

**May 4, 2012**

**Question:** Given that the government intends to award two IDIQ contracts for this NSA opportunity and that the government intends to compete each delivery order, what procedure/process will the government follow if one of the two basic contract awardees does not submit an offer for a particular delivery order opportunity?

**Answer:** It is the Government's intent to award an Indefinite Delivery Indefinite Quantity (IDIQ) contract to up to two awardees that will provide the best value to the Government. It is anticipated that the offeror(s) who provide proposals for the IDIQ will also provide proposals for the follow on delivery orders when requested. If an awardee does not provide a proposal for delivery orders it will be reflected in their performance review under this contract.

Future delivery orders will be competed in accordance with FAR Part 16.505(b), Fair Opportunities Procedures, as stated in Section A paragraphs 8 and 17. If the IDIQ is awarded to only one offeror or if only one awardee submits a proposal during the Delivery order phase, an analysis will be conducted to determine the prices fair and reasonable.

**Question:** The government plans to compete delivery orders by always considering price and contract performance. When the government evaluates the price for an individual delivery order competition, we assume that the offered price will be evaluated against each call order total NTE price and not through an analysis of individual line item NTEs. Is this a correct assumption? In other words, the only price analysis that the government will perform, as part of their delivery order award analysis, will be to ensure that the sum of all of the contemplated delivery order items times the contract ceiling unit prices do not exceed the ceiling price calculation in total.

**Answer:** No, the Government will verify the delivery order unit price does not exceed the Contractor's ceiling unit price. Follow on delivery orders will be competed IAW FAR 16.505, Fair Opportunity Procedure, as referenced in Section A paragraphs 8 and 17 of the RFP. In the event of a single delivery order proposal the Government will conduct price analysis to determine the prices fair and reasonable. However, in no event will a unit price in excess of the ceiling unit prices be entertained.

**Question:** The government excluded transportation costs from the ceiling prices that the offerors are to submit for the best value award determinations. We assume that the government excluded the transportation costs because if they were included in the award analysis it would have been an unfair comparison among offerors as at the present time there is no way of knowing what items are going to be delivered where. We would ask that the government consider the pricing of the A&E Safety Site Plans (SOW Paragraph 4.1.2) to also be in this category. Given that this will be an IDIQ contract with only a minimum guaranteed quantity, offerors have no idea as to how many A&E Safety Site Plans will be required over the course of the anticipated contract performance. Looking further into the anticipated delivery order competitions, if a contract awardee wins several delivery orders and supplies multiple A&E Safety Site Plans for those orders, he will have an advantage

over the other contractor in subsequent delivery order competitions as he will not have to include these costs in his delivery order pricing. Will the government revise the RFP to state that the A&E Safety Site Plans will not be part of the contract award evaluation process, nor part of the delivery order award process?

**Answer:** Assuming the question is, “Will the Government revise the RFP to state the price of the A&E Safety Site Plans will not be part of the evaluation process.” The answer is no, A&E Safety Site Plans will not be priced separately. The site plan is a requirement but it not an independent part of the evaluation criteria.

**Question:** Section L.4.4 of the RFP requires the offeror to identify every contract it was awarded that experienced any performance problems related to deliverables or services. This includes every recent contract that was terminated or canceled for any reason, in whole or in part, within the past three (3) years of issuance of this RFP. Does the government want this information for only a three year period? Does the government want information on contracts that were terminated for convenience, as these terminations would most probably have been done through no fault of the contractor? Given that the government has access to CPARS, why do you want offerors to expend time and effort on providing data which would be duplicative of the information contained CPARS?

**Answer:** Yes, as stated in section L.4.4 of the solicitation (listed below for your reference) the Government is asking for all contracts within the past three (3) years that have experienced any performance problems. Yes, information on contracts that were terminated for convenience or any other reason is being requested as well.

“In addition to the contract references discussed above, the Offeror shall identify every contract it was awarded that experienced any performance problems related to deliverables or services. This includes every recent contract that was terminated or canceled for any reason, in whole or in part, within the past three (3) years of issuance of this RFP.”

It is at the Offeror's discretion to select contract references that are recent **and relevant** as required by Section L.4. The Army intends to use the information submitted by the Offeror as well as data obtained from other sources as stated in L.4.4 of the solicitation. While the Government has access to CPARS and other past performance data bases, the offerors identification of past contracts and submittals under this solicitation regarding those contracts is the offerors opportunity to also address and explain any apparent adverse past performance.

