

COMMITTS Revised Proposal Questions and Answers

Solicitation No. 52-SAAA-9-00010

dated July 7, 2000

1. In reference to Section L.8, Tab D, Past Performance List how do we demonstrate "focus on management tools and techniques applied to previous efforts and the results achieved" when form J-8 (now J-6) does not require a description of work performed? Could you please modify J-8 narrative descriptions of relevant past performance?

Answer: The technical narrative, reference L.2.c.iii.B(b), is the appropriate place to discuss the work referenced in Attachment J-6 – Past Performance Reference List.

2. Please make the list of attendee available. I believe the conference list was made available for the first iteration of this RFP.

Answer: The attendee list for the Preproposal Conference, under the COMMITTS Request for Proposals, was made available to prospective Offerors in March 1999, prior to the closing due date and time for offer submission. (Reference <http://www.commits.doc.gov/OldSite/attendees.htm> for additional information.)

However, the attendee list for the revised proposal conference will not be made available to the public. The acquisition is currently in a competitive environment and release of this information could compromise the protections afforded Offerors when they submit proposals to the government for consideration. Moreover, as this acquisition is conducted under the regulations found at FAR 15.000, and not FAR 14.000, bidders lists are not authorized nor releasable.

3. a. Section B.2 specifies that "The amount of all orders shall not exceed \$1,500,000.00." Is this amount 1) per task order, 2) for each option year or 3) for the life of the contract?

Answer: This reference should read "\$1,500,000,000.00" and not "1,500,000.00". This ceiling price is for each contract, and also applies the COMMITTS Program in its entirety.

4. [Redacted] hereby respectfully requests an extension of the July 14, 2000 submission date. The pricing requirements are now more intense, therefore it is requested that additional time is needed to be fully cognizant of what the RFP now contains.

Answer: Amendments to the RFP are not significant. Moreover, for purposes of the re-evaluation, documentation required has been streamlined and highlighted for ease of Offeror review and submission. The following list provides Offerors with a summary of revised changes and submission requirements:

a. Submission Requirements

Technical Proposal:

- (i) Title Page (reference question No. below)
- (ii) Tab A Transmittal Letter
- (iii) Tab B Executive Summary (up to 2 pages)
Technical Narrative (up to 20 pages)
Attachment J-5 -- Quality Recognition and Certification Profile Form
Attachment J-6 – Past Performance Reference List
Attachment J-7 – Team Composition Form

Price Proposal:

- Tab C Attachment J-9 – Pricing for Contract Performance and Solicitation Evaluation, Parts I and II

A prepared Microsoft Excel Spreadsheet has been provided for Offerors use.

b. Other Amendments

- (i) Revised pricing information, Clause B.1.
- (ii) Revised proposal instructions, Clause L.2.
- (iii) Miscellaneous clause changes (updated through Federal Acquisition Circular 97-17).
- (iv) Changes to the ordering and performance period for COMMITS, and minimum contract amount.

c. Editorial Changes

Editorial changes were made in Section I, Section K, Section L, and Section M, i.e. paragraph organization, paragraph numbering and minor clarifications based on Offeror feedback.

The due date and time for revised proposals remains July 14, 2000, at 4:00 p.m. local time. Offerors that need with the revised proposal

instructions should contact the Contracting Officer at
COMMITTS.Reeval@doc.gov, including a contact telephone number,
and she will be happy to assist you.

5. Section L, Tab C Instructions, A. (5) says that "All labor categories that an offeror may use to support work as detailed by functional area in Section C, Clause C.1 shall be proposed". Does this mean that the offeror can add labor categories and prices not listed in the pricing sheets for each functional area?

Answer: Yes. Unlike Part II, where predetermined labor categories will be used to evaluate offerors against one another, Part I will be used for the competition and award of task orders.

6. Which COMMITTS labor categories in each functional area does the govt (government) consider to be subject to the wage determination and how are the COMMITTS labor categories mapped to the wage determination positions.

Answer: Positions detailed in the COMMITTS labor categories are not covered by the prevailing wage determination.

Until offers are received, and labor categories proposed, determinations regarding the Service Contract Act and wage determination's applicability can not be assessed. Moreover, evaluation of that applicability will either be conducted on a task order by task order basis, or as a part of contract administration.

7. Section L, Tab C Instructions, B. (3) indicates that the govt (government) wants both a govt (government) site and a contractor site rate for each labor category. However, the pricing sheets only allow for one burdened rate and the govt's (government) instructions were that offeror shall not modify the pricing sheets. Please clarify.

