

Questions and Answers for RFP DE-SOL-0006320 for ORISE (updated August 20, 2015)

1. We wanted to bring to your attention that the NAICS code may be in error. We believe the NAICS 621511 would be more appropriate. 621511 encompasses blood analysis laboratories, cytology health laboratories, and other medical laboratories engaging in analytic and diagnostic services. (July 27, 2015)

Answer: The Contracting Officer has selected the NAICS code whose definition best describes the principal nature of the requirement as laid out in the Performance Work Statement. While certain parts of the requirement could, by themselves, be classified differently, the preponderance of the requirement will be specialized scientific and technical services. The most appropriate NAICS code, therefore, is 541990, which addresses all other Professional, Scientific, and Technical Services that are not described under another Subsector 541 code.

2. Section J, Attachment C refers to the "ORISE South Campus." Is there also a "North Campus?" (July 27, 2015)

*Answer (Updated August 7, 2015): Other than the facilities listed in Attachment C, there are no other facilities or real property furnished by the Government. **As noted in Question 5 below, there are other facilities furnished by the incumbent contractor that are used for work under the current contract. These are not government-furnished facilities.***

3. I am unable to access the zip files (Sections J, L, and attachments). What software is required? (July 29, 2015)

Answer: Most operating systems have built-in unzip tools or utilities. Some organizations' IT protocols block the unzipping or extracting of archived files. Without knowing the specific situation, it is difficult to diagnose the problem you may be having. Therefore, we have included all of the Section J Attachments and Section L Appendices and Exhibits in Amendment 000001 as individual files. No changes have been made to the content.

4. In accordance with L.11 52.237-1 of the subject solicitation, a Site Visit is requested. (August 5, 2015, note this is not the exact wording of the question)

Answer: In response to your request, the Department will schedule a Site Tour for all interested prospective offerors on August 20, 2015. More information on scheduling and details will be made available as soon as possible.

5. Will facility space currently being used by incumbent ORISE personnel (other than that identified in Section J, Attachment L) be available for use under the new contract? (August 6, 2015)

Answer: Section J, Attachment C lists the facilities the Government will furnish for this effort. Interested prospective offerors should also reference Question 2 above, and RFP provisions L.30 (c)(3)b.iv and M.3.C.3.

6. Since the majority of existing ORISE staff is expected to be transitioned to any new ORISE contract, will you provide the current level of staffing by labor category to facilitate development of Volume III cost estimate? (August 6, 2015)

Answer: The information that the Department is able to make publicly available was released as part of the RFP. The information requested is considered a contractor record under the terms of the current and predecessor contracts, and is not within the discretion or authority of the Government to release.

7. Pages 37 and 38 of Section L are confusing. Are Program Implementation criteria requirements (staffing plan, R2A2, etc.) supposed to be addressed in the Oral Presentation? (August 7, 2015)

Answer: Subparagraphs (c)(2)(e) and (f) of provision L.30 should have been indented farther to the right to make it clear that Subparagraph (c)(3) contains instructions for the written proposal Volume II, and not the oral presentation.

8. When completing Section J, Attachment L, for the separate percentage small business goals, where can we find the FY 2016 information to complete this? (August 7, 2015)

Answer: Interested prospective offerors may utilize the FY 2015 DOE goals, which can be found at the following link: <http://energy.gov/management/downloads/policy-flash-2015-26>. When the 2016 Goals are published, DOE will make those available also.

9. Listed in Section J, Attachment C area the ten (10) buildings designated as Government Furnished Facilities (GFF) that the successful contractor will be responsible for their operations and maintenance. (August 10, 2015)

A.) Are the GFF by themselves sufficient to house all of the successful offeror's employees under the new contract?

Answer: It is the responsibility of prospective Offerors to answer this question in their proposal. Prospective Offerors are encouraged to consult the requirements of Provision L.30 (c)(3)b.ii. and iv. The number of and assignments of proposed employees, as well as the plan for facility utilization, are all elements that are to be addressed in Volume II of the proposal.

B.) For each GFF please identify the work scope area(s) which they relate to. If a GFF use used for multiple work scope areas, please identify the approximate percentage of use of the GFF by each work scope area.

Answer: DOE Acknowledges receipt of this question and will be able to provide more information in a forthcoming amendment.

