions under this BPA. Once the OCO is ready to make an award, the OCO must contact the BPA CO for access to the successful BPA Holders BPA Award in STRIPES. OCOs will be the focal points for Orders in which they issue.

a. Acquisition Planning

In accordance with Federal Acquisition Regulation Part 8, an Acquisition Plan was prepared and approved for the DOE/NNSA/FERC NEPA BPA. However, depending on the dollar value of a requirement, OCOs may be required to prepare another Acquisition Plan for Orders placed under the NEPA BPA. OCOs should consult their agency guidelines to determine whether an Acquisition Plan needs to be prepared.

For NNSA COs, the Milestone Plan in STRIPES serves as the Acquisition Plan for Orders less than or equal to \$6 million. For all Orders greater than \$6 million, NNSA's Coordination and Approval Process (CAP) 6 requires a formal Acquisition Plan. A streamlined Acquisition Plan template for Orders issued under the NEPA BPA is available on the Procurement Website, located at <https://portal.na.gov/NA-APM/NA-APM-10/SitePages/Home.aspx>.

b. Order Types

Authorized Order Types available under this BPA are:

- Firm Fixed Price (FFP)
- Labor Hour (LH)
- Time and Materials (T&M)

If not using a Fixed-Price Order Type, Federal Acquisition Regulation (FAR) 8.404 (h) requires COs to document the rationale which applies to Order types that are not fixed price. Some Orders may have work containing a combination of contract types, i.e., Fixed-Price, Time & Materials and Labor-Hour. The OCO is responsible for identifying the applicable Order type(s) and providing any supporting documentation required by the FAR or DOE, NNSA or FERC acquisition guidelines. For any Orders that are other than FFP, the ordering activity shall include, at a minimum, the documentation outlined in FAR 8.404(h).

c. Ordering Procedures

OCO's shall issue Orders under the BPA pursuant to the procedures in FAR 8.4 and the Ordering Procedures outlined in Section 7.4 of the NEPA BPA. Note that FedConnect will be utilized for the soliciting and receipt of quotes. The BPA CS and CO are available to assist OCOs in the use of FedConnect when ordering under the BPAs.

In accordance with the FAR 8.405-2, OCOs are required to give all BPA Holders an opportunity to be considered for each Order in excess of \$3,000. Since each BPA holder is a CTA or Prime Contractor, all RFQ Orders must be provided to the CTA Leaders or Prime Contractor and their Team Members. There

are five CTA Leaders, four Prime Contractors and 15 Team Members — a total of 24 Contractors that are required to receive every competitive RFQ Order. BPA Holders are required to respond to Order RFQs in accordance with their CTA Documents. Only **ONE** response is permitted per CTA or Prime Contractor.

d. Limiting Sources

The OCO may limit sources for Order in excess of \$3,000 if one of the conditions below applies:

- (1) Total Order Value does not exceed the simplified acquisition threshold; in this case the Government reserves the right to only issue a RFQ to at least three Contractors
- (2) Only one such BPA Holder is capable of providing such services required at the level of quality required because the services ordered are unique or highly specialized; or
- (3) The Order should be issued on a sole-source basis in the interest of economy and efficiency as a logical follow-on to an Order already issued under this BPA, provided that all BPA awardees were given fair opportunity to be considered for the original Order; or
- (4) The agency need for such services is of such urgency that providing such opportunity would result in unacceptable delays
- (5) To achieve agency socio-economic goals, OCOs may employ any FAR- based socio-economic methodology. Please review section e Small Business, if the OCO intends to set an Order aside for small business.

When exception (d)(1) exists, the Government reserves the right to issue the RFQ to only three contractors. When exceptions (d)(2-4) exist, the Order will be processed as a sole source procurement, including a limited sources justification.

The OCO is not required to notify unaffected BPA Holders when utilizing one of the exceptions above.

See FAR 8.405-6 for the documentation required when limiting sources.

e. Small Business

Four of the six Prime Contractor/CTA Leaders are small businesses. Each Prime Contractor/CTA Leader Team has a mixed composition of small and other than small business Team Members and subcontractors. A list of each CTA Leader's Team Composition is provided in Appendix 1 of this Order Guide. OCO's have the authority to use ANY FAR-based socio-economic methodology in their Order RFQs, such as set asides or small business status as the number one evaluation factor.

