**Feedback/Questions and Government Response**

**Resulting from**

**DRAFT GSA eBuy RFQ1466873/Solicitation No. 89243320NAU000002**

**Posted on 11/9/2020**

**AU Protective Force Security Support Services**

1. Reference Document: 89243320NAU000002\_AU Security Support Services. Page 102, Section I.57, Government Property, (ix) Maintenance. Please confirm that the Contractor is responsible for repair and maintenance all government property? If not all, can a list of what type of property the Contractor will be responsible for?

* **Gov’t Response: Yes, the contractor is responsible for overseeing repair and maintenance. Repair and maintenance costs are reimbursed at cost (no G&A).**

1. Reference Document: 89243320NAU000002\_AU Security Support Services. Page 102, Section I.57, Government Property, (ix) Maintenance. Please provide the approximate annual expense involved with repair and maintenance all government property?

* **Gov’t Response: Estimates for annual repair and maintenance costs are approximately $75,000.**

1. Reference Document: A-1 Performance Work Statement. Page 32, Section 8.0, CLIN 4 – Facilities. Can the Government provide an estimated daily or monthly cost of parking at the commercial local public-parking garages?

* **Gov’t Response:** T**he government cannot provide an estimate. Daily and monthly rate estimates are available from the parking facilities near the Forrestal Building.**

1. Reference Document: A-1 Performance Work Statement. Page 35, Section 10.0, Contractor-Furnished Equipment/Property. Section 10.8. Can the Government clarify who will be responsible for fuel of the 9 vehicles provide be the Contractor?

* **Gov’t Response: Please see multiple references in the solicitation to statements that fuel is covered under CLIN 4.**

**The voucher must include support information for any items invoiced under CLIN 4, including a copy of the COR approval provided for the item. Support information shall include copies of invoices being reimbursed, travel statements including receipts, or other documentation to provide validity of the request. Direct costs (COST REIMBERSABLE CLIN ONLY) (e.g., travel, supplies, fuel, expenses paid, etc.) claimed for reimbursement must be adequately supported. The level of detail provided must clearly indicate where the funds were expended. For example, support for travel would include the destination of the trip, number and labor category of travelers, transportation costs, per diem costs, and purpose of the trip; and supplies should be categorized by the nature of the items (e.g., weapons cleaning materials, etc.) and the dollar amount per category; fuel and veterinarian expenses would include receipts from payments.**

**CLINS 1, 2, 3, 7 and 8 are all Firm Fixed-Price CLINs and these CLIN make up the majority of the work required under this contract. CLIN 4 is Cost-No-Fee to cover open market items not covered under the GSA contract but are allowed by the GSA contract (incidental items, travel, fuel, and veterinarian type expenses). CLIN 5 is a Fixed-Rate (fixed unit rate) for additional services required for special circumstances as identified in the PWS. CLIN 6 is an IDIQ CLIN for additional services that may be required throughout the term of the contract.**

**CLIN 4 – Auxiliary Operational Expenses**

**The purpose of this CLIN is to provide reimbursement, at cost (no fee or profit), for specific items that will fluctuate in need and use. For reimbursement of items in this CLIN, support documentation shall be provided with the invoice to demonstrate the actual cost incurred for the items (receipts, invoices, or other support documentation).**

**The following items shall be included in this CLIN:**

**Fuel is purchased by the contractor and billed to the government as an ODC.**

1. Reference Document: Exhibit C – Pricing. CLIN 1, CLIN 2 & CLIN 3. Does the total Firm Fixed Price for these sections need to be based upon the Exhibit D – CLIN 5 Fixed Rates, Labor Categories and Labor Rate Basis?

* **Gov’t Response:** **The total firm-fixed price must include all products, labor and services the company will use to provide services in accordance with the government’s requirement.**

1. Reference Document: G-1\_Collective Bargaining Agreement. Can we request a seniority list so that we can determine properly the amount of vacation, sick and other benefits to estimate for the incumbent workforce?