C.) Two buildings SC-9 and SC-16 are stasured as "Pending Disposal". What actions, if any will the successful contractor be responsible for regarding these two buildings? What is the expected timeframe for these actions?

Answer: Prospective Offerors should review the Ten-Year Site Plan available on the website <http://orisecompetition.science.energy.gov> . This document addresses both the anticipated actions and estimated timeline by which activities should be completed, provided the necessary funding is made available. Prospective Offerors are also reminded that the Government has made available a planning cost for facility improvements (including demolition) for the purposes of proposal development (see Provision L.5) as discussed in the Site Plan.

10. On page 48 and 49 of the 2014 ORAU Annual Report is a list of twenty one (21) ORAU Management positions and named resources, many of which appear to hold and/or fill executive/director/management positions at ORISE. From this list, please identify those ORAU named resources that DOE wants the successful contractor to retain for work at ORISE, along with the following relevant information (August 10, 2015):

- a. Current Base Annual Salary
- b. Current Base Annual Salary Charged to ORISE
- c. Incentive Pay/Bonuses
- d. Deferred Compensation
- e. Employer Contribution to Deferred Compensation
- f. Any other forms of proposed Compensation paid allowable by the FARs
- g. Total Annual Compensation Including Fringe Benefits Charged to ORISE.

Answer: Clause H.11 enumerates the requirements the successful offeror will need to follow with respect to hiring preferences and rights-of-first-refusal. Regarding the compensation data requested, prospective Offerors should reference Question Number 6, which discusses information related to current staff. Section L, Appendix 5 of the RFP includes the existing job classifications at ORISE, and the corresponding average salary information.

11. List of all incumbent enterprise level systems and/or software tools that will be made available to the successful offeror (August 10, 2015)

Answer: As a Non-Management and Operating contract, enterprise level systems are provided by the contractor performing the work. While DOE approval is required for many of these systems for work under the terms of the contract, enterprise level systems are not furnished by the Government.

12. Will the successful offeror be permitted to adopt for use the incumbent's ORACLE Accounting System coupled with their reporting templates? (August 10, 2015)

Answer: As a Non-Management and Operating contract, the accounting system used by the incumbent contractor is not DOE owned. Prospective offerors should carefully review the Accounting System requirements discussed in Provision L.5.

13. We normally perform most of our supplemental staffing/staff augmentation under NAICS code of 561320, Temporary Help Services. ...is this a small business set aside or unrestricted competitive solicitation? (August 11, 2015)

Answer: Prospective Offerors should refer to Question Number 1 above, and Provision L.23, which states, "[t]his acquisition is unrestricted and contains no set-aside provisions."

14. The overview of this solicitation states for set aside: N/A and NAICS: 541990, 15M. Is this NAICS code pertain to our subcontracting plan? In other words is this an open competitive bid? (August 11, 2015)

Answer: Please refer to the answer to Question Number 13 above. Prospective Offerors are also advised to refer to clauses 52.219-8 Utilization of Small Business Concerns for the definition of Small Business Concerns and 52.219-9 Small Business Subcontracting Plan for the requirements pertaining to that plan. Generally, a domestic business is considered to be a Small Business Concern if it does not exceed whatever measure is established by the Small Business Administration for a particular industry. In subcontracting, the Department generally relies on an entity operating under an approved Small Business Subcontracting Plan to select the appropriate industry category and its corresponding NAICS code for each subcontract.

15. [The Solicitation] states that the solicitation is an unrestricted acquisition and that a “Small Business Subcontracting Plan” is required. Usually a “Small Business Subcontracting Plan” is not required if it is a small business set aside since this requirement assures that 100% goes small business anyway and there is no requirement to sub out work to other small businesses when you are already a small business. My question, is this solicitation set aside for small business who fit the small business size standard NAICS code 541990 (15M) only or <500 employees? If no is this an open unrestricted solicitation that references NAICS code 541990 for project description and also guidance with small business subcontract plan? (August 11, 2015)

Answer: Please refer to the answers to the two previous questions (13 & 14). While prospective small business Offerors are not required to submit a Small Business Subcontracting Plan (Clause 52.219-9 (a)), the requirements of Clause 52.219-8 Utilization of Small Business Concerns apply regardless of the Offeror’s size status. Therefore, it is incorrect to say “there is no requirement to sub out work to other small businesses.”

