End States Contract Model (ESCM) – Step 2

May 2019
End State Contracting Model - Single award Indefinite Delivery/Indefinite Quantity (IDIQ) contract for each Acquisition with the ability to issue both Cost-Reimbursement (CR) and Firm-Fixed-Price (FFP) Task Orders (TO)

- Subsequent Single Sourced TO(s) = Effective Task Order Negotiations by Partnering
- Allows for Effective “Partnering”

Partnering - Open negotiations between the Contractor, Field, EM, Stakeholders, and Regulators to effectively negotiate Cost Plus Incentive Fee (CPIF) Task Order(s) for Site closure/defined End State(s) within the first 180-days
End States Contract Model (ESCM)

Partnering & Negotiation Objectives (Complete within 180 days)

- Agree on scope, schedule and cost, inclusive of discussions with Regulators, as necessary

- Identify ownership of risks and mitigations

- Identify any required Government Furnished Services and Information

- Develop completion criteria and incentive fee structure (ceiling for scope of work beyond sample task period to include flat portion of CPIF Cost Curve [+/- % of cost])

- Encourage profit sharing with employees

- If cannot agree on reasonable price, re-compete the contract as minimum guarantee has been satisfied
ESCM Current Acquisitions

- Central Plateau Cleanup Contract (CPCC)
- Tank Closure Contract (TCC)
- Nevada Environmental Program Services (NEPSC)
- Oak Ridge Reservation Cleanup (ORRC)
- Portsmouth Cleanup (PC)
- Idaho Cleanup Project (ICP)
Steps 1 & 2 – Overview

Step 1 – Acquisition process through Contract Award for each Site, which may include issuance of Pre-Award Task Order(s)

“Pre-Award Task Order” – A Task Order where the Request for Task Order Proposal (RTP) was included in the Prime Contract Final RFP and evaluated prior to Award)

Step 2 – Transition of the new contractor through the issuance of Pre-Award Task Orders and all subsequent Post Award ESC Task Orders

Step 2a – Initial Contract Transition after Award of new Contract and issuance of remaining Year 1 Task Orders (i.e. Balance of Work (BOW) and Non-Fee bearing Task Orders (Pension, Government Furnished costs, Benefits, etc.))

Step 2b – After Initial Contract Transition through issuance of all Post Award ESC Task Orders of the new Contract Period of Performance (POP)
Step 2a – Task Order Process Flow
Step 2b – Task Order Process Flow

[Diagram showing the process flow for Task Order Process Flow for End State Contracting (ESC) Step 2b]
End States Contracting Teams

End State Contracting Team (ESCT) – A Site team comprised of Federal Staff and General Support Service Contractors (GSSC) tasked to develop, coordinate, report and support all Step 2 activities and deliverables. This team will add SMEs during Step 2b based on regulatory and technical challenges.

Site Initial Transition Team – A Site team to manage and oversee the Transition of the new and outgoing Contractor through the stated Transition period in the RFP.

Negotiation Team – A team with a mix of Site staff and Headquarters staff which provides technical support for negotiations.
Step 2 HQ Organizational Structure

EM-1 EM Assistant Secretary
  Anne White
  EM-2 EM Principal Deputy Assistant Secretary
    Mark Gilbertson

EM-4 Regulatory and Policy Affairs
  Betsy Connell, APDAS

EM-3 Field Operations
  Jeffrey Griffin, APDAS

ESC Steering Committee
  Darcey Bolin

EM-5 Corporate Services
  Paul Bosco, APDAS

Site
  Site Manager
    (TBD)

HQ End State Contracting (ESC) Step 2
  Program Manager
    Ben Lindholm
Step 2 Standard Site Organizational Structure

EM-1 EM Assistant Secretary
Anne White

EM-2 EM Principal Deputy Assistant Secretary
Mark Gilbertson

EM-3
Field Operations
Jeffrey Griffin, APDAS

EM-5
Corporate Services
Paul Bosco, APDAS

Site
Site Manager
TBD

Site
Deputy Manager
TBD

End State Contracting (ESC) Step 2
Site Program Manager
TBD

Negotiating Team

HQ *
Lead – Angela Watmore*
Support (TBD) *

Contract TBD

End State Contracting Team (ESCT)