* **Gov’t Response:  The CBA provides wages and employee classifications.  EO 13897**

**(Improving Federal Contractor Operations by Revoking Executive Order 13495)  replaced EO 13495  Non-displacement of Qualified Workers Under Service Contracts.  As such, a successor Federal contractor would not be required to provide preference to displaced qualified workers.  It is expected that a seniority listing would be provided to the successful offeror upon notification of award.  No change to the RFQ required.**

1. Attachment A-1 Performance Work Statement, Section 6.5 CLIN 3 - Program Management and Support, Activity 1 – Program Management/Planning, Pre-Employment Screening 6.5.16. As currently stated, this section does not require that the contractor hire only personnel with active Federal “secret” level security clearances. Please clarify that DOE will allow hiring of non-cleared personnel or is the DOE’s intent to require the contractor to only hire personnel with active secret security clearances as is its current practice for the existing protective force contract?

* **Gov’t Response: The contractor must comply with the hiring requirements as stated in the Attachment B, Position Descriptions.**

1. Attachment A-1 Performance Work Statement, Section 6.7 Activity- 3 Training, Paragraph 6.7.2. Paragraph 6.7.2 refers to “ensure personnel performing services under this contract acquire and maintain the required locality and state certifications”. Due to DOE’s delegation of authority and the existent arrest authority pursuant to the Atomic Energy Act (AEA) of 1954, the incumbent SPOs do not maintain local and state guard certifications. Can DOE confirm its position on the long-standing AEA where DOE protective force officers are exempt from local DC and Maryland security guard licensing requirements?

* **Gov’t Response: Officers are not required to meet DC and MD security guard licensing requirements.**

1. Attachment A-1 Performance Work Statement, Section 6.7 Activity- 3 Training Paragraphs 6.7.18. Paragraph 6.7.18 refers to “quarter proficiency training” DOE Order 473.3A only identifies that proficiency training be conducted quarterly for Tactical Entry Specialists and Precision Rifle Forward Observer Teams. Can DOE please clarify the specific quarterly requirement(s) and the intent to include these training elements above the DOE Order requirement?

* **Gov’t Response: Firearms proficiency training will be conducted during the quarters in which the semi-annual firearms qualifications are not conducted.**

1. Attachment A-1 Performance Work Statement, Section 6.7 Activity- 3 Training Paragraphs 6.7.25. Paragraph 6.7.25 refers to conducting training “during normal business and duty hours”. As stated, it would indicate that training will be performed between a 9:00 to 5:00 Monday through Friday or a similar period such as Non-security Hours. As currently stated, the requirement to conduct training “during normal business and duty hours” does not align with Attachment C-1 Post Staffing where Instructors are assigned 24/7. Please clarify DOE’s intent to either conduct training (a) on a Monday through Friday “normal business hours” definition, (b) execute training on-shift, or (c) a combination of the two approaches?

* **Gov’t Response: Training will be conducted “during normal business and duty hours”**

1. Attachment A-1 Performance Work Statement, Section 6.9 CLIN 5 – Additional Protective Force Security Services, Both CLIN 5 and CLIN 6 includes the use of Additional Services Hours. It appears that CLIN 5 is intended to address emerging/immediate needs without the need to provide CO review and approval. a) what is the difference between CLIN 5 and CLIN 6? b) Since CLIN 5 staffing will increase the cost of the contract is CO approval required? c) Is there a limit to the volume and length of temporary services to be used under CLIN 5 in any instance? d) As an FFP when the contractor fails to fill all post hours, DOE HQ deducts those Open Post hours from the contractor’s monthly invoice. What is the contractor’s recourse if the level of additional service hours is significant enough to impact the contractor’s ability to fulfill normal FFP post staffing?

