

**PART IV - REPRESENTATIONS AND INSTRUCTIONS**

**SECTION L – INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS**

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## SECTION L

### INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS

**L.01. FAR 52.216-1 TYPE OF CONTRACT (APR 1984)**

The Government contemplates award of a Time-and-Materials contract to provide support to the U.S. Department of Energy's West Valley Demonstration Project.

**L.02. 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.03. DOE-L-2016 NUMBER OF AWARDS (OCT 2015)**

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

**L.04. 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 in making necessary studies or designs for the preparation thereof or for acquiring or contracting for any services relating thereto.

**L.05. DOE-L-2022 ALTERNATE BID/PROPOSAL INFORMATION – NONE (OCT 2015)**

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

**L.06. 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, non-federal advisors may not disclose any information learned by participating in this acquisition. See the Procurement Integrity Act, 41 U.S.C. §§ 2101-2107.

**L.07. FAR 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 Contractor is cautioned that the listed provisions may include blocks that must be completed by the Contractor and submitted with its quotation or offer. In lieu of submitting the full text of those provisions, the Contractor 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 address(es):

<https://acquisition.gov/far/>

<http://energy.gov/management/downloads/searchable-electronic-department-energy-acquisition-regulation>

The following provisions are incorporated by reference:

FAR / DEAR REFERENCE	TITLE
FAR 52.204-7	SYSTEM FOR AWARD MANAGEMENT(JUL 2013)
FAR 52.204-16	COMMERCIAL AND GOVERNMENT ENTITY CODE REPORTING (JUL 2015)
FAR 52.215-1	INSTRUCTIONS TO OFFERORS – COMPETITIVE ACQUISITION (JAN 2004)
FAR 52.215-16	FACILITIES COST OF MONEY (JUL 2003)
FAR 52.215-22	LIMITATIONS ON PASS-THROUGH CHARGES – IDENTIFICATION OF SUBCONTRACT EFFORT (OCT 2009)
FAR 52.215-23	LIMITATIONS ON PASS_THROUGH CHARGES
FAR 52.222-24	PREAWARD ON-SITE EQUAL OPPORTUNITY COMPLIANCE EVALUATION (FEB 1999)
FAR 52.222-26	EQUAL OPPORTUNITY (APR 2015)
FAR 52.216-29	TIME-AND-MATERIALS/LABOR-HOUR PROPOSAL REQUIREMENTS—NON-COMMERCIAL ITEM ACQUISITION WITH ADEQUATE PRICE COMPETITION (FEB 2007)
FAR 52.222-46	EVALUATION OF COMPENSATION FOR PROFESSIONAL EMPLOYEES (FEB 1993)
FAR 52.237-10	IDENTIFICATION OF UNCOMPENSATED OVERTIME (OCT 1997)
DEAR 952.219-70	DOE MENTOR-PROTÉGÉ PROGRAM (MAY 2000)
DEAR 952.233-4	NOTICE OF PROTEST FILE AVAILABILITY (AUG 2009)
DEAR 952.233-5	AGENCY PROTEST REVIEW (SEP 1996)

**L.08 DOE-L-2001 PROPOSAL PREPARATION INSTRUCTIONS – GENERAL- ALTERNATE II (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. If the Offeror is a newly formed entity, it must be legally established on or before the date for submission of proposals.

Subcontractor. The term “Subcontractor” as used in this Section L, refers to any subcontractor proposed to perform more than \$750,000 over the contract period (including option years) and your definition of critical subcontractor would be any subcontractor with specialized capabilities performing technical work scope necessary to execute the Offeror’s proposed approach to completion of contract performance requirements in the Performance Work Statement regardless of subcontract value.

- (b) Availability of the solicitation, amendments, and other documents.
- (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 for distributing the solicitation, amendments thereto, and other documents to the public. These documents will be posted through the Federal Business Opportunities website at [www.fbo.gov](http://www.fbo.gov). 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 are responsible 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/WVDP\\_Technical\\_Services/](https://www.emcbc.doe.gov/SEB/WVDP_Technical_Services/)

- (c) Submission of proposals.

