

BOA Holder Meeting Minutes and Government Response 2 June 2015

Past Performance

1) The recency threshold of three years was discussed and the response from the Industry community was a three year recency period is not a wide enough period for past performance efforts. A five year window was widely agreed upon for recency, as this allows increased competition and ensures that offerors will be able to provide recent and relevant contract references.

The Government is considering this change.

2) Industry noted that during the most recent past performance data call, the responsibility of updating all past performance references, including those references that were never submitted to the Government by an offeror, created a heavy administrative burden on businesses, especially small business.

The Government commented that in the case where an offeror is unable to provide the Government with all the requested information for past performance updates, the offeror can notify the Government and provide the Government with permission to contact the prime offeror's subcontractors directly in order to retrieve this information. Industry stated the Government was notified of its inability to provide all requested past performance information but was informed by Government personnel it was still the offeror's responsibility to provide the requested information.

GOVERNMENT RESPONSE: The Government will look into this issue and will provide further guidance for future past performance updates including the five year past performance window, uplifts that potentially affect past performance thresholds, evaluating teammates individually versus as a team, additional criteria for task orders with multiple sites and a solution to past performance references that were not submitted by the prime for the sub.

Magnitude/Complexity Thresholds for Past Performance

1) Currently, only the prime's past performance is – considered to meet the established thresholds. As a result, the magnitude dollar value threshold is too high for many of the prime's past performance contract references to be considered relevant for evaluation. Industry commented that allowing for a bundling approach on past performance thresholds (combining prime and teammate(s) past performance to meet the threshold) would allow for more references to be eligible for evaluation and better reflect the team's capability.

The magnitude threshold for the Afghanistan Request for Proposal (RFP) was also discussed as being too high. High dollar thresholds for magnitude for past performance potentially limits capable offerors from being able to bid for such a requirement. The Outside the Contiguous United States (OCONUS) dollar thresholds may not be reflective of the actual work effort, rather more of the work effort plus uplifts. Uplifts alone may inflate the dollar thresholds. These dollar thresholds have the potential to eliminate capable offerors with experience in Contiguous United States (CONUS) maintenance, supply, and transportation efforts who have yet to gain OCONUS experience in similar work functions from bidding on OCONUS work.

The Government's rationale for incorporating higher dollar thresholds and additional criteria in the areas of magnitude and complexity of past performance requirements for the Afghanistan

task order RFP was because the Government intends for this complex requirement to be performed over multiple OCONUS sites instead of a static location. Furthermore, the Government does not have a firm picture of the work to be performed once contract performance begins. It was the Government's intent to ensure that the Afghanistan RFP was structured to guarantee that the contract awardee could support unpredictable fluctuations and flex in workload within the constraints and challenges presented in an OCONUS environment.

2) The Government requested feedback regarding whether or not the two opportunities available, the BOA Holder Annual Review and issuance of a BOA RFP, provided sufficient chances to update past performance references.

Industry agreed that these two opportunities were sufficient and the process should remain the same for stability purposes.

3) Industry inquired as to whether or not the Army Sustainment Command's (ASC's) Enhanced Army Global Logistics Enterprise (EAGLE) Business Office (EBO) collaborates with Logistics Civil Augmentation Program (LOGCAP) when developing requirements.

The Government stated that EBO does in fact collaborate with LOGCAP and exchanges lessons learned to better improve the development of future requirements.

GOVERNMENT RESPONSE: The Government will look into this issue and will consider options for future past performance updates. Continued feedback from Industry regarding magnitude and complexity issues is welcomed.

Step 2 BOAs On-Ramp

1) The consensus of Industry was there are too many BOA Holders. However, one member of Industry expressed that the Modified Best Value approach does not allow for all offerors to be evaluated, which mitigates the risk of having too many BOA Holders.

The Government expressed that it's not the Government's intention to have an unnecessarily high amount of BOA Holders. Rather, the intent is to increase competition and mitigate from having "pools" of offerors consistently winning awards.

2) Industry expressed that having too many BOA Holders in conjunction with the Modified Best Value approach does not allow the opportunity for offerors to improve in their proposal writing process. If an offeror's proposal is not evaluated, quality feedback that offers improvements to the offeror's proposal is unavailable, therefore, decreasing its chances of submitting a quality, competitive proposal for future task orders. This results in offerors repeating similar mistakes in future proposals, which could potentially discourage offerors from submitting proposals. Further comments from Industry referred to the Modified Best Value approach results as a "rate shootout." Is this really beneficial to the Government?

GOVERNMENT RESPONSE: The Government is committed to creating a competitive environment for the EAGLE program. The Government will consider the Industry's concern regarding proposals not being evaluated.

BOA Off-Ramp

Industry consensus was that the off-ramping process should be straightforward and simple, such as a simple “yes” or “no.”

Those offerors that choose to off-ramp will not be adversely impacted nor will they be excluded from proposing on a future BOA RFP.

GOVERNMENT RESPONSE: The Government believes the BOA Off-Ramp process is sufficiently straightforward to accommodate Industry.

