



Many Voices Working for the Community

Oak Ridge Site Specific Advisory Board

July 15, 2010

John Eschenberg
Assistant Manager for Environmental Management
DOE-Oak Ridge Office
P.O. Box 2001, EM-90
Oak Ridge, TN 37831

Dear Mr. Eschenberg:

Recommendation 191: Recommendation Regarding the Request for Proposals for the East Tennessee Technology Park Contract

At our July 14, 2010, meeting the Oak Ridge Site Specific Advisory Board approved the enclosed recommendation regarding the request for proposals for the East Tennessee Technology Park Contract.

The enclosed recommendation contains a number of comments and suggestions we'd like for DOE-Oak Ridge to review and consider prior to issuing a final version of the request for proposals.

A response to these comments is requested by August 14, 2010.

Sincerely,

Ron Murphree, Chair, PE, CPE
rm/rsg

Enclosure

cc/enc:

Dave Adler, DOE-ORO
Cate Brennan, DOE-HQ
Mike Farmer, Roane County Mayor
Pat Halsey, DOE-ORO
Connie Jones, EPA Region 4

Local Oversight Committee
Rex Lynch, Anderson County Mayor
Melissa Nielson, DOE-HQ
Gary Cinder, Interim Oak Ridge City Manager
John Owsley, TDEC



Oak Ridge Site Specific Advisory Board Recommendation 191: Recommendation Regarding the Request for Proposals for the East Tennessee Technology Park Contract

Background

On May 12, 2010, the Department of Energy-Oak Ridge Office (DOE) issued a draft request for proposals (RFP) for a cleanup contract for East Tennessee Technology Park (ETTP). The scope of the contract is to decontaminate and decommission the major facilities at ETTP, including the remainder of the K-25 Building, the K-27 Building, and K-1037. It also includes the remediation of associated media and the continuation of environmental management (EM) activities underway at Oak Ridge National Laboratory (ORNL) and the Y-12 National Security Complex (Y-12). DOE requested comments on the draft RFP by May 24.

The Oak Ridge Site Specific Advisory Board (ORSSAB) formed an ad hoc committee to review the draft RFP, but the comment period was so short that the committee did not have time to formalize comments for approval by the board. However, it was learned that comments would still be accepted after the comment period closed.

ORSSAB then invited Jay Mullis, who is working on special assignment with DOE EM on procurement activities, to appear at ORSSAB's June meeting to discuss the main points of the draft RFP.

The board also invited a representative of the City of Oak Ridge to present comments city officials had made to DOE on the draft RFP.

Discussion

Mr. Mullis presented the main points of the RFP to the full board at the June 9 ORSSAB meeting.

Ellen Smith, Oak Ridge City Council, provided comments made by the city to DOE on the RFP, which were related primarily to community and civic involvement and investment by the contractor.

Ron Murphree, ORSSAB Chair, also provided comments developed by the ad hoc committee appointed to review the RFP. Mr. Murphree said the ad hoc committee's comments were not an attempt to wordsmith the RFP, but in some cases the RFP needed clarity or improvement in wording. Mr. Murphree said some of the specific comments are duplicated to address the various sections of the RFP that have similar wording.

Recommendation

Following are specific comments on the RFP, developed by the ORSSAB ad hoc committee and endorsed by the full board, that DOE should consider in the final version of the contract:

1. It is confusing how the word "contractor" is used. In some areas it appears to mean "bidder" as in C.2.1.2.1, 'Transition Plan,' and C.2.1.2.4, 'Interim Performance Measurement Baseline'. Here it seems that DOE wants a Transition Plan submitted in with bids. In other areas "contractor" is

implied to mean the group that is doing specific work as outlined as in C.2.1.2.10, 'Contractor's Approach'.

2. Page C-6: Paragraph C1.2, 'CONTRACT PURPOSE AND OBJECTIVES,' does not mention the impact of existing records of decision, only that the contractor will "work jointly with the SSAB, regulators, and any others stakeholders to define an end state...."

The contractor does not define the end state; the stakeholders define end states through records of decision.

3. Page C-10: While the solicitation does not mention the additional decontamination and decommissioning (D&D) work contemplated under the Integrated Facility Disposition Program (IFDP), it does recognize that additional sites at ORNL and Y-12 will most likely be remediated during the term of the contract and places the responsibility for the monitoring and long-term stewardship of those sites under this contract.

It is confusing to us that while a major part of this contract involves D&D (i.e., K-25, K-27 etc.) a huge D&D scope of work (IFDP) is not included or mentioned in this solicitation.

4. Page C-10, Para C2.2.1, 'K-25 D&D': There is no mention of technetium-99 contamination in this building.
5. Page C-11, Para C2.2.2, 'K-27 D&D': There is one sentence concerning technetium-99 contamination. In the detailed description of the scope of work, the technetium-99 contamination is not mentioned.
6. Page C-20, Para C2.2.12.11, 'Historic Preservation': This line item does not mention the role of the Tennessee State Historic Preservation Office or local stakeholder groups in historic preservation.
7. Page C-26, Para C2.2.17, 'Surveillance and Maintenance (S&M) of Facilities and Environmental Monitoring (Y-12)': Our interpretation of this line item is that it places all the responsibility for inspection, prioritization, planning, and execution of the S&M program for DOE EM-owned facilities on the contractor. We think the delegation of responsibility for this function by DOE-EM is unacceptable.
8. Page C-28, Para C2.2.17, 'Surveillance and Maintenance (S&M) of Facilities and Environmental Monitoring (Y-12)': The contractor is tasked with technical support to the SSAB. We think a more appropriate description of the task is for the contractor to provide a liaison to the SSAB and to provide briefings and other information as requested by the SSAB.
9. Page C-29, Para C2.2.19, 'S&M of Facilities and Environmental Monitoring (ORNL)': Our interpretation of this line item is that it places all the responsibility for inspection, prioritization, planning, and execution of the S&M program for EM-owned facilities on the contractor. We think the delegation of responsibility for this function by DOE-EM is unacceptable.
10. Page C-40, Para C2.2.23.12, 'Public Relations and Media Support': The contractor is tasked with technical support to the SSAB. We think a more appropriate description of the task is for the contractor to provide a liaison to the SSAB and to provide briefings and other information as requested by the SSAB.