

Question 16:

Re: Clause L-3(d). We assume that if the entity(ies) that provides the performance guarantee agreement does not publish annual reports, the published annual report from a higher level parent entity(ies) is acceptable. Is this correct?"

Response:

It is common accounting practice for companies with wholly owned subsidiaries to consolidate financial information at the parent level for SEC reporting purposes. If the entity providing the required performance guarantee agreement has the authority to sign such an agreement, but is not at the level where they're required to submit annual financial statements, then DOE would accept financial statements from the next higher tier parent organization. However, it is preferred for the performance guarantee to be signed by an officer at the reporting parent level or at least identified the parent organization where annual financial reporting is required.

Question 17:

Approximately how many personnel support the infrastructure scope element?

Response:

There are approximately 1,225 FTE's involved in the work that was described in the infrastructure briefing during the presolicitation conference (slides are posted on the Acquisition website).

The general scopes include:

- Utilities (electricity, steam, water, wastewater)
- Support Facilities (dams, roads and bridges, office buildings)
- Shops (fabrication and repair)
- Transportation (railroad, trucking, vehicle fleet)
- IT/Telecommunications
- Occupational Medicine
- Documentation and Information Services
- Warehousing and property management
- Support services (food, mail, janitorial, mowing, laundry, etc.)

Question 18:

Please refer to Section C, Scope of Work, Article C-3.1 EM Closure Activities, subsection entitled Solid Waste. A small business subcontract has recently been awarded by BWXT Y-12, LLC for a similar scope. Has DOE evaluated this scope for a small business set-aside?

Response:

Currently, the Sanitary Waste Program is the only area within the Solid Waste Program that has been identified as a possible small business opportunity.

Question 19:

Under the workscopes for both Solid Waste and ESH, pollution prevention and waste minimization were sited as required components of the proposal. Prior to 2002, the SRS contract had specific fee assigned for meeting specific goals for pollution prevention and waste minimization. Is DOE considering specific goals and fee for this program again?

Response:

Specific fee distributions or assignments will be determined after the contract has been awarded based upon DOE's priorities and detailed in the Performance Evaluation and Measurement Plan. The pollution prevention and waste minimization programs will be evaluated at that time for possible fee assignment.

Question 20:

Do you concur that the most significant practical risks associated with continuity of tritium operations at SRS are related to obtaining incumbent personnel supporting the ongoing mission, and that corporate experience and past performance related to the activities in Section C-3.3 (a) are sufficient as long as the activities involve nuclear materials, and not necessarily tritium?

Response:

Overall, the successful Offeror will accept the incumbent workforce for the entire M&O scope of work identified in the DRFP. An Offeror's relevant corporate experience and past performance do not have to be tritium specific, but do need to have involved nuclear materials and the management of nuclear facilities.

Question 21:

It was not clear in Bill Clark's NNSA presentation what were the specific roles of WGI as the managing contractor for PDCF and the oversight role of WSRC for the support of PDCF. Please detail the specific roles and points of separation.

Response:

- a. WGI is working with some government furnished material to design the PDCF. This activity, located in Denver, CO is for PDCF design only and is not part of the incumbent WSRC M&O function.
- b. The following Contractor Support Activities are currently being performed by the incumbent WSRC M&O contractor as requested, and is the scope that any prospective M&O Offeror will need to consider in their proposal.
 - Program Management Support
 - Studies on value engineering, design alternatives, reviews
 - Cost estimating or review, change control, configuration management, project oversight, operating procedures development
 - Operations oversight
 - Engineering Support
 - Safety analyses, authorization basis documents
 - Serve as Design Authority
 - Construction Management

- Assist NNSA in or procure, direct, and oversee a construction management firm
- Startup and Testing (outside initial 5-year contract window)
- Operations (outside initial 5-year contract window)

Value of Work Effort (initial 5-year contract window) - \$8 to \$10 million per year for the M&O Contractor portion of this work identified above, and does not include any design work being performed by WGI.

Question 22:

How will the contractor ensure any potential radiation exposure to members of the public and the environment is as low as reasonably achievable (ALARA)?

Response:

The M&O Contractor's Radiological Protection Program shall provide DOE with the necessary details on how compliance with 10 CFR 835 requirements, including those related to ALARA, will be achieved.

Question 23:

Given the heterogeneity of nuclear materials, facilities, and risks to be managed by the successful SRS M&O offeror, what criteria will be used to encourage the contractor to go beyond the minimum regulatory requirements and to pursue excellence in their Radiological Protection and Industrial Health and Safety Programs?

Response:

Continual improvement is an overarching performance expectation for all aspects of the M&O workscope, including safety. In accordance with DOE Policy 450.7, Environment, Safety, and Health (ES&H) Goals, the ultimate ES&H goal is zero accidents, work-related injuries and illnesses, regulatory enforcement actions, and reportable environmental releases. Site-specific ES&H performance measures, which include the areas of radiological protection and industrial safety and health, are established on annual basis to drive performance improvement and/or maintain excellent performance.