Federal Support Staff
Contract Specialist – TBD
IGCE and Cost/Price – TBD

GSSC Support Staff
Technical Team – TBD
Cost/Price Team – TBD
IGCE Team – TBD

Initial Transition Team

Transition Manager
TBD

* Matrrixed HQ Support Reporting to HQ ESC Step 2 Program Manager
Step 1 – Acquisition through Contract Award and issuance of the Master IDIQ

• Team consists of EM-3, EMCBC, Site SEB, SSA and Advisors

• Responsibilities include:
  • Develop Acquisition Plan
  • Develop RFP
  • Perform Evaluation
  • Contract Award
  • Issue Single Award Master IDIQ
Step 2 – Post Award Negotiated Task Order(s)

Split into two separate distinct phases from Transition through the negotiation and issuance of all Post Award Task Orders for the New Contract Period of Performance

Step 2a – Initial Transition Notice-to-Proceed through Transition completion

Step 2b – After Initial Transition Phase through the end of the Contract Period of Performance
Step 2a

- Ensure Site has completed workforce Transition and Year 1 work scope through issuance of Task Order(s), prior to completion of Contract Transition

- Planning/Development and Issuance of all Follow-on Task Orders covering work scope commencing after Year 1

- Issue ESC Task Orders included and evaluated in the Pre-Award phase (no more than 1 year of work)

- Issue any Non-Fee Bearing Task Orders that are Government Furnished Costs (GFC) (i.e. Pensions and Benefits) awarded at NTP

- Develop and issue Balance of Work (BOW) Task Orders that cover ongoing work that was not finished by the outgoing Contractor
Step 2b

- Establish Collaborative Acquisition Integrated Project Team

- Open Negotiations/Facilitate Partnering for Site closure/defined End State(s) that meet the following:
  
  - Reduce EM Liability and Risks
  - Have Regulatory Approval
  - Meet EM Mission for Closure

- Issue all Post Award Negotiated Task Order(s) through the remainder of the Contract POP
End State Contracting Team (ESCT)

- Develop all products for Step 2a and 2b and provide to Negotiation Team
- Program Manager is responsible to develop all deliverables with support from Site and/or Headquarters resources
- Work with Site Managers to align EM-1 Mission into Task Order(s)
- Manage and maintain schedule, provide reporting to Headquarters, and support discussions with Contractor

Site Initial Transition Team

- Coordinate with the ESCT on Step 2 activities and deliverables
- Finish activities after deliverables required for Transition is completed by the New Contractor

Negotiation Team

- Lead effort and negotiate all Post Award ESC Task Orders for Step 2a and 2b
- Define End State Completion Criteria
- Drive Policy and Regulatory decisions at the Site and Headquarters level
- Approve Scope for Task Orders
- Develop Contract and Fee structure on Task Orders
Pre-Award Activities

- ESCT members assigned/designated by Site and a kickoff meetings held
- ESCT establishes weekly meetings and reporting requirements
- ESCT develops a Partnering strategy (as associated with the Task Order process) and get comments from Headquarters and Site management
- ESCT to develop a Task Order detail process, including a P6 schedule consistent with H-clause Requirements
  - Task Order process will be presented to New Contractor immediately upon award
  - Discussions with Contractor during kickoff meeting (Partnering) and team can negotiate the process with Contractor and both parties have an agreement to work towards
- ESCT to determine all Non-Fee Bearing Task Order(s) Required; Government Furnished Costs (GFC) (i.e. Pension, Benefits, Legacy Pensions)
  - Develop and prepare Non-Fee bearing Task Order(s) Packages
  - Issue all Non-Fee Bearing Task Order(s) at Award
Pre-Award Activities

- Develop IGCEs for Step 2a Post Award Task Orders
- Post Award Task Orders
  - Proposals received from winning Offeror 5 days after NTP
    - Requires meeting with Site management, Projects and Technical SMEs to develop Scope, define Deliverables, and Assumptions
    - Task Orders are part of the current RFP

