

IDAHO CLEANUP PROJECT (ICP)
CONTRACT NO. 89303321DEM000061
BASE

Task Order 1

ICP Transition Period Task Order

IDAHO CLEANUP PROJECT (ICP)
TASK ORDER 1 – CONTRACT TRANSITION
CONTRACT NO.: 89303321DEM000061

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Section B - Supplies or Services and Prices/Costs

This Task Order work shall be performed under Contract Line Item Number (CLIN) 00001 of the Idaho Cleanup Project (ICP) Contract Master Indefinite Delivery/Indefinite Quantity (IDIQ) Contract (herein referred to as the Master IDIQ Contract). Section B of the Master IDIQ Contract is incorporated by reference. The requisite clause information specific to this Task Order included below is consistent with the clause numbering structure established by the Master IDIQ Contract.

B.1 DOE-B-2012 Supplies/Services Being Procured/Delivery Requirements (Oct 2014)

The Contractor shall furnish all personnel, facilities, equipment, material, supplies, and services (except as may be expressly set forth in this Task Order as furnished by the Government) and otherwise do all things necessary for, or incident to, the performance of work as described in Section C, Performance Work Statement (PWS) under this Task Order.

B.2 Type of Contract

(d) DOE-B-2004 Cost-No-Fee Task Order: Total Estimated Cost (OCT 2014) (Revised)

(1) This is a cost-no fee Task Order. In accordance with the clause at FAR 52.216-11, *Cost Contract-No Fee*, the total estimated cost for this Task Order is as follows (Table B-1):

Table B-1. Estimated Total Cost

Total Estimated Cost:	\$3,586,924
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(2) The Total Estimated Cost of the Task Order is as follows (Table B-2):

Table B-2. Task Order CLIN Structure

CLIN	CLIN Title	CLIN Type	Estimated Cost
00001	Contract Transition	CR (no fee)	\$3,586,924
CLIN= Contract Line Item Number		CR = Cost Reimbursable	

(3) CLIN Description:

CLIN 00001 – Contract Transition:

The Contract Transition Period begins with the start date provided within the issuance of the Notice to Proceed (NTP) under this Task Order. Costs are reimbursed based on allowable actual costs billed to the Task Order. There is no fee for the Transition Task Order.

B.4 DOE-B-2013 Obligation of Funds (Oct 2014)

(a) Pursuant to the clause of this contract in FAR 52.232-22, *Limitation of Funds*, total funds in the amount(s) specified below are obligated for the payment of allowable costs. It is estimated that this amount is sufficient to cover performance through the date(s) shown below.

\$500,000 at Task Order issuance.

Section C - Performance Work Statement

C.1 Task Order Requirements

The Contractor shall perform the requirements in accordance with Section C.2 *Contract Transition* of the Master IDIQ Contract.

Section D - Packaging and Marking

Section D of the Master IDIQ Contract is incorporated by reference.

Section E - Inspection and Acceptance

Section E of the Master IDIQ Contract is incorporated by reference.

Section F - Deliveries or Performance

Section F of the Master IDIQ Contract is incorporated by reference. The requisite clause information specific to this Task Order included below is consistent with the clause numbering structure established by the Master IDIQ Contract.

F.3 Period of Performance

(b) The overall Task Order Period of Performance (POP) is estimated to be 90 days from NTP.

Section G - Contract Administration Data

Section G of the Master IDIQ Contract is incorporated by reference, as applicable.

Section H - Special Contract Requirements

Section H of the Master IDIQ Contract is incorporated by reference.

Section I - Contract Clauses

Section I of the Master IDIQ Contract is incorporated by reference.

Section J - List of Documents, Exhibits, and Other Attachments

Section J of the Master IDIQ Contract is incorporated by reference, as applicable to this Task Order. The Contractor shall submit the required deliverables under this Contract Transition Task Order in accordance with Attachment J-2 *Contract Deliverables* of the Master IDIQ Contract.

