3 August 2022

Attention: Offeror

Subject: **Request for Proposal (RFP) Number B650111**

Lawrence Livermore National Security, LLC (hereinafter called “LLNS”) requests a proposal in accordance with this RFP and the enclosed Sample Master Task Agreement (MTA) and its supporting documentation. The proposal may involve oral presentations and interviews. (See Proposal Preparation Instructions section.)

The Lawrence Livermore National Laboratory (hereinafter called “LLNL”) is managed by LLNS and operates under LLNS procurement policies and procedures consistent with the Prime Contract between LLNS and the United States Government, represented by the Department of Energy National Nuclear Security Administration (hereinafter called “DOE/NNSA”). Any award resulting from this proposal will be a subcontract under the Prime Contract.

LLNS reserves the right to cancel this RFP at any time prior to award without cost to LLNS. This RFP does not include provisions for the direct reimbursement of proposal preparation costs. If you intend to respond to this RFP, please notify the LLNS Contract Analyst on or before **16 August 2022**

1. RFP SUMMARY

|  |  |
| --- | --- |
| **Project Title:** | Cooling and Heating Asset Management Program (CHAMP) |
| **Work Site Locations:** | 7000 East AvenueAlameda CountyLivermore, CA 94550Also, refer to CHAMP Background and Description |
| **Project Magnitude:** | See Estimated Usage |
| **Site Inspection Date and Time:** | See Participating Site Inspection Section |
| **Offeror’s Questions Due Date:** | **13 September 2022** by close of business Pacific Time |
| **Proposal Due Date and Time:** | **Technical Proposal due: 18 November 2022,** by Close of Business Pacific Time**Pricing Proposal online submittal due:** Bidding opens at 11:30 AM Pacific Time and closes same day |
| **Contract Analyst:** | Roosevelt Pascalpascal2@llnl.gov | Phone: 925-409-7149 |
| **Proposal Content and Format:** | See Proposal Preparation Instructions section |
| **Proposal Evaluation:** | See Proposal Evaluation section |

**COOLING & HEATING ASSET MANAGEMENT PROGRAM (CHAMP): BACKGROUND & DESCRIPTION) A-e / Construction management Effort:**

On December 8, 2015, DOE/NNSA issued a memorandum announcing a partnership between DOE/NNSA, its Office of Infrastructure, Safety and Operations (NA-50), its Livermore Field Office (LFO) and LLNS to implement the CHAMP. Since then, the CHAMP has successfully developed partnerships within DOE/NNSA Complex and within the construction and Heating, Ventilation, and Air-Conditioning (HVAC) communities to improve the condition of HVAC Systems to support mission requirements and to reduce deferred maintenance growth across the DOE/NNSA Complex at Participating Sites.

As the lead Maintenance and Operating (M&O) Contractor responsible for performing the technical and the subcontracting activities for the CHAMP, LLNS wishes to award an MTA to an offeror capable of providing Architectural Engineering (A-E) Services and Construction Management Services for the replacement of HVAC infrastructure throughout the DOE/NNSA Complex in accordance with the MTA Statement of Work, “A-E, Procurement & Construction Support for HVAC Systems”. LLNS will define the work to be executed by the Subcontractor by issuing a series of fixed price subcontracts under the MTA known as “Task Orders.” The resultant Agreement and Task Orders will be similar to the samples attached to this RFP.

As the architect-engineer, the Subcontractor provides designs for selected projects to replace HVAC infrastructure across the DOE/NNSA complex as directed under LLNS’ A-E Task Orders. A-E efforts will include such services as Title I-III architectural, structural, mechanical, electrical and civil engineering and other related engineering and professional support services in support of HVAC replacement.

As the Construction Manager (CM), the Subcontractor provides construction management services as directed under LLNS’ Construction Management Task Orders. Construction Management efforts will include such services as scoping, competing and awarding the build efforts; managing, overseeing and administering the resultant subcontracts; and resolving technical clarifications for the Subcontractor’s lower-tier build subcontractors. The Subcontractor shall not self-perform the construction nor award it to any affiliates. Instead, the Subcontractor shall compete the construction efforts and subcontract them to qualified lower-tier build subcontractors in accordance with the requirements of the MTA Statement of Work, section V. C. “Procurement Requirements under A-E and Construction Management Task Orders.” The Subcontractor shall then construction-manage its lower-tier build efforts in accordance with the designs delivered under LLNS A-E Task Orders.

Although the privity of MTA/subcontract relationship shall be with LLNS, the Subcontractor shall perform work throughout the DOE/NNSA Complex and shall partner and collaborate with our team of DOE/NNSA and M&O personnel dedicated to the replacement of facility HVAC infrastructure. The Participating Sites are as follows:

1. Lawrence Livermore National Laboratory, Livermore, CA, operated by Lawrence Livermore National Security (LLNS), LLC
2. Los Alamos National Laboratory, Los Alamos, NM, operated by Triad National Security, LLC (TNS)
3. Nevada National Security Site, Las Vegas, NV, operated by Mission Support and Test Services (MSTS), LLC
4. Pantex Plant, Amarillo, TX, operated by Consolidated Nuclear Security, LLC
5. Y-12 National Security Complex, Oakridge, TN, operated by Consolidated Nuclear Security, LLC
6. Sandia National Laboratories, Livermore, CA and Albuquerque, NM, operated by National Technology and Engineering Solutions of Sandia (NTESS), LLC
7. Savannah River National Laboratory, Aiken, SC, operated by Savannah River Nuclear Solutions, LLC

LLNS reserves the unilateral right to add or remove other DOE/NNSA and DOE sites from the MTA.

