



The University of California
Lawrence Berkeley National Laboratory
Procurement Department
One Cyclotron Road
Berkeley, CA 94720

March 1, 2010

To: Potential Offeror

Subject: Request for Proposal (RFP) No. 5191 for RECONNAISSANCE LEVEL CHARACTERIZATION SERVICES FOR THE OLD TOWN DEMOLITION PROJECT

Proposal Due Date: March 19, 2010, 4:00 PM

The University of California, Lawrence Berkeley National Laboratory ("LBNL") requests a proposal for Reconnaissance level Characterization Services for the Old Town Demolition project, in accordance with this RFP and the enclosed Proposal Preparation Instructions, Sample Subcontract, and other enclosures. The proposal will involve a site inspection and may involve oral presentations and interviews (see the Proposal Instructions section).

PROJECT OVERVIEW

In preparation of future demolition work, this project includes characterizing a minimum 6 of and a maximum of 15 buildings within the Old Town Area of Lawrence Berkeley National Laboratory and generating a Reconnaissance Level Characterization Report (RLCR) that summarizes the results. A minimum of 15,000 sq ft and a maximum of 75,000 sq ft will be studied.

Some buildings are known to contain small amounts of low level radioactive material. In addition, hazardous materials such as mercury, lead, PCB, asbestos are anticipated. Preliminary Hazards maps are provided for each building. The Hazards Maps were developed from process knowledge interviews (current employees and retirees) as well as a review of historical documents.

The Subcontractor will provide labor, materials, equipment and other items necessary to perform the Scope of Work identified in the Sample Subcontract (attached). The Offeror is requested to propose a staffing plan and rates for conducting the proposed services.

The work involves 2 Phases. In Phase 1, Subcontractor shall prepare a detailed written work plan and procedures for carrying out the work. The pricing for the work plan must be a firm fixed price. In Phase 2, Subcontractor shall provide on-site labor and supervision to implement the work plan as developed in Phase 1 and prepare the report. Phase 2 will be performed on a unit cost basis.

It is expected the Subcontract Phase 1, Detailed Work Plan Development, will be performed over a period of 1.5 to 2 months. The estimated price range for both phases of the Subcontract is from \$150,000 to \$400,000 (assuming all buildings are included).

It is anticipated that the Subcontract Phase 2 testing, sampling and reporting will be performed over a period of three months after acceptance of the work plan.

An original and four copies of a complete written proposal must be received by the undersigned LBNL Procurement Representative by 4:00 PM Pacific time on Friday, **March 19, 2010**. The proposal shall be valid for acceptance for a period of 60 days from the proposal due date. Facsimile (fax) proposal is not acceptable.

The LBNL Procurement Representative for this solicitation is Rose Hoffman. She may be reached by telephone at (510) 486-7705, by fax at (510) 486-5115 or by e-mail at RLHoffman@lbl.gov.

This solicitation is governed by procurement policies and procedures established under the Prime Contract between the University and the U.S. Government, represented by the Department of Energy ("DOE"), for management and operation of LBNL. Any award resulting from this solicitation will be a subcontract under the Prime Contract.

Acceptance of late proposals will be at LBNL's sole discretion. LBNL reserves the right to reject any and all proposals, to waive any minor irregularities in any proposal, or to cancel this RFP at any time prior to award without cost to LBNL. This RFP does not include provisions for the direct reimbursement of proposal preparation costs.

NAICS CODE AND SMALL BUSINESS SIZE STANDARD

The North American Industry Classification System (NAICS) Code for this acquisition is 562910, Environmental Remediation Services. The corresponding small business size standard for this acquisition is 500 or fewer employees.

The Offeror shall complete the *Small Business Program Representations* clause in the attached Representations and Certifications form based on this small business size standard. Refer to Subpart 19.1 - Size Standards, of the Federal Acquisition Regulation (FAR) for information on calculating the number of employees.

