



EAGLE BOA HOLDERS MEETING

27 October 2015



Ms. Cheryl Nielsen
Chief, Branch B
EAGLE and Sustainment
Contracting Division
Army Contracting Command – Rock
Island



Agenda



- Registration 7:00 a.m. – 8:00 a.m.
- Opening Remarks
- EAGLE Program Status
- BOA Updates
- EAGLE Planning Schedule
- BOA 7 – Requirements
- Associate Contractor Agreements
- Improvements Implemented
- On-Going Initiatives
- Other Recommendations
- L&M Updates
- Topics for Discussion
- Questions & Answers
- Closing Remarks 11:45 a.m.
- End Meeting 12:00 p.m.*

*Estimated ending time depending on length of Discussion Topics



Opening Remarks



MG O'Connell Commanding General Army Sustainment Command



Opening Remarks



Ms. Melanie Johnson
Executive Director
Army Contracting Command – Rock
Island



Ms. Jody Fasko
Chief, EAGLE Business Office
Army Sustainment Command



EAGLE Program Status



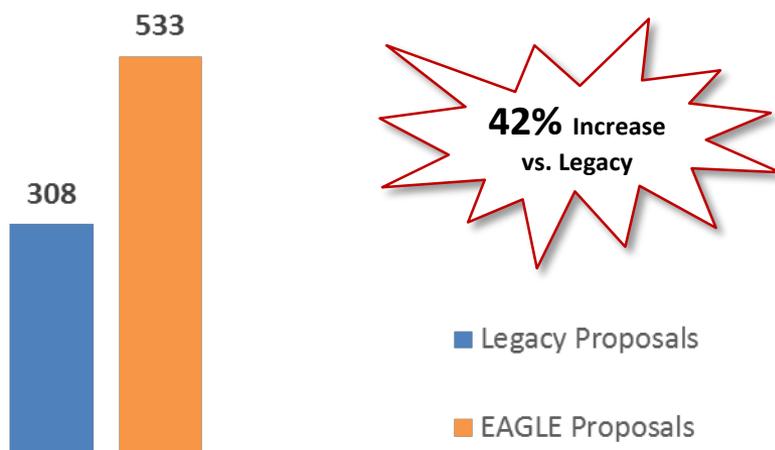
Program Overview

- ❑ 27 EAGLE Task Orders (TO) Awarded
 - Small Business Set Asides: 13
 - 8(a) Set Asides: 7
 - Unrestricted/Large Business: 7
 - TOs FOC: 23
 - Under protest: 3

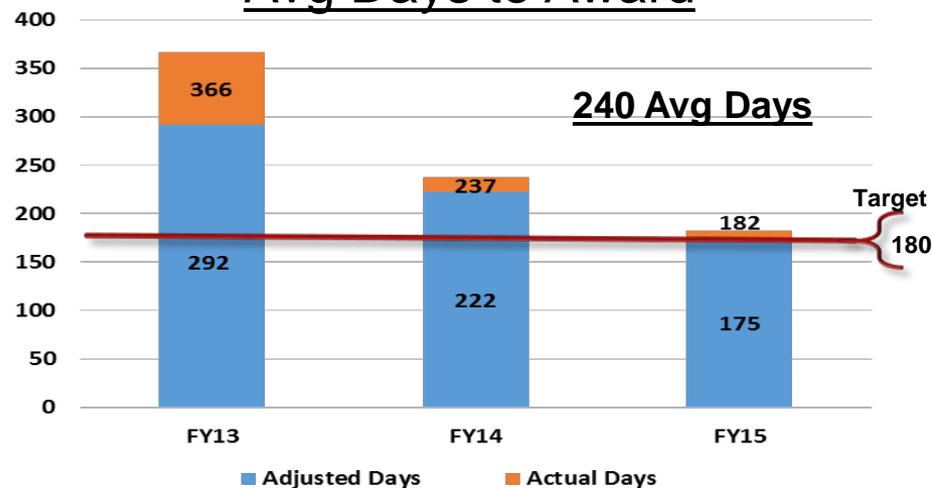
Small Business (SB) Support

- Of total dollars awarded
- ❑ 29.1% awarded through SB Set Asides
 - ❑ 15.9% awarded as 8(a) Set Asides
 - ❑ 55% awarded to Large Business

Competition



Avg Days to Award





BOA Updates



- ❑ Currently there are 140 BOA Holders
- ❑ The 2015 Annual Review reduced the number of BOA Holders by 14
- ❑ Clarified the required use of approved teammates throughout execution
- ❑ Updated Business Rules
 - Included notification that the Contractor may be required to enter into Associated Contract Agreements with another Contractor as part of task order performance
 - Following language has been added to the Section H - EAGLE Business Rules:
 - If the Small Business Administration (SBA) does not issue a Certificate of Competency (COC) in response to a responsibility determination request on any EAGLE task order award, the Government may make a determination to NOT renew the Contractor's BOA during the Annual Review in accordance with FAR 16.703(c)(2). The Government reserves the right to cancel the BOA prior to the Annual Review if doing so is considered to be in the Government's best interest. Once the Contractor is able to demonstrate responsibility, the Contractor will be able to pursue a new BOA under a future BOA RFP opportunity.



