

**PART IV — REPRESENTATIONS AND INSTRUCTIONS**

**SECTION L**

**INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS**

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**L.1 52.252-1 SOLICITATION PROVISIONS INCORPORATED BY REFERENCE (FEB 1998)**

This solicitation incorporates one or more solicitation provisions by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. The Offeror is cautioned that the listed provisions may include blocks that must be completed by the Offeror and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the Offeror may identify the provision by paragraph identifier and provide the appropriate information with its quotation or offer. Also, the full text of a solicitation provision may be accessed electronically at this/these addresses:

<https://www.acquisition.gov/?q=browsefar> or  
<http://energy.gov/management/downloads/searchable-electronic-department-energy-acquisition-regulation>

<b>PROVISION NUMBER</b>	<b>FAR/DEAR REFERENCE</b>	<b>PROVISION TITLE (DATE)</b>
L.1.1	FAR 52.204-7	System For Award Management (JUL 2013)
L.1.2	FAR 52.204-16	Commercial and Government Entity Code Reporting (JUL 2015)
L.1.3	FAR 52.215-1	Instructions To Offerors - Competitive Acquisition (JAN 2014)
L.1.4	FAR 52.215-16	Facilities Capital Cost of Money (JUN 2003)
L.1.5	FAR 52.215-22	Limitations on Pass-Through Charges - Identification Of Subcontract Effort (OCT 2009)
L.1.6	FAR 52.216-29	Time-and-Materials/Labor-Hour Proposal Requirements--Non-Commercial Item Acquisition With Adequate Price Competition (FEB 2007)
L.1.7	FAR 52.222-24	Preaward On-Site Equal Opportunity Compliance Evaluation (FEB 1999)
L.1.8	FAR 52.237-1	Site Visit (APR 1984)
L.1.9	FAR 52.222-46	Evaluation Of Compensation For Professional Employees (FEB 1993)
L.1.10	DEAR 952.219-70	Doe Mentor-Protege Program (MAY 2000)
L.1.11	DEAR 952.233-4	Notice of Protest File Availability (AUG 2009)
L.1.12	DEAR 952.233-5	Agency Protest Review (SEP 1996)

**L.2 FAR 52.216-1 TYPE OF CONTRACT (APR 1984)**

The Government contemplates award of an Indefinite-Delivery/Indefinite-Quantity (IDIQ) contract resulting from this solicitation, under which Firm-Fixed-Price and Time-and-Materials task orders may be issued.

**L.3 DOE-L-2001 PROPOSAL PREPARATION INSTRUCTIONS – GENERAL (OCT 2015)**

(a) Offeror. The term “Offeror,” as used in this Section L, refers to the single entity submitting the proposal. The Offeror may be a single corporation or a “contractor team arrangement” as defined in FAR 9.601(1), for example, a limited liability company, limited liability partnership, joint venture, or similar entity or arrangement. The Offeror may be an existing or newly-formed business entity for the purposes of competing for any contract resulting from this solicitation. If the Offeror is a newly formed entity, it must be legally established on or before the date for submission of proposals.

(b) Availability of the solicitation, amendments, and other documents – electronic media.

(1) In order to further the Government policy of maximizing electronic commerce and making the acquisition process optimally cost effective, electronic media will be used and will be the sole method for distributing the solicitation, amendments thereto, and other documents to the public. These documents will be posted via the FedConnect website at: <https://www.fedconnect.net>. This electronic medium will constitute the official distribution method for this solicitation. All amendments and any other official communications from DOE regarding this solicitation will be posted through this medium. Offerors and all other interested parties will need to maintain continual surveillance of this website to remain abreast of the latest available information (Offerors and other interested parties are encouraged to utilize the website’s “Notifications” feature). No changes to this solicitation will be effective unless the changes are incorporated into the solicitation by an amendment. No other communication, whether oral or in writing, will modify or supersede the terms of the solicitation.

(2) The solicitation, amendments, reference documents, drawings, specifications, other documents and other communications are also available through the procurement website at: <https://www.emcbc.doe.gov/SEB/Moab>

(c) Submission of proposals.

(1) The Offeror must be registered in FedConnect at <https://www.fedconnect.net>. The Offeror must also be registered in the System for Award Management (SAM) at <https://www.sam.gov>, in accordance with FAR 52.204-7, System for Award Management.

(2) Offerors must submit proposals electronically through FedConnect by the date and time specified in Standard Form 33, Solicitation, Offer and Award, in Section A of this

solicitation and other provisions of Section L. The official proposal shall only be accepted through FedConnect. It is imperative that the Offeror read and understand how to submit its proposal using the FedConnect web portal. All proposal documents required by this solicitation must be uploaded, submitted and received in their entirety in the FedConnect Responses web portal no later than the date and time specified in Standard Form 33, Solicitation, Offer and Award, in Section A of this solicitation. Failure to submit a response that is received through the FedConnect Responses web portal by the stated time and date may result in the proposal not being considered. By submitting a proposal, the Offeror agrees to comply with all terms and conditions as set forth in this solicitation. DOE does not provide help desk assistance regarding FedConnect, and questions regarding FedConnect shall be addressed directly to FedConnect in accordance with instructions found on its web site. Subcontractor submissions of proprietary information may provide a password protected file to the prime contractor, and share the password with the Contracting Officer. The subcontractor proposal must adhere to the proposal due date/time in the solicitation.

(3) Electronic submission of a proposal via FedConnect shall be considered the Offeror's official offer and will be considered binding.

(4) In addition to the electronic submission of the Offeror's proposal, the Offeror shall submit the required number of paper (and electronic) copies of each proposal volume as indicated below. The content in the paper copy shall be identical to the content of the electronic copies. The paper copies shall be submitted no later than the proposal due date to:

United States Department of Energy  
Environmental Management Consolidated Business Center  
Attention: John Blecher, Contracting Officer  
250 East 5<sup>th</sup> Street, Suite 500  
Cincinnati, OH 45202

Shipping materials shall be marked as follows:

TO BE OPENED BY ADDRESSEE ONLY.  
RFP NO. DE-SOL-0009670

E-mail: [john.blecher@emcbc.doe.gov](mailto:john.blecher@emcbc.doe.gov)  
Phone: 513-744-0980

Note: Offerors delivering proposals via Express Mail to the above address should contact the Contracting Officer, John Blecher, via telephone at 513-744-0980 or email at [john.blecher@emcbc.doe.gov](mailto:john.blecher@emcbc.doe.gov) in advance to advise of the anticipated delivery date and time.

The original proposal shall contain signed originals of all documents requiring signatures by the Offeror. Use of reproductions of signed originals is authorized in all other copies of the proposal.

Proposal Volume – Title	Number of Hard Copy Proposals Required	Number of CD-ROM's/DVD's Required
Volume I – Offer and Other Documents	1 signed original and 2 copies	3
Volume II – Technical and Management Proposal	1 signed original and 5 copies	6
Volume III – Cost/Price Proposal	1 signed original and 5 copies	6

(d) Solicitation instructions and proposal information.

(1) Proposals are expected to conform to all solicitation requirements and the instructions contained in this Section L. The Government will evaluate proposals on the basis of the information provided in the proposal. The Government will not assume that an Offeror possesses any capability unless set forth in the proposal. This applies even if the Offeror has existing contracts with the Federal government, including the Department of Energy.

(2) These instructions are not evaluation factors. Evaluation factors are set out in Section M, Evaluation Factors for Award, of this solicitation. However, failure to provide the requested information may make an Offeror ineligible for award or adversely affect the Government's evaluation of an Offeror's proposal. The Government will compare the Offeror's proposal with the terms noted in Section L in order to perform a compliance review. Any Offeror's proposal determined non-compliant per the terms noted in Section L may not be evaluated and may not be further considered for award. In addition, a proposal may be eliminated from further consideration before the initial rating if the proposal is so grossly and obviously deficient as to be totally unacceptable on its face. For example, a proposal may be deemed unacceptable if it does not represent a reasonable initial effort to address the essential requirements of the solicitation, or if it clearly demonstrates that the Offeror does not understand the requirements of the solicitation.

(e) Proposal volumes and page limitations.

(1) The overall proposal shall consist of separate volumes, organized and individually entitled as stated below, with the following page limitations:

(i) Volume I, Offer and Other Documents – No page limit.

(ii) Volume II, Technical and Management Proposal – See page limitations identified below for each factor.

(iii) Volume III, Cost/Price Proposal – No page limit.