SERVICE CONTRACT ACT

Phase 2 work to be performed hereunder could be subject to the Service Contract Act. A Wage Determination will be incorporated into the resulting subcontract and will apply if the proposed workers are non-exempt, hourly wage employees rather than exempt, professional salaried employees. Offeror should therefore be very clear about the type of personnel that will be provided to perform all aspects of the work (ie. Professional engineers and/or scientists, Health

and Safety officer, Laboratory technicians, Sampling technicians, truck drivers, laborers, clerical workers, etc.)

SUBMITTAL OF PROPOSALS

The Offeror shall send the proposal to the following address:

Lawrence Berkeley National Laboratory
Attention: Rose Hoffman
Mail Stop 76-225
RFP 5191
One Cyclotron Road
Berkeley, CA 94720

BASIS FOR SELECTION – BEST VALUE

LBNL intends to select the responsive and responsible Offeror whose proposal contains the combination of performance features, supplier attributes, and probable cost offering the best overall value.

A responsive Offeror is one whose offer satisfies the requirements of this RFP, including the technical requirements of the proposed subcontract. A responsible Offeror is one that is considered capable of performing and is otherwise eligible and qualified to perform the proposed subcontract.

LBNL will determine the best overall value by comparing differences in performance features and supplier attributes offered with differences in probable cost and related factors, striking the most advantageous balance between expected performance and the overall probable cost to LBNL. Offerors, therefore, must be persuasive in describing their performance features and supplier attributes and their value in enhancing the likelihood of successful performance and achievement of LBNL's objectives.

LBNL's selection may be made on the basis of the initial proposals or LBNL may elect to negotiate with Offerors selected as finalists.

OBJECTIVE:

The University's primary objective is to acquire the best available services as described in the Statement of Work that will result in the following:

1. An initial assessment of the contamination, hazards and other conditions associated with the demolition of a minimum of 6 and a maximum of 15 buildings at Lawrence Berkeley National Laboratory. This assessment will enable project personnel to identify decommissioning approaches, develop worker health and safety controls, estimate waste volumes by waste types, prepare documents for regulatory agency review and approval, and support the design of in-process and pre-demolition characterization.

2. A consistent building characterization effort to assure that all phases of this demolition project are performed safely and effectively. The guidelines contained in the EPA Data Quality Objectives (DQO) process will be applied to the characterization process across the LBNL Decontamination and Decommissioning (D&D) Program.
3. A Reconnaissance Level Characterization Report (RLCP) summarizing the results of the sampling and analysis.

EVALUATION OF PROPOSALS

LBNL will evaluate each Offeror's proposal based on the information provided by the Offeror, LBNL's own experience, and/or information from the Offeror's customers. The evaluation of proposed performance features and supplier attributes will focus on the strengths and weaknesses of the proposal within the framework of capability applicability and affordability.

Capability

- What are the Offeror's supplier attributes (personnel, financial, etc.) and how well will they enable the Offeror to satisfy LBNL's requirements
- What is the Offeror's past experience with performing similar contracts?
- If work will be subcontracted, to what extent is the assignment of work scope appropriate, and to what extent is the prospective lower-tier subcontractor qualified to do that work?
- How relevant is the prior work experience of the proposed key personnel and how much experience have they had performing this type of work?
- Has Offeror demonstrated that they can accomplish the scope of work within the required schedule?

Applicability

- Does the Offeror's proposed technical approach represent a thorough understanding of requirements?
- What are the Offeror's performance features and how well will they satisfy LBNL's requirements?

Affordability

- What is the probable total cost to LBNL based on the Offeror's proposed staffing plan and testing rates for conducting the proposed services?
- How realistic is the proposed price in relation to the approach the Offeror proposes to employ?
- How does the proposed pricing compare to LBNL's estimate and/or to other proposed prices, and are the trade-offs worth the difference?