To secure performance, LLNS seeks a Subcontractor with strong engineering, procurement, construction-management, and above all, partnering capabilities to support LLNS, DOE/NNSA and the Participating Sites. The Subcontractor must not only be capable but also creative, streamlined and proactive in its execution approach and organizational structure to assure customer satisfaction in the areas of E,S&H, quality, security, budget, schedule and overall responsiveness to the DOE/NNSA complex. Offerors responding to this RFP must provide proposals that demonstrate the desired performance features and supplier attributes identified in Section 4.0 Proposal Preparation Instructions.

ESTIMATED USAGE

LLNS estimates that the work to be let under Task Orders against the Sample MTA will average $60 million annually for a estimated total of $300 million over the approximate five year term of the Agreement. Roughly $24 million will be attributed to A-E versus construction management task orders over the life of the MTA. LLNS estimates roughly 20 A-E task orders and 10 Construction Management Task orders annually. However, this a multi-year, multi-transactional agreement and LLNS neither implies nor guarantees a specific quantity of Task Orders, dollar value of work or level of usage.

1. RFP PROVISIONS

The RFP is subject to the following provisions:

NAICS CODE AND SMALL BUSINESS SIZE STANDARD

The North American Industry Classification System (NAICS Code) for this Agreement is 238220, Plumbing, Heating, and Air Conditioning Contractors. The corresponding small business size standard is $16,500,000.00. Annual receipts are to be based on the average annual gross revenue for the past three fiscal years. If the Offeror is a reseller/wholesaler, the small business size standard is 500 or fewer employees.

The Offeror shall base its Small Business Program Representations on the applicable small business size standard when completing the Representations & Certifications ENCLOSURE document. Refer to Subpart 19.1 - *Size Standards* of the Federal Acquisition Regulation (FAR) for information on calculating annual average gross revenue.

**TEAMING ARRANGEMENTS**

LLNS supports teaming arrangements as defined in FAR 9.6 “Contractor Team Arrangements” in the performance of the MTA. In the proposal or with prequalification information, the Offeror should provide information regarding the following:

1) Explain if Teaming Arrangement is a Joint Venture or based upon a Teaming Agreement. Provide copy of the governing document.

2) A detailed statement outlining the following in terms of percentages, where appropriate.

1. The relationship of the parties in terms of business ownership, capital contribution, and profit distribution or loss sharing.
2. The management approach of the Teaming Arrangement in terms of who will conduct, direct, supervise and control the project and have custody and control of the assets of the Teaming Arrangement and perform the duties necessary to complete the work.
3. The structure of the Teaming Arrangement and decision-making responsibilities of the parties in terms of who will control the manner and method of performance of the work.
4. The bonding responsibilities of the parties.
5. Identification of the key personnel having authority to legally bind and negotiate subcontracts and state who will provide or contract for the labor and materials for the Teaming Arrangement.
6. Identification of party maintaining the Teaming Arrangement bank accounts for the payment of all expenses and the deposits of all receipts, keep the books and records, and pay applicable taxes for the parties.

If an Offeror wishes to receive credit for the past performance of a teaming subcontractor/partner, the Offeror must submit a letter of commitment to use the proposed firm on the project, signed both by the teaming subcontractor/partner and the Offeror. The commitment letter must be submitted even if the teaming subcontractor/partner is in some way affiliated with the Offeror (for example, the teaming subcontractor/partner is a subsidiary of a joint venture partner, or a subsidiary of a firm to which the joint venture partner is also a subsidiary).

In the event of an award, the Subcontractor (whether the Prime in a Teaming Arrangement or the Joint Venture) shall remain solely and contractually responsible for performance under the MTA resulting from this RFP.

**ORGANIZATIONAL CONFLICT OF INTEREST**

To avoid any potential organizational conflicts of interest, affiliates of LLNS or any Participating Sites are not eligible to participate (as an Offeror or teaming partner) in this RFP. The term “affiliate” shall have the meaning as defined at FAR 2.101.

**SYSTEM FOR AWARD MANAGEMENT (SAM) REGISTRATION**

SAM is the primary Government repository for Federal awardee information. Offerors who are currently not registered in SAM should consider applying for registration upon receipt of this solicitation at [https://www.sam.gov](https://www.sam.gov/). Registration does not guarantee business with LLNS or any federal agency.

**EEO PRE-AWARD COMPLIANCE CERTIFICATION**

An award in the amount of $10 million or more will not be made under this solicitation unless the successful Offeror and any known first-tier subcontractors to whom it intends to award agreements of $10 million or more are found, since a compliance review conducted by the responsible government agency, to be able to comply with the provisions of the Equal Opportunity clause in the Sample Master Task Agreement.

If the Offeror’s proposal is valued at $10 million or more and the Offeror is not listed in the [Office of Federal Contract Compliance Programs (OFCCP) National Pre-Award Registry](https://ofccp.dol-esa.gov/preaward/pa_reg.html), the Offeror shall complete and submit with its proposal the attached EEO Pre-Award Compliance Certification, along with the information stipulated in the form.

