

Synopsis

Solicitation/Contract Number: DE-SOL-0007781

Title: Los Alamos Legacy Cleanup Completion Project Bridge Contract

Description:

The Department of Energy (DOE), Office of Environmental Management Consolidated Business Center (EMCBC), intends to issue a sole source contract to Los Alamos National Security, LLC (LANS) to perform legacy environmental work funded by the Office of Environmental Management (EM) at the Los Alamos National Laboratory (LANL). This EM-funded scope is currently performed by LANS under the Management and Operating (M&O) Contract at the LANL, which is managed and administered by the DOE, National Nuclear Security Administration (NNSA). The EM-funded work at LANL is the subject of a state Compliance Order on Consent (Consent Order). The Consent Order was signed by DOE, the Regents of the University of California (on behalf of the DOE's contractor) and the State of New Mexico pursuant to the New Mexico Hazardous Waste Act (HWA) in March 2005. The sole source bridge contract is an interim action that will allow EM to accomplish the Secretary of Energy directed objective of achieving increased management control and oversight of the EM-funded legacy cleanup activities at LANL. This action will also facilitate the successful accomplishment of the necessary near-term work scope with the least amount of disruption. Additionally, the action will provide EM the reasonable time to competitively procure a performance-based, incentive contract(s) for the longer term Los Alamos Legacy Cleanup Completion Project (LCCP) requirements at LANL. The competitive procurement process for the longer term Los Alamos LCCP requirements is expected to take approximately 18-24 months. LANS will begin to transition work immediately after award of the competitive contract(s) to the successor contractor(s) and work on the bridge contract will end after the required contract transition is complete. The period of performance for the bridge contract is up to two (2) years, inclusive of a one (1) year base period and two six (6) month option periods. The bridge contract start date is subject to change, but is anticipated to be on or about January 31, 2015. As part of this interim action, the Department will descope the NNSA M&O contract with LANS to remove the EM-funded legacy cleanup work. EM plans to refine the definition of the required bridge contract work scope during this interim transition period to align with those high priority activities required to implement recently identified corrective actions in the legacy transuranic waste program and to implement the Administrative Order issued on May 19, 2014, by the New Mexico Environment Department (NMED) and to comply with other regulatory requirements.

The transition of the legacy environmental cleanup work at LANL from NNSA to EM is expected to enable increased efficiencies in the environmental cleanup through employment of a specialized contractor (or contractors) and increased integration with other EM operations. These changes will also enable the LANL M&O contractor, LANS, to strengthen its focus on the core national security missions at the site. It is vital that the transition be achieved in a manner that does not adversely impact the mission work at LANL, including the completion of risk driven and regulatory required cleanup activities, and the Department's relationships with site regulators, surrounding Pueblos and community stakeholders.

The EM Program, the largest environmental clean-up program in the world, offers the requisite expertise and is best positioned to directly oversee and complete the remediation of the legacy environmental work at LANL. Due to the NNSA Act, EM cannot assume direct management of NNSA employees or its contractors; thus, EM is unable to fully direct the EM-funded cleanup scope within the NNSA M&O contract with LANS. As such, the immediate transition of the EM-funded scope at LANL to an EM-managed contract is expected to achieve direct EM oversight and facilitate increased integration with other EM contractors and sites, including at the Waste Isolation Pilot Plant, to ensure consistent identification, review and alignment of technical requirements and improved quality control, while protecting human health and the environment. The work scope under the bridge contract is expected to be similar to the EM funded scope included in the LANL M&O contract and includes, but is not limited to, the following requirements:

- 1) Conduct compliant environmental restoration activities including characterization and remediation in accordance with regulatory and enforceable agreements, requirements and milestones;
- 2) Complete legacy waste disposition including cooperation and coordination with the Carlsbad Field Office for transuranic waste activities, including the activities required by the NMED Administrative Order of May 19, 2014, regarding the isolation and treatment of nitrate salt bearing transuranic wastes;
- 3) Decontaminate and decommission facilities and infrastructure;
- 4) Coordinate and implement waste minimization and pollution prevention initiatives;
- 5) Implement an Environmental Management System under Integrated Safety Management;
- 6) Commission and manage the necessary waste management facilities and equipment to ensure uninterrupted waste management operations;
- 7) Facilitate the remediation and conveyance of Land Transfer parcels pursuant to applicable law; and,
- 8) Support development and implementation of a site-wide permitting approach that achieves and supports the Secretarial directed delineation of legacy cleanup scope with new EM managed contracts.