NNSA Ordering Activities

On October 2, 2013, the Small Business Administration (SBA) published a final rule to establish and revise rules and procedures pertaining to small business set-asides, partial set-asides, multiple award

contracts (MACs), task and delivery orders, bundling and consolidation (Effective date December 31, 2013). The revised regulations implement specific changes required by the Small Business Jobs Act of 2010 (Jobs Act). Pub. L. No. 111-240 (2010). The NEPA BPA is considered a partial set-aside. The objective of the SBA's contracting programs is to assist small business concerns in obtaining a fair share of Federal Government prime contracts, subcontracts, orders, and property sales. One of the most important changes to note is the increased responsibilities and reach SBA Procurement Center Representatives (PCRs) now have for ensuring SBA's objective is achieved (see 13 C.F.R. § 125.2). For example, at the SBA's discretion, PCRs will review all acquisitions that are not set-aside or reserved for small businesses above or below the Simplified Acquisition Threshold, to determine whether a set-aside or sole source award to a small business under one of SBA's programs is appropriate and to identify alternative strategies to maximize the participation of small businesses in the procurement. This review includes acquisitions that are Multiple Award Contracts where the agency has not set-aside all or part of the acquisition or reserved the acquisition for small businesses. **It also includes acquisitions where the agency has not set-aside orders placed against MACs for small business concerns. Please note that prior to this final rule, SBA PCRs did not have the flexibility to review individual orders placed under a MAC. This has significant implications for NNSA Contracting Activities.**

DOE Contracting Activities

DOE Contracting Activities may not have the same restrictions that NNSA OCOs have in awarding contracts to other than small businesses; however, please note that DOE's SBA PRC will be able to scrutinize orders awarded under a NEPA BPA DOE Contracting Activities will have to coordinate orders awarded under the NEPA BPAs with their cognizant SBA PCR.

All Contracting Activities

The OCO shall insert the following Federal Acquisition Regulation (FAR) Clauses into the Order RFQ and subsequent Order, applicable to the Large Business BPA holders:

FAR 52.219-8 Utilization of Small Business Concerns (OCT 2014)

FAR 52.219-9 Small Business Subcontracting Plan (OCT 2015)

General RFQ Order Requirements

In accordance with BPA Section 7.4 (e)(1), RFQ Orders will include:

- (1) When issuing Order RFQs, BPA OCOs shall **identify** the ENV GSA Schedule and 541620 NAICS code applicable to the Order RFQ. The GSA Schedules and NAICS code applicable to this BPA are listed in Section 1 (b) and 1 (d) of this User Guide.
- (2) A Performance Work Statement (PWS) or Statement of Work (SOW) describing the work to be performed, a description of the task, the deliverables, the Order start and completion date, the Government Point of Contact and a description of marking information, data rights, inspection and acceptance of the services, period of performance, security requirements, government property/information to be provided and other relevant information;

- (3) The submission date/time and the method of delivery for the quote submittal;
- (4) Specific instructions on what to include in the quote, including but not limited to, oral presentations, written responses summarizing technical and price approaches, the selection criteria factors, the factors' order of importance and other information deemed appropriate.

f. Time Frames for BPA Holders Quote Submission

BPA Holders shall be capable of providing a quote within a 48 hour period depending on the urgency of the requirement. For non-urgent requirements, BPA Holders will submit quotes within five calendar days of issuance of the RFQ Order, unless otherwise specified.

g. BPA Holders Quote Requirements

At a minimum, BPA Holders quotes will include:

- (1) Price—labor rates must not exceed the BPA Holder's GSA schedule rates.
- (2) Statement disclosing any known or expected conflicts of interest pursuant to FAR 9.5;
- (3) Past Performance Information and References; and
- (4) Small business status re-representation of BPA Holder's FSS schedule and corresponding NAICS(s) codes identified in RFQ Order; or re-representation of small business size status under the NAICS code identified in the RFQ Order at the time quote is submitted – at the discretion of the Contracting Officer.
- (5) Current GSA FSS Authorized FSS Catalog and/or Price List

h. Order Awards

OCOs can award the following STRIPES actions under this BPA:

- 1. **Direct** Task Order Award (DE-DTXXXXXXX)

To make a **direct** Task Order award, the OCO should create a Task Order in STRIPES, check the “External Contract” box and insert the GSA Schedule under which the OCO is issuing the Order.