- (1) The Offeror must 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 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. Subcontractor submissions of proprietary information may provide a password protected document file to the prime and share the password with the Contracting Officer. The subcontractor proposal must adhere to the proposal due date/time in the solicitation

- (3) The paper copy of the proposal shall be considered the Offeror’s official offer and will be considered binding.

The Offeror shall submit the required number of paper 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:

U.S. Department of Energy  
 Attention: Jodi Gordon, Contract Specialist  
 Address: 110 Boggs Lane  
 City/State/Zip: Springdale, OH 45246

Shipping materials shall be marked as follows: **TO BE OPENED BY ADDRESSEE ONLY.** RFP NO. DE-SOL-0009226  
 E-mail: Jodi.Gordon@emcbc.doe.gov  
 Phone: 513-744-0977

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	Copies Required
Volume I – Offer and Other Documents	1 signed original, 2 copies and 2 CDS
Volume II – Technical and Management Proposal Factor 1: Experience Factor 2: Key Personnel Factor 3: Technical Understanding and Approach Factor 4: Past Performance	1 signed original, 3 copies and 2 CDS
Volume III –Price Proposal	1 signed original, 1 copy and 2 CDS

- (d) Solicitation instructions and proposal information.

- (1) Proposals shall 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 Offerors 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 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, 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, 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. Tables of Contents, Lists of Figures, dividers, tabs, or similar inserts that do not provide any substantive information are not counted as a page. Use of 11 x 17 binders for the Cost Volume 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. Two columns of text per page and use of bold face type are acceptable. 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 and may be printed in the one inch margins.
- (7) File format. Files submitted shall be in readable and searchable using Microsoft® (MS) 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 other

security restraints unless access information is provided. The proposal schedule shall be submitted as Primavera P6, "XER" file type.

- (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 11 x 17. Staples shall not be used. The outside front cover of each binder shall indicate the Contractor'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 [Jodi.Gordon@emcbc.doe.gov](mailto:Jodi.Gordon@emcbc.doe.gov) no later than 20 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 questions. Each question shall clearly specify the solicitation area to which it refers. Responses to questions, as appropriate, will be posted on the procurement website as soon as practicable. DOE will make every effort to have all questions answered at least two weeks before the proposal submission date. 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 through [Jodi.Gordon@emcbc.doe.gov](mailto:Jodi.Gordon@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. These sections will be incorporated into the contract by reference.

**L.09. DOE-L-2002 PROPOSAL PREPARATION INSTRUCTIONS, VOLUME I  
– OFFER AND OTHER DOCUMENTS -- ALTERNATE VI (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 [NOTE: Fill-ins are generally marked “Offeror Fill-in” or similar; however, Offerors are responsible for ensuring all required fill-ins are completed with proposal submission (even if not overtly identified)].
- (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.

- (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 or other entities that will perform any portion of the contract work. The Offeror’s proposal submission, including Volume II, shall only include “major subcontractors” with an estimated value more than \$750,000 over the contract period (including option years), as well as “critical subcontractors” regardless of subcontract value with specialized capabilities performing technical work scope necessary to execute the Offeror’s proposed approach to completion of contract performance requirements in the Performance Work Statement. For all other subcontracts (i.e., that are below the “major subcontractors” threshold and not a “critical subcontractor”) the prime Offeror shall submit all documentation required by FAR 15.404-3, Subcontract Pricing Considerations.
  - (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, including each entity participating in a joint venture, LLC, or teaming agreement thereof as defined in FAR 9.601(1), as well as any major/critical subcontractor(s), 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, including each entity participating in a joint venture, LLC, or teaming agreement thereof as defined in FAR 9.601(1), as well as any major/critical subcontractor(s), 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.

(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. 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 major/critical subcontractor(s) as defined in section L.09(e)(1) shall provide a fully executed Section K.3, Organizational Conflicts of Interest Disclosure and any necessary statements required by the provision. If the Offeror believes there is an existing or potential OCI, (including potential conflicts of interest regarding any follow-on work to this instant contract) the Offeror shall submit an appropriate draft mitigation plan in accordance with the requirements of Section H clause entitled, DOE-H-2035 Organizational Conflict of Interest Management Plan. If the Department identifies an existing or potential OCI, the Offeror shall submit any information requested by the Department, including a draft mitigation plan (see FAR 9.5 for requirements).
- (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 proposed subcontractor with an estimated value of \$10M or more over the contract period (including option years) is required to provide the information described above.