Additionally, as stated in Section C-1.3, a Performance Evaluation and Measurement Plan will be established after contract award that defines the performance expectations, incentives, measures, and evaluation processes. The specific performance work statements and measures, and performance expectations, will be established on an annual or multi-year basis, as appropriate.

Question 24:

The current evaluation of Past Performance and information provided on the Past Performance Information Form only considers performance failure. Would DOE consider the evaluation of actual performance and operational impacts such as productivity, preventive safety programs and metrics utilized, the evaluation of trends in safety performance (e.g., Near Misses, Skin Contaminations, Airborne Uptakes, Environmental Releases, Recordables, PAAA Issues, and lost time)?

Response:

We are currently evaluating this question and other indicators of past performance. We will incorporate any changes to the Past Performance Information Form in the final RFP.

Question 25:

Section B noted that Fire Protection engineering will eventually be pulled out as a small business set-aside. Since there are many diverse, specialized, small business engineering firms, are other types of engineering functions being considered for set-asides that are exclusively performed by WSMS under the current contract?

Response:

The discrete scopes of work mentioned in Section C are the only areas being evaluated by DOE for small business set-asides. These specific areas, once withdrawn, will be credited toward the DOE small business goal. However, this does not prevent the M&O Contractor from including other types of engineering functions within their Small Business Plan.

Question 26:

Under the D&D work scope, it notes that DOE may contract some D&D work to third parties. Is it the intention of DOE to use the IQIQ process to contract directly with small business to perform Soil and Groundwater and D&D tasks? Is this D&D work being considered for a small business set-aside or a general solicitation?

Response:

The Acquisition Strategy for Competition of the SRS Management Contract recommends possible use of the EM Soil and Groundwater (SGW) and Deactivation and Decommissioning (D&D) Indefinite Delivery/Indefinite Quantity (IDIQ) contracts for discrete SGP/D&D work packages that are suitable for small business. However, SGP/D&D work scopes may also be performed through other direct DOE contracts and/or small business set-aside contracts depending on which provides the best value to the government. DOE is considering all these options with regards to providing opportunities to small businesses relative to SGW/D&D work scope.

Question 27:

Use of ID/IQ contracting has been mentioned several times relative to the M&O re-bid. The SB Community would prefer a more open approach rather than strict use of the DOE ID/IQ CLIN groups.

Response:

The DOE Office of Environmental Management (EM) awarded 22 nationwide Indefinite Delivery, Indefinite Quantity (IDIQ) contracts in October 2004. The contracts were awarded to Section 8(a) Businesses, Small Businesses, and Large Businesses to perform accelerated environmental cleanup work. The work involves Environmental Remediation/Waste Management Services and Deactivation, Demolition and Removal of Facilities. The services include, but are not limited to, soil and groundwater characterization/remediation, waste management, and/or deactivation, demolition, and removal of buildings (contaminated and/or non-contaminated), and associated regulatory documentation supporting DOE and its prime contractors at various locations throughout the United States. IDIQ contracting is just one piece

of the overall strategy to provide opportunities to small businesses relative to the M&O scope of work.

Question 28:

The draft Section C requires setting up the Lab and Tritium Operations as distinct financial units. Please clarify if (and under what timeframe) DOE will look to sever these distinct units from the contract.

Response: **REVISED 3/13/07**

With respect to Tritium Operations, Congress has directed the Secretary of the Department of Energy (DOE) to develop a plan, in consultation with the Secretary of the Department of Defense (DoD) and Nuclear Weapons Council (NWC), for transformation of the National Nuclear Security Administration (NNSA) nuclear weapons complex to achieve a responsive infrastructure by 2030. This transformed infrastructure is expected to be smaller, more efficient, and designed with safety and security in mind. Although currently the top level transformation plan is being finalized, many decisions regarding specific operations, functions, and locations remain to be made. Tritium Operations at Savannah River Site are expected to remain an integral part of the Nuclear Weapons complex far into the future. While there are no specific timelines established for changing the status of Tritium Operations, the decision was made as part of the Acquisition Strategy signed by the Deputy Secretary, to have Tritium Operations fully identified as a defined, severable work activity within the M&O contract structure so that it will be positioned to be responsive to any future direction within the NNSA Nuclear Weapons Complex.

It is DOE's expectation that the Contractor make substantive progress towards establishing the SRNL as a pre-eminent national laboratory, to enhance its core competencies, and increase collaborative partnerships during the contract period. There is no specific timeline established for changing the status of SRNL, however it is DOE's intent that the laboratory be operated within the M&O contract structure such that it will be positioned to be responsive to future DOE requirements.

Question 29:

Is it DOE's intent to make SRNL self-sustaining and independent of SRS during the term of the contract?