Answer: Attachment J-9 has been modified to reflect the correct pricing requirements, and posted as Amendment No. 15. Thank you for the editorial assistance.

8. Given this contract is solution based, if the labor categories indicated on the pricing sheets are not those required in task order performance, will awarded contractors be permitted to bid labor categories on task orders that were not listed on the pricing sheets?

Answer: Yes.

9. Question 1: We understand the need to make changes in the re-evaluation to avoid additional issues that would further hurt the program and appreciate the thorough approach being taken by the Department of Commerce. However, the change to "ceiling" rates in the contract versus the current provisions will create a significant disadvantage to users and contractors considering this contract when compared to other options, most specifically ITOP/ITOP II.

We believe that the Department of Commerce's contracting method specific to task order, solutions-based pricing was one of the most innovative ideas to date in multi-agency contracting. Indeed, solutions based contracting, including pricing flexibility, is one of the most attractive features of the COMMITS Program to our customers. Task order competition, as has already been demonstrated on COMMITS, ensures competitive pricing to the Government on all purchases.

- a) We request that the solicitation be returned to its original form relating to contract/task order pricing and that pricing information requested/submitted by this amendment be strictly for proposal evaluation purposes.
- b) If the answer to question (a) is "No, thank you," we request the Department of Commerce add some version of the following provision taken verbatim from the ITOP II prime contracts, provision H.25(b):

"These composite rates shall be used by the Contractor for proposal purposes unless:

1. The Contractor uses lower rates for a particular TO;
2. Adjustment is authorized by the cognizant CO for a particular TO due to work being performed at a different geographical location other than the Washington, DC area, labor categories are proposed other than those contained in Attachment J-4, etc;
3. For Cost Plus Fixed Fee, Cost Plus Award Fee, or Fixed Price LINs, in cases where the projected actual rates will differ from the composite rates, the rates utilized shall reflect the projected actual rates that will be invoiced to the Government. Said rates shall be justified. In the case that they were utilized as part of the composite rate calculation, reference to the page in the basic ITOP II proposal will be considered justification.
4. For Time-and-Material CLINs, other than the composite rates may be proposed if, due to the nature of the task order requirement(s), the proposed rates (excluding profit) will differ from the composite rates by more than 2%. Said rates shall be justified in the cost proposal submission. In the case that they were utilized as part of the composite rate calculation, reference to the page in the basic ITOP II proposal will be considered justification. Material shall be proposed in accordance with FAR 52.232-7. "

We strongly believe ITOP has owned the market because of the flexibility their contract contains. While the Department of Commerce clearly came up with an even better solution, we believe having at least similar flexibility is critical to the success of the COMMITS Program.

Question 2: Page 54, iv. Tab C Instructions, A(2) states, "Part I pricing information will be used to secure burdened and unburdened direct labor pricing for the competition and award of task orders." Does the Department of

Commerce intend to hold contractors to certain [unburdened] direct labor rates (i.e. what we pay our employees) in performance of COMMITS task orders? We request the submission of unburdened rate information be for evaluation purposes only and not be included in the subsequent contract. We appreciate your consideration of these requests/questions. Thank you.

Answer: We appreciate the thoughtful feedback regarding the revised pricing and evaluation scheme under COMMITS. In answer to your questions:

Question 1: Although our previous pricing methodology did provide COMMITS users with maximum solutions-based flexibility and the most competitive pricing, given the program's current competitive environment and industry's willingness to explore this type of pricing arrangement – COMMITS can not return to its original pricing scheme.

ITOP's pricing methodology is innovative and serves the needs of its customers well. However, we believe the revised pricing methodology for COMMITS affords its customers with the same type of flexibility although the approach may differ. There is no prohibition to including new labor categories in task orders (based on the task order work requirements); moreover, pricing will not be published, customers will not "pick" labor categories, and the pricing will be used as tool to control costs not pricing innovation.

Question 2: For purposes of evaluating cost-based task orders, the unburdened labor rates in Attachment J-9, Part I, will remain part of the solicitation and subsequent contract requirements.

10. Does the DOC definition of Burdened Rate for this solicitation include fee?

Answer: Yes

11. Section L.2.b.i.G states, "Tabs, but no binders, may be included with revised proposals." We understand this to mean that the proposal is a single bound document without additional volumes referenced for supporting materials (e.g. quality award criteria documentation, etc.) and the single volume can be bound using a 3 ring binder. Is our understanding correct?