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ENCLOSURES

The Offeror shall complete the following enclosures and submit them with the proposal:

RFP 5191 Reconnaissance Level Characterization Cost Calculation Sheets
Representations & Certifications

The following enclosures are provided and need not be returned with the proposal:

Proposal Preparation Instructions
Sample Subcontract and its Incorporated Documents
Insurance Certificate Instructions

If there are any questions, please contact me by phone at (510) 486-7705, by FAX at (510) 486-5115, or by email at RLHoffman@lbl.gov.

Sincerely,

Rose Hoffman
LBNL Procurement Representative

PROPOSAL PREPARATION INSTRUCTIONS

PROPOSAL CONTENTS

General

The proposal should consist of a technical/management proposal and a price proposal. The proposal should be submitted with a cover letter identifying the Offeror's name and address, solicitation number and title, the name(s), title(s), and telephone number(s) of the individuals in Offeror's organization who have commitment authority on behalf of the Offeror and will be responsible for contractual negotiations and administration of any resultant Subcontract.

The Offeror may submit an alternate proposal, if considered more advantageous than the requested proposal. An explanation of the perceived benefits to the University should be included.

Technical/Management Proposal

The technical/management proposal should contain a comprehensive discussion of how the Offeror will fulfill the technical/management requirements and successfully perform the Subcontract, including a completion schedule and a discussion of the important performance features and supplier attributes, as described below, highlighting any aspects which separate it from its competitors. The proposal should include the type of samples and analysis anticipated for this project and the corresponding unit prices for those samples and analysis. The Offeror's technical approach shall be based upon the historical information provided in the reference documents including building Preliminary Hazards Maps. Updated versions of these maps will be provided by March 10, 2010.

LBNL requires completion of both Phase I and Phase II by August 31, 2010 and anticipates awarding Phase I by April 1, 2010.

Performance Features and Supplier Attributes

The technical/management proposal should identify, describe, and discuss the performance features and supplier attributes the Offeror considers important to successful performance of the proposed subcontract. LBNL has identified the performance features and supplier attributes listed below, which are the qualitative criteria the University will use for the subjective evaluation of proposals. They are not listed in any order of importance and no feature or attribute is more important than any other. The Offeror should discuss them in the proposal and may identify other performance features and supplier attributes it believes may be of value to LBNL. If LBNL agrees, they will be considered in the evaluation process. In all cases, LBNL will assess the value of each proposal as submitted.

Performance Features

- The proposed method of carrying out the work should be based on methods used on similar projects including scheduling and estimating tools and techniques. The Offeror should

include in its proposal a description of previously completed similar projects with enough detailed information included so that these projects can be contacted for references.

- The proposal should identify the composition and organization of the project team. The members' technical background or capability, and experience; estimated percentage of time dedicated to this project for each member and availability for the duration of the project. Also state whether they are salaried or hourly wage employees (might be subject to Service Contract Act.)
- The technical proposal should demonstrate the knowledge, skills and abilities of the Offeror in the following categories:
 - Radiological sampling
 - Waste Characterization
 - IH and hazardous materials sampling
 - Environmental sampling
 - Quality Assurance
 - Safety
- The proposal should include a narrative plan for development of a sound work plan that will result in achievement of the objectives.
- The technical proposal should include a proposed schedule of activities which will demonstrate the Offeror's ability to perform within the project's required timeframe.
- The proposal should include the demonstrated ability to write coherent comprehensive reports based on complex analytical data sheets. The Offeror should include a representative sampling plan, and characterization report with completed data sheets from a similar project.

Supplier Attributes

- The Offeror should have qualified staff who have worked on prior similar projects. The Offeror should include in its proposal resumes of proposed employees which document their prior similar experience, training, and education.
- Offeror should document their past company experience and that of the proposed project team in developing and adhering to schedules for characterization activities, successfully completing on budget and on time projects similar in size and scope to this project.
- Offeror should provide their experience working under DOE regulations.
- The Offeror should have a satisfactory safety record. They should include their safety record and information about their company wide safety program(s). The Offeror shall include in its proposal a letter from its workers' compensation insurance carrier identifying the experience modification rates (EMR) for each of the last three years where data is available. The EMR information may be either state(s) or interstate information, but must be appropriate for the business unit(s) that will perform the work.

