



Department of Energy

**Environmental Management
Consolidated Business Center
250 East 5th Street, Suite 500
Cincinnati, Ohio 45202
(513) 246-0500**

March 13, 2015

EMCBC-00408-15

To: Prospective Offerors

FINAL REQUEST FOR PROPOSAL NO. DE-SOL-0007097 FOR IDAHO CLEANUP PROJECT CORE

This letter hereby serves as the official notice to prospective Offerors that the Department of Energy (DOE) is releasing the Final Request For Proposal (RFP) No. DE-SOL-0007097 for the Idaho Cleanup Project (ICP) Core procurement through its Environmental Management Consolidated Business Center (EMCBC). The Final RFP can be found on the EMCBC ICP Core acquisition website at <https://www.emcbc.doe.gov/SEB/ICPCORE/rfppage.php>.

Any questions pertaining to the Final RFP shall be submitted in writing to ICPCORE@emcbc.doe.gov by close of business on April 7, 2015. Prospective Offerors shall use the enclosed "Industry Comment Template" when submitting any questions in accordance with Section L provision L.3, *Questions On Solicitation*. DOE will post any amendments issued to the Final RFP, responses to questions, and other official communication from the Contracting Officer on the EMCBC ICP Core acquisition website. Prospective Offerors are encouraged to conduct a thorough review of the Final RFP and submit any questions pertaining to the Final RFP as early as possible, but no later than the date and time shown above to allow for adequate response time for all questions submitted.

A pre-proposal conference briefing and site tour will be held March 31 and April 1, 2015. Registration information regarding the site tour has been posted to the EMCBC ICP Core acquisition website.

The established due date for proposals is 3p.m. EST May 12, 2015.

Background

On October 1, 2014, DOE posted Draft RFP Sections B, C, L, and M on the EMCBC ICP Core acquisition website to facilitate the understanding of the Government's requirements with interested parties, and to provide them the opportunity to submit comments and provide feedback pertaining to the Draft RFP. During the week of October 6, 2014, DOE held a pre-solicitation conference, site tour, and one-on-one sessions with prospective Offerors. DOE

carefully considered all comments received on the Draft RFP and made changes to the RFP that it believed were necessary.

On December 8, 2014 DOE posted Draft RFP Section H on the EMCBC ICP Core acquisition website; and on December 12, 2014 DOE posted updated Draft RFP Sections B and C, along with Draft RFP Sections D, E, F, G, I and J on the EMCBC ICP Core acquisition website, in order to provide interested parties an opportunity to review the revisions that resulted from their input during the pre-solicitation conference and one-on-one sessions held during the week of October 6, 2014. On December 22, 2014 the complete formal Draft RFP package was posted on the EMCBC ICP Core acquisition website.

Changes were made to the Final RFP package as a result of the DOE's consideration of the comments received from interested parties in response to the Draft RFP. DOE also conducted additional one-on-one sessions with industry on February 11, 2015. Feedback received during the one-on-one sessions was also considered in the development of the Final RFP. On February 25, 2015 the DOE issued a formal notice to interested parties providing a summary of the salient changes to the Section B fee structure for the final RFP as a result of DOE's consideration of the comments received from interested parties in response to the Draft RFP; and also communicated to interested parties that the Final RFP was anticipated to be issued within two weeks from the date of this notice.

The Final RFP posted on the EMCBC ICP Core acquisition web site is the result of these changes and considerations, and any changes made since the formal Draft RFP package issuance on December 22, 2014.

Notable Changes from the Draft RFP

Besides the summary of notable changes to Section B previously discussed in the letter dated February 25, 2015, additional changes were incorporated into the Section B fee structure at Section B.9 *Fee Payments* paragraphs (d) and (e) to state:

- (d) If the Contractor meets the 12/31/2018 TRU waste Idaho Settlement Agreement milestone for certification and shipment of the ISA CH and RH TRU waste (this includes ISA TRU waste that assays as M/LLW after processing) out of the state of Idaho by December 31, 2018, then the fee associated with SM-2, SM-3, AM-1, AM-4, and PI-1 becomes earned fee at the maximum fee rate and is no longer subject to the fee 'claw back' per B.6 (b). If DOE does not provide adequate shipping assets to ship the waste out of the state of Idaho by 12/31/18, but all of the waste has been certified and is ready to ship by this date, then the 80% of available fee associated with certification will become earned fee at the maximum fee rate. Because the waste was certified by 12/31/18, the remaining 20% of available fee associated with shipping ISA CH and RH TRU waste will become earned fee at the maximum rate as the waste is shipped per the shipping schedule established by the receiving repository during the remainder of the contract period.*

