

**NOTE: The following is the second set of questions and responses related to the 19 October 2011 NSA Industry Day. Answers provided may be changed as more information is available. It is the contractor's responsibility to review the final Request for Proposal (RFP) for the applicable requirements, evaluation criteria, and terms and conditions.**

### **Non-Standard Ammunition (NSA)**

Q57. During the one-on-one sessions, the Government indicated it would consider including Performance Based Payments (PBP) in certain circumstances on the NSA IDIQ. Under what circumstances and criteria will PBP's be considered for inclusion?

R57. See response R19 in the file labeled Industry Day Questions & Responses.

Q58. In order for industry to prepare appropriately for capital funding requirements in support of NSA IDIQ, please provide expected order ceilings and desired delivery times for the initial Minimum Guaranteed Quantities (MGQs) under the NSA IDIQ.

R58. See responses R10, R13 and R14 in the file labeled Industry Day Questions & Responses.

Q59. The Government asked if there was a need for range pricing when history showed little or no change in unit price amongst the ranges.

R59. Based on input from industry and experience with the suppliers/manufacturers, range pricing will not be used in the subject solicitation. Offerors will be required to submit a single firm fixed ceiling unit price for years 1-3 for each of the NSA listed in the solicitation. Offerors must propose on ALL NSA included in the solicitation.

Q60. There is inherent risk in establishing prices for a three year period. Recommend use of a Blanket Purchase Agreement (BPA) approach versus a FFP IDIQ type contract.

R60. The Government conducted an assessment and developed the strategy in which Offerors would be required to submit Firm Fixed Ceiling Prices for Years 1 through 3 for the NSA and that transportation would be priced separately. This pricing scheme is considered to be of less risk to both the contractors and to the Government due to the uncertainties.

Use of a BPA will not meet the FMS NSA requirements planned under this acquisition. The policy and procedures for the use of BPAs is under FAR Part 13, Simplified Acquisition Procedures. In accordance with FAR 13.003 (c), the contracting officer shall not use simplified acquisition procedures to acquire supplies and services if the anticipated award will exceed the simplified acquisition threshold of \$150,000 or \$6.5 million, including options, for acquisitions of commercial items.

Q61. The small caliber specification requires all ammunition shall be permanently marked with tip identification. Ball rounds do not typically have tip identification. It calls for the 7.62x25mm ammunition to be tested for accuracy at 100m. This is a very long range for pistol ammunition.

R61. Correct, most ball rounds are not color coded. It is required that tip id convention be used to provide identification of the ammunition once outside the box. TIP ID convention should be that which is referenced back to the original technical data, i.e. former Soviet Union protocol.

Where tip id is not conducted to a standard convention as in the case of some 23mm and 30mm ammunition then that which the supplier currently uses to differentiate the rounds should be included in technical the date. Accuracy of the 7.62 x 25 mm is specified as 100m mean radius <7cm.

Q62. The grenade specification calls out a fragmentation testing requirement. This is often not performed after initial design acceptance. It requires very detailed fuze information including internal design which suppliers may refuse to provide. The armor penetration requirements for the PG-7VM and PG-7VL appear to have been reversed.

R62. It should be confirmed that such testing was conducted or is conducted at some time interval and results are available should they be needed to confirm baseline performance. In addition if changes to the warheads are made, such changes need to include performance testing to verify that effectiveness of the ammunition is equal to or better than the base line. The penetration requirements have been changed through and administrative change process. These were reversed.

Q63. Based upon historical data on current NSA contracts, many suppliers will not support submitting technical data in sufficient time to prepare and submit a technical data package (TDP) 15 days after contract award.

R63. See response to Q49. "We are considering TDP submission 90-120 days prior to LAT instead of 15 days after award at which time the technical IPT will work with each

successful contractor to validate a TDP prior to LAT and Government source inspection.”

Q64. The following questions relate to the draft Safety SOW.

- It will be difficult for many supplier factories to comply with the safety SOW quantity/distance separation requirements for ingress/egress routes for GSI locations since many of the facility roads are directly adjacent production line buildings. There is concern with Contractor’s ability to influence another country’s quantity distance requirements (Competent Authority or MOD).
- There is concern with Contractor’s ability to influence presence of non-U.S. DOD A&E co-located in bunkers with U.S. DOD A&E.
- Who is the Safety Site Plan approval authority; what is the time limit for plan submittal after contract award or before first inspection; what is the site plan review time limit; what is the site plan appeal process if the plan is rejected; what is the appeal review time limit; who will verify the site plan for each inspection site.

R64. The Government is revising the draft Safety SOW presented during Industry Day and will post onto the NSA website when completed. Any remaining questions should be submitted at that time.

Q65. If DCMA QARs will be excluded from all manufacturing facility process, will the same apply to PM-MAS/PD-NSA personnel?

R65. No.

Q66. Will a safety site plan be required for supplier’s test facilities and ranges?

R66. No.

Q67. If a safety site plan is finally rejected, is the supplier then banned as a NSA manufacturing source for the USG contract?

R67. No. Additional information/requirements will be addressed in the revised Safety SOW.

Q68. Considering that many supplier factories are located in Eastern Europe and the time zone difference is 7 hours, it is not feasible to provide a major mishap/accident

notification within 8 hours after the incident as specified in Para. 1.3.8 of the Safety SOW.

R68. The supplier factory will be required to notify the prime contractor and the cognizant DCMA Office responsible for Government Source Inspection within the 8 hour timeframe.

Q69. Given that this is going to be a Best Value Source Selection with anticipated evaluation factors in Management, Technical, Past Performance and Price, in what particular area will the government evaluate whether the prospective offeror has the financial base needed to manage the 40-50% down payments required by the eastern European supply base before they will start the production of goods?

R69. Notwithstanding the source selection criteria, the Contracting Officer makes a responsibility determination. FAR 9.104, Standards states, in part, "to be determined responsible, a prospective contractor must have adequate financial resources to perform the contract or the ability to obtain them."

Q70. What is the government's rationale with regard to having transportation as a separately priced item while historically the transportation has been included in the unit prices of the line items?

R70. As discussed during the briefing, this acquisition is to fulfill NSA requirements in support of Foreign Governments and International Organizations around the world. The exact delivery destinations and delivery modes as well as any country unique requirements are unknown until the LOA is implemented. The Government proposes that risks assumed by the contractors by pricing transportation into the unit price under unknown conditions should be significantly reduced.

Q71. Does the government intend on adding additional specifications to General Specification for Non Standard Ammunition? Some of the items listed on the consolidated NSA listing are not covered under the currently posted family specifications.

R71. The General Specification dated 17 November 2011 applies to all NSA not covered by the individual family specifications.