The screenshot shows the STRIPES web application interface for creating a document. The form includes the following fields and options:

- Document Type:** A dropdown menu currently set to "Delivery / Task Order".
- Contract Number:** A section with a checked checkbox labeled "External Contract" and an empty text input field below it.
- Create From:** A dropdown menu currently set to "New".
- Delivery / Task Order Numbering Masks:** A dropdown menu currently set to "DO/TO (DT) (DE-DT#)".
- Section Template:** A dropdown menu currently set to "(None)".

At the bottom of the form are "Continue" and "Cancel" buttons. A callout box on the right side of the form contains the following text:

External Contract box—insert BPA Holders other GSA Schedule—for TechSource it would be GS-10F-0159J

The bottom of the screenshot shows a Windows taskbar with the "Local intranet" address bar and a 125% zoom level.

In order to connect a **direct** Task Order to the BPA Holder's BPA Award, the OCO **MUST** insert the following text into the Project Title on the Additional Info tab in STRIPES:

For a Team Leader/Prime Contractor:

DOE/NNSA/FERC NEPA BPA *INSERT BPA NUMBER and CTA Leader's Name (CTA Leader) or Prime Contractor Leader*

For a CTA Team Member:

DOE/NNSA/FERC NEPA BPA TEAM MEMBER *INSERT BPA NUMBER and Team Member's Name (CTA's BPA Number and Name)*

Example:

Team Leader – EXAMPLE ONLY

DOE/NNSA NEPA TEPS BPA DE-NA000499661 TECHSOURCE (CTA LEADER)

Team Member – EXAMPLE ONLY

DOE/NNSA TEPS TEAM MEMBER BPA DE-NA0000482 CTAC (CTA LEADER DE- NA0000461 TECHSOURCE)

The screenshot shows the STRIPES web application interface. On the left is a navigation menu with options like Main, General, Additional Info, Funds Tracking, Text, Payment Terms, Discount, Summary, Items, Vendor, Synopsis, Package, Supporting Docs, FedConnect, Summary Report, Protests, Claims, Validations, Route History, Status History, and Notifications. The 'Additional Info' tab is selected. The main area displays 'Delivery/Task Order Information' and 'Additional Information'. The 'Additional Information' section contains various fields: NTP / Vendor Signed On, Site (NNSA HPO), Project Title, Confirmed With (highlighted with a red arrow), Reference Your Text, NAICS Code, Size Standard, Originating Office, Is this an IT-related purchase?, Potential Amount, Supplies or Services, Construction, GWAC / GSA Purchase, Performance-Based Service Acq, Cost Acctg Standards Clause, Purchase Card Payment Method, and Use of Recovered Material. A text box on the right contains the following text:

Insert following text into Project Title field:

DOE/NNSA TEPS BPA DE-NA0000461 TECHSOURCE (CTA LEADER)

i. OCO Responsibilities

OCOs are required to courtesy copy the BPA CO and CS when they make an award in STRIPES for a direct Task Order AND **provide the BPA CO a copy of and dollar value of the Order award.** OCOs are also responsible for the following:

- Acquisition Plan, if required under the Coordination and Approval Process (CAP)
- Ensure BPA Holder's compliance with its Order placed by the OCO, as well as its GSA Schedule and BPA terms and conditions
- Designating a COR if applicable
- Report BPA Holders Past Performance on an Order in the Contractor Performance Assessment Reporting System (CPARS)
- Responsibility Determination — Although BPA Holders were determined responsible at time of BPA Award, OCOs are responsible for checking the System for Award Management System (SAMS) to verify EPLS, CCR, and ORCA entries.
- Potential Conflicts of Interest — identifying, mitigating, and/or resolving
- Order Closeout