**L.10 DOE-L-2009 PROPOSAL PREPARATION INSTRUCTIONS, VOLUME II – EXPERIENCE (OCT 2015)**

**FACTOR 1: EXPERIENCE** *(The Experience section shall be limited to the Attachment L-1, Past Performance and Experience Reference Information Form which is limited to 4 pages per reference contract/project, Only one completed Attachment L-1, 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-1 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-1 forms only required in paragraph (c).]:

- (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 – description of work that is the same or similar to that identified in the PWS; size –contract dollar value and contract/task order/project duration; and complexity – performance challenges that are associated with facilities and environmental conditions similar to those at the WVDP and WNYNSC. 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) Subcontractor experience. In addition to the Offeror’s relevant experience, the Offeror shall describe the relevant experience of any proposed major/critical subcontractor(s) that are proposed to perform work under the contract. The proposal shall only include experience information for major/critical subcontractor(s) as defined in section L.09(e)(1). The Offeror’s other subcontractor(s), not defined as a major or critical subcontractor, shall not submit experience information and any submitted information will not be evaluated. 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/critical subcontractor(s). The Offeror shall describe the relevant experience of major/critical subcontractor(s) based on the outcomes of specific work experiences, e.g., level to which contract requirements and objectives were met.
  
- (c) Work to be performed. The experience provided for the Offeror and major/critical subcontractor(s) shall describe the 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. Each PWS element must be assigned to a specific entity.
  
- (d) Newly formed entity and predecessor companies. If the Offeror or major/critical subcontractor(s) are a newly formed entity 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 3 contracts, either completed or currently being performed by the prime Offeror, and up to 2 contracts, either completed or currently being performed, for each proposed major or critical subcontractor(s). 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 Information Form contained in Attachment L-1 to Section L. Contract information provided for experience shall correspond to, and cross reference, information furnished under the past performance section of the proposal.
- (f) Verification of experience. The Government may verify an Offeror's or subcontractor's experience, including represented outcomes of specific work experiences, from third-party sources, including reference checks from customers, clients, and business partners.

**L.11 PROPOSAL PREPARATION INSTRUCTIONS, VOLUME II – KEY PERSONNEL (OCT 2015)**

**FACTOR 2: KEY PERSONNEL** *(The key personnel resumes are limited to four pages for each resume and one page for each letter of commitment.)*

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

- (a) Key personnel. The Offeror shall propose key personnel for the following positions:
  - 1) Principal Project Manager
  - 2) Senior Project Manager – Decommissioning Plan
  - 3) Senior Project Manager – Supplemental Environmental Impact Statement
  - 4) Subject Matter Expert – Decommissioning Plan

These positions will be incorporated into the contract through the clause at DOE-H-2070, Key Personnel. Only one individual may be proposed for each key personnel position.

- (b) Resume.

- (1) The Offeror shall provide written resumes for all proposed key personnel in the format shown in Attachment L-3 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 for his/her proposed position 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 that are associated with facilities and environmental conditions similar to those at the WVDP and WNYNSC.
- (ii) Record of past success and accomplishments in performing work of similar scope, size, and complexity to that required for his/her proposed position under the contract.
- (iii) Education, training, certifications, and licenses, including any experience in lieu of education that supports the suitability for the proposed position.
- (iv) Each resume shall include at least three references having direct knowledge of the qualifications of the proposed key person.

(2) By submission of each 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. DOE may contact any or all of the references or past employers and may use any information or sources available to DOE as a part of its evaluation of the key personnel.

(c) Letter of commitment. A letter of commitment shall be submitted for each individual proposed as a key person. Each 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 accept employment in the key position identified in the proposal beginning on the effective date of the contract for a period of 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 \_\_\_\_\_ (insert name of proposed position) if \_\_\_\_\_ (insert name of Contractor) receives the award and will perform in the proposed position for a minimum of two years beginning on the effective date of the contract."*

**L.12 DOE-L-2004 PROPOSAL PREPARATION INSTRUCTIONS, VOLUME II – TECHNICAL UNDERSTANDING AND APPROACH (OCT 2015)**

**FACTOR 3 TECHNICAL UNDERSTANDING AND APPROACH** *(The Technical Understanding and Approach section shall not exceed 20 pages.)*

- (a) Detailed Technical Approach - The Offeror shall describe its understanding, capability and approach, including technical assumption for performing the PWS elements listed in the table below.