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EAGLE Planning Schedule



Projected Solicitations By FY (issued)						
AFSB	2015	2016	2017	2018	2019	2020
401 st	<input checked="" type="checkbox"/> Afghanistan	<input checked="" type="checkbox"/> APS-5 KU/QA				APS-5 KU/QA
402 nd		<input checked="" type="checkbox"/> Wainwright				
403 rd					APS-4 NEA APS-4 YND	
404 th	<input checked="" type="checkbox"/> Dugway <input checked="" type="checkbox"/> Yuma PG <input checked="" type="checkbox"/> Hunter-Liggett	<input checked="" type="checkbox"/> RIA	Irwin (re-compete) <input checked="" type="checkbox"/> JBLM		Presidio Huachuca Detroit McCoy	Schofield Dugway Yuma PG
405 th		<input checked="" type="checkbox"/> European Equipment Set (EAS)				
406 th	<input checked="" type="checkbox"/> Rucker <input checked="" type="checkbox"/> Detrick <input checked="" type="checkbox"/> Stewart <input checked="" type="checkbox"/> Bragg	<input checked="" type="checkbox"/> Hamilton		Gordon Campbell	Polk Aberdeen	Benning Lee/JBLE Rucker
407 th	<input checked="" type="checkbox"/> Riley	<input checked="" type="checkbox"/> Carson	<input checked="" type="checkbox"/> Sill <input checked="" type="checkbox"/> Leonard Wood	Redstone	Hood Knox	Bliss Riley
OTHER	<input checked="" type="checkbox"/> BOA 6 <input checked="" type="checkbox"/> JPPSO <input checked="" type="checkbox"/> HMSO	BOA 7 <input checked="" type="checkbox"/> Material Management <input checked="" type="checkbox"/> Food Service Eqmt Maint	BOA	BOA	BOA	BOA JPPSO HMSO

= BOA 7

Solicitation pending Solicitation Issued/Open Solicitation closed Task Order Awarded



BOA 7 – Requirements



- RFP scheduled for release by Dec 15
- Emerging Requirements
 - Food Service Equipment Maintenance for installations without a stand-alone EAGLE task order (CONUS wide)
 - Wainwright, AK
- Other Requirements
 - Rock Island Arsenal
 - Fort Sill
 - Joint Base Lewis-McChord
 - Fort Leonard Wood



Associate Contractor Agreements



Associate Contractor Agreements (ACAs) – Agreements between contractors working on government contract projects that specify requirements for them to share information, data, technical knowledge, expertise, or resources.

- ❑ “Associate contractor” is a prime contractor working in conjunction with another prime contractor.
 - Prime and subcontractor relationships do not constitute ACAs and are not subject to an ACA provision’s requirements

- ❑ Intended Purpose—Used when contractors working on separate contracts must cooperate, share resources, or otherwise jointly participate in working on contracts/projects, to ensure appropriate cooperation, coordination, and integration of work essential for successful contract performance
 - Ensures efficiencies by improving communication and data flow; can help contractors achieve complete compatibility between services, and can also help prevent delays and unnecessary duplication of effort
 - Can allow for the identification, management, and continuous evaluation of all relevant contract interfaces/seams



ACAs Continued



- ❑ Necessitates use of special contract requirements. No applicable FAR, DFARS, or AFARS clauses, but a local clause could be used.
 - RFP and contract typically include ACA clause in Section H.
 - The applicable ACA requirements would also be found in the PWS.
 - May also be addressed in the Organizational Conflicts of Interest (OCI) provisions.
 - Contractors will need to sign NDAs and any other proprietary information exchange agreements as necessary.
 - NDAs are critical to promoting contractor accountability for maintaining confidentiality of sensitive information and providing other benefits, such as helping to prevent COIs that could arise from contractor misuse of the information
 - Sections L and M could also include special provisions relating to ACA
 - Contract provision would require contractor to provide a draft of the ACA to CO for review *before* execution by the cooperating contractors; would be provided to CO within certain number of days of award and incorporated into contract (Section J attachment)