The inclusion of the above work scope elements in the bridge contract does not limit DOE's authority to identify specific activities or projects to be accomplished by separate prime contract awards if DOE determines it is possible and in its best interest to do so.

The capabilities required for the performance of the above listed scope requirements include:

- Extensive knowledge and experience with ongoing LANL Environmental Management Programs and Projects as well as the unique permitting requirements and regulatory agreement requirements applicable to LANL;
- Extensive knowledge of LANL transuranic (TRU) waste requirements, including the management, storage and remediation of LANL wastes identified as a result of radiological incidents which occurred in FY14;
- Extensive knowledge of the corrective actions required to address self-identified and externally-identified vulnerabilities in the TRU processing program, including Resource Conservation and Recovery Act (RCRA) related compliance matters;
- Extensive experience with and knowledge of the regulatory environment in New Mexico as well as a relationship with the states' regulatory entity, NMED;
- Current possession of the requisite permits and regulatory agreements needed to conduct urgent environmental cleanup work, including ground water sampling and protection and management of high risk mixed transuranic waste inventories;
- Extensive knowledge and experience in the development and implementation of a pilot test phase for the treatment of hexavalent chromium contamination in the LANL groundwater; and,
- Ability to accomplish the foregoing EM operations/activities without disruption or cessation to the program as the above cited permitting process actions occur simultaneously with ongoing operational activities at LANL.

The proposed contract action is for services for which the DOE intends to solicit and negotiate with only one source under authority of FAR 6.302. The statutory authority permitting other than full and open competition is Section 303(c) of the Federal Property and Administrative Services Act of 1949, as amended by the Competition in Contracting Act (41 U.S.C. 253(c)(1)), implemented under Federal Acquisition Regulation (FAR) 6.302-1(a) which authorizes other than full and open competition when the supplies or services required by the agency are available from only one responsible source, and no other type of supplies or services will satisfy agency requirements.

During the period of performance for the bridge contract, DOE will engage in activities necessary to conduct a competitive acquisition for the EM-funded scope at LANL. The timeframe for the awarding a competitive contract(s) cannot be predicted with certainty; therefore, the period of performance (one-year base period and two 6-months options periods) for the bridge contract has been structured with a base period and option periods so that transition to a contract(s) awarded on the basis of full and open competition can occur as soon as possible.

THIS IS NOT A FORMAL REQUEST FOR PROPOSALS UNDER FAR PART 12, 15, OR AN INVITATION FOR BIDS UNDER FAR PART 14. IF PARTIES CHOOSE TO RESPOND,

ANY COST ASSOCIATED WITH THE PREPARATION AND SUBMISSION OF DATA OR ANY OTHER COSTS INCURRED IN RESPONSE TO THIS ANNOUNCEMENT ARE THE SOLE RESPONSIBILITY OF THE RESPONDENT AND WILL NOT BE REIMBURSED BY THE GOVERNMENT.

Interested parties believing they have all of the capabilities may submit capability statements to provide all of the services, including a demonstration of the ability to meet all of the needs identified above within the required timeframes. Email your questions to Carin P. Boyd, Contracting Officer, at carin.boyd@emcbc.doe.gov. The capabilities statement not exceeding 10 pages describing and demonstrating the above, shall be submitted within 15 days of publication of this notice electronically to Ms. Boyd at carin.boyd@emcbc.doe.gov and in hard copy to the following address: U.S. Department of Energy, Environment Management Consolidated Business Center, 250 East Fifth St., Suite 500, Cincinnati, OH 45202; Attention: Carin P. Boyd.

Point of Contact: Carin P. Boyd, Contracting Officer

Contracting Officer Phone: (513) 246-0570

Contracting Officer E-mail: carin.boyd@emcbc.doe.gov

Classification Codes: F-108: Hazardous substance removal, clean-up/disposal services/operational support

Simplified Acquisition: No

Type of Action: Other Than Full and Open Competition – Only One Responsible Source