(2) All attachments, annexes, and appendices shall be counted toward any page limitation set forth above, unless otherwise stated. The following do not count toward the page limitations: table of contents, title pages, glossary, divider tabs, blank pages, and the cross reference matrix. Those pages that exceed the limits set forth above will not be considered in the evaluation; page counting will begin with the first page of each

volume and continue up to the page limitation. No material may be incorporated by reference as a means to circumvent the page limitations.

(3) Except as may be provided elsewhere in the solicitation (including paragraph (f)(2) below), Offerors shall not cross-reference to other volumes of the proposal and shall provide complete information within the appropriate volume. All cost and pricing information shall be submitted and addressed only in Volume III, Cost/Price Proposal, unless otherwise specified.

(f) Proposal specifications.

(1) Table of contents. Each volume shall contain a table of contents and a glossary of abbreviations and acronyms. The table of contents in each volume shall identify the section, subsection, paragraph titles, and page numbers, as well as all spreadsheets, charts, tables, figures, diagrams, design drawings, and graphs.

(2) Cross reference matrix. The Offeror shall provide a cross reference matrix which correlates the proposal by page and paragraph number to the Performance Work Statement, Section L instructions, and Section M evaluation factors. The cross reference matrix shall be inserted immediately following the table of contents of the corresponding volume of the Offeror's proposal.

(3) Page size. Page size shall be 8½ x 11 inches for text pages, excluding foldouts. When 8½ x 11 inch pages contain text on both front and back, this is considered two pages. Page size for foldouts shall not exceed 11 x 17 inches; foldouts may be used for large tables, charts, graphs, diagrams, design drawings, or other schematics. Foldout pages shall fold entirely within the volume in which it appears. When 11 x 17 inch pages are used, this is considered two pages; if tables and graphics are on both front and back, this is considered four pages. Use of 11 x 17 inch binders for the Volume III, Cost/Price Proposal, is permitted.

(4) Print type. Text shall be 12 point or larger, single-spaced, using Times New Roman font type. Headers and footers, spreadsheets, charts, tables, diagrams or design drawings, and graphs must be 10 point or larger using Times New Roman font type. Print type used in completing forms attached to this RFP as Microsoft® (MS) Word®, Access®, or Excel® documents shall not be changed from the styles used in the attachments.

(5) Page margins. Page margins for text pages and foldouts shall be a minimum of one inch at the top, bottom, and each side. Each page shall, within the one inch top or bottom margins, set forth the solicitation number; name of the Offeror; and, as applicable, the legend in accordance with paragraph (e)(2), Restriction on disclosure and use of data, of the provision at FAR 52.215-1, Instructions to Offerors – Competitive Acquisition. This is the only information that can be displayed within the margins. Two columns of text per page and use of boldface type for paragraph headings are acceptable.

(6) Page numbering. All pages shall be sequentially numbered by volume.

(7) File format. Files shall be submitted in readable and searchable Microsoft® Word®, Excel® (Version 2010 or higher) including working formulas and computations, or Adobe portable document format (PDF) (must be in a searchable format, not scanned). The Adobe PDF shall not be password protected or contain any other security restraints unless access information is provided.

(8) Binding and Labeling of Hard Copies. Each volume shall be separately bound in three-ringed loose-leaf binders. Cost proposals may be submitted in three-ringed binders of any size up to 11½ x 17 inch. Staples shall not be used. The outside front cover of each binder shall indicate the Offeror's name, the RFP number, the title of the RFP, and the copy number (i.e., sequentially number the required copies with the original being Copy No. 1). The same identifying data shall be placed on the spine of each binder to facilitate identification and accountability when placed in a vertical position. Pages shall be numbered sequentially by volume and by individual sections within each volume.

(g) Classified Information. The Offeror shall not provide any classified information in response to this solicitation unless specifically required to do so in other parts of this solicitation.

(h) Questions.

(1) Questions regarding this solicitation must be submitted to [john.blecher@emcbc.doe.gov](mailto:john.blecher@emcbc.doe.gov) no later than 15 calendar days prior to the proposal due date. If DOE has not acknowledged receipt of submitted questions within three (3) business days, the Offeror may contact the Contracting Officer to confirm receipt of the questions. Each question shall clearly specify the solicitation area to which it refers. Responses to questions, as appropriate, will be posted to the procurement website as soon as practicable. The Government will not identify prospective Offerors submitting questions. Offerors must check the procurement website periodically to ascertain the status of answers to questions.

(2) This solicitation is considered complete and adequately describes the Government's requirements. If an Offeror believes that there is an error in the solicitation, or an omission, the Offeror shall submit a question via email to [john.blecher@emcbc.doe.gov](mailto:john.blecher@emcbc.doe.gov).

(i) False Statements. Proposals must set forth full, accurate, and complete information as required by this solicitation (including attachments). The penalty for making false statements in proposals is prescribed in 18 U.S.C. 1001.

(j) Examination of data. By submission of a proposal, the Offeror grants to the Contracting Officer, or an authorized representative of the Contracting Officer, the right to examine, for purposes of verifying the data submitted, those books, records, documents, and other supporting data (regardless of form) which will permit an adequate evaluation of the proposal. This right may be exercised in connection with any reviews deemed necessary by the Contracting Officer prior to award.

(k) Commitment of Public Funds. The Contracting Officer is the only individual who can legally award a contract and commit the Government to the expenditure of public funds in connection with the proposed acquisition. Any other commitment, either explicit or implied, is invalid.

(l) Content of resulting contract. Any contract awarded as a result of this solicitation will contain the following sections of the solicitation: Part I – The Schedule; Part II – Contract Clauses; Part III, Section J – List of Documents, Exhibits and Other Attachments; and Part IV, Section K – Representations, Certifications, and Other Statements of Offerors. Part IV, Section K will be incorporated into the contract by reference.

**L.4 DOE-L-2002 PROPOSAL PREPARATION INSTRUCTIONS, VOLUME I – OFFER AND OTHER DOCUMENTS (OCT 2015) ALTERNATE IV (OCT 2015)**

(a) General. Volume I – Offer and Other Documents, contains the offer to enter into a contract and other documents. The signed original(s) of all documents requiring signature by Offerors shall be contained in the original Volume I. Offerors shall include the information listed in the following paragraphs in Volume I, assembled in the order listed. In cases where the Offeror is required to fill-in information in a contract clause, the Offeror shall submit only those pages that require input of information or a signature. Those specific areas include, but are not limited to:

- (1) Section B- Non-Labor Cost – Indirect Ceiling Rate
- (2) Section G- Defective or Improper Invoice
- (3) DOE-H-2058 Designation and Consent of Major or Critical Subcontracts – Alt I (OCT 2014)
- (4) DOE-H-2070 Key Personnel – Alt I (OCT 2014)
- (5) FAR 52.227-23 Rights to Proposal Data (Technical) (JUN 1987)
- (6) DEAR 952.227-82 Rights to proposal data (APR 1994)
- (7) Section J, Attachment J- 6 IDIQ Schedule of Fully Burdened Labor

(b) Cover letter. The Offeror may provide a brief cover letter. The cover letter will not be considered in the evaluation.

(c) Standard Form 33, Solicitation, Offer And Award – One (1) signed original of the Standard Form (SF) 33 must be provided in addition to a copy for each set of the Volume I.

(1) The person signing the SF 33 must have the authority to commit the Offeror to the terms and conditions of the resulting contract – Sections A – J. By signing and submitting the SF 33, the Offeror commits to accept the resulting contract as contained in the solicitation, unless an exception or deviation to the terms and conditions as stated in the solicitation is explicitly stated by the Offeror in accordance with the below subsection (g) Exceptions and deviations.

(2) The Offeror must acknowledge receipt of all amendments to the solicitation in

block 14 of the SF 33.

(3) The Offeror shall insert 365 calendar days in block 12 of the SF 33.

(d) Administrative information. Offerors shall provide the following information:

(1) Solicitation number (reference paragraph (c)(2)(i) of the Section L provision at FAR 52.215-1, Instructions to Offerors – Competitive Acquisition).

(2) Offeror name. Name, address, telephone and facsimile number, e-mail, and Data Universal Numbering System Number (DUNS) of the Offeror (reference paragraph (c)(2)(ii) of the Section L provision at FAR 52.215-1, Instructions to Offerors –Competitive Acquisition).

(3) Authorized signatory. Name and title of person authorized to sign the proposal (reference paragraph (c)(2)(v) of the Section L provision at FAR 52.215-1, Instructions to Offerors – Competitive Acquisition).