* **Gov’t Response: CLIN 5 is for emergency surge of existing services. Use of CLIN 5 requires authorization from authorized DOE personnel. Volume and length of use will be determined by DOE. CLIN 6 is for security-related products and services that are not in the current PWS but may become necessary to support current security requirements in the future. The quoter should have a contingency/staffing plan to address natural and man-made real-world events.**

1. Attachment A-1 Performance Work Statement, Section 8.0 Facilities Paragraph 8.2. Paragraph 8.2 states that Parking for Contractors working at the DOE Forrestal and Portals facilities is commercially available at several local public-parking garages but will not be reimbursed by the government. Please clarify if parking spaces shall be made available at Forrestal, (at no cost to the Contractor), to accommodate contractor leased vehicles used to support the contract PWS, such as the CEDS K-9 vehicles and training/firearms transportation vehicles etc.?

* **Gov’t Response: Parking is available for DOE’s (GSA) security vehicles while on duty and in support of PF operations. Parking is not available for personal vehicles.**

1. Attachment B-1 Position Descriptions – Qualifications, Armorer. The position qualification states, “Applicant will have certification for the appropriate Instructor Level…”. Under Attachment B-1 there is only one Training Instructor level listed. Please clarify the required armorer instructor level for this position.

* **Gov’t Response: An instructor may be assigned Armorer duties and responsibilities upon successful completion of DOE Basic Armorer Certification Course, and a factory armorer course for the specific weapons employed by the HQ Protective Force.**

1. PWS Section 10.6. The Contractor shall obtain no less than 9 SUV sized vehicles. Does the government require new vehicles? If not, is there a maximum mileage or age limit for the vehicles?

* **Gov’t Response: Vehicles should be no older than year model 2020 at the beginning of the contract period of performance.**

1. PWS Section 11.11. The Contractor shall respond to adhoc data calls requested in writing by the Government. What is the level of effort required for response to data calls? Can the DOE provide historical insight as to the complexity of the information being requested?

* **Gov’t Response: This information is not quantifiable, but it should not exceed more than 20% of an FTE workload per month.**

1. Instructions and Evaluation, FILE 1: Past Performance. Same/similar Scope is defined as work as identified in the PWS; Size is defined as the dollar value (approximate average annual value of $35M per year). If the quoter and/or subcontractor cannot provide PP of $35M per year, will the PP be rated below neutral? I.e. will this be a disqualifying event in the Down-Select process?

* **Gov’t Response: Size relates to experience and not to performance (good/bad) The down-select only applies to performance.**

1. Instructions and Evaluation, FILE 1: Past Performance, EV. 5. “...demonstrates that the resources of the parent, member, or affiliated company will be provided or relied upon in contract performance such that the parent or affiliate will have meaningful involvement.” Where should the quoter provide information to demonstrate meaningful involvement if the Past Performance file is limited to one page and contractual information only?

* **Gov’t Response:  Demonstrating that the parent or affiliate will have meaningful involvement would be demonstrated in the technical approach which would be why the quoter would have provided the past performance from the parent or affiliate.  No change to the RFQ is required.**

1. Instructions and Evaluation Draft. Attachment A-1 Performance Work Statement, 6.12 CLIN 8 Transition. Section IS.22 Site Visits states that the number of site visit participants may be limited due to COVID-19 social distancing restrictions. Based on the estimated procurement schedule is likely that the transition period will occur prior to widespread distribution and population efficacy of a COVID-19 vaccine. Operational restrictions and building occupancy due to COVID-19 would impact the contractor’s ability to execute transition activities. What COVID-19 restrictions will be implemented by DOE HQ or remain in place that could impact contract transition (i.e. building closures, training moratoriums, teleworking, testing requirements, Badge Office accessibility)?

* **Gov’t Response: COVID-19 restrictions remain fluid making predictions of future restrictions imprudent. COVID-19- restrictions that impact the transition process, or any other process will be addressed at the time they occur.**

1. The PWS includes Canine Explosive Detection Services (CLIN 2). Most companies that have SIN 561612 do not have EDC labor categories and services available on their schedule, making it difficult to provide a complete offering. Would the Government consider adding SIN 812910 Canine Training, Handling, and Caging Products and Services to this procurement, to allow Contractor Team Arrangements (CTA) to offer the required EDC services? The SIN does not have to be added to allow participation of companies listed under 812910.