**PARTICIPATING SITE INSPECTION**

LLNS desires a Subcontractor that is willing and able to proactively address the diverse needs for safety, environmental protection, security and quality across the DOE/NNSA Complex. DOE/NNSA Participating Sites are identified in Article 2 of the Sample MTA.

To familiarize the Offerors with the diverse needs of the Participating Sites, LLNS will lead tours of Participating Sites that are representative of these needs over a one-week period. The Participating Sites will be available for inspection ONLY during the specified time.

The Participating Sites to be toured are as follows:

| Participating Site | Location |
| --- | --- |
| Lawrence Livermore National Laboratory  | Livermore, CA |
| Sandia National Laboratories | Albuquerque, NM |
| Los Alamos National Laboratory | Los Alamos, NM |
| Pantex Plant | Amarillo, TX |
| Nevada National Security Site | Mercury, NV |

Offerors are required to plan, at their expense, to have the appropriate personnel participate in these tours. LLNS will furnish additional instructions for submitting information to secure site access as well as an itinerary once Offerors have provided the information below.

The Offeror is required to provide the following information to the LLNS Contract Analyst by 09 September 2022 names of persons attending (last, first and middle), date of birth, social security number, and the firm they will be representing. Individuals must show proper identification prior to gaining access to Participating Sites.

U.S. citizens entering Participating Sites will be required to show a valid driver’s license from a jurisdiction that meets the requirements of the REAL ID Act of 2005, identify themselves as U.S. citizens, and provide other identifying information such as a social security number. Information regarding the REAL ID Act, its requirements, and a list of noncompliant states may be found at: <http://www.dhs.gov/real-id-enforcement-brief>. If an individual holds a license from a noncompliant jurisdiction, they will be required to show a secondary form of identification (i.e., U.S. passport, U.S. passport card, or U.S. military ID card) in order to be granted access to Participating Sites.

Offerors are responsible for arriving at each Participating Site early enough to allow sufficient time for the badging process. Those attending the site inspection shall bring their own hard hats, safety glasses, and hard-toed safety footwear.

Site access to Participating Sites is affected by the COVID-19 pandemic.  To ensure the safety and security of all persons on site and Participating Site facilities, the Participating Sites follow evolving directions from the National Nuclear Security Administration (NNSA) and other authorities.   Consequently, the Participating Sites’ operational modes are dynamic, and may change with or without advance notice.

For any site inspection at LLNL, Offerors shall follow the guidance provided in the COVID-19 Site Access Requirements document found at the website: <https://supplychain.llnl.gov/supplier-information/special-provisions>.  Please note that the COVID-19 Site Access Requirements document is subject to change as guidance evolves.

For site inspections at the remaining Participating Sites, the Offerors should review the local Participating Site Guidance displayed on the Pre-proposal Website for applicable site access requirements.

Offerors should discuss each Participating Site’s access requirements with all proposed attendees.

Pre-Proposal Website

LLNS has created a pre-proposal website which contains additional information about the solicitation. The website can be found at:

<https://llns-champ.llnl.gov>

Offerors should refer to the website for information such as, but not limited to, frequently asked questions concerning the RFP, LLNS’ responses to Offerors’ questions, prequalification criteria, how LLNS expects the resulting MTA to operate, general information concerning the CHAMP and relevant information concerning Participating Sites.

OFFEROR’S QUESTIONS

Offerors shall submit questions in writing via email to the LLNS Contract Analyst on or before the Offeror’s Questions Due Date. Questions received by this date will be responded to by LLNS. Answers to questions that are germane to the interpretation of LLNS’ requirements will be issued to all Offerors in writing on the LLNS Pre-proposal Website.

AMENDMENT OF DOCUMENTS

The terms and conditions of this RFP may be amended only by the LLNS Contract Analyst via written amendment to the RFP. Any such written amendment shall become part of this RFP.

ACCEPTANCE OF TERMS AND CONDITIONS

Submission of a proposal shall indicate the Offeror’s acceptance of the terms and conditions of the Sample MTA and its attachments (including the INDEMNIFICATION AND INSURANCE PROVISIONS FOR DESIGN-BUILD CONSTRUCTION SERVICES-CHAMP, GENERAL PROVISIONS FOR ARCHITECT - ENGINEER SERVICES, the CHAMP SPECIAL PROVISIONS and the GENERAL PROVISIONS FOR FIXED PRICE CONSTRUCTION AND DESIGN-BUILD SUBCONTRACTS). These terms and conditions have been approved by the DOE/NNSA. Offerors may describe and provide their rationale for any exceptions to the Sample MTA and its attachments when submitting their proposals; however, failure to accept the terms and conditions as written could either cause delays in award or rejection of Offeror’s proposal.

PROPOSAL ACCEPTANCE

Acceptance of late proposals will be at the sole discretion of LLNS. LLNS reserves the right to reject any or all proposals, or to waive any minor irregularities in any proposal. Proposals shall be valid for at least 180 days after the Proposal due date.

PROPRIETARY INFORMATION

LLNS will treat all commercial, financial or technical information (collectively, “Proprietary Information”) that is properly marked in a proposal in response to this RFP as Proprietary Information; however, LLNS prefers not to receive any Proprietary Information. Proper marking requires that each page containing Proprietary Information be marked “Proprietary” or its equivalent.