PWS	Detailed Technical Approach
C.03.1	Phase 2 Decision-making for the WVDP and WNYNSC
C.03.1.1	Phase 2 Decision-making Schedule for the WVDP, WNYNSC, and SDA
C.03.1.2	Phase 2 Supplemental Environmental Impact Statement Scoping Activities
C.03.1.3	Development of Phase 2 Alternatives
C.03.1.4	Preparation of Conceptual Engineering Design Reports
C.03.1.5	Preparation of a Supplemental Environmental Impact Statement
C.03.1.6	Preparation of Decommissioning Plans
C.03.1.7	Preparation of Applications for Permitting or Licensing Modifications for the State-licensed Disposal Area

- (1) The Offeror shall identify the three most significant project risks, rationale for the identified risks, impacts to the proposed approach, and its approach to eliminate, avoid, or mitigate these risks.

**L.13 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-1, Past Performance and Experience Reference Information Form, limited to 4 pages per reference contract/project, and the Attachment L-4, List of Contracts Terminated for Default or Convenience, which has no page limit. Only one completed Attachment L-1, 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-1 and L-4 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 – description of work that is the same or similar to that identified in the PWS; size

- contract dollar value and contract/task order/project duration; and complexity – performance challenges that are associated with facilities and environmental conditions similar to those at the WVDP and WNYNSC.
- (b) Subcontractor 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/critical subcontractor(s) that are proposed to perform work under the contract. The proposal shall only include past performance information for major/critical subcontractors as defined in L.08(a). The Offeror’s other subcontractor(s), not defined as a major or critical subcontractor, shall not submit past performance information and any submitted information will not be evaluated.
- (c) Work to be performed. The record of past performance provided for the Offeror or major/critical subcontractor(s) 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 work statement, the work to be performed by each entity, and the relevant past performance of that entity. Each PWS element must be assigned to a specific entity.
- (d) Newly formed entity and predecessor companies. If the Offeror or major/critical subcontractor(s) 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 prime Offeror, and two (2) contracts, either completed or currently being performed, for each proposed major or critical subcontractor(s). The Offeror shall only provide 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 Information Form contained in Attachment L-1 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 contained in the Past Performance Information Form shall be the same as those identified under the Relevant Experience section of the proposal.
- (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. Examples of problems that may be addressed, as appropriate, include, but are not limited to, serious injuries or fatalities, regulatory violations resulting from environmental non-compliance, late deliveries, or 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/critical subcontractors, or other performing entities that were terminated, including the reasons therefore, within the past five (5) years from the due date for proposals by completing the Attachment L-4, List of Contracts Terminated for Default or Convenience. This listing of terminated contracts is not limited to only those contracts contained in the Attachment L-1, Past Performance and Experience Reference Information Form.
- (h) Past Performance Questionnaire. The Offeror shall provide the Past Performance Cover Letter and Questionnaire contained in Attachment L-2 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 no later than the due date for receipt of proposals.
- (1) DOE address and contact information:  
U.S. Department of Energy  
Attention: Jodi Gordon, Contract Specialist  
Address: 250 E. 5<sup>th</sup> Street, Suite 500  
City/State/Zip: Cincinnati, OH 45202  
Envelopes shall be marked as follows:  
TO BE OPENED BY ADDRESSEE ONLY.  
RFP NO. DOE-SOL-0009226  
E-mail: Jodi.Gordon@emcbc.doe.gov  
Phone: 513-744-0977
- (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) Sources of past performance information. The Government may contact any or all of the references provided in the Past Performance 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.14 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 shall be all encompassing to include, the base labor rate, any 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 the Pricing Schedule in Section B.2, for the Base and Option period and submit Section B.2, Pricing Schedule, as part of the Volume III, Price Proposal. In addition to B.2 the Offeror shall complete Attachment L-5, Summary of Cost Worksheets to reflect the total Base Period and Option periods pricing. The Offeror's excel files shall be working versions including formulas and computation. For proposal purposes the Offerors shall assume a contract start date of October 1, 2016. To assist in preparation of proposals, DOE has provided an anticipated funding profile in Table L-3 below. Proposed costs shall be provided based on the definitions of fiscal years noted in Table L-3. There is no fiscal year carryover of funds.