- ❑ ACAs should be tailored to the requirements of the individual contracting situation.
 - Contractors negotiate formal guidelines to address coordination, cooperation, and communication; establish the means for the exchange of data.
 - Must clearly define roles/responsibilities and provide specifics based on the relationship(s) that exist at time of contract award. Tailored key performance indicators (KPIs) can be developed and measured to ensure desired behaviors and results.
 - Contractor is NOT relieved of any contract requirements or entitled to any adjustments to the contract terms because of a failure to resolve a disagreement with an associated contractor.
 - The ACA can be amended as required by the government during performance of contract



Improvements Implemented



Industry Feedback

Government Action

Debriefings

Providing Offerors info on where their price was compared to all proposals received

5 years vs. 3 years Past Performance

Changed to 5 years for recency

Past performance data call from subcontractors

BOA Holders have the option of having teammate/subcontractor submit directly to Government

Ability to update BOAs for special circumstances

Added language during Annual Review to allow for items such as novation, name change, change in business size and updates to POCs

Cost Realism

Added paragraph to revised section M; identifying the possibility of rejection for unrealistically low proposals

Too many compliance requirements

Eliminating unnecessary requirements in revised L&M

Number of lines on Attachment 0002

Removed restriction in revised L&M

Size of emails received for RFP issuance

AMRDEC Safe Access File Exchange (SAFE) implemented to alleviate large emails



On-Going Initiatives



Industry Feedback	Government Action
30 days between execution of new / revised BOAs and release of new TO RFPs	Will continue to accommodate when feasible to meet requirements
3 week lead time for site visits	Implemented when possible; notifications issued in advance of draft RFP if necessary
Eliminate sub-CLIN breakout for evaluating cost proposals	Implemented on Unrestricted Task Orders
Make ODC CLINs FFP	Introducing FFP CLINs where appropriate
Too many attachments	Combined Attachment 0010 and 0005; Eliminated FTE table
Consolidate installations	Considering for limited scope requirements (i.e. HMSO)
Too many BOA Holders	Assessing alternatives to ensure quality of BOA Holders beyond 2017



Other Recommendations



Industry Feedback	Government Action
Past performance thresholds; bundle prime and teammates	Continue to review thresholds for each RFP; exploring ways to link thresholds with proposed performance levels
Contractors winning multiple awards; recommended instituting multiple award restrictions	No further action identified; each award will follow a responsibility determination
FFP exempt employees / non-exempt CPFF	No action; continuing to explore feasibility with multiple bill payers
Best Value vs. Modified Best Value	Determined based on requirement
OCONUS Small Business Factors	No change; pending changes to the FAR



L&M Updates



❑ Overarching L&M Changes

➤ Compliance Requirements

- Clearly identified in all CAPS and underlined in Section L
- Eliminated unnecessary requirements (e.g. naming conventions)

➤ Responsibility Determination

- DoD Pre-Award Safety Responsibility for contracts with ASP
- Property management plan

➤ Added definitions of Significant Weakness and Uncertainty

➤ Added a paragraph for clarity on opening discussions during Step 2, if determined necessary by PCO

➤ Attachment 0010 Teaming Matrix merged with Cost/Price matrix Attachment 0005 to allow for a “check and balance” to support compliance



L&M Updates



❑ Technical Volume

- Eliminated unnecessary compliance requirements relative to Attachment 0002
 - Removed row and column restrictions
 - Removed compliance requirement for “Shop or PWS”

- Simplified/Clarified Attachment 0002 requirements
 - Added a column for SCA Codes in Attachment 0002
 - Combined Base Year worksheet and Option Year worksheet

- Removed compliance with Executive Order 13495 as evaluation criteria

- Added specificity on evaluation criteria
 - Staffing/Labor Mix evaluation of labor categories in accordance with definitions identified in the CBA, SCA, TE or as proposed by the Offeror in the SMP narrative
 - Technical language for evaluation of FLC2 supervisor to FLC1 employee ratio, as well as adequate manager to supervisor ratio



L&M Updates



❑ Cost / Price Volume

- Cost Realism analysis finding unrealistically low costs may result in the proposal being rejected due to potential for post-award performance problems and therefore, not further considered for award
- Removed Basis of Selection – All Teammates/Subcontractors must submit a Cost/Price proposal (regardless if they are competitive or non-competitive)
- Reduced Subcontractor submittal requirement for FFP subcontracts
- Removed FTE Table (also was a compliance requirement)



L&M Updates



❑ Past Performance Volume

- 5 years recency in lieu of 3 years

- Clarity to when 5 year period begins and ends

- Added clarity on the definition of a teammate and a subcontractor for the Past Performance factor

