

Updated Sections L & M - Questions and Answers		
RFP Reference	Question/Comment	BOA Team
L.2.8	Section L.2.8 notes, "For the purposes of proposal preparation and evaluation only, the Offeror shall use XX XXX 20XX as the Notice to Proceed (NTP) date. Proposal information shall reflect that NTP date." Shall offerors assume the NTP date is the start date for Transition-in?	Yes, the offerors shall assume the NTP date is the start date for Transition-In unless otherwise specified in the Task Order RFP.
L.2.8 (p.2)	Section L.2.8 (p.2) states that, "for the purposes of proposal preparation and evaluation only, the Offeror shall use XX XXX 20XX as the Notice to Proceed (NTP) date. Proposal information shall reflect that NTP date." We request that the government provide additional guidance as to whether or not pricing is to be generated based on the NTP date.	The offeror shall price their proposal according to the NTP date and in accordance with L.5 of the RFP.
L.2.2 & L.5.1.8	Section L.2.2 notes, "All information pertaining to a particular volume shall be confined to that volume. For example, no Cost/Price information shall be included in any volume other than the Cost/Price Proposal Volume." Can the Government confirm that Att0010, which requires the inclusion of costing information, does indeed belong to Volume 1, General Documents as seen in L.5.1.8?	Attachment 0010 will continue to be included in Volume 1, General Documents.
L.5.1.8	Section L.5.1.8 notes, "The total estimated dollar value provided on Attachment 0010 should be equal to the 'Subtotal – Proposed Contract Value' found on Attachment 0005 – Cost/Price Matrix." Can the Government clarify whether it should match "Total Proposed Price" or whether a new Attachment 0005 will be issued with a "Subtotal – Proposed Contract Value" line item?" As a point of reference, the EAGLE Dugway solicitation, which was just released on 30 Dec 14, incorporates this new Sections L and M and the associated Attachment 0005 does not have a "Subtotal – Proposed Contract Value" line item.	The Government will provide updated Attachment 0005's for upcoming Task Orders.
L.5.2.1.1(a)(2)	L.5.2.1.1(a)(2) – Need this file format to be more specific, like Adobe Acrobat version xx or greater. I don't know what "text searchable Adobe PDF" means specifically.	The Adobe file needs to be submitted in searchable Adobe document i.e. not a scan or a picture of the document. Text must be selectable with a curser or the Find function. Any version of Adobe is acceptable.
L.5.2.1.1(c)(6)(i)	L.5.2.1.1(c)(6)(i) – This is a good change. Question however whether we should have to say "Non-Key". Seems that we should just indicate the "Key" positions and leave the rest blank. Do you mean to say "Specified Non-Key" as per the Solicitation Exhibit X? That would make more sense since they are identified as requirements.	No change is required. "Non-key" is short for "specified non-key" as indicated and identified in Exhibit X of the RFP.
M.5.3.1.2(a)	M.5.3.1.2(a) – Capped Rates – Please consider the impact that large awards have on small businesses. If a SB (with say revenues of \$10M/year) is proposing on a solicitation worth \$20M/year, then the impact of the award on the Company's indirect rates is enormous. We have reflected this in our budget rates but the Government is still trying to cap our rates upon award because the proposed rates (which equal our budgeted rates) differ so much from our historical rates. This section needs to be worded carefully to allow that scenario.	The solicitation states that indirect rates are to be fully supported by historical and/or budgetary data. This includes the underlying assumptions and appropriate cost detail for both the pool and base adjustments due to increased/decreased revenues. In the event the provided information is inadequate to assess cost realism or to support the indirect rates as being realistic, the indirect rates will be capped.