LLNS will (1) maintain such Proprietary Information in confidence, giving it the same degree of care, but no less than a reasonable degree of care, as LLNS exercises with its own Proprietary Information to prevent its unauthorized disclosure or misuse; and (2) only use and disclose such Proprietary Information for source selection purposes, which means that LLNS may provide such Proprietary Information to its own employees, agents, consultants or subcontractors, and to any other individuals who are assisting LLNS in the source selection and Award process; provided that such individuals are under a duty of confidence regarding the use and non-disclosure restrictions applicable to the Proprietary Information disclosed to them. LLNS may disclose Proprietary Information to: (A) Government employees who are subject to the statutory provisions against unauthorized disclosure of Proprietary Information set forth in the Trade Secrets Act (18 U.S.C. §1905), or (B) if required to do so under legal process, provided that the Offeror has sufficient notice and is afforded a reasonable opportunity to seek a protective order or otherwise prevent disclosure.

Upon completion of all source selection activities and performance under any resulting Award, LLNS will dispose of such Proprietary Information as appropriate pursuant to its then-current records management system; provided however, LLNS may store such Proprietary Information in electronically archived or backed-up notes, reports, correspondence, emails, and other business records, subject to the general duty of confidence reflected herein.

Notwithstanding the foregoing, the term “Proprietary Information” shall not include any information that is: (i) already lawfully in the possession of or known to the recipient as of the date such information is received, but without any obligation of the recipient to keep and maintain such information in confidence; (ii) already in the public domain at the time of disclosure, or which, after such disclosure, enters into the public domain through no fault of the recipient; (iii) lawfully furnished or disclosed to the recipient without any obligation of confidentiality and through no wrongful act of the recipient; or (iv) independently developed by recipient without the use of the Proprietary Information.

Oral Presentations and Interviews

If the Offeror is identified as a finalist, then it may be requested to make a brief oral presentation about its performance approaches and other issues concerning the CHAMP. The presentation must be given by the Program Manager and/or other participants who will be directly involved in the work to demonstrate how they will function as a team. LLNS may also interview the Offeror’s presenters immediately following the presentation. Interviews may cover the experience of the Offeror’s personnel and the depth of their understanding of LLNS’ requirements and expectations. The LLNS Contract Analyst may also wish to negotiate specific elements of the proposal or the work following the presentation.

The LLNS Contract Analyst will contact finalists to discuss the details of the meeting, the agenda for the oral presentation, and the schedule, time and location. Furthermore, the LLNS Contract Analyst will advise the Offeror what may or may not be discussed and what written material will be allowed. LLNS may videotape the proceedings and may use the videotape as part of the proposal evaluation process.

FINANCIAL STATEMENT, TIMEKEEPING OR ACCOUNTING SYSTEM REVIEWS

LLNS reserves the right to review financial statements or perform timekeeping or accounting system reviews after identifying finalist(s) under the solicitation to confirm financial resources and system capabilities for supporting task order and change order accounting and task order proposal preparation-related efforts. To support such reviews, LLNS may request the information below or additional information as necessary to complete its reviews.

1. Financial Statements: Most current statements that fully describe the Offeror’s current financial condition and its financial ability to support performance. Include a recent company history of sales and a growth profile. The statements should consist of either: (1) audited and certified year-end financial statements for a minimum of the last two years (balance sheet, income statement, statement of cash flows (if available), and other financial statements or reports as necessary); (2) financial statements reviewed or compiled by a certified public accountant or other accounting professional (include the accounting firm’s cover letter); or (3) other information acceptable to LLNS.
2. Accounting System: Description that demonstrates costs are accurately identified, categorized and accumulated in a way that supports costs invoiced on multiple concurrent federal Task Orders or Change Order Accounting.  System capabilities description may address compliance with generally accepted accounting principles, segregation of direct and indirect costs, compliance with Federal Acquisition Regulation (FAR) Part 31, Contract Cost Principles and Procedures, or other contract provisions.
3. Timekeeping System and Policy and Description: Description / Policy that demonstrates timekeeping practices identify and track employee labor by intermediate and final cost objectives.
4. MTA and TASK ORDER PROVISIONS

LLNS will issue an MTA to the successful Offeror as its Subcontractor. Under the MTA, LLNS will issue Task Orders to the Subcontractor that may contain any or all the provisions identified below.

SMALL BUSINESS SUBCONTRACTING PLAN

This solicitation is not set-aside for proposals from small business concerns. Unless the Subcontractor is a small business, it must provide Small Business Subcontracting Plans for A/E Task Orders exceeding $750,000 or construction management Task Orders exceeding $1,500,000. The plans should include anticipated total subcontracting amount and the percentage goals and amounts for all of the various small business categories. Refer to the *SMALL BUSINESS SUBCONTRACTING PLAN* clause referenced in the GENERAL PROVISIONS and the Model Small Business Subcontracting Plan ENCLOSURE document for additional information. The approved plan will be made a part of applicable resulting Task Orders.

INSURANCE

LLNS will not issue notice to proceed against any Task Orders under this MTA until the Subcontractor has submitted and LLNS has accepted its Insurance Certificate(s) and Required Endorsements (See the INDEMNIFICATION AND INSURANCE PROVISIONS FOR DESIGN-BUILD CONSTRUCTION SERVICES-CHAMP Incorporated Document in the Sample MTA.) Insurance documentation shall be submitted for LLNS review within 14 calendar days from the date of award of the MTA. LLNS reserves the right to require additional site-specific insurance on resultant Task Orders as needed.

