

Draft RFP Questions Received Prior to September 21, 2010 Industry Day

W52P1J-09-R-0156 & W52P1J-09-R-0163

Question 1: If offeror is currently registered with ORCA do the Reps and Certs, i.e., Section K, have to be filled out?

Answer 1: Yes. Reference Section L, paragraph L.2.1.a, “....Acknowledgement of all amendments to the solicitation and all continuation sheets are to be filled in as directed (i.e., proposed prices in Section B/Price Matrix and Certifications and Representations in Section K)....”

Question 2: Attachment 0001 of both solicitations ‘Price Evaluation Sheet’ requests pricing for only Order Period 1 - will pricing be solicited for each ordering period?

Answer 2: Offerors are responsible for submitting prices on the Price Evaluation Sheet for Ordering Period 1 only. Prices for delivery orders issued in Ordering Periods 2 – 5 will be requested from offerors that have received a basic contract award via a Contemplation Letter should additional requirements arise.

Question 3: In Section L.3.1 ‘Phase 1 Feasibility Assessment’ the USG states that ‘The offeror shall delineate what essential pieces of equipment it is proposing to utilize to meet the requirements of the TDP’. Is the USG requesting the offeror to delineate **only** those pieces of equipment listed in Attachment 0007 of solicitation -0156 and Attachment 0008 of solicitation -0163?

Answer 3: Yes, the offeror should delineate only the pieces of equipment listed in Attachment 0007 of solicitation -0156 and Attachment 0008 of solicitation -0163.

Question 4: Request a minimum 21 days interval between the proposal due dates for each solicitation.

Answer 4: The Government will consider this request and the final solicitations will contain specific proposal due dates.

Question 5: Request USG considers adding an EPA provision for steel and copper.

Answer 5: USG will not be adding an EPA provision for steel and copper. For Ordering Period 1, offerors that have received a basic contract award will be requested to confirm the awarded price(s) or propose a new price(s) that is lower than the awarded price(s). Prices for delivery orders issued in Ordering Periods 2 – 5 will be requested via a Contemplation Letter should additional requirements arise only from those offerors that have received a basic contract award. The offerors will be proposing prices “real time” based on current market conditions, therefore, an EPA would not be necessary for Ordering Periods 2 – 5.

W52P1J-09-R-0156

Question 1: There is no mention of any kind of EPA (Economic Price Adjustment) Clause in the draft solicitation, will one be incorporated?

Answer 1: No, an EPA Clause will not be incorporated into the solicitation. Future requirements shall require prices to be submitted upon issuance of Contemplation Letters, and the newly proposed prices can reflect current market conditions.

Question 2: SECTION I - CONTRACT CLAUSES

There is no mention of any kind of Progress Payments Clause such as 52.232-16 in the draft solicitation, will one be incorporated?

Answer 2: Yes, FAR 52.232-16, Progress Payments (Alternate III) will be incorporated into the final solicitation W52P1J-09-R-0156.

Question 3: Request Clarification on the following statements:

SECTION L - INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS

- L.3.4.d.(2) Offerors are required to state ceiling prices.

SECTION M - EVALUATION FACTORS FOR AWARD

- M.1.c. Prices submitted on the Price Matrix (Attachment 0001) will be the ceiling prices for future requirements.
- M.1.d. When a requirement arises, eligible offerors will be asked to submit prices for that requirement or confirm the prices previously submitted in response to W52P1J-09-R-0156. Prices must be confirmed or revised, in writing, within five calendar days of the request. The prices offered cannot be higher than those offered in response to W52P1J-09-R-0156.

Question 3a: Is the Government in essence asking for a 5 year firm fixed price with no EPA clause? How would a contractor account for the unknowns of material pricing, health care costs, etc. (especially in light of the uncertainty in the market with new legislation)?

Answer 3a: No, the Government is not asking for a 5 year firm fixed price. Offerors are responsible for submitting prices on the Price Matrix for Ordering Period 1 only. These prices shall be ceiling prices for the duration of Ordering Period 1. For Ordering Period 1, offerors that have received a basic contract award will be requested to confirm the awarded price(s) or propose a new price(s) that is lower than the awarded price(s). Prices for delivery orders issued in Ordering Periods 2 – 5 will be requested via a Contemplation Letter should additional requirements arise only from those offerors that have received a basic contract award. The offerors will be proposing prices “real time”

based on current market conditions, therefore, an EPA would not be necessary for Ordering Periods 2 – 5.

Question 3b: In addition, a five day window for updated pricing is not perceived to be adequate.

Answer 3b: The Government intends to revise the language in paragraph M.1.d to allow for prices to be confirmed or revised, in writing, within twenty (20) calendar days of the request.

W52P1J-09-R-0163

Question 1: There is no mention of any kind of EPA (Economic Price Adjustment) Clause in the draft solicitation, will one be incorporated?

Answer 1: No, an EPA Clause will not be incorporated into the solicitation. Future requirements shall require prices to be submitted upon issuance of Contemplation Letters, and the newly proposed prices can reflect current market conditions.

Question 2: Request Clarification on the following statements:

SECTION L - INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS

- L.3.4.d.(2) Offerors are required to state ceiling prices.

SECTION M - EVALUATION FACTORS FOR AWARD

- M.1.c. Prices submitted on the Price Matrix (Attachment 0001) will be the ceiling prices for future requirements.
- M.1.d When a requirement arises, eligible offerors will be asked to submit prices for that requirement or confirm the prices previously submitted in response to W52P1J-09-R-0156. Prices must be confirmed or revised, in writing, within five calendar days of the request. The prices offered cannot be higher than those offered in response to W52P1J-09-R-0156.

Question 2a: Is the Government in essence asking for a 5 year firm fixed price with no EPA clause? How would a contractor account for the unknowns of material pricing, health care costs, etc. (especially in light of the uncertainty in the market with new legislation)?

Answer 2a: No, the Government is not asking for a 5 year firm fixed price. Offerors are responsible for submitting prices on the Price Matrix for Ordering Period 1 only. These prices shall be ceiling prices for the duration of Ordering Period 1. For Ordering Period 1, offerors that have received a basic contract award will be requested to confirm the awarded price(s) or propose a new price(s) that is lower than the awarded price(s). Prices for delivery orders issued in Ordering Periods 2 – 5 will be requested via a

Contemplation Letter should additional requirements arise only from those offerors that have received a basic contract award. The offerors will be proposing prices “real time” based on current market conditions, therefore, an EPA would not be necessary for Ordering Periods 2 – 5.

Question 2b: In addition, a five day window for updated pricing is not perceived to be adequate.

Answer 2b: The Government intends to revise the language in paragraph M.1.d to allow for prices to be confirmed or revised, in writing, within twenty (20) calendar days of the request.