M.5.3.1.2(a)	M.5.3.1.2(a) – Capped Rates – Further, we question whether this information belongs in a Section M (Evaluation) paragraph.	Yes, this paragraph belongs in Section M.
L.5.4.2.2	Will the Government confirm that no elements of an Offeror's or his subs/vendors fringe costs (H&W, Worker's Comp, etc.) be allowed to be reimbursed via ODC CLIN?	Confirm, H&W and Worker's Comp are not included in the surrogate ODC CLIN. However, please note that each task order PWS will have a definition of what costs are reimbursed via the ODC CLIN.
L.5.4.2.7.1	<p>A significant number of the subcontract arrangements are utilized to augment the prime's workforce at fixed hourly rates. The intent of L.5.4.2.7.1 is understood in regard to the requirements of 15.403. However, the use of adequate competition (more specifically on a low price technically acceptable basis) would alleviate the requirements to comply with L.5.4.2.7.1 (a) or (b) to provide cost and pricing information.</p> <p>Will the Gov't consider removing the requirements at sections L.5.4.2.7.1 (a) and (b) for subcontracts competed on a low price technically acceptable basis?</p>	No, due to the fact the Government will be performing a cost realism analysis, this information must be included in proposal submissions as stated in the updated Sections L & M.
L.5.4.2.7.1	L.5.4.2.7.1, 3rd sentence - we suggest that this sentence be revised to be in line with FAR 15.404-3 Subcontract pricing considerations and solely require that the Offeror include a copy of the cost or price analyses, as applicable, that was conducted to establish reasonableness of proposed subcontract prices. (As a side note, Offeror's RFPs to subcontractors typically include several different forms for the subcontractor to complete. As such, an RFP package can be somewhat sizeable and would be unwieldy to include in the Offeror's proposal.)	No, due to the fact the Government will be performing a cost realism analysis, this information must be included in proposal submissions as stated in the updated Sections L & M.

L.5.4.2.7.1	<p>We are requesting clarification on the wording about competitive versus non-competitive selection of teammates and subcontractors in para L.5.4.2.7.1, to include the two subparagraphs.</p> <p>Is the direction to the offerors that they MUST chose teammates and subcontractors for a task order on a competitive basis? We see the term "non-competitive", but in the interest of achieving a low price for the team, offerors would tend to use the competitive method. Is there different overall evaluation criteria applied to offerors who do not use the competitive method of selection for their team mates and subcontractors?</p> <p>Recommend the new section of 5.4.2.7.1 be clarified for better understanding, especially with respect to the supporting teammate/subcontractor pricing data to be submitted on the results of a competitive selection. Is this supporting data submitted directly to the Program Office by the team mates and subcontractors or is the Offeror to submit after there is the review of the pricing? We suggest the CLIN data submission and the competitive selection data submission instructions are confusing. Perhaps a two column table with the two instances of required data and which data is aligned with each scenario (competitive selection and team pricing data) would reduce potential for errors on the part of offerors.</p>	<p>The Government is not mandating a competitive subcontractor selection. There is no difference in the overall evaluation criteria for offerors who do not use the competitive method for selection. The cost evaluation will be completed in accordance with Section M of the RFP.</p> <p>Please note: Cost data submitted as part of an offerors proposal should support the selection of teammates/subcontractors and cost realism of the proposed cost. Also, for sole source teammates/subcontractors, their cost data needs to be provided to the Government for a cost realism review. The Government will not be providing a table as suggested. Also, the Offeror may provide in its cost proposal each teammate/subcontractor as a proposal line item under subcontracts with a note identifying if they are selected on a competitive or non-competitive basis.</p>
L.5.4.2.7.1(a) and L.5.4.2.7.1(b)	We also recommend inserting a line between sections L.5.4.2.7.1(a) and L.5.4.2.7.1(b) for added clarity.	The Government has incorporated this recommendation.
L.5.4.2.7.1	The data requirements of L.5.4.2.7.1 are excessive; particularly for offerors with approved purchasing systems. While it is reasonable for the Government to request evidence of an offeror's price analysis of the competitors and award decision, what benefit does the Government derive by requiring copies of the subcontract solicitation and all its attachments, the proposals, "proof" the competition was IAW its purchasing system, specifically conducted to support the requirement, and all evaluation documentation? These requirements are overly burdensome and will significantly impact any offeror's ability to respond in a timely manner to EAGLE solicitations.	Due to the fact the Government will be performing a cost realism analysis, this information must be included in proposal submissions as stated in the updated Sections L & M.
L.5.4.2.7.1(a) and (b)	The requirement at L.5.4.2.7.1(a) and (b) for Offerors and proposed Teammates/Subcontractors to submit proposals IAW FAR 15.408 and Table 15-2 is in conflict with FAR 15.403-1(b)(1) unless the Government intends to waive this requirement with each competitive EAGLE solicitation. There are over 100 EAGLE BOA holders. It's reasonable for the Government to expect adequate competition on each of its solicitations.	No, due to the fact the Government will be performing a cost realism analysis, this information must be included in proposal submissions as stated in the updated Sections L & M.
L.5.4.2.7.1(f)	Regarding Section L.5.4.2.7.1(f), we recommend changing the reference to FAR Part 15-2 in the last sentence to FAR 15.408, Table 15-2 to increase the clarity of the sentence.	The Government has incorporated this recommendation.