Although the Subcontractor is not responsible for submitting the insurance documentation of its lower-tier subcontractors to LLNS, the Subcontractor is responsible for either obtaining such documented proof of coverage from the lower-tier subcontractors in accordance with applicable aforementioned provisions or for providing its own coverage for the lower-tier subcontractors’ activities.

**PERFORMANCE AND PAYMENT BONDS**

When required by each construction management Task Order, the Subcontractor shall furnish appropriate performance and/ or payment bonds. The performance and payment bonds shall comply with the Sample MTA Article entitled, “*Performance and Payment BONDS*” and the clause of the GENERAL PROVISIONS FOR FIXED PRICE CONSTRUCTION AND DESIGN-BUILD SUBCONTRACTS entitled the same.

NOTICE OF APPLICABILITY OF Construction WAGE REQUIREMENTS STATUTE

Any construction work performed under a resulting construction management Task Order will be subject to the *Construction Wage requirements Statute* and related clauses of the GENERAL PROVISIONS FOR FIXED PRICE CONSTRUCTION AND DESIGN-BUILD SUBCONTRACTS. The Subcontractor and each lower-tier build subcontractors are required to pay their employees no less than the prevailing wages specified identified in the Task Order. Weekly certified payroll information shall be submitted electronically utilizing the web-based LCPtracker© system.

**NOTICE OF APPLICABILITY OF SERVICE CONTRACT LABOR STANDARDS (SCLS)**

The A-E Task Orders let under the MTA may be subject to the *SERVICE CONTRACT LABOR STANDARDS* clause of the GENERAL PROVISIONS FOR ARCHITECT - ENGINEER SERVICES. The Subcontractor and each lower-tier subcontractor are required to pay their employees no less than the prevailing wages specified in the Wage Determination incorporated into the MTA and shall comply with all other related requirements as specified in the GENERAL PROVISIONS FOR ARCHITECT - ENGINEER SERVICES.

Prevailing wages vary by region. For informational purposes, LLNS has put the local wage determination for Livermore, California, recognizing that adjustments will be made at time of award in the event the Successful Offeror’s proposal contemplates performance of the work in another locale. If the Offeror’s proposal is selected for an award, LLNS will incorporate requested applicable wage determinations in the resultant MTA, which will be retroactive to the date of award, with no adjustment in the MTA Pricing Schedule.

LLNS will update those wage determinations in the MTA annually upon the anniversary of the award to allow for hourly rate adjustments to the rates in the MTA Pricing Schedule subject to SCLS in accordance with the provisions of the MTA.

Access Authorization, Facility Clearance and Foreign Ownership, Control or Influence (FOCI)

Per paragraph D. of the MTA Article entitled, Delivery and Site Access, Badging Requirements, the resulting Agreement may involve access to classified information and/or special nuclear material, or unescorted access to *Limited* security areas which will require access authorization. Therefore, (1) the Subcontractor must possess a Department of Energy (DOE) or Department of Defense (DOD) Facility Clearance which is based on a favorable FOCI determination, and (2) Subcontractor personnel must possess a DOE Access Authorization (clearance) appropriate for the access level.

The Subcontractor will not be granted access authorization until a signed Contract Security Classification Specification (CSCS) Form (DOE F 470.1) is received by LLNS. Therefore, LLNS expects the Subcontractor to have or be able to obtain a DOE or DOD Facility Clearance which is based on a positive FOCI determination. The Offeror’s proposal shall indicate whether it currently has a Facility Clearance. If the Offeror does not have or is unable to obtain a Facility Clearance, the Offeror, at LLNS’ discretion, may be ineligible for an award or, if selected for an award, will be required to perform on a restricted basis until a Facility Clearance is granted. If required to perform on a restricted basis, the Subcontractor would not be permitted access to classified information or special nuclear material, or unescorted access to certain security areas of the Participating Sites.

To apply for and obtain a FOCI Determination and a Facility Clearance, the Offeror must complete and submit certain electronic FOCI forms and related information, available on the DOE FOCI Electronic Submission Site Home at: https://foci.anl.gov/, which contains additional information.

In the event this requirement must be flowed down to a lower-tier build subcontractor, LLNS will coordinate with the Subcontractor and the Participating Site prior to placement of the applicable Task Order.

Safety-Related Requirements

For the resulting Task Orders, the Subcontractor may not commence any work until it receives authorization and approval of required Environmental, Safety & Health (E,S&H) submittals as described in the Sample Task Orders.

Subcontractor personnel working onsite may be required to complete safety or other training specific to the Participating Site where the work will be performed. The required training courses will be specified in the Task Order documents. Subcontractor costs for the training are reimbursable under the Task Order to the extent that the costs are identified in the Subcontractor’s proposal and incorporated into the resulting Task Order by LLNS.

A draft JHA has been provided as a part of this solicitation to help facilitate understanding of E,S&H requirements at LLNL. The Subcontractor is not required to utilize the draft JHA. After a Task Order award for work at the LLNL only, the Subcontractor is required to deliver its completed JHA using the JHA template format within the LLNL Work Planning & Control Tool. JHA templates and instructions are available at <https://supplychain.llnl.gov/supplier-information/job-hazard-analysis>.