The Future of EAGLE

Industry inquired as to how the Government was going to re-compete EAGLE in two years when the initial program expires.

The Government stated that monthly meetings with the ASC and Army Contracting Command – Rock Island (ACC-RI) Senior Executive Service (SES) members are held to discuss the future of EAGLE. The Government is taking into consideration all Industry feedback received during the course of the current EAGLE Program. The Government cannot provide a firm strategy to Industry until the proposed process is passed through all levels of approval. Please continue to provide feedback as this will help in the development of the strategy for the future of EAGLE.

Industry stated that since EAGLE is a complex contracting vehicle, that it would serve the Government best if the process was to remain similar so as to avoid a future learning curve among Industry and Government staff.

GOVERNMENT RESPONSE: The Government will provide updates to Industry regarding the EAGLE re-compete as they become available.

Teaming Arrangements

Industry expressed that the timeline for providing updates is too short. The consensus was that allowing 30 days in order to submit revisions to teaming arrangements and another 30 days from the BOA approval to the issuance of a task order RFP would allow time for offerors to make the necessary teaming arrangements and implement into their task order proposals.

GOVERNMENT RESPONSE: The Government will look into revising timelines of submitted revisions and expediting the approval process.

Compliance

Industry expressed concern that the Government may potentially eliminate the better offerors with better prices because of stringent compliance requirements. It's very difficult for businesses, especially small businesses, to review proposals for strict compliance as this puts a heavy burden on an offeror's limited resources. Offerors, especially small businesses, do not have the personnel needed to perform in-depth reviews to ensure all strict compliance requirements are met. It was suggested that the Government identify those strict compliance requirements that are most detrimental to the proposal, so that offerors ensure that those requirements are met. A limit of the top ten compliance issues would be beneficial for offerors. This would mitigate the risk of potentially eliminating the incumbent or the lowest priced offeror.

GOVERNMENT RESPONSE: The Government will review the compliance requirements to determine what is absolutely essential for inclusion in the task order RFPs.

Task Order Process

Industry expressed concern over the required number of attachments. Are they really necessary? Doesn't the amount of required attachments create an undue burden on Government staff?

The Government stated that the purpose of the attachments is to streamline the evaluation process.

GOVERNMENT RESPONSE: The Government will reexamine the required documents to determine what is really necessary.

Site Visits

1) Industry would like more lead time for the announcement of site visit dates. When a site visit is announced with a short lead time, it creates a financial burden on businesses, especially small businesses, as ticket prices are more expensive when purchased near the date of the trip.

GOVERNMENT RESPONSE: The Government will work to mitigate this issue.

2) The Government inquired as to whether offerors were able visit/see every building during the site visit.

Industry expressed that there has been tremendous improvement but there are still places that offerors have been unable to see.

GOVERNMENT RESPONSE: The Government will continue to work to improve these issues. Also, in those instances where offerors will not be allowed to see a specific building/work area, the Government will provide the offerors with an explanation as to why they will not have access and provide details of the operations within the building. Furthermore, the Government would like for offerors to provide comments/feedback during the draft RFP phase.

Pricing

1) The Government requested that offerors provide a good and clear basis of estimate, especially in respect to indirect rates. The Government requires the necessary data to determine if proposed indirect rates are realistic.

2) Industry stated that there are too many Contract Line Item Number (CLIN)-level breakouts. Is it really necessary for the Government to have this level of detail when operationally much of this information changes when actual performance begins?

The Government builds the CLIN structure based on the funding stream expected to be received by the customer. Also, the number of CLINs is affected by the number of different customers being supported by a particular requirement.

3) Industry further commented that for task orders that have multiple sub-CLINs within a single work center, it is difficult to price accurately, especially when having to round to the nearest hundredth decimal place as required in Section L. Can the Government reduce the CLINs and breakout of CLINs so that the burden on offerors to price these CLINs is reduced?

GOVERNMENT RESPONSE: The Government will consider Industry's concerns and will address at a later date.

Closing

Industry inquired as to what is working well for the Government in regard to their proposal submissions as well as what are the Governments concerns, if any.

The Government commented that proposal submissions from offerors are improving. The EBO commented that questions submitted by offerors in regard to the Technical document are sometimes too general. The EBO would prefer for offerors to submit more specific questions and also provide the reason for asking the question. This will ensure that the EBO provides a concise answer to offerors and makes revisions to the solicitation, if necessary. The EBO acknowledged that it is still continuing to work to better define work requirements without providing too much of the labor solution to offerors. The Government commented that offerors should closely examine strict compliance language during a task order draft RFP phase and submit questions early on in the process versus after the RFP has closed. It was noted that pricing proposals from offerors have improved. Please ensure that all the numbers in the cost/price proposals add up correctly as the cost/price evaluators closely examine these figures. The Small Business Office noted that offerors should ensure that the figures on Attachment 0010 – Teaming Matrix and Attachment 0014 – Contract Participation Matrix match. Lastly, the Government requested that Industry provide feedback to the Government regarding whether or not the format for this BOA Holders' meeting was successful.