**Question:** Section L.5 Volume IV Price Proposal states “Unit prices shall be limited to two (2) decimal places” however Exhibit A, Price Evaluation Spreadsheet allows up to four decimal places. Please clarify how many decimal places the government will allow for Exhibit A fill-ins as well as what the government will allow for final contract prices. We ask that the government consider that allowing four decimal places could result in lower prices to the government and thereby reduce the overall cost incurred by the government over the life of this IDIQ contract.

**Answer:** Due to past discrepancies and rounding errors involved during the invoicing phase, the Government has decided to only allow for two decimal places for the unit prices.

**Please note that Exhibit A and Attachment 0006 will allow for input of more than two decimal places. However, only two decimal places will be allowed IAW the RFP.**

**Question:** Section L.2.1 requires Shipping Plans for Yemen, the Philippines, and Uganda. However, only the Philippines and Uganda plans require a Rough Order Magnitude (ROM) price for 747 aircraft. Does the government want a 747 ROM for the Yemen plan?

**Answer:** No, we do not want a ROM for a 747 flight for Yemen. Please provide a ROM for Philippines and Uganda as requested in the RFP only.

**May 8, 2012**

**Question:** Referencing attachment 6: Delivery Order Proposal Form, the formula in the TOTAL FIRM FIXED PRICE" cells (I28, I26 & I28, respectively) does not multiply by the quantity; as such, the result yielded is not truly the Total FFP. We request clarification as to whether this is a formula error of the actual intent of the Government.

**Answer:** The formula has been corrected in Attachment 0006, Delivery Order Proposal Form. Reference Amendment 0001 of the solicitation.

**Question:** Referencing Section I, Clause 97, FAR 252.223-7001, Paragraph (e), is the US Government requiring all manufacturer markings to be in accordance with MIL-STD-129, or are markings approved on a case by case basis per the information presented in the Technical Packages?

**Answer:** All manufacturers' markings are to be included in the technical data packages for review and approval for all NSA. All markings will be in accordance to the United Nations Recommendations on the Transport of Dangerous Goods and as identified in Sections 5.5 - Markings and 5.6 - Additional Requirements for Hazardous Materials in the General Specifications for NSA.

**Question:** Referencing CLIN 0109 of the NSA Requirements List and Exhibit A, please provide additional information. By design, all RPG-7 launchers are inert in that they contain no energetic material. Does the customer want a deactivated launcher that is incapable of firing live ammunition?

**Answer:** Attachment 0005, NSA Requirements List and Exhibit A, Price Evaluation Spreadsheet, have been revised. Reference Amendment 0001 of the solicitation.

**Question:** Referencing CLIN 0110 of the NSA Requirements List and Exhibit A, which dummy round (PG-7V, etc.) for the RPG-7 is required? Also, please confirm that both the warhead and rocket motor should be inert.

**Answer:** Attachment 0005, NSA Requirements List and Exhibit A, Price Evaluation Spreadsheet, have been revised. Reference Amendment 0001 of the solicitation.

**Question:** Referencing FAR clause 52.219-4, Notice of the Price Evaluation Preference for HUBZone Small Business. In order for a HUBZone small business concern to qualify for the evaluation preference they must meet the requirements of paragraph (f) of the clause as follows:

*“A HUBZone small business concern nonmanufacturer agrees to furnish in performing this contract only end items manufactured or produced by HUBZone small business manufacturer concerns. This paragraph does not apply in connection with construction or service contracts.”*

Considering this requirement and the fact that there are currently no known HUBZone small business manufacturers for the current contract requirements, we understand that the clause 52.219-4 and the price evaluation preference would not apply to this solicitation. Please clarify applicability of this clause to the solicitation and if determined to be not applicable issue and amendment to the solicitation to remove FAR clause 52.219-4.

**Answer:** FAR 19.1309(b) states 52.219-4, Notice of the Price Evaluation Preference for HUBZone Small Business, shall be incorporated in solicitations and contract for acquisitions using full and open competition. If, as stated, there are no HUBZone small business manufacturers, you are correct and the price evaluation preference would not apply. Any HUBZone small business concern would be required to comply with the terms of the clause.

**May 8, 2012**

**Question:** Does Attachment 0005 specify the minimum guaranteed quantities for each year of the IDIQ contract, or

a. If so, does the government intend to order each and every item on the list in at least the guaranteed minimum quantities for each year?