WORKPLACE SUBSTANCE ABUSE PROGRAM PLAN

Certain resulting Task Orders under the resulting Agreement will include DEAR clause 970.5223-4, *Workplace Substance Abuse Programs at DOE Sites*, requiring the successful Offeror to develop, implement, and maintain a workplace substance abuse program consistent with Part 707 of Title 10 of the Code of Federal Regulations (10 CFR 707) and to flow down the requirements of this clause in applicable lower-tier subcontracts.

Before the work can begin under construction management task orders, the Subcontractor must submit a written Workplace Substance Abuse Program Plan (WSAPP) Type 1 Certification under the MTA consistent with 10 CFR 707. This shall apply to all such task orders under the MTA. In addition, the Subcontractor is responsible for complying with any Participating Site Requirements applicable to a specific task order prior to proceeding. The Subcontractor will also be responsible for flowing down the WSAPP requirements to its lower-tier subcontractors and obtaining certifications prior to allowing them to perform the work.

Certain Construction or A-E Task Orders may involve Subcontractor or lower-tier subcontractor employees working in testing designated positions (TDPs) and unescorted access to limited areas and such employees will be subject to applicant, random, reasonable suspicion, and occurrence drug testing. These Task Orders cannot be covered by a Type 1 WSAPP, therefore, Subcontractor must submit Type 3 WSAPP certifications and and documents required for compliance with the requirements of the applicable Participating Site prior to proceeding with the onsite work.

**TaxES**

The Subcontractor shall comply with applicable tax laws. Refer to the Sample MTA article entitled, “*Price*” for direction concerning the tax requirements for Task Orders for work at Participating Sites.

Payment Terms

The proposal shall also include invoice payment terms. LLNS prefers monthly invoices with payment terms of Net 30 Days for all Task Orders.

1. PROPOSAL PREPARATION INSTRUCTIONS

PROPOSAL CONTENTS

On November 18, 2021, LLNS issued a Sources Sought Notice at the System for Award Management website, SAM.gov. Attached to that posting were prequalification criteria. This information has also been published on the CHAMP Pre-proposal Website. Offerors must provide requested information demonstrating the ability to satisfy this prequalification criteria if they have not already done so. If the Offeror has previously submitted this information to LLNS, it may provide the date and description of the information submitted; re-submittal is not required unless the Offeror wishes to modify the information.

Offerors shall provide technical proposals addressing the performance features and supplier attributes identified below. The technical proposals shall not contain pricing. Refer to “Price Proposals” for instructions concerning the preparation of the price proposal.

LLNS defines supplier attributes as those qualifications, capacities and capabilities of the Offeror as they relate to predicting successful performance under the MTA. LLNS defines performance features as those features considered relevant to both the planned use of the services that will be delivered and the methods for performing those services.

The Offeror’s proposal should identify and discuss the performance features and supplier attributes that will be important to the Offeror's successful performance and the attainment of CHAMP’ objectives. LLNS has identified the performance features and supplier attributes as technical proposal evaluation criteria listed below. The criteria should be discussed in the proposal. Please note the items are not necessarily listed in any particular order of preference or priority. In addition, the Offeror may identify and discuss other performance features and supplier attributes it believes may be of value to the CHAMP. If LLNS agrees, consideration may be given to them during the evaluation process. In all cases, LLNS will assess the value of each proposal as submitted.

**TECHNICAL PROPOSAL Evaluation Criteria:**

**CHAMP Execution Approach and Organizational Structure:** LLNS desires a capable Subcontractor that fully understands the MTA Statement of Work and provides a streamlined, proactive execution approach with a nimble organizational structure that assures successful completion of the work, compliant deliverables and customer satisfaction throughout the DOE/NNSA complex. Accordingly, the Offeror should describe its execution approach and organizational structure for performing CHAMP A-E Design and Construction Management and for securing customer satisfaction in the areas of budget, schedule and quality. When doing so, Offeror should address the extent to which the Offeror intends to self-perform or subcontract these activities and to whom.

Supplement this discussion with an organizational chart, descriptions of the roles and responsibilities of CHAMP Key Personnel and how this tightly knit organizational structure lends itself to securing customer satisfaction and leveraging capable resources to achieve optimal, cost-effective staffing levels. If LLNS considers individuals named a value-related factor, LLNS will name these personnel in its Key Personnel clause. Offeror’s proposal should provide resumes for qualified resources (including lower tier subcontractors) to be leveraged in support of the execution approach for the activities below. Where practical, resumes should cross reference to their roles and contributions to the relevant examples of successful past performance provided.

1. Program-managing all engineering, procurement and construction activities and being the primary technical point of contact for LLNS.
2. Overseeing and executing all A-E efforts.
3. Overseeing and executing all construction management efforts.
4. Overseeing and executing Environment, Safety and Health (E,S&H), security and coordinating compliance with requirements at all the Participating Sites.
5. Performing prime contract administration and/or subcontracting.

**Bench Strength for Staffing Critical Activities:** LLNS desires a Subcontractor with demonstrated capabilities for assessing and evaluating facilities to formulate long term HVAC solutions. Describe availability, qualifications and capabilities supporting the activities below.