**Table L-3 – Anticipated Funding Profile for the WVDP Development of a Supplemental Impact Statement**

Estimated Contract Funding	FY2017	FY2018	FY2019	FY2020	FY2021	Total
	\$2,272,500	\$4,070,800	\$3,534,700	\$3,020,000	\$2,864,500	\$15,762,500
FY 2017, FY 2018, FY2019, FY 2020 and FY2021 are defined as the period October 1 through September 30. For example FY 2017 is the period October 1, 2016 through September 30, 2017.						

- c. Offeror pricing information shall not be included in the other proposal volumes unless specifically requested in the solicitation.
- d. For proposal preparation purposes, the Offeror shall complete the crosswalk in Attachment L-7, Labor Category Crosswalk, to reconcile the DOE labor categories with the labor categories proposed by the Offeror and its team members and/or major/critical subcontractors. Additionally the Offeror shall provide written confirmation that the proposed labor categories will meet or exceed the minimum experience

and qualifications contained in Section J, Attachment J-1, Position Qualifications.

- e. 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.
- f. 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-6, 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.
- g. Pursuant to Section B.3 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-5 Summary of Cost Worksheets.
- h. 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 within 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 accounting system if the audit was performed within the past five years.

- (3) If applicable, the Offeror shall fully describe and explain and 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 ensure 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 costs 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.16 OFFER ACCEPTANCE PERIOD**

The Offeror's proposal shall be valid for 240 calendar days after the required due date for proposals.

#### **L.17 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.18 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.19 DOE-L-2026 SERVICE OF PROTEST (OCT 2015)/FAR 52.233-2 SERVICE OF PROTEST (SEPT 2006)/DEAR 952.233-2 SERVICE OF PROTEST (MAY 2010)**

- (a) Protests, as defined in section 33.101, Definitions, 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:

U.S. Department of Energy  
Environmental Management Consolidated Business Center  
250 East 5<sup>th</sup> Street, Suite 500  
Cincinnati, OH 45202  
Attn: Jodi Gordon, Contracting Officer

Telephone: (513) 744-0977  
Facsimile: (513) 246-0529  
E-mail: [Jodi.Gordon@emcbc.doe.gov](mailto:Jodi.Gordon@emcbc.doe.gov)

- (b) The copy of any protest shall 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 shall be furnished to the following address within the time periods described in paragraph (b) of this provision:

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.20 DOE-L-2027 DEAR 952.233-4 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 33.2014(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.21 DOE-L-2028 DEAR 952.235-5 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.

**LIST OF SECTION L ATTACHMENTS**

<b><u>Attachment No.</u></b>	<b><u>Description</u></b>
L-1	Offeror Past Performance and Experience Information Form
L-2	Past Performance Cover Letter and Questionnaire
L-3	Resume Format
L-4	List of Contracts Terminated for Convenience or Default
L-5	Summary of Cost Worksheets
L-6	Limitation on Subcontracting
L-7	Labor Categories Crosswalk

**ATTACHMENT L-1: OFFEROR PAST PERFORMANCE AND EXPERIENCE  
 INFORMATION FORM**

(Completed Form limited to 4 pages total per reference contract/task order/project)

1.	Name and <u>DUNS#</u> of Offeror Submitting Proposal:	
2.	Name and <u>DUNS#</u> of Company for which L-1 Form is being submitted:	
3.	Name of Reference Contract Client (e.g., Government Agency or Prime Contractor):	
4.	Name and <u>DUNS#</u> of Entity Reference Contract/project Was Awarded To:	
5.	Reference Contract/Project Number:  Reference Contract/project Available in PPIRS (i.e., <u>Yes/No</u> )	
6.	Reference Contract/Project Client Point of Contact:	Name: Title: Telephone: E-mail Address: Mailing Address:
7.	Indicate if the Company (identified in #2) was a Prime Contractor, Teaming Partner, or Subcontractor 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:	
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 WVDP Development of a SEIS Contract:	
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 WVDP Development of a SEIS Contract. 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 WVDP Development of a SEIS Contract:	
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:	