(4) Negotiators. Name(s), title(s), telephone and facsimile numbers of persons authorized to negotiate on the Offeror’s behalf (reference paragraph (c)(2)(iv) of the Section L provision at FAR 52.215-1, Instructions to Offerors – Competitive Acquisition).

(5) Government agency administration. Government agency(ies) and name of its representative(s) having administrative cognizance over the Offeror or parent company within the meaning of FAR subpart 42.3, Contract Administration Office Functions, including financial auditing, employment opportunity oversight, etc. Include agency name, address, and telephone number.

(e) Subcontractors and other entities.

(1) Name, address, and DUNS number for all proposed, named subcontractors that will perform any portion of the contract work.

(2) If the Offeror is a joint venture, limited liability company, limited liability partnership or other similar entity (multi-member, shared ownership) provide –

(i) Name, address, and DUNS of the parent or member company(ies) of the Offeror - joint venture members, limited liability company members, limited liability partnership members, etc.; and

(ii) Teaming agreement(s) and operating agreement (if applicable), that will remain in effect after any contract award, that describe the business arrangement between the members, including the identity of the one member/partner who has the majority interest in the Offeror.

(f) Representations and certifications.

(1) If the Offeror has completed the annual representations and certifications electronically via the System for Award Management website in accordance with the provision at FAR 52.204-8, Annual Representations and Certifications and those representations and certifications are current, accurate, complete, and applicable to this solicitation, the Offeror does not need to resubmit such representations and certifications in response to this solicitation. However, if any of these annual representations and certifications requires a change, the Offeror shall submit those changes in accordance with FAR 52.204-8. The Offeror shall also complete any additional representations, certifications or other statements required in this solicitation's Section K, Representations, certifications, and other statements of the Offeror.

(2) If the Offeror has not completed the annual representations and certifications electronically via the System for Award Management, the Offeror shall complete and provide all of the representations, certifications, and other statements of the Offeror as required in this solicitation's Section K.

(3) The Offeror shall comply with the organizational conflict of interest requirements of Section K.

(g) Exceptions and deviations.

(1) Exceptions and/or deviations are not sought, and the Government is under no obligation to enter into discussions related to such. If an Offeror takes exception to or deviates from the terms and conditions of the proposed contract (Sections A-J) or other provisions of the solicitation, each exception and deviation shall be specifically identified and fully explained. Any exceptions or deviations must also identify the applicable solicitation section, clause or provision number, paragraph number, and the proposal volumes to which the exception or deviation applies. In addition to identifying this complete information in Volume I, any deviations or exceptions shall be repeated in the other volumes to which the deviation or exception applies – Volumes II and III. Only exceptions or deviations specifically identified in this section, if accepted by the Government, will take precedence over the terms and conditions of the solicitation.

(2) Any exceptions or deviations by the Offeror to the terms and conditions stated in the solicitation for the resulting contract may make the offer unacceptable for award without discussions. If an Offeror proposes exceptions or deviations to the terms and conditions of the contract, then the Government may make an award without discussions to another Offeror that did not take exception to the terms and conditions of the contract.

(h) Organizational Conflicts of Interest (OCI).

The Offeror, including each entity participating in a joint venture, LLC, or teaming agreement thereof as defined in FAR 9.601(1), as well as any named subcontractor(s) shall provide a fully executed Section K.4, Organizational Conflicts of Interest Disclosure and any necessary statements required by the

provision. If the Offeror believes there is an existing or potential OCI, the Offeror shall submit an appropriate mitigation plan. If the Department identifies an existing or potential OCI, the Offeror shall submit any information requested by the Department; including a mitigation plan. The successful Offeror will be assisting DOE with oversight of the RAC; therefore, the successful Offeror, teaming partners, subcontractors, and affiliates may be precluded from competing for future Moab UMTRA Project contracts. Similarly, current Moab UMTRA RAC will not be eligible to perform the oversight responsibilities required due to the inherent conflict.

(i) Equal opportunity compliance.

The Offeror shall provide all of the information required to perform a pre-award on-site equal opportunity compliance evaluation in accordance with FAR 52.222-24. This information shall include the company name, address, phone number and the point of contact for EEOC. This information shall be provided for the Offeror, as well as, each joint venture member, members of a newly formed entity, including LLCs, formed for the purpose of performing this Contract, or members of similar entities. Additionally, each first-tier subcontractor with an anticipated subcontract value of \$10 million or more is required to provide the information described above.

**L.5 DOE-L-2003 PROPOSAL PREPARATION INSTRUCTIONS, VOLUME II – TECHNICAL AND MANAGEMENT PROPOSAL – GENERAL (OCT 2015)**

(a) The Technical and Management Proposal (Volume II), consists of written information to allow Offerors to demonstrate their approach and capabilities to perform the prospective contract. The instructions contained in this and other provisions of the solicitation are provided to assist Offerors in preparing their proposals and are not evaluation factors, however failure to comply with these instructions may result in a deficient proposal. The Technical and Management Proposal will be evaluated in accordance with the evaluation factors stated in Section M, Evaluation Factors for Award.

(b) Offerors shall address, in the Technical and Management Proposal, those areas contained in the respective Section L provisions below. Each of these areas corresponds to the evaluation factors contained in Section M of the solicitation.

(c) The Technical and Management Proposal shall comply with the requirements contained in the provision at DOE-L-2001, Proposal Preparation Instructions – General and other applicable provisions of the solicitation, including any required format and page limitations. Offerors shall be specific and complete in addressing the information required to be included in the Technical and Management Proposal. Offerors shall not simply offer to perform work in accordance with the work statement; rather, Offerors shall provide their specific approach and capabilities to perform the required work. Moreover, Offerors shall not merely restate the work scope and/or other solicitation requirements in its technical and management proposal.

(d) No cost or price information shall be included in the Technical and Management Proposal, unless specifically requested in the solicitation.

**L.6 DOE-L-2005 PROPOSAL PREPARATION INSTRUCTIONS, VOLUME II - KEY PERSONNEL (OCT 2015)**

**FACTOR 1: KEY PERSONNEL** *(The key personnel section is limited to the Program Manager resume and Letter of Commitment.”. The Program Manager resume is limited to three (3) pages exclusive of the letter of commitment, which is limited to one (1) page.)*

Offerors shall include the following information in the Volume II - Technical and Management Proposal related to the proposed Program Manager:

(a) Key personnel: The Offeror shall propose one key person for the required Program Manager position (the same individual as per the requirements of Section G.03, as this position is considered essential to the successful performance of the contract. This individual shall meet the required qualifications for their respective Program Manager position found in Attachment J-5 Position Qualifications. This individuals duty station shall be the DOE facilities in Grand Junction, CO. This individual will be incorporated into the contract through the clause at DOE-H-2070, Key Personnel.

(b) Resume:

(1) The Offeror shall provide a written resume for the proposed key person in the format shown in Attachment L-1 to Section L. The resume shall describe the key person’s education, relevant experience, accomplishments, and other information supporting the individual’s qualifications and suitability for the proposed position. The resume shall address the following:

(i) Relevant experience on work of similar scope, size, and complexity to that required under the contract: similar scope, size, and complexity are defined as follows: scope – type of work; size – dollar value and contract duration; and complexity – performance challenges and risk.

(ii) Record of past success and accomplishments, including leadership, in performing work of similar scope, size, and complexity to that required under the contract.

(iii) Education, training, certifications, and licenses, including any experience in lieu of education that supports the suitability for the position.

(iv) The Offeror shall ensure that the key person proposed for this effort will be assigned to this effort full-time. Failure to propose the key person as full-time for this effort may adversely affect the Government’s evaluation of the proposal.