- Provide information on the company's overall approach to environment, safety and health, a description of existing in house programs, training programs, and procedures for the type of work described. Include injury/accident reports from OSHA logs for the past 3 years, and any other documentation to establish the Offeror's past record of safe performance.
- The Offeror should have successfully performed recent contracts similar in type and complexity as the proposed subcontract. The Offeror should include in its proposal a written description of at least three recent contracts which the Offeror successfully completed, similar in type and complexity to the scope of the proposed subcontract, either public or private. Include technical and business contact points by name, title, address, telephone number and, if available, e-mail address. Offerors are encouraged to include a self-assessment of their performance on these contracts, including what went well and what did not. Offerors may discuss the latter in the context of a lessons learned from the project and how the lessons have been incorporated into improved products/services and processes. The Offeror should also identify and provide resumes for key personnel who will perform under the proposed subcontract.
- The Offeror must have insurance coverage with the minimum levels identified in the sample subcontract. Provide a letter from the Offeror's insurance carrier verifying that coverage will be provided in these amounts.

Price Proposal (complete on the attached Cost Calculation Sheets)

Phase I (Plan only)

The price proposal must include a total firm fixed price for Phase 1 Base Bid and Phase I additive alternate.

Phase I Base Bid includes Buildings 4, 5, 7C, 14, 16, 16A, 25A, 40, 41, 44, 44A, 44B, 52, 52A
\$_____

Phase I Add Alternate includes Building 7
\$_____

Phase II (testing, sampling and reporting)

Provide unit prices for all anticipated sample types and analysis. Based upon the Preliminary Hazards Maps and historical reports, provide an approximate number of recommended tests for each facility. The vendor must use the spread sheet provided in this RFP to present this information. Final quantities of tests to be performed will be confirmed after Phase I Sampling plans are developed and approved. The offeror's proposal for Phase II should be consistent with their technical proposal. Include fixed rates and a total price based on the identified estimated quantities shown on the Cost Calculation Sheet for the expected tests. Also include fixed fully burdened labor rates with a total estimated cost for any additional work you have identified, not covered by the itemized testing costs listed on the cost calculation sheet. The proposal should also include invoicing requirements and payment terms if they differ from those stated in the attached sample subcontract.

ADDITIONAL INSTRUCTIONS

Offerors' Questions

LBNL will respond to questions submitted in writing to the LBNL Procurement Representative on or before March 12, 2010. Questions submitted after this date may not be answered prior to the proposal due date. Questions may be submitted by letter, facsimile or e-mail, with e-mail preferred. Answers to questions that are germane to the interpretation of LBNL's requirements will be issued to all Offerors in writing.

Oral Presentations

Offerors whose proposals appear to present the Best Value may be given the opportunity to make a brief oral presentation about their approach to this project, if requested by the Project Manager. The presentation must be given by Offeror's project managers and/or other participants who will be directly involved in the work. LBNL 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 LBNL's requirements and expectations. LBNL may also wish to negotiate specific elements of the Subcontract or the work following the presentation. The LBNL Procurement Representative will contact Offerors to discuss the details of the meeting, to provide an agenda for the oral presentation, and to schedule the time of, and location for, the meeting.

On-Site Inspection

Offerors are invited to inspect the work site on **March 9, 2010 , starting at 1PM** Assemble for the site inspection at Building 76, Conference room 235. Allow approximately two hours for the meeting and to view the site. The area will be available for inspection during this time ONLY. Offerors are strongly encouraged to attend the site inspection in order to gain the best possible understanding of the project.