**Note: The Offeror may amend the format for Attachment L-1, Past Performance and Experience Reference Information Form, as long as the exact information, font and size, and page limitations are followed.**

**ATTACHMENT L-2: PAST PERFORMANCE COVER LETTER AND  
QUESTIONNAIRE**

**Past Performance Cover Letter**

Date \_\_\_\_\_

Dear: \_\_\_\_\_

We are currently responding to the Department of Energy (DOE) Request for Proposal No. DE- SOL-0009226 for the West Valley Demonstration Project (WVDP) Technical Services for the Development of a Supplemental Impact Statement Procurement and 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: [Jodi.Gordon@emcbc.doe.gov](mailto:Jodi.Gordon@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  
Attn: Jodi Gordon  
250 East 5<sup>th</sup> Street, Suite 500  
Cincinnati, OH 45202

If mailing, please mark the envelope as follows:

“PROCUREMENT SENSITIVE SOURCE SELECTION INFORMATION - SEE FAR 3.104” “TO BE OPENED ONLY BY THE ADDRESSEE”

*Respondents are strongly encouraged to provide an explanatory narrative under Additional Comments in the attached form. If more space is needed, please attach additional pages.*

Past Performance Information Questionnaire for: [Insert Name of Offeror]
<b>A. Respondent: Please fill in the following table.</b>
1. Complete Name and Title of Responder :
2. Company or Agency Name, Address, Telephone Number, Facsimile Number (w/Area Code), and E-mail Address:
3. Contract Name or Title, Contract Number and Type of Contract:
4. Signature:

**Past Performance Questionnaire**

**B. RATING SCALE AND DEFINITIONS:**

Rating	Definition	Note
Exceptional	Performance meets contractual requirements and exceeds many to the Government's benefit. The contractual performance of the element or sub-element being assessed 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 Government. 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.
Good	Performance meets some contractual requirements and exceeds some to the Government's benefit. The contractual performance of the element or sub-element being assessed was accomplished with some minor problems for which corrective actions taken by the contractor were effective.	To justify a Good rating, identify a significant event and state how it was a benefit to the Government. There should have been NO significant problems identified.
Satisfactory	Performance meets, but does not exceed, all contractual requirements. The contractual performance of the element or sub-element contains some minor, and possibly major, problems for which corrective actions taken by the contractor were satisfactory and resulted in minimal or no impact to the contract/task order/project.	To justify a satisfactory rating, there should have been only minor problems, or major problems the contractor recovered from without impact to the contract/task order/project.  A fundamental principle of assigning ratings is that Contractors will not be assessed a rating lower than Satisfactory solely for not performing beyond the requirements of the contract/task order/project.
Marginal	Performance does not meet some contractual requirements. The contractual	To justify Marginal performance, identify a significant event that the

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	<p>performance of the element or sub-element being assessed 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.</p>	<p>contractor had trouble overcoming and state how it impacted the Government. 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).</p>
<p>Unsatisfactory</p>	<p>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 were ineffective.</p>	<p>To justify an Unsatisfactory rating, identify multiple significant events that the contractor had trouble overcoming and state how it impacted the Government. 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 report or letter) and by describing the inability of the Contractor to implement effective corrective action.</p>

**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 and secure manner?

<input type="radio"/>						
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 or at the requested time(s)? How well did the Contractor take measures to minimize delays that were within their control?

<input type="radio"/>						
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? How effective was the cost control? Were there any Request for Equitable Adjustments (REAs)? If so, were they justified? Was the Contractor supportive during the REA process?

<input type="radio"/>						
Exceptional	Very Good	Satisfactory	Marginal	Unsatisfactory	Not Applicable	Do Not Know

Supporting Narrative:

**4. Business Relations**

a) Example: How well did the Contractor interface with you to address requests, complaints, and inquiries? How responsive were they to your inquiries?