1. Engineering: modelling, mechanical, electrical, structural and controls engineering resources and other relevant engineering capabilities.
2. Construction Management: construction management support to oversee the efforts of lower-tier build subcontractors as defined under Special Provisions Section 01 30 00, Administrative Requirements, Paragraph 1.1. A.6.
3. Safety Management: corporate-level safety management and project-specific safety management to oversee project level activities by lower-tier build subcontractors as defined under the Special Provisions Section 01 30 00, Administrative Requirements, Paragraph 1.1. A.6.
4. Estimating in accordance with American Association of Cost Engineering standards and scheduling using Microsoft Project.
5. Discuss how Offeror will assure availability of workforces of U.S. citizens eligible to perform work for and at the Participating Sites in the DOE/NNSA Complex for A&B above and for lower-tier build craft labor.

**Construction Subcontracting Approach and Resources:**

LLNS desires a Subcontractor with the ability to secure competitive qualified sources for the diverse Participating Site locations at favorable pricing. Refer to the requirements of the MTA Statement of Work, section III C “Procurement Requirements under A-E and Construction Management Task Orders.” Offeror should describe the following:

1. its procurement system and resources.
2. its plan for strategically sourcing pools of qualified lower-tier build subcontractors, including small businesses, to support robust competitive bidding for work throughout the DOE/NNSA enterprise per the MTA Statement of Work, the CHAMP Prequalification guidelines, and the Offeror’s procurement practices.
3. how Offeror will flow-down requirements to secure compliance with both MTA and Participating Site-Specific Requirements from lower-tier subcontractors.
4. how Offeror intends to source and manage long lead HVAC equipment.
5. Best practices for establishing price reasonableness, particularly in the event one bid is received and that bid is not in alignment with the CHAMP Subcontractor’s independent estimate.

**Design and Construction Quality Assurance Approach and Resources:** LLNS values design and construction quality assurance and related processes such as drawing and calculation checks, configuration management, and thorough inspection. Offerors shall describe the approach and resources for execution to assure high quality design and construction deliverables. These may include, but not be limited to, work processes, staffing, and methods or evidence of verification. Provide a copy of the quality assurance procedures or corporate manual that will be leveraged. Offerors should demonstrate a proactive, independent process, such that quality issues are identified in advance and resolved, and quality standards are met during both the design and construction phases.

**Safety Approach and Resources:** LLNS desires subcontractors performing work at Participating Sites to have superior E,S&H records because safe performance practices are the number one priority in all operations. Per 10 CFR 851, the environment, safety and health shall be integrated into all work planning and execution. LLNS desires a Subcontractor with strong E,S&H infrastructure capable of managing numerous lower-tier build subcontractors to assure worker safety and compliance with the diverse safety requirements of the Participating Sites. The Offeror should describe its approach to worker safety and how it will address diverse E,S&H submittals and reporting requirements and resources for execution. In addition, the Offeror should provide a copy of its corporate safety and injury and illness plans and discuss how they will be leveraged to support the diverse requirements at each Participating Site.

**Past Performance:** LLNS desires a Subcontractor capable of providing Architectural Engineering (A-E) Services and Construction Management Services as outlined above in 1.0 RFP Summary, “Cooling and Heating Asset Management Program: Background & Description.” Therefore, the Offeror should provide in its proposal written descriptions of relevant and recent examples of how it has managed similar engineering, procurement and construction efforts in the past and examples of how it has supported the diverse and dynamic priorities and requirements of multiple sites relative to quality assurance, safety and security concurrently.

When presenting the examples of past performance, the Offeror should explain their relevance and the extent to which proposed resources (including teaming subcontractors and key personnel) worked together to achieve successful outcomes, i.e., examples should be cross-referenced in the resumes furnished for the applicable key personnel. The examples of past performance may include public and private contracts. Include technical and business contacts by name, title, address, telephone number and e-mail address. In its evaluation of Offeror’s past performance, LLNS will consider input from references provided by the Offeror and other known references.

PRICE PROPOSAL

The Offeror shall complete the attached MTA PRICING SCHEDULE. The MTA PRICING SCHEDULE is an Excel workbook with spreadsheets addressing the following components:

1. Fully burdened rates for Home Office professionals,
2. Fully burdened rates for Onsite A-E professionals (for work performed while at Participating Sites),
3. Fully Burdened rates for Onsite Construction Management Professionals (for work performed while at Participating Sites),
4. Fully Burdened rates for Home Office Service Contract Labor Standards covered drafting, and
5. Markup percentage factors for overhead and profit, respectively, applied to lower-tier build subcontracts (Note: Per MTA PRICING SCHEDULE, the overhead markup should cover Insurance, bonds and compliance with Clause 6 “Permits, Responsibilities and Assumption of Risk.”

Where practical and applicable, quote Federal Supply Schedule rates and identify the appropriate FSS Contract number or like information for any agreement with the Kansas City Supply Chain Management Center.

All fully burdened rates shall include all applicable overhead and fee that the Offeror intends to apply to Task Order proposals, regardless of the tier at which they are subcontracted. In other words, if Offeror intends to subcontract any Home Office or Onsite professionals, it will not be able to apply proposed markups to the proposed rates.

Offeror does not have to provide fully burdened rates for all labor categories listed on the MTA PRICING SCHEDULE spreadsheets if they are not applicable. If any labor categories are excluded from the spreadsheet that the Offeror considers applicable, then the Offeror may propose them on the spreadsheet. Offerors should supplement the rates for the additional labor categories with work/experience descriptions.