If the Offeror and its lower tier subcontractors plan to attend the site inspection, the Offeror is required to provide the LBNL Procurement Representative with the names of persons attending, country of citizenship, and the firm they will be representing a minimum of 24 hours before the site inspection. She will then arrange for site access and parking pass.

Acceptance of Terms and Conditions

Submission of a proposal shall indicate the Offeror's willingness to accept the terms and conditions of the Sample Subcontract and its attachments unless specific exceptions are taken. These terms and conditions have been approved by the DOE. Changing them may be time consuming. Failure to accept the terms and conditions may result in significant, unacceptable delays in award of a Subcontract which could cause LBNL to reject Offeror's proposal.

Proprietary Information

LBNL will treat any commercial or financial information in the proposal as proprietary information. LBNL prefers not to receive any proprietary technical information. If the proposal includes any proprietary technical information, it must be conspicuously marked as "Proprietary" or "Confidential", or an equivalent term. LBNL will endeavor to maintain proprietary information in confidence to the same degree as its own proprietary information and disclose

such information to personnel other than LBNL or Government employees who are bound by an obligation of confidentiality and solely for the purpose of evaluation of the proposal.

If the Offeror intends to use a product or process in which there is a proprietary or background patent position, the proposal should so indicate and list patent applications and/or patents granted (including dates, numbers, and descriptions), and whether the Government has rights related to the patents.

E-Verify Program Enrollment Verification

The Subcontract will include FAR Clause 52.222-54, *Employment Eligibility Verification*. Accordingly, the selected Offeror will be required to:

1. Be enrolled as a Federal contractor in the Government's online E-Verify system, which is located at: <https://e-verify.uscis.gov/enroll>), and provide LBNL with written verification of the enrollment;
2. Use the E-Verify system to verify the employment eligibility of all employees assigned to the subcontract and of all new hires working in the United States, except that if the selected Offeror is an institution of higher education as defined at [20 U.S.C. 1001\(a\)](#), or a State or local government or the government of a Federally recognized Indian tribe, it may choose to verify only new hires assigned to the subcontract; and
3. Include the clause in lower-tier subcontracts for construction or services, as required by the clause, and provide LBNL with written verification of the inclusion of the clause in the subcontracts and the lower-tier subcontractors' enrollment in the E-Verify system.

The proposal shall indicate whether the Offeror is enrolled in the E-Verify system, and whether the employment eligibility of the employees proposed to be assigned to the subcontract has been or will be verified.

Additional information about the employment eligibility verification requirements is available at <http://www.uscis.gov/everify>.

Safety-Related Requirements

The Subcontract will be subject to a *Worker Safety and Health Program* regulation enacted by the U.S. Department of Energy (DOE). It applies to work performed at LBNL worksites by LBNL and its subcontractors. The regulation is located at Title 10, Part 851, of the U.S. Code of Federal Regulations (10 CFR 851). Provisions implementing the requirements of the regulation are included in Section 013529 Environmental, Safety and Health Procedures). Information on the regulation is available at the following website: <http://www.hss.energy.gov/HealthSafety/WSHP/rule851/851final.html>

Subcontractor personnel working on-site will be required to complete safety or other training specific to the LBNL facility or worksite where the work will be performed. The required training courses will be specified in the Subcontract document. Subcontractor costs for the training are reimbursable under the Subcontract to the extent that the costs are identified in the Subcontractor's proposal and incorporated into the resulting Subcontract by LBNL.

For the resulting Subcontract, the Subcontractor may not commence Phase II work until the LBNL Procurement Representative issues a written Notice to Proceed. The Subcontractor may proceed with all other work authorized or required by the Subcontract in preparation for performing the work at an LBNL worksite. For unescorted access into the subject buildings at LBNL, General Employee Radiological Training (GERT) is required. The LBNL Procurement Representative will not issue the Notice to Proceed until the Subcontractor has submitted and LBNL has accepted Insurance Certificates and safety documents listed in within the technical documents.

(End of Proposal Preparation Instructions)