16. Section F, DOE-F-2002 Place of Performance (p. 2) Question: The place(s) of performance are to be inserted after contract award. Does the Government contemplate work being performed in locations other than Oak Ridge, Tennessee? (August 12, 2015)

Answer: Based on the prospective Offeror’s approach to the work, plans to provide facilities may need to be proposed by prospective Offerors, consistent with Provision L.30 (c)(3)b.iv. As discussed in Section C-4 of the PWS, “The Contractor will be responsible for the operation and maintenance of government furnished facilities.” Interested prospective Offerors should reference this section of the RFP as well as the answers to Questions 2 and 5 above. Prospective Offerors should also note that the Government reserves the right to visit and inspect the proposed site of the work (Provision M.1).

17. H.11, Workforce Transition and Employee Hiring Preferences (p. 18) Question: We assume the reference to Section I in the first sentence of the first paragraph of H.11 referring to Section I of the RFP (Section I 952.226-74). Is this correct? (August 12, 2015)

Answer: This statement was intended to refer to clause 52.222-17, Nondisplacement of Qualified Workers, discussed in paragraph (a). Paragraphs (a) and (b) apply primarily to contract transition and the early performance of the contract. Paragraph (c) applies primarily to on-going performance of the contract after this initial, brief period.

18. H.11, Workforce Transition and Employee Hiring Preferences (p. 18) Question: We assume the government intends offerors to grant right of first refusal to all Incumbent personnel as defined in the RFP, page 8 of Section H and includes all current non-key personnel (as defined in H.11(b), p. 19 of Section H). Is that correct? (August 12, 2015)

Answer: In accordance with H.11(a), offerors are to provide right of first refusal to the service employees employed under the Oak Ridge Institute for Science and Education Contract DE-AC05-06OR23100, for the same or similar services, which are to be performed by the Contractor and its subcontractors. Additionally, offerors shall provide Incumbent Employees (as defined in Clause H.9(d)(1)) preferences in hiring for vacancies in accordance with the hiring preferences in H.11(b)(1)(A) – (B) for non-Key Personnel positions in non-construction activities under the Oak Ridge Institute for Science and Education Contract.

19. H.11(c), Workforce Transition and Employee Hiring Preferences (p. 19) Question: There is a reference to paragraph (c)(4) in the last line on page 18 of Section H; however, page 19, which begins the (c) paragraphs, only contains (c)(1) through (3). Will the government provide paragraph (c)(4)? (August 12, 2015)

Answer: The phrase in paragraph (a) “but should provide the preference in paragraph (c)(4) below, as applicable” will be removed in a forthcoming amendment. Including this language was an unintentional oversight. The Government apologizes for the confusion.

20. H.26, Cap on Liability (p. 29) Question: The cap on liability described in H.26 only applies if the contractor is a non-profit organization. Would the Government consider a similar limitation on liability for contractors that are not non-profit organizations? (August 12, 2015)

Answer: For the purposes of the referenced condition, the limitation applies only to non-profit organizations.

21. L.30(4.a); L.30(4.d); L.30(5), Relevant Experience and Past Performance (p. 40-41) Reference: In Section L.30, (4.a) Offeror Experience, p. 40, the RFP states “The offeror shall describe its relevant experience...using the worksheet attached to this section.” The referenced worksheet appears to be Appendix L-2. In Section L.30 (4.d) Relevant Contracts, p. 41, the RFP states that offerors are asked to provide specific experience information on three contracts. In Section L.30 (5) Past performance, p. 41, the RFP states that for each of the three contracts described in relevant experience, the offeror is asked to submit a Past Performance Reference Information Form as shown in Appendix L-2. (August 12, 2015)

Questions: (a) Are we to assume that relevant experience and past performance are the same?

(b) If not, please confirm that we may provide a relevant experience description in addition to the three past performance references.

(c) If relevant experience and past performance are the same, please confirm that submission of completed Appendix L-2 Past Performance Reference Information Forms for three projects fulfills the requirements for all of the following: (1) L.30 (4.a) Offeror Experience, (2) L.30 (4.d) Relevant Contracts, and (3) the Past Performance Reference Information Form component of L.30 (5) Past Performance.

Answer: Past Performance and Relevant Experience are two separate evaluation criteria. Amendment 00004 was issued to re-name the form in Section L, Appendix 2, to make it clear that its form is referenced in L.30(c)(4). Section L, Appendix 1a and 1b are intended to be sent to the prospective Offeror's customers, requesting that the completed form be provided directly to the Contracting Officer.