- |                       |                       |                       |                       |                       |                       |                       |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| <input type="radio"/> |
| Exceptional           | Very Good             | Satisfactory          | Marginal              | Unsatisfactory        | Not<br>Applicable     | Do Not<br>Know        |

b) If given the choice, would you select this contractor again to perform your required services?

- |                       |                       |                       |                       |                       |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| <input type="radio"/> |
| Most Definitely       | Most Likely           | Maybe                 | Unlikely              | Most Unlikely         |

Supporting Narrative:

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

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

- |                       |                       |                       |                       |                       |                       |                       |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| <input type="radio"/> |
| Exceptional           | Very Good             | Satisfactory          | Marginal              | Unsatisfactory        | Not<br>Applicable     | Do Not<br>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-3: RESUME FORMAT**

*(Resume Must Not Exceed Four (4) Pages in Length for Each Key Personnel)*

- Name of Key Person:
- Citizenship: (Include any dual citizenship, if applicable)
- 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 availability date forward)
- Name of Company with whom Key Person will be Employed:
- Duties and Responsibilities in Proposed Position:
  
- Experience Summary (a succinct summary of overall experience, starting with current position and working backwards: Identify name and address of employer, dates of employment, position titles, specified duties and responsibilities, and name, title and phone number of supervisor. Provide specific information on the relevant experience to the proposed position including duration of performance and dollar level of projects; leadership experience; and qualifications per Section J, Attachment J-2):
- Education: (identify institution, degree earned, and from/to dates or state “no degree” if applicable)
- Professional Affiliations, Registrations, Certifications and Licenses:
- Publications, Awards, Honors and Professional Recognition: (Please list, but do not attach copies)
- Three References: (Name, title, company/organization, address, phone number and e-mail address)

**ATTACHMENT L-4 – LIST OF CONTRACTS TERMINATED FOR CONVENIENCE OR DEFAULT**

<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.

**ATTACHMENT L-5 – SUMMARY OF COST WORKSHEETS**

This Attachment is an MS Excel file provided separately.

**ATTACHMENT L-6: LIMITATION ON SUBCONTRACTING**

**(FAR 52.219-14) VERIFICATION, CLINS 0001, 0004, and 0007**

**Cost of Contract Performance Calculations:**

(a) Prime Offeror's total cost of contract performance (i.e., Sum of Total Burdened Labor, excluding profit/fee, for CLINs 01, 0004, and 0007)	\$ -
(b) Subcontractors'/Consultants cost of contract performance (i.e., Sum of Total Burdened Subcontract/Consultant Labor, excluding profit/fee, for CLINs 0001, 0004 and 0007)	\$ -
<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>	

**(1)** Per FAR 52.219-14(c) & (c)(1), "By submission of an offer and execution of a contract, the Offeror/Contractor agrees that in performance of the contract in the case of a contract for - *Services (except construction)*...At least 50 percent of the cost of contract performance incurred for personnel shall be expended for employees of the concern." The "cost of contract performance incurred for personnel" calculated above is in accordance with CFR Title 13, Ch 1, Part 125.6(e)(2), which defines said cost as direct labor and indirect costs whose base(s) include labor, including G&A (i.e., burdened labor costs excluding profit/fee).

**(2)** Per the limitations on subcontracting clause referenced above, the Offeror's proposed percent of the total cost of contract performance must be at least 50% to be considered for award (i.e., line (d) must be greater than or equal to 50%). The proposal will not be considered for award if the Offeror's proposed percent of the total cost of contract performance is less than 50%.

**ATTACHMENT L-7: LABOR CATEGORY CROSSWALK**

#	RFP Labor Category	Offeror's Labor Category
1	Principal Project Manager	
2	Senior Project Manager – Decommissioning Plan	
3	Senior Project Manager – Supplemental Environmental Impact Statement	
4	Senior Project Manager	
5	Subject Matter Expert – Decommissioning Plan	
6	Subject Matter Expert	
7	Senior Project Engineer, Senior Scientist, Or Senior Technical Specialist	
8	Project Engineer, Project Scientist, Or Project Technical Specialist	
9	Engineer, Scientist, Or Technical Specialist	
10	Senior Technical Editor	
11	Technical Editor	
12	Records/Document Control Specialist	
13	Administrative Assistant I	
14	Administrative Assistant II	
15	Production Clerk	