* **Gov’t Response:  The quoter provided the response in their question.  The SIN does not have to be added to allow the CTA to be considered.  No change to the RFQ is required.**

1. “CLIN 4 is Cost-No-Fee to cover open market items not covered under the GSA contract but are allowed by the GSA contract (incidental items, travel, fuel, and veterinarian type expenses).” Can the Government confirm that open market items are allowed? Or should CLIN 4 be for Order-Level Materials (OLM)? If OLM, can the Government add this SIN to the procurement?

* **Gov’t Response: Open Market items are allowed.**

Can SPO I handle after-hours badge issue support as collateral duty to an existing post, or does the after-hours badge issue support require a Badge Officer Manager, Senior Badge Office Specialist, or Badge Office Specialist? If it cannot be handled by existing SPO I, can the Government add after-hours badge issue support to Attachment C-1?

* **Gov’t Response: After-hours badging can be conducted by SPO but must follow DOE requirements for two-person authentication.**

Can the Government confirm that there is an armory at each facility (Forrestal, Germantown and Portals)?

* **Gov’t Response: Certified gun safes are located at each facility capable of storing arms**

1. To ensure adequate staffing of Derivative Classifiers, can the Government provide estimated annual workload for this function?

* **Gov’t Response: The workload requires approximately one half of an FTE.**

1. To ensure an accurate estimate for maintenance, can the Government provide a list of destruction equipment, including make, model and age?

* **Gov’t Response: An estimate is not required. The government will reimburse the contractor for maintenance costs incurred.**

1. Can the Government confirm that the Security Risk Assessment (SRA) is performed once annually?

* **Gov’t Response: The SRA is produced annually.**

1. Can the Government clarify whether JUST operations during non-duty hours can be met with the post staffing identified in Attachment C-1, or is this a separate management position? If a separate position, can the Government provide estimated workload?

* **Gov’t Response: JUST operations during non-duty hours can be met with post staffing identified in Attachment C-1**

1. Attachment C-1 does not include any badge office or receptionist posts at Portals. Can the Government clarify how badge issue is handled at Portals for all permanent and temporary badges for all Federal and Contractor employees and visitors, if there are only badge offices at Forrestal and Germantown?

* **Gov’t Response: Badges are not issued at Portals. All badges are issued from DOE Headquarters.**

1. Can the Government clarify the difference between the functions described in PWS 6.6.5 and 6.6.11? They appear to be the same badge issue functions but performed by both the badge office and the receptionist.

* **Gov’t Response: The Badge Offices at Forrestal and Germantown provide badging support for HSPD-12 and Local Site badging. The office is separate from the receptionist that provides visitor access and temporary employee badging.**

1. Can the Government provide additional details on the locations and configurations of Government-furnished training facilities?

* **Gov’t Response: An Interagency Agreement has been established at the Federal Law Enforcement Training Center, Cheltenham MD to support the conduct of training for Basic Security Police Officer Training, firearms proficiency and qualification and other required training. Additionally, training areas are available at both Forestall and Germantown to support training.**

1. Can the Government clarify whether EPMP functions will be focused on the facilities covered by this contract (Forrestal, Germantown and Portals), or all DOE facilities as implied by PWS 6.11.4?

* **Gov’t Response: All DOE Headquarters facilities in the NCR.**

1. As part of the final RFQ, offerors will require a seniority roster for the incumbent workforce in order to accurately price wages and benefits.