L.5.4.2.7.1(f)	The existence of competition IAW FAR 15.403-1(b)(1) should render L.5.4.2.7.1(f) null and void. We recommend the addition of language recognizing the existence of competition such as: "consider for award, unless an exception as defined at FAR 15.403-1(b)(1) applies."	No, due to the fact the Government will be performing a cost realism analysis, this information must be included in proposal submissions as stated in the updated Sections L & M.
L.5.4.2.7.5(a)(2)	Section L.5.4.2.7.5(a)(2) notes, "For evaluation and proposal submission purposes only, Offerors should assume a XX XXX 20XX Notice to Proceed date. Offerors (including teammates/subcontractors) shall use the CBA and SCA rates in effect on XX XXX 20XX through the final year of the current CBA and shall not include escalation." Shall offerors assume the dates provided are the start date for Transition-in?	Yes, the offerors shall assume the NTP date is the start date for Transition-In unless otherwise specified in the task order RFP.
L.5.4.2.7.5(a)(3)	Para L.5.4.2.7.5(a)(3) proposes stated escalation rates on a generic L and M document. Shouldn't specific escalation rates be included at the TOR level based on market conditions at that time? These rates will change year-to-year since they are based on an Army generated inflation index. Include at the TOR level what those escalation rates should be then.	Escalation rates will be updated to reflect current market trends in task order solicitations.
L.5.4.2.7.5(a)(3)	L.5.4.2.7.5(a)(3) - we suggest that the Government, instead, allow Offerors to set the escalation percentage as it could result in cost-savings for the Government.	At this time, the Government is not making the requested change.
L.5.4.2.7.5(e)	May offerors include Indirect Rate Data (Budgetary and Historical) for all years into one file (i.e.. Offeror's_Name_Vol_4_IRD_2012-2019)?	The requested change is already implemented in the EAGLE RFP Sections L&M. Please note, if the offeror is including numerous years they must include them in the naming convention.
M.5.3.1.2(a)	Section M.5.3.1.2(a) notes, "If the Offeror's or teammate(s)/subcontractor(s)' proposals include indirect rates which are not fully supported by historical and/or budgetary data, those rates will be capped for evaluation purposes and contract execution." Will the Government clarify whether discussions will be opened/EN's submitted if the Government does not believe the indirect rates are supported?	As stated in M.4.4.1, the Government intends to award without discussions with respective offerors.
M.5.3.1.2(b)	Regarding Section M.5.3.1.2(b), using the proposed fee as a cap for the life of the task order execution may not account for additional contractor risk for additional work over the life of the task order. If work is added to the scope (particularly on fixed price contracts), the risk profile may change, making a fee adjustment appropriate for both the government and the contractor.	In the event additional work is added, additional fee will be considered but cannot exceed the rate at which it was previously capped.
M.5.3.1.2(b)	It is unclear why the Government proposes to "cap" Fee Rates at M.5.3.1.2(b). Wouldn't each Order's contract type (CPFF, CPAF, CPIF, FFP, etc.) dictate the treatment of fee? What is the Government's objective with new provision M.5.3.1.2(b)?  There may be instances when bidding new work proposed during the contract execution phase, that offerors would propose new rates for over and above work outside the current work being performed that can be justified based on complexity and risk. This new language seems to unfairly limit industry to be paid adequately for new and different work scope.	In the event additional work is added, additional fee will be considered but cannot exceed the rate at which it was previously capped.

	<p>I question identifying what is "key" verses "non-key". This is highly subjective. Typically, at the "Manager level" the PM, Deputy PM, Supply Manager, Maintenance Manager and Transportation Manager are "key". But, what happens if an evaluator thinks the ASP Supervisor is key. Then, we have to ask why the same argument could not be made for the CIF Supervisor.</p> <p>Secondly, how significant is this going to be? Not much. If it is used as grounds for elimination it will result in multiple GAO protests (not like that isn't any different than now).</p> <p>Further, it makes no difference in the execution of the project upon award. Typically, we will hire the incumbents. I think this proposed change is a step backwards in streamlining the process, that will result in more GAO related protests stemming from what is key vice non-key and more delays.</p>	<p>Assumptions are incorrect, offerors will not be required to determine which positions are key and which are specified non-key. The parenthetical 'non-key' required on Attachment 0002 is an abbreviation of 'specified non-key'; the term 'specified' is used as these positions are specified by the government (see section 1 of the PWS). Offerors will be required to follow Section L. The technical evaluation requires that offeror's identify the required key and specified non-key positions that are identified by the government on the Technical Exhibit included with the RFP. Offeror's may be eliminated for failure to follow the RFP.</p>
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