22. L.30, (4.a), Relevant Experience (p. 40) Reference: In Section L.30, (4.a) Offeror Experience, p. 40—"The offeror shall describe its relevant experience...using the worksheet attached to this section. Completed worksheets may not exceed three (3) pages per example." The referenced worksheet appears to be Appendix L-2 Past-Performance Reference Information Form. Appendix L-2 indicates that a maximum of one additional sheet may be attached to the 1-page form.

Question: Please confirm that each completed form (Appendix L-2) may be up to three pages long, with no limit on the length of response to any form item as long as the 3-page limit is not exceeded. (August 12, 2015)

Answer: If necessary, each completed Appendix L-2 form may be a total of three pages long, consistent with the amended form in Amendment 00004.

23. Section I, 52.215-23 Limitations on Pass-Through Charges (p. 34) Question: It is our assumption that FAR 52.215-23, Limitations of Pass-Through Charges, does not apply to stipends and honoraria paid to research participants because those charges add tremendous value to the contract. Please confirm. (August 12, 2015)

Answer: Section I Clause 52.215-23 applies expressly to subcontracts, as defined in the clause. DOE does not consider the types of payments (stipends and Honoraria) that are provided pursuant to Section C-3(a) of the PWS to constitute subcontracts as defined in the clause.

24. L.30.c(3)b.ii, Program Implementation (p. 38) Question: Because of the number and complexity of labor categories for ORISE, will the government exclude the staffing plan from the page count for Volume II? (August 12, 2015)

Answer: Unless expressly excluded from the page limitations, any information prospective Offerors choose to provide to explain the proposed approach to ensuring that an adequate

workforce is available with the appropriate skills and qualifications necessary to safely and effectively accomplish the work will count toward the page limitations.

25. L.30(c)(1) Strategic Vision for ORISE (p. 33) Reference: The RFP requires “the offeror shall describe its plan to achieve its vision.... As part of the plan, the offeror shall describe its time- or event-phased key activities and/or interim milestones it will use to gauge its progress toward achieving its proposed vision for ORISE. For each activity or milestone, the offeror shall explain the metric or measure it will use to determine the extent of its success.

Question: In order to provide sufficient detail for this vision to be adequately evaluated, will the government exclude a work breakdown structure and schedule from the page count for volume II? (August 12, 2015)

Answer: Unless expressly excluded from the page limitations, any information prospective Offerors choose to provide to explain the plan to achieve its proposed vision will count toward the page limitations. Prospective Offerors are reminded that Provision L.30(b)(3) allows 11 x 17 inch paper printed on one side to be used for spreadsheets, charts, tables or diagrams, and counted as one page.

26. L.30(c)(3)b.iii Program Implementation (p. 38) Reference: The RFP requires the offeror to “Provide a detailed summary of the proposed benefit package for employees.” (August 12, 2015)

Question: Please confirm that the benefits plan is excluded from page count in Volume II?

Answer: Prospective Offerors may exclude benefits plan information from the Volume II page count limitations. Provision L.30 has been amended accordingly.

27. In Section L. II.D. on page 16 of 42, offerors are asked to provide a narrative discussion of how they plan to manage the additional work volume that may be associated with the work for other agencies. Does the DOE want to see this narrative discussion in the Proposal Volume II or in Volume III? (August 12, 2015)

Answer: Provisions L.31 and L.5 b.II.D contain the instructions for information to include in Volume III.

28. In Section L. II.C.6. on page 14 of 42, ODCs are listed. Please identify the appropriate work scope area that the DOE wishes the following costs to be associated with:

- a. \$700,000 Improvements for Government facilities
- b. \$300,000 for Improvements to Government equipment
- c. \$398,000 for Post Retirement Benefits for former ORISE employees
- d. \$185,000 for Office rent

In the alternative, does DOE expect to see these costs treated as either overhead, G&A costs, or fringes? (August 12, 2015)

Answer: As noted in the question, these are elements of direct costs that DOE has estimated and provided for offerors to include, as discussed in Provision L.5 (b) II.C.6., in “a schedule identifying other costs anticipated by the offeror but not specifically provided for within the other cost elements.” Prospective Offerors whose proposals will associate these costs with specific scope areas, or account for them in any other way may do so, but should explain the basis for such a decision, consistent with Provision L.5 (b) II.A.

