

Questions and Answers
August 11, 2017
Draft Request for Proposal
DE-SOL-0011206
Los Alamos National Laboratory

Question 1. Will there be a requirement for a community commitment plan?

Answer 1. Yes, the contract terms and conditions will include the requirement for a community commitment plan to be submitted during the contract transition.

Question 2. Hiring the best possible contractor (Superior technical and management skills) rather than making an award at the lowest evaluated cost/price should be NNSA's priority. Section L-16 (Proposal Preparation Instructions – Volume III, Cost Information) and Section M-3 (Basis for Contract Award) are inconsistent.

Answer 2. Hiring the best possible contractor is NNSA's priority, as reflected in the draft RFP. Section M-3 establishes this as a "best value" procurement and puts the focus on a superior Technical and Management proposal. Federal procurement rules do require cost/price to be evaluated and the proposal instructions request the information necessary to balance cost and non-cost aspects as we evaluate the proposals. Fee will be established in accordance with the Department of Energy Acquisition Regulation. Solicitations are required to identify a maximum available fee and may invite offerors to propose a fee less than the maximum available.

Question 3. The Draft RFP fails to identify the statutorily required support to the Los Alamos Public School District.

Answer 3. The contract terms and conditions will include the requirement for the contractor to comply with Public Law No: 108-375, SEC. 3144. SUPPORT FOR PUBLIC EDUCATION IN THE VICINITY OF LOS ALAMOS NATIONAL LABORATORY, NEW MEXICO.

Question 4. The Draft RFP is silent on the critical role the County plays with respect to LANL operations.

Answer 4. The contract terms and conditions will include the requirement for continued cooperation with the local community and county of Los Alamos to include regional initiatives.

Question 5. The County requests that Section 3.9 of the Scope of Work be expanded and that community support (all of Northern New Mexico) be part of the scoring criteria.

Answer 5. The scoring criteria is focused on primary mission of Los Alamos National Laboratory and the manner in which each offeror proposes to satisfy the federal requirements established by the Scope of Work. The NNSA recognizes the importance of working with the local community and the contract will require continued cooperation and support of the local community.

Question 6. Clarify Section 4.0 (Location of Performance) in Section J, Appendix A: Statement of Work to identify that Los Alamos County, New Mexico is the principal place of business for LANL.

Answer 6. NNSA will further clarify place of performance in the final RFP, understanding the majority of the work under the contract is performed at the Laboratory in Los Alamos County New Mexico.

Question 7. Scoring Criterion 3 (Small Business Participation) in Section M-4 should be expanded to include local subcontracting goals.

Answer 7. The evaluation of Small Business Participation set forth in M-4 is consistent with the Federal Acquisition Regulations, the Department of Energy Acquisition Regulations and the Small Business Administration rules. Offerors must meet those requirements but may propose additional activities, such as a local preference, which go beyond what NNSA could mandate. One of the contract deliverables will be a Small Business Subcontracting Plan. The awardee will also be required to submit a community commitment plan during contract transition. Historically the community commitment plan provided preference for doing business with the local community.

Question 8. The Final RFP should require respondents to identify a plan for attracting and retaining world-class talent and next-generation workforce.

Answer 8. The contract terms and conditions will include the requirement for workforce planning consistent with current and future mission requirements.

Question 9. The Contractor should be a for-profit operator. Selecting a non-profit to circumvent paying taxes in the State would undermine the State and County's ability to provide services that support LANL.

Answer 9. 10 U.S.C. 2304 and 41 U.S.C. 253 require, that contracting officers shall promote and provide for full and open competition in soliciting offers and awarding Government contracts. Restricting competition to "for-profit operators" would conflict with the full and open competition statute. NNSA's priority is to hire the best possible contractor to successfully perform its important nuclear security mission. Whether a contractor is for-profit, or not for-profit does not influence that decision.

Question 10. Support Existing Contracts and MOU's.

Answer 10. The contract terms and conditions will include a requirement that the new LANL prime contractor continue to meet predecessor contractor's obligations and transfer of obligations to successor contractor, to include existing subcontracts and other similar agreements.

Question 11. Continue to Pay Gross Receipts Taxes.

Answer 11. Companies engaged in business in New Mexico must comply with all applicable state laws, including the Gross Receipts and Compensating Tax Act of New Mexico.

Applicable New Mexico Gross Receipts Tax is an allowable cost to the contract. The contract will include the appropriate New Mexico Gross Receipts clauses.