- (v) The resume shall include at least three references having direct knowledge of the qualifications of the proposed key person.
- (2) By submission of the resume, the key person and Offeror authorize DOE to contact any references and previous employers to verify the accuracy of information provided in the resume and to assess the individual's suitability for the proposed position. DOE may contact any or all of the references or past employers.
- (c) Letter of commitment: A letter of commitment shall be submitted for the individual proposed as a key person. The key person shall sign the letter stating that the information contained in the resume, submitted as part of the proposal, is true and correct; and the individual will unconditionally accept employment in the key position identified in the proposal beginning on the effective date of the contract for a period of two (2) years. Failure to submit a letter of commitment may adversely affect the Government's evaluation of the proposal. A format for the letter of commitment shall state, as follows:

*"I hereby certify that the resume submitted as part of the proposal is true and correct, and \_\_\_\_\_ (insert name of individual proposed) will accept the proposed position of Program Manager if \_\_\_\_\_ (insert name of Contractor) receives the award and will perform in the proposed position for a minimum of two (2) years following the contract award date. I also hereby certify that \_\_\_\_\_ (insert name of individual proposed) will be physically located on site, at Grand Junction, CO."*

**L.7 DOE-L-2009 PROPOSAL PREPARATION INSTRUCTIONS, VOLUME II – RELEVANT EXPERIENCE (OCT 2015)**

**FACTOR 2: RELEVANT EXPERIENCE** *(The Relevant Experience section shall be limited to the Attachment L-3, Past Performance and Experience Reference Information Form, which is limited to three (3) pages per reference contract/project. Only one completed Attachment L-3, Past Performance and Experience Reference Information Form shall be submitted for each contract or project to support both the Relevant Experience and Past Performance evaluation factors. The completed Attachment L-3 forms shall be organized under the Past Performance Factor in Volume II for proposal submission purposes.)*

Offerors shall include the following information in the Volume II - Technical and Management Proposal related to the Offeror's experience [Note that all of the below information shall be contained within the Attachment L-3 forms only]:

- (a) Offeror experience. The Offeror shall describe its relevant experience in performing work similar in scope, size, and complexity to that described in the Performance Work Statement. Similar scope, size, and complexity are defined as follows: scope – type of work (all work included in Section C Performance Work Statement, to include records management; training; information technology and telecommunication infrastructure; safeguards and security; public affairs/community relations; property management (real

and personal); documentation support, graphics, reproduction and project integration; change control administration and performance; ground water interim action; quality assurance; environment, safety, and health support; regulatory compliance; vicinity property inclusion surveys; independent verification and revegetation); size – dollar value and contract duration; and complexity – performance challenges (The TAC must balance the oversight role in the context of maintaining open communication with the RAC; balancing trust and open communication while still monitoring and reporting on all aspects of contract and regulatory compliance) and risk. The Offeror shall describe if any, it's relevant experience providing such services for federally-funded environmental cleanup projects. In describing relevant experience, Offerors shall describe the outcomes of specific work experiences, e.g., level to which contract requirements and objectives were met.

(b) Major subcontractor and other entity experience. A “major subcontractor” is a subcontractor, at any tier, with an estimated value more than \$5 million over the life of the contract. In addition to the Offeror's relevant experience, the Offeror shall describe the relevant experience of any proposed major subcontractor(s) and any other entities that are proposed to perform work under the contract. The Offeror shall describe the relevant experience - similar in scope size, and complexity - in relation to that portion of the work proposed to be performed by the major subcontractor or other entity. Other entities may include, for example, members of a limited liability company (LLC) or joint venture, an affiliate of the Offeror, or other teaming partner. In describing relevant experience, major subcontractors or other entities shall describe the outcomes of specific work experiences, e.g., level to which contract requirements and objectives were met. Note that the Offeror shall not submit experience information for other subcontractors that do not meet the definition of major subcontractor and DOE will not evaluate any experience information submitted for subcontractors that do not meet the definition of major subcontractor.

(c) Work to be performed. The experience provided for the Offeror, major subcontractors, or other entities shall describe its relevancy to the work that is proposed to be performed by that individual entity. Specific cross references shall be made between the applicable sections of the Performance Work Statement, the work to be performed by each entity, and the relevant experience of that entity (as detailed in the Attachment L-3, Past Performance and Experience Reference Information Form).

(d) Newly formed entity and predecessor companies. If the Offeror, major subcontractors, or other performing entities are newly formed entities with no experience, the Offeror shall provide relevant experience for the parent organization(s) or the member organizations in a joint venture, LLC, or other similar entity. The Offeror may also provide relevant experience on predecessor companies resulting from mergers and acquisitions.

(e) Contracts information: The Offeror shall provide the relevant experience information as requested in this provision on up to three (3) contracts, either completed or currently being performed by the Offeror, and one (1) contract, either completed or currently being performed, for each proposed major subcontractor(s). If the Offeror is a newly formed entity, joint venture, LLC, or similar entity the Offeror shall provide

relevant experience information for a TOTAL of three (3) contracts for its parent organization(s) or member organizations (e.g., if the Offeror is a Joint Venture comprised of two companies, the Offeror may submit a maximum of three references (L-3 forms) total; not three for each comprising entity). The Offeror shall only provide contract relevant experience information for contracts that are currently being performed and/or for contracts that were completed within the last five (5) years from the date proposals are due.

(1) Contracts may be, but are not limited to, contracts with federal, state, local and foreign governments and/or with commercial customers.

(2) Include information on challenges and problems encountered in performance of the work, actions initiated to address these matters, and the effect the actions taken had on the performance of the contract.

(3) Contracts used as a representation of the Offeror's experience must be the same contracts submitted in accordance with the provision at DOE-L-2010, Proposal Preparation Instructions, Volume II - Past Performance, and as listed in the Past Performance and Experience Reference Information Form contained in Attachment L-3 to Section L. The contracts referenced for each entity shall be the same contracts for which Past Performance information is provided for in Evaluation Factor 4 – Past Performance below.

(4) Attachment L-3, Past Performance and Experience Reference Information Form is limited to three (3) pages per reference contract/project. Information pertaining to Evaluation Factor 2 – Relevant Experience shall only be provided within Attachment L-3. DOE does not want and will not evaluate a summary section highlighting relevant experience that is submitted in addition to Attachment L-3.

(5) All information provided under this evaluation factor by the Offeror shall be described in sufficient detail to enable the Government to clearly identify and define the portion of work to be performed by each entity (Offeror, major subcontractors, and/or other entities) under the Offeror's proposed approach.

(f) Verification of experience. The Government may verify an Offeror's, major subcontractor's, or other entity's experience, including represented outcomes of specific work experiences, from third-party sources, including reference checks from customers, clients, and business partners.

**L.8 DOE-L-2006 PROPOSAL PREPARATION INSTRUCTIONS, VOLUME II – STAFFING APPROACH, ORGANIZATION, AND TRANSITION (OCT 2015)**

FACTOR 3: STAFFING APPROACH, ORGANIZATION, AND TRANSITION (*The Staffing Approach, Organization, and Transition section shall not exceed twenty-five (25) pages*)

Offerors shall include the following information in the Volume II - Technical and Management Proposal related to the proposed staffing approach, organization, and transition:

(a) Organization chart. The Offeror shall provide an organizational chart graphically depicting the major functional areas of the Offeror's proposed organization that the Offeror considers essential for the management and performance of the work. The Offeror shall describe how its organizational chart, including the number of organizational levels (e.g., working and reporting lines, divisional relationships, management layers, chain of command) aligns to the work to be performed. The organizational chart shall also depict the linkage(s) between the Offeror and the parent organization(s).

(b) Rationale for organizational structure. Describe the rationale for the proposed organizational structure in relation to the work to be performed and how the organizational structure will contribute to the successful accomplishment of the work. Describe how the organizational structure correlates to the Performance Work Statement.

(c) Roles, responsibilities, and lines of authority. Describe the roles, responsibilities, and lines of authority within the Offeror's organization and between the Offeror's organization and major subcontractors and other performing entities

(d) Safety. Describe corporate approach to safety including, as applicable, utilization of corporate resources from parent and affiliate organizations and the benefit of such to the performance of the contract.

(e) Communication and interface. Describe the Offeror's approach to communication and interface with internal organizations, major subcontractors and other performing entities, and outside entities, including DOE, other DOE contractors and subcontractors, regulatory agencies, state and local governments, the public, and other entities.

(f) Offeror entity. If the Offeror is a limited liability company (LLC), joint venture or other similar entity, describe how the Offeror will operate with its multi-member and/or shared ownership. Describe who will employ the Offeror's general workforce, e.g., Offeror, parent, or team member companies, and how that workforce will be managed.

(g) Major subcontractors and other performing entities. Identify any proposed major subcontractor(s) or other entities that will perform a portion of the work, including members in an LLC, joint venture, or other similar entity, and the specific work proposed to be performed by each. Identify the specific business relationship (subcontract, teaming agreement, etc.) between the Offeror and each entity proposed to perform work. Describe the rationale for the proposed performance of work by major subcontractors or other entities, as opposed to performance by the Offeror's own employees. Describe how the major subcontractors' or other entities' work will be integrated and controlled within the overall work to be performed.