29. Please provide the annual expenses for routine/normal maintenance activities for (August 12, 2015):

- a. Government facilities
- b. Government equipment
- c. Any other routine/normal maintenance that is not facilities or equipment.

Answer: Prospective Offerors may reference the facility maintenance cost projections in the Ten Year Site Plan, available at <http://orisecompetition.science.energy.gov/> . Section J, Attachments B and C provide information on the age of government-furnished facilities and equipment, which prospective Offerors may find useful in estimating maintenance costs. However, the requested incurred cost information is considered a contractor record under the terms of the current and predecessor contracts, and is not within the discretion or authority of the Government to release.

30. In Section L. II. H. on page 17 of 42, define the resources who the offer should consider as “key personnel”. (August 12, 2015)

Answer: It is the responsibility of prospective Offerors to answer this question in their proposal. Prospective Offerors are encouraged to consult Provision L.30. (c)(2) which states in pertinent part that prospective Offerors “shall propose Key Personnel positions and the individuals who will serve in those Key Personnel positions it considers essential to the successful accomplishment of the work to be performed under the contract,” and the table in Provision L.5.(b) II. H, which advises that the prospective Offeror should “revise and add titles to align with proposals.”

31. In Section L. II.J. define the term “contingencies”. (August 12, 2015)

Answer: The term in the RFP shares the definition of the term in FAR 31.205-7, which states “Contingency,’ as used in this subpart, means a possible future event or condition arising from presently known or unknown causes, the outcome of which is indeterminable at the present time.” Including this information will support compliance with FAR 15.402 (b)(3).

32. In Section L. IV, Exhibit –H, define how the percentage of subcontracting is to be determined, the total estimated contract \$ or FTEs? (August 12, 2015)

Answer: This is determined in comparison to total estimated cost.

33. Will the successful offeror be permitted to adopt for use the incumbent's ORACLE Accounting System coupled with their reporting templates? (August 12, 2015)

Answer: Please see the answer to Question 12 above.

34. For developing the cost estimate, please provide the incumbent's total number of FTEs by labor category as well as the following information for each of the 5 work scope areas (August 12, 2015):

- a. Number of FTEs by labor category in Appendix L5.
- b. Information on the subcontracts/agreements with others including universities.
- c. Material requirements and costs
- d. Travel requirements and expenses

Answer: Please see Question 6 above. Provision L.5 (b) II. A. discusses the cost estimating requirements for prospective Offerors. Prospective Offerors are encouraged to review Provision L.5 (b) II.C. 3., 4., and 5., where each of these elements is discussed. Information on the level of effort and element-by-element costs incurred is considered a contractor record under the terms of the current and predecessor contracts, and is not within the discretion or authority of the Government to release.

35. For developing the cost estimate, please provide any other labor, subcontractor/agreements, materials, and travel information not included in the each of the 5 work scope areas (August 12, 2015).

Answer: Please reference the question immediately above.

36. For incumbent employees, please provide a list of all employee fringe benefits and associated costs paid for by the employer including the cost of pension plan benefits. (August 12, 2015)

Answer: Section J, Attachment H of the RFP provides information related to current benefits. Information on the requested incurred costs is considered a contractor record under the terms of

the current and predecessor contracts, and is not within the discretion or authority of the Government to release.

37. Section L page 25 of 43 request information on uncompensated overtime. Uncompensated overtime occurs if an employee chooses to work more than the 40 hour work week. The employee's labor rate must be computed using all hours worked and not just the 40 hour work week. The cost team needs to determine if the new company employees plan to work more than the normal 40 hour week without compensation. Please identify the incumbent's historical average weekly uncompensated overtime hours for any labor categories who are exempt from the Fair Labor Standard Act. (August 12, 2015)

Answer: Please see Question 6 above. Information on the level of effort required for previous contracts is considered a contractor record under the terms of the current and predecessor contracts, and is not within the discretion or authority of the Government to release.

38. List of all incumbent systems and/or software tools that will be made available to the successful offeror. (August 12, 2015)

Answer: Please see the answer to Question 11 above.

DOE acknowledges the receipt of four additional questions at the Site Visit, and is working to answer these in a forthcoming amendment.