**Answer:** No, the minimums listed on Attachment 0005 are minimum order quantities as IAW FAR 52.216-22. The only Minimum Guaranteed Quantity (MGQ) is the four items identified in Section A, paragraph 4 and on Attachment 0006 Delivery order Proposal Form. Delivery Order 0001 for the MGQ will be awarded concurrently with the IDIQ.

**Question:** Alternatively does Attachment 0005 simply provide the minimum quantity the government may order of individual items, with the contract minimum being a separate term?

a. If so, what is the minimum guaranteed quantity as required by FAR 16.504(a)(1) for each IDIQ contract?

**Answer:** Yes, Attachment 0005 shows the minimum order quantities for use during the delivery order phase. Where Section A, paragraph 4 identifies the MGQ and Attachment 0006 identifies the only MGQ.

**Question:** Does Section A, Paragraph 4 provide the guaranteed minimum quantity as required by FAR 16.504(a)(1)?

a. If so, is the DO 1 minimum guaranteed quantity for the awardee(s) as split in accordance with Section A paragraph 4, consideration for the entire 3-year IDIQ contract?

**Answer:** Yes, Section A, Paragraph 4 provides the MGQ. Attachment 0006, Delivery Order Proposal Form, defines how the MGQ will be split if an IDIQ is awarded to more than one contractor.

**Question:** Will the Government consider, instead of the confusing terms set forth above, guaranteeing a minimum dollar amount or award percentage to each IDIQ awardee for each year of the contract?

**Answer:** No, this is an IDIQ contract and IAW FAR Part 16.5 the Government is under no obligation other than the minimum guaranteed quantity. Successful awardee(s) of an IDIQ will have the opportunity to compete over the three (3) year time period.

**Question:** Attachment 0006 does not clearly provide a split in the event of multiple awards as described in Section A, paragraph 4. This Offeror interprets the Government's reference to Attachment 0006, Tabs 1 and 2, to mean that, in the event of a multiple award split, for Delivery Order 1, it would award the 60mm Mortar HE items to one contractor, and the 7.62mm variants (ball, R Ball, and belt) to the other. Is this correct? If so, which awardee would get which awards in accordance with Section A, paragraph 8?

**Answer:** Yes, if the MGQ is split between two awardees, one awardee would be awarded the 60mm Mortar HE and the other awardee would be awarded the 7.62x39mm Ball, 7.62x54mm R Ball, and 7.62x54mm Belt. Section A, paragraph 8 states, "In the event the Government makes up to two awards as anticipated, the award determination of the MGQs will be based on the lowest total price proposed for the MGQ on Attachment 0006." Meaning the Government will determine who is awarded which portion of delivery order 0001 based on the lowest total price.

**Question:** Attachment 0006 requires Firm Fixed Pricing but does not specify for which delivery order. Please confirm that Attachment 0006 only applies to Delivery Order 1.

**Answer:** Yes, attachment 0006, Delivery Order Proposal Form, is for Delivery Order 0001 only.

**Question:** The RFP makes no mention of financing payments. Will the government consider performance based payments, given the landscape of the NSA supply base is generally small and almost all suppliers require long lead funding?

**Answer:** Performance based payments for delivery orders may be considered after award only if the contractor can provide acceptable events and measurable criterion. The criterion of the regulations for contract financing must apply for individual delivery orders IAW FAR Part 32.

**Question:** Several of the suppliers have come back stating it is not possible to quote without knowing the End User. Can the government supply this information?

**Answer:** No, at this time it is unknown who the End Users will be other than for the MGQ. This information will be provided for each subsequent delivery order.

**Question:** In paragraph 4.5.4 of the General Specification for Non-Standard Small Caliber Ammunition, the wording indicates that a producer's test procedure for accuracy/dispersion could be mean radius or R50. However, Annex B currently only lists R50 and mean radius criteria for 7.62x39mm rounds, and only mean radius criteria for all other rounds. As many producers current test procedures have R50 as the accuracy criteria and there is no direct correlation between the two methods, will the Government provide R50 criteria for the rest of the Small Caliber ammunition listed in Annex B?

**Answer:** No, the Government will not be providing R50 criteria for the rest of the small caliber ammunition listed in Annex B. As Note 1 in Annex B states, ammunition not meeting the technical requirements must be submitted to SFAE-AMO-MAS-NSA for technical evaluation. The test methods and criteria submitted for accuracy testing in the TDP will be evaluated based on compliance to the requirements identified in the General Specification for Non Standard Small Caliber Ammunition.