- (e) *If the Contractor meets the acceptance criteria and DOE accepts completion for AM-2 and PI-2 per B.3 (f) vii. and (f) x., then the fee associated with AM-2 and PI-2 becomes earned fee at the maximum fee rate and is no longer subject to the fee ‘claw back’ per B.6 (b). If DOE does not provide adequate shipping assets to ship the waste out of the state of Idaho in accordance with the AI/OU 7-13-14 ROD, but all of the waste has been certified and is ready to ship by this date, then the 80% of available fee associated with certification will become earned fee at the maximum fee rate. Because the waste was certified in accordance with the AI/OU 7-13-14 ROD, the remaining 20% of available fee associated with shipping exhumed buried waste will become earned fee at the maximum rate as the waste is shipped per the shipping schedule established by the receiving repository during the remainder of the contract period.*

The CO Notice to industry published on February 25, 2015 acknowledged the removal of the target fee date, specifically stating per item no. 5:

“The Schedule Milestone incentives (SM-1 through SM-7) have been modified from an Early Date, Target Date, and Min Date to a Max Fee Date and a Min Fee Date. The Schedule Milestone Fee dollars from the Maximum Fee amount (i.e. Early Max Fee Date achievement through the No Min Fee Date) to the Min Fee amount will be calculated on a sliding scale per calendar day basis. The day after the Min Fee date the Contractor earns zero fee. The actual Min Fee dates for SM-1 through SM-7 have not changed from Min Dates in the Draft RFP.”

However, upon further consideration since the CO Notice to industry was published on February 25, 2015, the DOE has reverted back to a three date structure for the schedule milestones (i.e. Max Fee Date, Target Fee Date, and Min Fee Date) and further ensured balance between each of the three dates to allow additional time for the Contractor to earn fee for each of the schedule milestones. The actual Min Fee dates for SM-1 through SM-6 have now been adjusted from the Min Dates in the Draft RFP.

In addition to the notable changes to the Section B fee structure, the following information is hereby provided regarding Section C.6.1, Integrated Waste Treatment Unit (IWTU) Operations and Turnover:

1. The IWTU scope is a priced option and may or may not be exercised. DOE fully expects the current incumbent contractor to complete the IWTU startup under its existing contract with DOE.
2. The IWTU priced option is not part of the contract’s Section B.6 *Contract Performance Ceiling*.
3. The IWTU priced option is fully cost reimbursement separate CLIN (CLIN 00006) with a fixed fee component and none of the fee, once earned, can be clawed-back based on performance on the ITWU scope or any other areas of the contract.
4. The Final RFP provides an assumption that the IWTU will be fully operational by the Notice To Proceed (NTP) date. Prospective Offerors are to provide a technical approach and cost proposal reflecting this assumption for proposal preparation purposes. However, in accordance with Section I clause FAR 52.217-7 *Option for*

Increased Quantity—Separately Priced Line Item (Mar 1989), DOE may exercise the IWTU option (CLIN 00006) within 3 years of the contract effective date.

5. The scope specified in the Performance Work Statement (PWS) for the IWTU priced option is strictly bounded with assumptions. Any changes to the bounded assumptions will result in both parties negotiating an equitable adjustment in the contract, scope, cost and schedule for the IWTU activities.

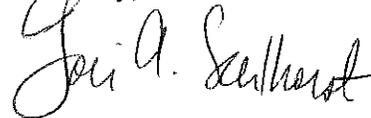
Enclosed with this cover letter is a redlined copy of the notable changes that have been made to Sections B, C, H, L and M from the Draft RFP issued on December 22, 2014 to the Final RFP. This redlined copy of notable changes is enclosed for informational purposes only. If there is any discrepancy between the redlined copy of the aforementioned sections and the Final RFP package, the Final RFP package will take precedence. The Final RFP posted on the EMCBC ICP Core acquisition web site specifies all of the requirements for the ICP Core procurement. Any information contained in this cover letter shall not be construed as being part of the Final RFP. Prospective Offerors shall prepare their proposals based solely on the requirements specified in the Final RFP posted on the EMCBC ICP Core acquisition website and in any accompanying amendments, if issued.

Notice:

In order to further the Government's policy of maximizing electronic commerce, electronic media will be the primary method of communication regarding this procurement. The Final RFP, any amendments issued, responses to questions received from prospective Offerors, and other official communications from the DOE will be posted on the EMCBC ICP Core acquisition web site. Prospective Offerors shall be responsible for reviewing the acquisition web site regularly for information, notices, and updates regarding the Final RFP.

The Government intends to answer any questions pertaining to the Final RFP as thoroughly and efficiently as possible, and we look forward to receiving your proposals in response to the Final RFP.

Sincerely,



Lori A. Sehlhorst
Contracting Officer

Enclosures: (1) Industry Comment Template
(2) Redlined Copy of Notable Changes to Sections B, C, H, L and M