- ESCT develops all New Task Orders that will be issued to Contractor after Award including IGCEs, Task Order package, and Schedule. All Task Orders need to be ready at time of award so that issuance of the Task Order packages can be delivered to the Contractor 5 days after NTP.
Initial Task Order Issuance after Contract Award

Partnering/Kickoff of Task Order(s) (see H clause for objectives in Partnering)

- Provide Contractor Task Order templates and process to follow for Contractor review
- Set up meeting with Contractor’s Task Order team
- Hold meeting and complete the following
- Review H clause on Task Ordering Procedure
  1. Agree upon the Task Order Process and Templates
  2. Develop with Contractor - list of roles, responsibilities, objectives and goals for the Task Order process
  3. Agree upon Schedule for Task Order issuances provided by the Government

Issuance of Task Orders evaluated during Pre-Award Phase

- ESCT debriefs Contractor on evaluated Task Orders
- ESCT negotiates terms of issuance of Task Orders with Contractor
- Task Orders issued to Contractor within 5 working days of NTP
Initial Task Order Issuance after Contract Award

Issuance of Task Orders for Non Fee Bearing work

- ESCT negotiates terms of issuance of Task Orders with Contractor
- Task Orders issued to Contractor within 5 working days of NTP

Issuance of Task Orders submitted by Contractor immediately after Award

- ESCT debriefs Contractor on submitted Task Order
- Contractor provides revised proposal, if required, 2 days after debrief
- ESCT holds preliminary negotiating meeting with Contractor within
- ESCT negotiates terms of issuance of Task Orders with Contractor
- Task Orders issued to Contractor with NTP
Initial Task Order Issuance after Contract Award

Issuance of Follow-on Task Order(s) for New Work

ESCT holds a kickoff meeting with Contractor for Follow-on Task Order(s)

- ESCT presents Task Order Package to Contractor, negotiates/explain Scope, Schedule and level of Detail Required in submission
- Contractor presents Task Order Proposal back to Government
  - ESCT may need to hold other meetings for clarification or direction if required, but this does not justify an extension of the submittal of the Task Order Proposal
- Government performs modified evaluation of Task Order(s)
- ESCT negotiates Task Order with Contractor
- Awards the Task Order prior to Transition Completion
Baseline Development

Contractor Baseline Development

• ESCT holds a kickoff meeting with Contractor and reviews original Baseline submittal requirements and due dates for Task Orders evaluated during Pre-Award phase.

• Contractor to submit a BCR with all new Task Orders issued Post Award.

• DOE to review BCRs and provide comments, if any, back to Contractor prior to issuance of Task Order.

• DOE to audit Contractors baseline 30 days after Contractor takes over the Contract from the current Contractor. Review by DOE, Step 2 Team will be completed within 30 days and all comments resolved by Contractor 10 days after comments issued.
Step 2b Objectives

- Set up a collaborative team with established partnering agreements made up of the following:
  - New Site Contractor
  - EM-1 and EM-2
  - Site Manager
  - DOE EM Regulatory SME’s
  - State and Local Regulatory Agencies
- Define each Site's vision/priorities and align with EM-1 for Contract Period of Performance
- Define achievable End States and completion criteria that reduces Liability and Risk to EM
- Work with Regulators so EM can issue Task Order for these End states with achievable completion criteria to Site Contractor
- Develop out-year planning packages with schedules, list of issues to resolve with regulators, and cost estimates that will be issued in future Task Orders as required at the Site
Step 2b Deliverables

Deliverables

- ESC Integrated Project Team (IPT) Established and Chartered
- Integrated Priority List for the POP within 6 months of Contract Award
- Partnering agreement
- Regulatory and Policy Assessment for future Task Orders
- Suggested End State and Completion Criteria Report for POP
- P6 Schedule showing issuance of all Task Orders for POP
- ESCT development of Task Order packages
- Updated PMB by Site Contractor approved by DOE
- Out-year planning packages with schedules, list of issues to resolve with regulators, and cost estimates