Answer: No. All documentation listed in Provision L.2 shall be submitted as part of the revised proposal. (Reference Question No. above.)

Revised proposals can include tabs, we ask that revised proposals be simply presented – no fancy white binders -- revised proposals should simply be clipped or stapled together.

12. In Section L.2.c.iv.B.(3) - page 55 of the amended solicitation it states:

"(3) To ensure an accurate comparison of the labor categories between those proposed by the Offeror and the Government, the Offeror shall complete Part II - Pricing Evaluation Spreadsheet that includes the following:

- (a) one corporate labor category per equivalent COMMITS labor category,
- (b) one fully loaded Government Site Rate, and
- (c) one fully loaded Contractor Site Rate."

When utilizing the Part II spreadsheet provided by the Government there is only one column for burdened labor rates.

Given that Section L.2.c.iv.C.(2) - page 55 of the amended solicitation it states: Spreadsheets formats may not be altered or amended, will the Government provide a new spreadsheet to facilitate the proposing of a Government and Contractor Site Rate?

Answer: Thank you for the editorial assistance, Amendment No. 15 has included a revised Microsoft Excel Spreadsheet for your use.

13. Please provide clarification to these questions by COB Friday 7/7, as we plan to work the weekend.

COST:

Page 1, Part 1, Section B - The 3rd paragraph states "...the basic contracts do not contain fixed contract line item numbers (CLINs) or labor rates." However, in paragraph 4, the RFP states that the rates will become ceiling rates for the base period of the contract. Please reconcile the apparent discrepancy.

Answer: The statement will be modified to read "...the basic contracts do not contain fixed contract line item numbers (CLINs) or labor categories."

This offeror is assuming that all subcontractors must be included in our proposed rates. Is this a correct assumption?

Answer: No. This is not a correct assumption. Pricing for primes only should be included in Attachment J-9.

Given the fact that the labor category descriptions do not contain minimal years of experience or educational requirements, how will the Government perform a cost reasonableness evaluation?

Answer: Based on the labor description provided, Offerors should use their best judgement in determining which of their labor categories best matches that description. Given our review of responses to the clarification letter issued under COMMITS, wide variances in pricing methodologies between offerors were not found.

Given the fact that the labor category descriptions do not contain minimal years of experience or educational requirements, nor is the list of labor categories all inclusive, is there a provision for adding additional labor categories after award?

Answer: Yes, reference amended Clause B.1, Amendment No. 15.

If not, how can the offerors construct and propose solutions to clients, where the clients future requirements are unknown, and we will be limited in our task order cost estimating to the use of the labor rates proposed now (page 1, Part 1, Section B-1(a))?

Answer: No, you will not be limited, reference Question No. 9 above. If a customer requires new labor categories for a given task, those will be included in the individual task order.

TECHNICAL

Please clarify in what section of the revised proposal do you want us to show the proposed project manager?

Answer: Please include the name of the Program Manager in the executive summary.

In B.2 page # 3 you state, "the amount of all orders shall not exceed \$1,500,000.00" please confirm the program ceiling is still \$1.5 billion.

Answer: Reference Question No. 3 above.

14. Amendment 14, requires a formal, written technical approach transcribing our Oral Presentation into a written, narrative approach. This must be done within a 20 page limitation. We ask that you consider that the oral narrative that would have supported our oral slides would cover much more than 20 written pages. It is a non-trivial process to condense all this information into 20 pages and provide the same impact as an oral narrative.

Answer: Given the information already included in other attachments the Government believes this is a reasonable number of pages.

[Redacted] does not have a color printer capable of providing a color coded hard copy consistent with the documentation you provided. This will necessitate a laborious, manual process of checking our hard copy against the computer monitor and making notations on our hard copy. The document is 104 pages long and will take some time.

Answer: Color coding in black and white printed copies of the amended solicitation is easily readable. Yellow is light gray, green is dark gray. All other formatting, strikeouts, etc. are the same.

[Redacted] assumes that quite a few other companies will have question regarding Amendment 14, and the answers to these questions will in all likelihood have a bearing on our proposal response.

- a. All questions and Government answers be posted on the website as quickly as possible.

Answer: The Government will post questions and answers as quickly as possible through Thursday, July 13, 2000.

b. The 20 page limit to our written technical approach be relaxed.

Answer: No, see answer above.

c. The proposal due date be extended at least two weeks beyond July 14, i.e., to July 21.

Answer: No, reference Question No. 4 above.