(h) Corporate resources. Describe any corporate resources from parent or affiliate organizations, e.g., LLC members or other corporate divisions, which will be used or are available for use; how these resources will/may be used; and the benefit of such to the performance of the contract.

(i) Corporate governance. Describe how corporate organizations, to which the Offeror has reporting relationships (e.g., LLC members, board of directors), will provide oversight of the Offeror's performance of the contract work and help ensure successful performance of the contract. Describe how performance will be monitored and issues resolved, including when multi-member, shared ownership entities are involved.

(j) Workforce recruitment and retention. Describe the Offeror's approach for ensuring that an adequate workforce is available with the appropriate skills and qualifications necessary to safely and effectively accomplish the work over the term of the contract. The proposal shall address the following:

(1) The Offeror's approaches to recruit, train, and maintain its workforce, including start-up, interim fluctuations in workload, and ramp-down.

(2) The source of personnel – current incumbent contractor employees performing under DE-EM0002067, Offeror's existing employees, major subcontractors' existing employees, new hires, other sources, etc.

(k) Transition of work:

The Offeror shall describe its approach for transitioning the work from the incumbent contractor to ensure a smooth and orderly transition that meets the requirements contained in Section C.3.1, Transition. This shall include the important activities and their associated schedule, key challenges and issues that have the potential to pose significant risks to the orderly and timely transition of the work, and the Offeror's approach to eliminate or mitigate these risks.

## **L.9 DOE-L-2010 PROPOSAL PREPARATION INSTRUCTIONS, VOLUME II – PAST PERFORMANCE (OCT 2015)**

**FACTOR 4: PAST PERFORMANCE** *(The Past Performance section shall be limited to the Attachment L-3, Past Performance and Experience Reference Information Form, which is limited to three (3) pages per reference contract/project, and the Attachment L-5, List of Contracts Terminated for Default or Convenience, which has no page limitation. Only one completed Attachment L-3, Past Performance and Experience Reference Information Form shall be submitted for each contract or project to support both the Experience and Past Performance factors. The completed Attachment L-3 and L-5 shall be included in this Volume II, Factor 4: Past Performance.)*

Offerors shall include the following information in the Volume II - Technical and Management Proposal related to the Offeror's past performance:

(a) Offeror past performance. The Offeror shall provide information on its record of relevant past performance on work similar in scope, size, and complexity to that described in the Performance Work Statement. Similar scope, size, and complexity are defined as follows: scope – type of work (all work included in Section C Performance Work Statement, to include records management; training; information technology and telecommunication infrastructure; safeguards and security; public affairs/community relations; property management (real and personal); documentation support, graphics, reproduction and project integration; change control administration and performance; ground water interim action; quality assurance; environment, safety, and health support; regulatory compliance; vicinity property inclusion surveys; independent verification and revegetation), size – dollar value and contract duration; and complexity – performance challenges (The TAC must balance the oversight role in the context of maintaining open communication with the RAC; balancing trust and open communication while still monitoring and reporting on all aspects of contract and regulatory compliance) and risk. The Offeror shall describe its relevant experience providing such services for federally-funded environmental restoration cleanup projects. In describing relevant experience, Offerors shall describe the outcomes of specific work experiences, e.g., level to which contract requirements and objectives were met.

(b) Major subcontractor and other entity past performance. In addition to the Offeror's record of relevant past performance, the Offeror shall provide information on the record of relevant past performance for any proposed major subcontractors (as defined in L.7 (b)) and any other entities that are proposed to perform work under the contract. The Offeror shall provide such information on work similar in scope, size, and complexity to that portion of the work proposed to be performed by the major subcontractor or other entity. Other entities may include, for example, members of a limited liability company (LLC) or joint venture, an affiliate of the Offeror, or other major teaming partner. Note that the Offeror shall not submit past performance information for other subcontractors that do not meet the definition of major subcontractor.

(c) Work to be performed. The record of past performance provided for the Offeror, major subcontractors, or other entities shall relate to work performed that is similar to the work that is proposed to be performed by that individual entity. Specific cross references shall be made between the applicable sections of the Performance Work Statement, the work to be performed by each entity, and the relevant past performance of that entity (as detailed in Attachment L-3, Past Performance and Experience Reference Information Form).

(d) Newly formed entity and predecessor companies. If the Offeror, major subcontractors, or other performing entities are a newly formed entity with no record of past performance, the Offeror shall provide past performance information for the parent organization(s) or the member organizations in a joint venture, LLC, or other similar entity. The Offeror may also provide past performance information on predecessor companies resulting from mergers or acquisitions.

(e) Contracts information: The Offeror shall provide past performance information on three (3) contracts, either completed or currently being performed by the Offeror, and

one (1) contract, either completed or currently being performed, for each proposed major subcontractor or other performing entity. If the Offeror is a newly formed entity, joint venture, LLC, or similar entity the Offeror shall provide past performance information for a TOTAL of three (3) contracts total for its parent organization(s) or member organizations (e.g., if the Offeror is a Joint Venture comprised of two companies, the Offeror may submit a maximum of three references (L-3 forms) total; not three for each comprising entity). The Offeror shall only provide contract past performance information for contracts that are currently being performed and/or for contracts that were completed within the last five (5) years from the date proposals are due.

(1) Past performance information form. The Offeror shall submit its past performance information on the Past Performance and Experience Reference Information Form contained in Attachment L-3 to Section L. One form shall be provided for each past performance reference (contract).

(2) Contracts may be, but are not limited to, contracts with federal, state, local and foreign governments and/or with commercial customers.

(3) Contracts used as a representation of the Offeror's past performance must be the same contracts submitted in accordance with the provision at DOE-L-2009, Proposal Preparation Instructions, Volume II – Relevant Experience, and as listed in the Past Performance and Experience Reference Information Form contained in Attachment L-3 to Section L.

(4) Attachment L-3, Past Performance and Experience Reference Information Form, is limited to three (3) pages. Information pertaining to Factor 4– Past Performance shall only be provided within Attachment L-3. DOE does not want and will not evaluate a summary section highlighting past performance that is submitted in addition to Attachment L-3.

(f) Performance information. The Offeror shall identify problems encountered in performance of these contracts and corrective actions taken by the Offeror to resolve those problems. The problems could include, but are not limited to late deliveries and cost overruns. In addition, the Offeror may describe any recognized accomplishments the Offeror has received on the identified contracts.

(g) Terminated contracts. The Offeror shall provide a listing of any contracts of the Offeror, major subcontractors, or other performing entities that were terminated, including the reasons therefore, within the past five (5) years from the due date for proposals and complete Attachment L-5, List of Contracts Terminated for Default or Convenience. This listing of terminated contracts is not limited to only those contracts contained in the Past Performance and Experience Information Reference Form.

(h) Past Performance Questionnaire. The Offeror shall provide the Past Performance Cover Letter and Questionnaire contained in Attachment L-4 to Section L to each of the contract references. The Offeror shall request that clients return the Past Performance Questionnaire directly to DOE by mail or electronic means to the address identified

below by the due date for receipt of proposals.

(1) DOE address and contact information.

United States Department of Energy  
Environmental Management Consolidated Business Center  
Attention: John Blecher, Contracting Officer  
250 East 5<sup>th</sup> Street, Suite 500  
Cincinnati, OH 45202

Envelopes shall be marked as follows:

TO BE OPENED BY ADDRESSEE ONLY.  
RFP NO. DE-SOL-0009670

E-mail: john.blecher@emcbc.doe.gov  
Phone: 513-744-0980

(2) Receipt of the questionnaires by the Government is not subject to the provisions at FAR 52.215-1, Instructions to Offerors – Competitive Acquisition related to late proposals.

(i) The Offeror shall provide information regarding their safety record by providing their Experience Modification Rate (EMR), Days Away, Restricted, or Transferred (DART), and Occupational Safety and Health Administration (OSHA) Recordable Rate for the last 3 years.

(j) Sources of past performance information. The Government may contact any or all of the references provided in the Past Performance and Experience Reference Information Form. The Government may also obtain past performance information from sources other than those provided by the Offeror. This may include, but not be limited to, commercial and government clients, government records, regulatory agencies, and government databases such as the Government's Past Performance Information Retrieval System (PPIRS).

#### **L.10 PROPOSAL PREPARATION INSTRUCTIONS, VOLUME III –PRICE PROPOSAL**

(a) The Offeror and any proposed subcontractors shall provide the basis and explanation for each fully burdened labor rate. The proposed fully burdened labor rate should be all encompassing to include the base labor rate, and all applicable indirect costs (fringe benefits, overhead, G&A, etc.) and profit.

