

Amendment 0001

**Questions and Answers
DE-SOL-0011206**

1. Question #1:

Given that once the competitive range is established, those offerors in the competitive range will be provided their significant weaknesses and deficiencies in writing. Approximately how soon after being provided that information does the Government expect to hold Oral Discussions? What is the earliest date at which key personnel might be required to be available for the oral discussions?

Answer #1:

The Government anticipates holding oral discussions during the month of March 2018.

2. Question #2:

Given that the Oral Discussions involve an interactive dialogue, likely to include a discussion of weaknesses and deficiencies potentially involving past performance and/or key personnel selection and qualifications, is it the Government's expectation that authorized representatives of the offeror's parent companies will attend and participate or would the government engage only the key personnel in these discussions?

Answer #2:

In addition to Key Personnel, authorized representatives from the offerors team may be invited to attend oral discussions. NNSA will provide further details regarding attendees after the competitive range is established.

3. Question #3:

Does the Government intend to conduct a single, Oral Discussion in which representatives of an offeror's team (e.g., proposal leaders and proposed key personnel) would jointly participate or does the Government plan to hold separate Oral Discussion with the offeror's Key Personnel? If so, when would that occur? What does the Government intend to discuss with the Key Personnel?

Answer #3:

The Government reserves the right for further discussions with the proposed lab director and other key personnel as deemed appropriate following the Oral Discussion anticipated to occur in March 2018. The Government intends to conduct a single Oral Discussion where representatives of the offeror's team would jointly participate.

4. Question #4

The instructions indicate the Section K must be signed, but there is no signature Block/page in the LANL final RFP. Please note that the Sandia RFP section K page 3 164 had a signature page. Please advise how the offeror and team members should sign the Section K.

Answer #4:

Amendment 000001 will include a signature block in Section K.

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5. Question #5:

Section K-11 does not include a signature page that includes certification language. Please advise on the required certification language.

Answer #5:

See answer to question 4.

6. Question #6:

Section L-15 (c)(2) of the Solicitation provides that, "The parent organization of each member of a 'contractor team arrangement,' if proposed, and all subcontractors must separately complete, sign, and submit the Section K, Representations, Certifications, and Other Statements of Offerors."

No signature block is provided in Section K. How should the parent organization of each member of a "contractor team arrangement," if proposed, and any potential subcontractors sign Section K?

Answer #6:

See answer to question 4.

7. Question #7:

Section K. This section has no signature page, which is usually provided. It also is missing Attachment A, the FOCI instructions, which is required per page 181.

Answer #7:

See answer to question 4 regarding Section K signature page. See answer to question 8 regarding Attachment A of the FOCI package.

8. Question #8:

In regards to proposal for Solicitation No. DE-SOL-0011206, the Offeror is required to complete all applicable FOCI disclosure forms provided in Attachment A, Foreign Ownership, Control or Influence (FOCI) Package. We have noticed that Attachment A FOCI Package was not included in the documentation released with the RFP. Can the Government please issue the FOCI Package?

Answer #8:

See Section L-1 and L-33 in amendment 0001.

9. Question #9:

Was it your intent to reduce the number of holidays available to LANL employees from the current 12 paid holidays to a maximum of ten (10) paid holidays? RFP Section J, Appendix C, Page 8 Paragraph 7.0 Paid Time Off: The second sentence reads "The number of paid holidays will be limited to no more than ten." This appears to be contrary to other provisions within the RFP which attempt to maintain equivalent benefits for incumbent employees. Also, it is not consistent with the provisions of Subpart 22.10 of the FAR for those employees covered by this section.

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Answer #9:

RFP Section J, Appendix C Personnel Appendix, Page 8 Paragraph 7.0 Paid Time Off requires the Contractor to submit a plan for Paid Time Off programs to include holidays. Holiday time is one component of paid time off. The Contractor is free to propose the remaining components that will comprise the paid time off plan. Ten is based on the number of federal holidays observed annually. Other NNSA M&O Contracts observe ten holidays as well. The referenced FAR section 22.10 relates to the Service Contract Act of 1965 as amended and does not apply to Management and Operating prime contractor.

10. Question #10:

A number of factors in the draft request for proposals (RFP), including the overall level of fee, resulted in a great deal of uncertainty within industry and academia with regard to bid/no-bid decisions, the formation and structure of teams, and the identification and commitment of Key Personnel.