Response: **REVISED 3/13/07**

It is DOE's expectation that the Contractor make substantive progress towards establishing the SRNL as a pre-eminent national laboratory, to enhance its core competencies, and increase collaborative partnerships. Part of this growth is to make SRNL self-sustaining and independent of the Site management and operations. DOE will closely evaluate the performance and progress of the laboratory in these and other areas during the course of the contract period. However, it is DOE's intent that the awardee operates SRNL in such a way that DOE can evaluate the feasibility of making it self-sustaining and independent of SRS, and to position SRNL for the future.

Question 30:

In the event of an emergency event that crosses contractual lines (e.g., a radiological release) who will be in charge of the event?

Response: **REVISED 3/13/07**

DOE has decided to remove the site level emergency management and response activities from the scope of the M&O Contract. The M&O Contractor will maintain responsibility and authority for emergency response and mitigative actions in facilities under their cognizance. The M&O Contractor will also provide technically qualified personnel to staff the Technical Support Room within the Emergency Operations Center if that facility is activated. The M&O Contractor will provide support as needed for activities such as consequence assessment, logistics and facility support.

Question 31:

Why is clause H.14(g)(1) in the draft RFP for management and operation of the Savannah River Site?

Response:

H.14(g), Establishment and Maintenance of Pension Plans for which DOE Reimburses Costs, subparagraph (1) provides:

For cost allocability and reimbursement purposes, any defined benefit (DB) or defined contribution (DC) plans established and/or implemented by the Contractor shall be maintained consistent with the requirements of the Internal Revenue Code (IRC) and Employee Retirement Income Security Act (ERISA).

The Department's longstanding acquisition policy with respect to contractor pension plans has been to require contractors to maintain pension plans for which the Department reimburses costs in a manner that complies with the requirements of ERISA and the IRC. This concept has been incorporated into DOE contracts since ERISA was enacted in 1974. The majority of DOE's contractor-operated sites provides both qualified defined benefit and qualified defined contribution pension plans. As a result, the draft RFP specifies that both defined contribution and defined benefit pension plans be maintained in a manner consistent with the requirements of ERISA and the IRC.

Question 32:

Is Contracting Officer approval required for a Contractor decision not to require performance bonds for fixed price non-construction subcontracts?

Response:

If the item/service being acquired is mission-critical then performance bonds must be required. If not mission critical and the Contractor makes a business decision not to require a bond, then DOE will hold them accountable if the lack of a bond in the face of a performance failure leads to increased costs to repro cure.

Question 33:

Table contains space to put 'Total Available Fee' for each performance period and a note referring Offerors to Section L-3, Proposal Preparation Instructions-Volume I, The Offer, paragraph (i) for total available fee and fixed fee proposal instructions. Should the paragraph referenced be (f) instead of (i)?

Response:

Yes. The appropriate change will be made to the RFP.

Question 34:

Is Contracting Officer approval required if the Contractor determines that other than a fixed-price subcontract is appropriate?

Response:

Subcontracts will be reviewed and approved based on the dollar thresholds established in the Contractor's approved purchasing system rather than the type of contract.

Question 35:

Why is a small business size standard included for a full and open competition?

Response:

This acquisition is unrestricted and contains no set-aside provisions. Therefore, the small business set aside standard identified in provision K-1 will be removed.

Question 36:

Will small business subcontracts issued by lower-tier subcontractors count towards the small business subcontracting goals?

Response:

No, these do not count towards the Contractor small business subcontracting goals.

Question 37:

Are the facilities/areas that are being considered for third parties going to be addressed in the final RFP or the DOE-SR Small Business Plan? Are these facilities/areas considered the higher hazard or lower hazard D&D work scopes?

Response:

No. A decision has not been made as to which facilities/areas will be considered for third parties. However, it is likely that the facilities/areas chosen will range in level of hazard from low to high.

Question 38:

Section C C-3.1 (d) – H Canyon operations are included in the scope, however, these operations can be impacted by the tank farm operations and the availability of tank space, which will be part of the LWO contract. Who gets priority on tank space, and if there is a resulting conflict because of the lack of tank space what is the expectation for personnel, production, and associated fee if H Canyon operations are curtailed?

Response:

For planning purposes, it has been assumed that H Canyon Operations will contribute approximately 300,000 gallons per year to the tank farm through the proposed base contract period. If that assumption changes or an unforeseen event occurs in the tank farm such that H Canyon Operations must be curtailed or delayed, then the Contracting Officer would determine if changes to the H Canyon Operations Scope of Work and/or adjustments of fee would be necessary in accordance with DEAR 970.5243-1 Changes.

Question 39: The draft RFP makes no mention of DOE-SR's, and its contractors, responsibilities under the National Historic Preservation Act, as amended. Is there a reason the draft RFP does not contain any mention of historic preservation for contractor guidance?

Response: We are currently evaluating all questions and comments with respect to historic preservation at Savannah River Site. We will incorporate the appropriate changes in the final RFP.