(b) The Offeror and any proposed subcontractors shall provide the fully burdened labor rates by completing Section J- Attachment J-6, IDIQ Schedule of Fully Burdened Labor Rates for Year(s) 1-5 and submit Section J-Attachment J-6, IDIQ Schedule of Fully Burdened Labor Rates, as part of the Volume III, Price Proposal. The fully-

burdened labor rates for any proposed subcontractors shall include the add-ons from the prime contractor, i.e. G&A and profit. In addition to Section J-Attachment J-6, IDIQ Schedule of Fully Burdened Labor Rates the Offeror shall complete Attachment L-6, Price Proposal Worksheets to reflect the total Year(s) 1-5 pricing. The Offeror's excel files shall be working versions including formulas for computation. For proposal purposes the Offerors shall assume a start date of April 15, 2017. To assist in preparation of proposals, DOE has provided an anticipated funding profile in Table L-9.

(c) To assist in the preparation of fully-burdened labor rates, DOE-provided direct labor rate ranges are included as part of Attachment L-6, Price Proposal Worksheets. The provided direct labor rates ranges reflect paid rates at similar sites with similar work scope. DOE has provided these labor rate ranges for informational purposes only. The offeror has the ability to utilize its own direct labor rates, consistent with the terms and conditions of the solicitation and applicable law. However, in accordance with the Service Contract Labor Standards, the direct labor rates utilized to develop the proposed fully burdened labor rates for the following labor categories shall not be less than the direct labor rates included as part of Section J- Attachment J-3, Wage Determination- Moab and Crescent Junction, UT (Grant County) and Section J- Attachment J-4, Wage Determination- Grand Junction, CO (Mesa County):

Administrative Assistant 1  
Administrative Assistant 2  
Administrative Assistant 3  
Technical Editor+

DOE does not have any current hourly wage information for the following positions which are not included in Attachment L-6:

Engineer 1  
Engineer 2  
Engineer 3  
GIS Specialist  
Compliance Specialist  
Environmental Tech 2  
Security Manager

(d) Offeror pricing information shall not be included in the other proposal volumes unless specifically requested in the solicitation.

(e) For proposal preparation purposes, the Offeror shall complete a crosswalk in Attachment L-8, Labor Category Crosswalk, to reconcile the DOE labor categories with the labor categories proposed by the Offeror and its team members and/or named subcontractors. Additionally, the Offer shall provide written confirmation that the proposed labor categories will meet or exceed the minimum experience and qualifications contained in Section J, Attachment J-5, Position Qualifications.

(f) The Offeror shall provide documentation to demonstrate financial capability to complete this Contract. FAR 9.104-1(a), General Standards, requires that a prospective Offeror have adequate financial resources to perform the Contract or the ability to obtain them in order to be determined responsible. Information provided by the Offeror shall include, but is not limited to, the Offeror's financial statements (audited, if available) and notes to the financial statements for the last three fiscal years. This information should be provided for all participants if the Offeror is a joint venture or other teaming arrangement. Using the above information, and other information, the Government will make a FAR Part 9 responsibility determination of the prospective awardee.

(g) Limitations on Subcontracting (FAR 52.219-14)- In order to determine the Offeror's compliance with the Limitations on Subcontracting clause; the Offeror shall complete Attachment L-7, Limitation on Subcontracting, breaking out the work areas, labor classifications, and associated full-time equivalents to be performed by each entity. As part of the price proposal, the Offeror shall also provide written certification that it will comply with FAR 52.219-14 during the course of the contract.

(h) Pursuant to Section B.4 of the RFP, the Offerors shall propose any applicable indirect rates applied to Other than Labor Costs and include these proposed rates in the Attachment L-6, Price Proposal Worksheets. The proposed indirect rate will be applied to the DOE provided Other Direct Costs and Travel costs for evaluation purposes.

(i) The Offeror shall provide the following information related to its prospective accounting system:

- (1) If applicable, the Offeror shall provide a copy of the government approval/determination that its proposed accounting system is adequate for the identification and recording of cost under government reimbursable type contracts if the approval/determination was issued in the last three years. If the accounting system was deemed inadequate, provide the corrective actions that have or will be taken to correct the cited issues, including the implementation time for each action.

- (2) If applicable, the Offeror shall provide a copy of the most recent accounting system audit report on its proposed account system if the audit was performed within the past five years.
- (3) If applicable, the Offeror shall fully describe and explain any material changes made to the proposed accounting system since it was approved and/or audited.
- (4) If the proposed accounting system has not been formally approved by the government within the last three years and/or audited within the last five years, or an audit determined the accounting system to be inadequate, then the Offeror shall state this and provide responses to the following items:
  - i. Is the proposed accounting system in accordance with generally accepted accounting principles?
  - ii. Does the accounting system include a timekeeping system that ensures proper accounting for and classification of employee labor by project/task?
  - iii. Does the accounting system provide for identification and accumulation of material costs by project/task and by contract?
  - iv. Does the accounting system provide for exclusion of cost charged to government contracts that are not allowable in terms of FAR 31 or other contract provisions?
  - v. Does the accounting system provide for segregation of direct costs from indirect costs?

**L.11 DOE-L-2014 DATE, TIME, AND PLACE OFFERS ARE DUE (OCT 2015)**

All Offers required by this solicitation are due at the date, time, and place identified on the Standard Form (SF 33), Solicitation, Offer and Award (See Section A, Block 9). Treatment of late submissions, modifications, and withdrawals are governed by the applicable provisions of the solicitation.

**L.12 DOE-L-2016 NUMBER OF AWARDS (OCT 2015)**

It is anticipated that there will be one (1) contract award resulting from this solicitation. However, the Government reserves the right to make any number of awards, or no award, if it is in the Government's best interest to do so.

**L.13 DOE-L-2017 EXPENSES RELATED TO OFFEROR SUBMISSIONS (OCT 2015)**

This solicitation does not commit the Government to pay any costs incurred in the submission of any proposal or bid, or in making necessary studies or designs for the preparation thereof or for acquiring or contracting for any services relating thereto.

**L.14 DOE-L-2021 GUIDANCE FOR PROSPECTIVE OFFERORS - IMPACT OF TEAMING ARRANGEMENTS ON SMALL BUSINESS STATUS (OCT 2015)**

(a) This procurement has been set aside for small business. In order to ensure that award is made to an eligible small business, prospective Offerors, in consultation with legal counsel, are encouraged to review the Small Business Administration's (SBA's) size eligibility standards found at Title 13 of the Code of Federal Regulations, Section 121 (13 C.F.R. § 121). In particular, Offerors proposing a joint venture, subcontracting, or another form of teaming arrangement shall review 13 C.F.R. § 121.103, "How does SBA determine affiliation?" prior to submitting a proposal.

(b) The SBA is the sole authority for making determinations of small business status for small business programs. Such determinations are binding on the Offeror and the Contracting Officer. Accordingly, a finding by the SBA of affiliation between an Offeror and its proposed team member(s) or subcontractor(s) may result in the Offeror being found to be other than a small business and therefore ineligible for contract award.

**L.15 DOE-L-2022 ALTERNATE BID/PROPOSAL INFORMATION – NONE (OCT 2015)**

Alternate bids/proposals are not solicited, are not desired, and will not be evaluated.

**L.16 DOE-L-2024, NOTICE OF INTENT – USE OF NON-FEDERAL EVALUATORS AND ADVISORS (OCT 2015)**

The Government may utilize non-federal evaluators and/or advisors or other non-Federal support personnel for evaluating proposals received in response to this solicitation. Such personnel shall be required to sign nondisclosure agreements and to comply with personal and organizational conflicts of interest requirements in accordance with the FAR and DEAR 915.207-70(f)(5) and (6). Under the statutes governing procurement integrity, these non-federal personnel may not disclose any information learned by participating in this acquisition. See the Procurement Integrity Act, 41 U.S.C. §§ 2101-2107.

**L.17 DOE-L-2025 INTENTION TO BID/PROPOSE (OCT 2015)**

In order to facilitate the efficiency of the Government's solicitation and award process through advance information on the anticipated number of offers, potential Offerors are requested to submit the name, address and telephone number of its firm or organization and any subcontractors via email to [john.blecher@emcbc.doe.gov](mailto:john.blecher@emcbc.doe.gov) not later than 14 calendar days prior to the proposal due date. If the bid/proposal is to be submitted by a teaming arrangement, the Offeror is requested to submit the above information for all members of the proposing team.