* **Gov’t Response:  The CBA provides wages and employee classifications.  EO 13897**

**(Improving Federal Contractor Operations by Revoking Executive Order 13495)  replaced EO 13495  Non-displacement of Qualified Workers Under Service Contracts.  As such, a successor Federal contractor would not be required to provide preference to displaced qualified workers.  It is expected that a seniority listing would be provided to the successful offeror upon notification of award.  No change to the RFQ required.**

1. Page 7 describes File 4 as Key Personnel qualifications and resumes, and Essential Personnel resumes. The page limit is 20 but resumes are excluded. Page 14 includes a section for Key Personnel and Essential Personnel as part of File 3, and requires qualifications and experience. Should the qualifications and experience of Key Personnel be discussed in File 3 or File 4? If File 3, then is File 4 only resumes for Key Personnel and Essential Personnel? If File 4 is only resumes, what applies to the 20 page limit for File 4 listed on page 7, if resumes are excluded from the page count for File 4 and the summary of qualifications and experience is provided in File 3? File 4 is for resumes and File 3 is for the management and organization approach. See Files Table on Page 7.

* **Gov’t Response: The Instructions and Evaluation document have been updated to clarify the language in the referenced sections.**

1. Since only prime contracts receive CPARs, can the Government confirm that only prime contracts will be considered in Criterion 1, and subcontracts will not be considered as past performance references as they will not have a completed CPAR?

* **Gov’t Response: If a CPARS evaluation is available for a major subcontractor, it will be considered. Performance information is limited to CPARs evaluations completed within the last three (3) years from the closing date of this RFQ for the Quoter (Prime), all CTA members, and any proposed major subcontractors. A major subcontractor is defined for purposes of this requirement as an entity who will be performing work under the resulting award in excess of $1M per year.**

1. Can the Government confirm that the plug number provided for CLIN 4 is inclusive of G&A and that offerors can invoice these costs with G&A if this is their disclosed practice?

* **Gov’t Response: G&A will not be paid on cost reimbursable goods and services regardless of the contractor’s disclosed practices.**

1. Area of Requested Feedback: Are there comments on the down-select use of past performance? It is noted that comparable size is considered contracts of at least $35M per year in value. Does the government intend to review contracts submitted in aggregate? There are very few contracts of comparable scope and complexity that is also equal in size to the DOE HQ. We agree with the approach to use quality of past performance and similar past performance as the initial evaluation factor and as a down-select mechanism. We simply caution the government when making comparisons related to the size of individual contracts as it could significantly suppress the competition beyond what DOE intends.

* **Gov’t Response:  The comparable size in IS.10, Criterion 1- Past Performance will be reduced to a range between $20M per year and $50M per year.**

1. Another concern is the high penalty phase of the award fee based upon the removal and/or replacement of key personnel. While it is in any employer’s best interest to motivate and retain all employees, having this penalty could result in companies retaining marginal performers. Any key personnel having knowledge of this incentive and/or penalty could attempt to extort employers into providing additional wages, benefits, etc.

* **Gov’t Response: The penalty is a deduction from the fixed-price amount, not the award fee. The penalty has been reviewed and reduced where appropriate.**

1. Multiple Award Contract – The draft RFQ identifies itself as a multiple award type contract but does not identify how many different contracts or what piece of each of the post requirement goes with each request.

* **Gov’t Response: The government intends to make a single award. See IS.2, 52.216-1, Contract Type and EV.3, Basis For Contract Award And Evaluation Factors.**

1. Would the Government also allow Past Performance Questionnaires to be used for those contracts without CPAR ratings?

* **Gov’t Response:  The Government is not seeking Past Performance Questionnaires, the information should be obtainable through CPARS.  No change to the RFQ is required.**

1. We believe that award fee (in addition to the profit earned within the fixed price) is an acceptable methodology to motivate high performance levels. It is unclear what this pool will look like, though, as the Award Fee table is $TBD and there is no method for the offeror to complete this table. Will the Award Fee be established after award? Will it be based on a percentage of the total price awarded? If so, what percentage? Or does the offeror propose the percentage? If this is clarified prior to the Final RFP, the offerors will be better able to decide what fee percentage to use in their FFP build-ups.

* **Gov’t Response: Award fee amounts will be provided in the final RFQ. Details about the process are provided in Attachment H – Performance Evaluation Management Plan.**