- Threshold language simplified to identify dollar amounts required for primes and teammates (removed redundant language)

- Language updated to reflect that Joint Ventures are now teammates under the BOA Attachment 0002 teaming arrangement



L&M Updates



- ❑ Small Business Participation (Unrestricted CONUS competitions only)
 - Small Business Offerors will be given an Acceptable rating for this factor; no submission is required

 - Changed evaluation from Adjectival to Acceptable / Unacceptable

 - Historical evaluation is based upon how the Offeror executed and met its goals on that contract

 - Minimum Small Business Subcontracting Goals established
 - SB 39% (absolute)
 - SDB 5%
 - WOSB 5%
 - HUBZone 3%
 - VOSB 3%
 - SDVOSB 3%



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Break



Mrs. Kathryn Szymanski
Chief Counsel
Army Sustainment Command



Discussion Rules



- Purpose is to spark discussions
- Maximum participation encouraged



Declining Resources



Discussion Question:

- Given the resource constrained environment, what kind of competition / evaluation techniques can we employ to continue to see cost savings?

Related Industry Feedback

- Allow Offerors to address innovations that are tied to cost efficiencies
 - Propose fewer than the stated FLC1 hours and/or labor position titles with supporting rationale
- Consider a “two step approach” when evaluating Offerors where every interested company provides an unpriced technical approach clearly defining their innovative approach. In Step Two, the top contractors can then be asked to submit proposals priced in accordance with their previously approved technical approach.

Government Feedback

- How can the Government confirm that the proposed approaches are truly acceptable and can be implemented into the program?

Discussion

- Positive/Negative Impact?



Value Engineering Change Proposals



Discussion Question:

- Why aren't awarded Contractors taking advantage of the value engineering change proposals (VECPs)?
 - Value Engineering: The Contractor is encouraged to develop, prepare and submit VECPs voluntarily. The Contractor shall share in any net acquisition savings realized from accepted VECPs in accordance with incentive sharing rates in FAR clause 52.248-1(f).
 - Included in all BOAs and Task Orders

Related Industry Feedback

- Open for discussion

Government Feedback

- Any successful VECP implemented will result positively in your CPARs rating.

Discussion

- Positive/Negative Impact?



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Innovation



Discussion Question:

- Other than efficiencies, what kind of innovation could be introduced into Maintenance, Supply, and/or Transportation Services?

Related Industry Feedback

- Flexibility in evaluation criteria in order to make trade offs between price and innovation as well as recognize and reward innovative solutions

Government Feedback

- How can the Government confirm that the proposed approaches are truly acceptable and can be implemented into the program?

Discussion

- Positive/Negative Impact?



BOA Evaluations



Discussion Question(s)

- How do we strengthen the BOA evaluation process? What criteria can we look at on the BOA level and eliminate at the Task Order level?

Related Industry Feedback

- Open for Discussion

Discussion

- Positive/Negative Impact?



Multiple Site Competitions



Discussion Question

- Are there any efficiencies to be gained by competing multiple small sites under a single task order? Does the current NAICS code and associated set aside threshold support this concept?

Related Industry Feedback

- The Government should set aside appropriate percentages of CONUS based work for large business in order to protect the industrial base. Doing so will allow large businesses within the services industry to maintain a trained workforce to respond to more complex OCONUS contingency requirements when needed in the future.

Government Feedback

- Do we have an industrial base for Maintenance, Supply and Transportation that needs to be protected?

Discussion

- Positive/Negative Impact?



Other Feedback Received



Industry Recommendation

Adjectival Ratings

- Qualitative rating levels in evaluation of Technical proposals (e.g. Exceptional, Very Good, Satisfactory, etc. versus Acceptable/Unacceptable) for the top 5 or 20% of proposals

Government Feedback

- Government is taking this recommendation into consideration. Additional concerns would be evaluation consistency and timeframe constraints.

Discussion

- Positive/Negative Impact?



Other Feedback Received



Industry Question

Past Performance

- How do we get a Substantial Past Performance confidence rating?

Government Feedback

- Subjective
- Every evaluation stands on its own
- Important considerations in determining confidence rating
 - Recent / Relevant Past Performance as a Prime
 - Possess Satisfactory or above with same magnitude and complexity for associated task order
- Consider linking relevancy with proposed performance levels

Discussion

- Positive/Negative Impact?



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Questions & Answers



QUESTIONS?



Closing Remarks



- A summarization of these discussions will be posted on the EAGLE website.

- Questions that were submitted in writing and/or were not discussed in today's meeting will be provided in writing and posted on the EAGLE website.



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BACK UP SLIDES