**L.18 DOE-L-2026 SERVICE OF PROTEST (OCT 2015) / 52.233-2 SERVICE OF PROTEST (SEP 2006) (AS MODIFIED BY DEAR 952.233-2 SERVICE OF PROTEST)**

(a) Protests, as defined in section 33.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the Government Accountability Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from:

*Attn: United States Department of Energy  
Environmental Consolidated Business Center  
John Blecher, Contracting Officer  
250 East 5<sup>th</sup> Street, Suite 500  
Cincinnati, OH 45202*

*Email: john.blecher@emcbc.doe.gov*

(b) The copy of any protest must be received in the office designated above within one day of filing a protest with the GAO.

(c) Another copy of a protest filed with the GAO must be furnished to the following address within the time periods described in paragraph (b) of this clause:

U.S. Department of Energy  
Assistant General Counsel for Procurement and Financial Assistance (GC-61)  
1000 Independence Avenue, S.W.  
Washington, DC 20585

Fax: (202) 586-4546

**L.19 DOE-L-2027 NOTICE OF PROTEST FILE AVAILABILITY (OCT 2015)**

(a) If a protest of this procurement is filed with the Government Accountability Office (GAO) in accordance with 4 CFR part 21, any actual or prospective Offeror may request the Department of Energy to provide it with reasonable access to the protest file pursuant to 48 CFR 33.104(a)(3)(ii), implementing section 1605 of Public Law 103-355. Such request must be in writing and addressed to the Contracting Officer for this procurement.

(b) Any Offeror who submits information or documents to the Department for the purpose of competing in this procurement is hereby notified that information or documents it submits may be included in the protest file that will be available to actual or prospective Offerors in accordance with the requirements of 48 CFR 33.2014104(a)(3)(ii). The Department will be required to make such documents available unless they are exempt from disclosure pursuant to the Freedom of Information Act. Therefore, Offerors shall mark any documents as to which they would assert that an exemption applies. (See 10 CFR part 1004.)

**L.20 DOE-L-2028 AGENCY PROTEST REVIEW (OCT 2015)**

Protests to the agency will be decided either at the level of the Head of the Contracting Activity or at the Headquarters level. The Department of Energy's agency protest procedures, set forth at 48 CFR 933.103, elaborate on these options and on the availability of a suspension of a procurement that is protested to the Department. The Department encourages potential protestors to discuss their concerns with the Contracting Officer prior to filing a protest.

**L.21 CONTACTS REGARDING FUTURE EMPLOYMENT**

Offerors may contact incumbent contractor employees about future employment except where prohibited by law. These contacts must take place outside the normal working hours of the employees.

**L.22 SMALL BUSINESS SIZE STANDARD AND SET-ASIDE INFORMATION**

This acquisition is a set-aside for small businesses concerns under the U.S. Small Business Administration's 8(a) Business Development Program, or "8(a) Program". The size standard for this solicitation is 750 employees under North American Industry Classification System (NAICS) code 562910, Environmental Remediation Services.

**ATTACHMENT L-1**  
**Key Personnel Standard Resume Format**  
*(Resume must not exceed 3 pages in length for the Program Manager)*

**Name of Key Person:**

**Name of Offeror:**

**Proposed Position with Offeror:**

**Availability Date and Period of Commitment:** (Insert [month/date/year] for availability date; period of commitment shall be reflected from date of contract award forward)

**Name of Company with whom Key Person will be Employed:**

**Country of Citizenship:**

**Duties and Responsibilities in Proposed Position:**

**Experience:** (Starting with current position and working backwards: Identify Contract/Project Title, name and address of employer, dates of employment, position titles, specified duties and responsibilities, and name, title and phone number of supervisor. Address specific information on the qualifications, experience, and demonstrated performance relevant to the proposed position, including individual leadership and technical expertise qualities. Identify specific examples of demonstrated leadership as opposed to just leadership positions held. Describe how work experience relates to Moab Uranium Mill Tailings Remedial Action (UMTRA) Technical Assistance Contract issues and capability to function effectively in the proposed team position.)

**Education:** (Provide degree(s) earned, discipline(s), year(s) degree(s) attained, and institution(s); if degree is incomplete, identify the number of hours earned towards degree).

**Professional Affiliations, Registrations, Certifications and Licenses:**

**Will the proposed key person be employed full time by the Offeror:**  YES  NO  
**If checked "no," reasons why:**

**Three References:** [Name, title, company/organization, address, phone number and e-mail address (current and at least two (2) previous employers or positions)]

**ATTACHMENT L-2**  
**Letter of Commitment Format**

*(LETTER OF COMMITMENT SHALL NOT EXCEED ONE (1) PAGE IN LENGTH)*

The Offeror shall submit a signed Letter of Commitment from the proposed Key Personnel, which states that the information contained in the resume submitted as part of the proposal is true and correct, and that the individual will accept the proposed position. Letters of Commitment shall also include a statement that the Key Personnel will work in the proposed position for a minimum of two years. The Letter of Commitment shall be as follows:

*“I hereby certify that the resume submitted as part of the proposal is true and correct, and \_\_\_\_\_ (insert name of individual proposed) will accept the proposed position of Program Manager if \_\_\_\_\_ (insert name of Contractor) receives the award and will perform in the proposed position for a minimum of two (2) years following the contract award date.”*

**Name (Print):** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**ATTACHMENT L-3**  
**Past Performance and Experience Reference Information Form**  
*(Completed Form limited to 3 pages per reference contract/project)*

Reference Contract/Project Title

1. <u>Name</u> and <u>DUNS #</u> of Offeror Submitting Proposal:	
2. <u>Name</u> and <u>DUNS #</u> of Company for which L-3 Form is being submitted:	
3. Name of Reference Contact Client (e.g. Government Agency or Prime Contractor):	
4. <u>Name</u> and <u>DUNS #</u> of Entity Reference Contract/Project Was Awarded To:	
5. Reference Contract/Project <u>Number</u> : Reference Contract/Project Available in PPIRS (i.e. <u>Yes/No</u> ):	
6. Reference Contract/Project Title and Contract/Client Point of Contact:	Name: Project Title: Telephone: Email: Address:
7. Indicate if the Company (identified in #2) was a <u>Prime Contractor</u> , <u>Teaming Partner</u> , or <u>Subcontractor</u> for the Reference Contract/Project:	
8. Reference Contract/Project Period of Performance:	
9. Reference Contract/Project Start Date:	
10. Reference Contract/Project Completion/Termination Date:	
11. Reference Contract/Project Type of Contract (e.g., FP, CPFF, CPAF, etc.):	
12. Reference Contract/Project Total Value (separately list fee if cost-type):	
13. Reference Contract/Project Value Performed To Date (Insert the final sum of all invoices, or the sum of all invoices to date, including agreed upon and disputed amounts, paid and awaiting payment; Date = RFP release date):	
14. Portion (%) of work Company (identified in #2) is proposed to perform on the Moab TAC:	
15. Portion (%) of work, including dollar amount and duration, Company (identified in #2) performed on reference contract/project (if different than #12 and #13, insert sum of all invoices, or the sum of all invoices to date, including agreed upon and disputed amounts, paid and awaiting payment.):	
16. Scope Company (identified in #2) is proposed to perform on	

the Moab TAC. List applicable PWS elements:	
17. Scope Company (identified in #2) performed on reference contract/project:	
18. Complexity Company (identified in #2) is proposed to perform on the Moab TAC:	
19. Complexity of work Company (identified in #2) performed on referenced contract/project:	
20. Provide information on problems encountered on the contract/projects identified above and corrective actions taken to resolve those problems (e.g., accident reports, notice of violations, settlement agreements, etc.):	
21. Identify previous contracts (for the company identified in #2) where penalties were paid as a result of replacement of key personnel and discuss the nature of the situation, including how much penalty was paid.	

Note: The Offeror may amend the format for Attachment L-3, Past Performance and Experience Reference Information Form, as long as the exact information, font and size, and page limitations are followed.

**ATTACHMENT L-4**  
**Past Performance Cover Letter and Questionnaire**

**Past Performance Cover Letter for \_\_\_\_\_**

Dear "Client":

We are currently responding to the Department of Energy (DOE) Request for Proposals No. DE-SOL-0009670, Moab Uranium Mill Tailings Remedial Action (UMTRA) Technical Assistance Contract.