When completing areas marked in yellow on the MTA PRICING SCHEDULE spreadsheets, Offerors shall do the following:

1. Record company name at top left.
2. For all Professional Services, Offerors should include fully burdened rates for the first year and enter escalation factors for Years Two through Five and provide the basis for the escalation factor.
3. For SCLS-covered work, if any, provide rate breakdowns as detailed on the spreadsheet for Year 1. Hourly Rate Adjustments in compliance with the Act may be proposed at the anniversary of the MTA award date. Offeror should also provide the forecasted performance location and county for its SCLS-covered work.
4. On the spreadsheet for lower-tier build subcontract markup, propose markup factors if any. The markup factors should exclude costs for any direct labor proposed on the other spreadsheets.
5. Rates proposed for Year Five shall be valid from the fifth anniversary of the MTA award date through March 31, 2028 (the anticipated end date of the term of the MTA).

LLNS will evaluate the rates furnished in the MTA Pricing Schedule through price analysis and by using an internal estimating tool. The internal estimating tool will be used to estimate probable evaluated price under the MTA for Task Order awards that are made in accordance with the Offeror’s proposed rates for work representative of that likely to be procured on a firm fixed price basis. The internal estimating tool consists of estimated efforts the following:

1. an engineering assessment of a typical mechanical system replacement project,
2. construction management support (excluding lower-tier costs) for a typical 90-day construction effort. (Refer to Special Provisions Section 01 30 00, Administrative Requirements, Paragraph 1.1. A.6.),
3. the markup rates to be applied to lower-tier build subcontractor costs, and
4. one year of Program Management support for the initial year of the MTA.

LLNS will use items 1-4 to determine probable evaluated price for the MTA.

NOTE: Offeror should populate all worksheets within the Pricing Schedule rate workbook so that LLNS knows the rates and levels of talent to be provided for all possible task orders. The objective of Program Management Support Task Order estimate will be to ultimately create an annual Task Order to secure continuity of service for estimated necessary talent to establish and sustain the CHAMP. Therefore, rates for Program Management support shall be based upon the hourly rates and levels of talent to be furnished to execute this support (including the Past attributed to the effort).

Specifically, LLNS desires the Subcontractor to provide Program Management Support to accomplish Program Management – Program Administration Tasks as outlined under Paragraph V. A. 8. Program Management – Program Administration of the MTA SOW entitled, “A-E, PROCUREMENT & CONSTRUCTION SUPPORT FOR HVAC SYSTEMS”. LLNS estimates this effort will require the following personnel:

* Principal (Program director/manager) 1860 hours,
* Project manager / mechanical engineer) 1760 hours,
* Safety Manager 900 hours;
* Scheduler / Estimator, 450 hours;
* Administrative Professional, 450 hours.

PROPOSAL SUBMISSION

Kansas City Supply Chain Management Center (SCMC) Portal

LLNS is utilizing a proposal submittal technology run by the SCMC. Detailed instructions on the access and use of the SCMC portal are provided in the Sealed Bid ENCLOSURE document included as part of this RFP.

Electronic Proposal Submission

Bidding on Cooling and Heating Asset Management Program (CHAMP) will open and close on the date and at the time specified in the RFP Summary table. Detailed bidding instructions are provided in the Sealed Bid Instructions ENCLOSURE document included as part of this RFP.

Pricing proposals shall be submitted on the Portal. Pricing Proposal submittals shall include 1) a price for the Program Management Support Hours outlined above, 2) an MTA Pricing Schedule 3) Completed Representations and Certifications and 4) Financial Information.

Technical proposals, including other applicable proposal documentation such as prequalification requirements (excluding financial information or pricing) shall be sent electronically as separate document files to the LLNS Contract Analyst on or before the Proposal Due Date and Time. Microsoft Word, Excel or pdf documents are preferred. LLNS requests that Price Proposals be submitted in Excel format. Please do not send zip files.

Fax Proposal Submission

A facsimile proposal will NOT be accepted.

1. PROPOSAL EVALUATION

Evaluation and selection

Evaluation Factors

LLNS will evaluate the proposal for its ability to satisfy the pre-qualification criteria and performance features, supplier attributes and price that form the basis for this requirement.

Basis for Selection

LLNS intends to select the responsive and responsible Offeror who satisfies the pre-qualification criteria and whose proposal contains the combination of factors offering the best overall value to LLNS. LLNS will determine the best overall value by comparing differences in performance features and supplier attributes offered with differences in price, striking the most advantageous balance between expected performance and the overall price to LLNS. Offerors must, therefore, be persuasive in describing the value of their proposed performance features and supplier attributes in enhancing the likelihood of successful performance or otherwise best achieving CHAMP objectives. LLNS’ selection may be made on the basis of the initial proposals or LLNS may elect to negotiate with Offerors selected as finalists.

1. ENCLOSURES

\* The documents and forms marked with an asterisk below are available on-line at the following website: <https://supplychain.llnl.gov/> (under Supplier Information, select either General Provisions & Forms, or Special Provisions).

Sample Master Task Agreement and its Incorporated Documents

 Sample Task Orders and Incorporated Documents

CHAMP Insurance Instructions (2/17/15)

Sealed-Bid Instructions

In addition to completing the online portal requested information, the Offeror shall complete the following document(s) and submit them with the proposal:

Representations & Certifications -CHAMP

MASTER TASK AGREEMENT PRICING SCHEDULE

If there are any questions, please contact me by phone, or e-mail (contact info provided in the RFP Summary table).

Sincerely,

Roosevelt Pascal

LLNS Contract Analyst