This uncertainty, coupled with the significant changes between the draft and the final RFP, has resulted in a compressed timeframe for teams to be formalized and to subsequently develop proposals.

We request that the due date for proposals be extended to December 22 to ensure adequate time for offerors to develop the strongest possible proposals and to therefore provide NNSA with the most competitive possible acquisition.

Answer #10:

NNSA anticipates receiving adequate competition within the period proposals are due. Therefore the proposal submission date remains unchanged.

11. Question #11:

Section L, Page 195. Font Requirements. It is unclear if Times New Roman must be used for graphics, tables, diagrams, and drawings. Please clarify whether that font is prescribed, as it is with the text, or whether other fonts can be used.

Answer #11:

Offerors are permitted to use a font other than Times New Roman for graphs, figures, charts, and tables; however, the font must be clearly legible and no smaller than size 8 (see L-14(h) for font size guidance).

12. Question #12:

Section L-14 requires the use of Times New Roman font. For graphs, figures, charts and tables, we recommend that the Government allow the use of the Arial family of fonts (these formats are difficult to read in Times New Roman due to the similarity of lines and character spacing). Will the Government please confirm that the use of the Arial family of fonts for graphs, figures, charts, and tables is acceptable?

Answer #12:

See answer to question 11.

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13. Question #13:

The unilateral Contracting Officer authority at Section H-18(b) appears to pertain to the negotiation of terms for what is effectively a new contractual relationship. The FAR changes provisions identify the existing limits to the Contracting Officer's authority with respect to unilateral modification authority, which we believe is limited to cost-reimbursement efforts, with the Contracting officer unilaterally deciding scope, schedule and delivery, and subject to mandatory FAR and agency terms, provided all other terms require mutuality and the entire unilateral action being subject to equitable adjustment. As such, we recommend revising Subsection H-18(b)(2) to read,

(2) direct the Contractor to proceed with the performance and/or management of the Capital Construction Project provided: (i) it is under a Cost-Plus-Fixed-Fee pricing structure, (ii) it is subject to mandatory FAR and DEAR pass-down provisions for such a contract type, (iii) it includes Contracting Officer unilaterally determined scope, schedule and delivery terms, (iv) with all remaining terms being subject to mutuality, and (v) with the Contractor being entitled to an equitable adjustment.

Answer #13:

The clause H-18 applies to Capital Construction Projects that exceed \$50M in design and construction and is not a new contractual relationship. Contract Line Item Number (CLIN) 0004 is reserved Capital Construction Projects so that each Capital Construction Project shall be identified as a Sub-CLIN to CLIN 0004 via unilateral contract modification. Price and price structure (such as Firm Fixed Price, Cost-Plus-Incentive-Fee, or other price structures) and any applicable special terms and conditions shall be identified for each Capital Construction Project covered by CLIN 0004. Capital Construction projects not under DOE O 413.3 may be mutually agreed upon following this same CLIN and Price structure along with any applicable special terms and conditions. The clause H-18 will remain unchanged.

14. Question #14:

Section L-14 requires that the proposal to be electronically submitted via FedConnect. However, it also states that the Offeror should upload one "signed original" copy of Volume I. What constitutes a signed original for an electronic submittal?

Answer #14:

A signed original is a document signed with pen and ink (electronic signatures are **NOT** permitted) submitted electronically as instructed by the RFP.

15. Question #15:

Section M-5 states that transition price will be evaluated for price reasonableness. Since there will only be a single price for transition in the proposal, on what basis will NNSA evaluate reasonableness?

Answer #15:

Per M-5 COST CRITERION, the Transition Price, Fee for Management and Operation of LANL and Fee for Strategic Partnership Projects (Section L, L-17) will be evaluated for price reasonableness. The Government may use any of the price analysis techniques specified in FAR 15.404-1(b).

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16. Question #16:

Section L-17, Page 201-202. Volume III, Cost Information. Please confirm that this volume consists of the standard front matter, followed only by a pdf of the spreadsheet provided as Section L Attachment H – Transition Price and Fee Summary.

Answer #16:

Standard front matter is acceptable with Attachment H. Attachment H shall be submitted in Microsoft (MS) Excel format, version 2013 or lower, with formulas and links intact and all cells unprotected. Offerors are responsible for the accuracy of all formulas, links, and all other relationships within the submitted MS Excel electronic spreadsheets and workbooks.