The solicitation places significant emphasis on past performance as a source selection factor. In addition to requesting the attached Questionnaire be completed, the Government is requiring that clients of entities responding to the solicitation be identified and their participation in the evaluation process be requested. In the event you are contacted for information by the Government on work we have performed, you are hereby authorized to respond to those inquiries.

We are asking for your assistance in completing the attached questionnaire and forwarding to the DOE to aid in its evaluation of our past performance.

Please return the completed questionnaire within ten calendar days.

**YOU ARE HIGHLY ENCOURAGED TO SCAN AND EMAIL THE QUESTIONNAIRE TO THE EMAIL ADDRESS PROVIDED BELOW:**

Email Address: [john.blecher@emcbc.doe.gov](mailto:john.blecher@emcbc.doe.gov)

If you are unable to scan and email a copy, it can be mailed to the following address:

United States Department of Energy  
Environmental Management Consolidated Business Center  
Office of Contracting, Attn: Mr. John Blecher  
250 E 5<sup>th</sup> Street, Suite 500  
Cincinnati, OH 45202

If mailing, please mark the envelope:

"PROCUREMENT SENSITIVE SOURCE SELECTION INFORMATION - SEE FAR 3.104"  
"TO BE OPENED ONLY BY THE CONTRACTING OFFICER"

**REFERENCED CONTRACT AND CLIENT INFORMATION**

Name of Company Being Evaluated:

Contract Number and Title Being Evaluated:

Evaluator’s Name:

Evaluator’s Address:

Evaluator’s Phone:

Evaluator’s Organization:

Evaluator’s role in the management of the contract:

**A. RATING SCALE AND DEFINITIONS:**

Rating	Definition	Note
Exceptional	Performance meets contractual requirements and exceeds many to the Client’s benefit. The contractual performance of the element or sub-element being evaluated was accomplished with few minor problems for which corrective actions taken by the contractor were highly effective.	To justify an Exceptional rating, identify multiple significant events and state how they were of benefit to the Client. A singular benefit, however, could be of such magnitude that it alone constitutes an Exceptional rating. Also, there should have been NO significant problems identified.
Very Good	Performance meets contractual requirements and exceeds some to the Client’s benefit. The contractual performance of the element or sub-element being evaluated was accomplished with some minor problems for which corrective actions taken by the contractor were effective.	To justify a Very Good rating, identify a significant event and state how it was a benefit to the Client. There should have been no significant problems identified.
Satisfactory	Performance meets contractual requirements. The contractual performance of the element or sub-element contains some minor problems for which corrective actions taken by the contractor appear or were satisfactory.	To justify a Satisfactory rating, there should have been only minor problems, or major problems the contractor recovered from without impact to the contract/order. There should have been NO significant problems identified.  Note: The contractor should not be evaluated with a rating lower than Satisfactory solely for not performing beyond the requirements of the contract/order.
Marginal	Performance does not meet some contractual requirements. The contractual performance of the element or sub-element being evaluated reflects a serious problem for which the contractor has not yet identified corrective actions. The contractor’s proposed actions appear only marginally effective or were not fully implemented.	To justify Marginal performance, identify a significant event in each category that the contractor had trouble overcoming and state how it impacted the Client. A Marginal rating should be supported by referencing the management tool that notified the contractor of the contractual deficiency (e.g., management, quality, safety, or environmental deficiency report or letter).

Unsatisfactory	Performance does not meet most contractual requirements and recovery is not likely in a timely manner. The contractual performance of the element or sub-element contains a serious problem(s) for which the contractor’s corrective actions appear or were ineffective.	To justify an Unsatisfactory rating, identify multiple significant events in each category that the contractor had trouble overcoming and state how it impacted the Client. A singular problem, however, could be of such serious magnitude that it alone constitutes an unsatisfactory rating. An Unsatisfactory rating should be supported by referencing the management tools used to notify the contractor of the contractual deficiencies (e.g., management, quality, safety, or environmental deficiency reports, or letters).
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**C. ASSESSMENT AREAS:**

**1. Quality of Product or Service**

Example: How well did the Contractor provide services that met the terms of the contract? How technically accurate were the contractor deliverables? What was the quality level of the contractor deliverables? How well did the Contractor perform the contract services in a safe manner?

○	○	○	○	○	○	○
Exceptional	Very Good	Satisfactory	Marginal	Unsatisfactory	Not Applicable	Do Not Know

Supporting Narrative:

**2. Schedule Compliance**

Example: How well did the Contractor provide timely services in accordance with contract schedules? How well did the Contractor take measures to minimize delays that were within their control?

○	○	○	○	○	○	○
Exceptional	Very Good	Satisfactory	Marginal	Unsatisfactory	Not Applicable	Do Not Know

Supporting Narrative:

**3. Cost Control**

Example: How well did the Contractor control its costs?

○	○	○	○	○	○	○
Exceptional	Very Good	Satisfactory	Marginal	Unsatisfactory	Not Applicable	Do Not Know

Supporting Narrative:

**4. Business Relations**

Example: How well did the Contractor interface with you to address requests, complaints, and inquiries? If given the choice, would you select this contractor again to perform your required services?

○	○	○	○	○	○	○
Exceptional	Very Good	Satisfactory	Marginal	Unsatisfactory	Not Applicable	Do Not Know

Supporting Narrative:

**5. Management of Key Personnel/Staffing**

Example: How well did the Contractor allocate the appropriate personnel resources to meet customer needs? How well did the Contractor provide staff on short notice for quick turnaround of personnel?

○	○	○	○	○	○	○
Exceptional	Very Good	Satisfactory	Marginal	Unsatisfactory	Not Applicable	Do Not Know

Supporting Narrative:

For any rating(s) less than satisfactory, please attach an explanatory narrative. We greatly appreciate your time and assistance in completing this questionnaire.

**Additional Comments:**

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**ATTACHMENT L-5**  
**List of Contracts Terminated For Default or Convenience**

<u>Client Name</u>	<u>Contract #</u>	<u>Client Point of Contact (POC)</u>	<u>POC Contact Info (address, phone, e-mail)</u>	<u>Performance Period</u>

Note: Information shall only be provided for contracts terminated within the preceding five years from the due date for proposals. Additionally, explanatory information may be provided below the table for each contract terminated for default or convenience.

**ATTACHMENT L-6**  
**Price Proposal Worksheets (Attached)**

**ATTACHMENT L-7**  
**Limitations on Subcontracting Verification**  
*(No page limitation)*

**Cost of Contract Performance Calculations:**

(a) Prime Offeror's total cost of contract performance (i.e., Sum of Total Burdened Labor, including the prime contractor's profit/fee, for CLIN 0001)	\$ -
(b) Subcontractors'/Consultants cost of contract performance (i.e., Sum of Total Burdened Subcontract/Consultant Labor, including the subcontractor'/consultants' profit/fee and excluding any prime contractor add-ons, e.g., profit/fee, G&A, etc., for CLIN 0001)	\$ -
<b>(c) Total Cost of Contract Performance (a + b):</b>	<b>\$ -</b>

**Percent Calculations:**

(d) Prime Offeror's percent of the cost of contract performance (a / c):	%
(e) Subcontractors'/Consultants percent of the cost of contract performance (b / c):	%
<b>TOTAL (d + e):</b>	

**ATTACHMENT L-8  
 Labor Category Crosswalk**

<b>#</b>	<b>RFP Labor Category</b>	<b>Offeror's Labor Category</b>
1	Program Manager	
2	Operations Manager	
3	Certified Industrial Hygienist	
4	ES&H Manager	
5	Quality Manager	
6	Public Affairs Manager	
7	Project Analyst 1	
8	Project Analyst 2	
9	Project Analyst 3	
10	Administrative Assistant 1	
11	Administrative Assistant 2	
12	Administrative Assistant 3	
13	Security Manager	
14	Property Manager	
15	Technical Editor	
16	Engineer 1	
17	Engineer 2	
18	Engineer 3	
19	GIS Specialist	
20	Network Manager	
21	IT Specialist 1	
22	IT Specialist 2	
23	IT Specialist 3	
24	Field Manager	
25	Ground Water Manager	
26	Safety Specialist	
27	Field Engineer	
28	Compliance Specialist	
29	Environmental Tech 1	
30	Environmental Tech 2	
31	Environmental Tech 3	

**ATTACHMENT L-9**  
**Funding Profile**

Estimated Contract Funding	Year 1	Year 2	Year 3	Year 4	Year 5	Total
	\$ 4,900,000	\$ 4,900,000	\$ 4,900,000	\$ 4,900,000	\$ 4,900,000	\$ 24,500,000