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P00003

Task Order 1

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J-13.1 Advance Agreement Precontract Costs

Idaho Environmental Coalition, LLC (IEC)

**CONTRACT NO. 89303321DEM000061
Task Order-1 Contract Transition (TO-1)**

**Advance Agreement Revision 0
Per FAR 31.109 & FAR 31.205-32**

Precontract Costs in Anticipation of TO-1

**IEC Letter
Dated July 28, 2021**

**CO Letter CLN211360
Dated August 3, 2021**

August 5, 2021 (TO-1, Mod P00001) Rev. 01, dated September 21, 2021

Advance Agreement for Precontract Costs for Task Order-1, Contract Transition (TO-1)

Contract No. 89303321DEM000061, TO-1

Background and Applicability:

On May 27, 2021, Idaho Environmental Coalition, LLC (IEC) was awarded the Idaho Cleanup Project Indefinite Delivery/Indefinite Quantity (IDIQ) contract. The Department of Energy Idaho Operations Office (DOE-ID) provided a formal Notice to Proceed for IEC to proceed with TO-1 commencing on October 1, 2021 via Contracting Officer (CO) letter (CLN211300) dated July 20, 2021. As stated in the contract and the CO letter, TO-1 is anticipated to last up to 90 days.

IEC has requested DOE-ID to consider allowing precontract costs prior to the commencement of TO-1 on October 1, 2021, utilizing the authorization provided by the Federal Acquisition Regulation (FAR) 31.109 – *Advance Agreements* and FAR 31.205-32 – *Precontract Costs*. These precontract transition activities will begin on August 2, 2021 with the intent to ensure proper transition of the Integrated Waste Treatment Unit (IWTU) project, workforce transition efforts, and task order development (including a 10-Year End State Strategic Task Order Plan (10-Year Plan)). The 10-Year Plan is a DOE deliverable due 60 days from the start of formal contract transition (October 1, 2021). DOE-ID and the DOE-Environmental Management (EM) strongly support this request and consider it to be in the best interest of both parties. While DOE-ID remains confident that 90 days is enough time to transition the ICP work scope, both parties are exercising an abundance of caution with regard to these critical path activities necessary to ensure a safe and efficient transition.

The following work scope is applicable to this advance agreement and will be considered as an allowable cost under this contract (assuming the costs are also reasonable and allocable per FAR subpart 31.201):

1) Integrated Waste Treatment Unit (IWTU)

The following IEC personnel will be authorized to initiate mobilization to participate in readiness activities and discussions to ensure safe and proper transition of the IWTU project:

- Ty Blackford, Program Manager
- Bill Kirby, Liquid Waste & Fuels Manager
- Michael Johnson, Subject Matter Expert
- Colin Jones, Transition Manager

Duration: August 2, 2021 through September 30, 2021 (official transition will begin October 1, 2021).

2) 10-Year End State Strategic Task Order Plan (10-Year Plan)

The following IEC personnel will be authorized to initiate mobilization and participate in up-front discussions and planning efforts, regarding the development of the 10-Year End State Strategic Task Order Plan. This document will serve as the framework for planning, managing, and identifying the necessary resources to successfully award and administer the contemplated task orders over the 10-year ordering period. This includes partnering efforts for the initial Requests for Task Order Proposal (RTP) development and any administrative actions needed for the IDIQ contract:

- Ty Blackford, Program Manager (mobilized for IWTU)
- Jack MacRae, Business Manager
- Connie Simiele, Essential Missions Manager
- One additional IEC employee (to be identified by IEC and approved by DOE-ID in advance) Jim Floerke has been approved by DOE-ID.

Duration: September 1, 2021 through September 30, 2021 (official transition will begin October 1, 2021)

3) Workforce Transition

The following IEC personnel will be authorized to initiate mobilization and participate in up-front discussions and planning efforts with DOE federal staff and senior leadership from Fluor Idaho, LLC and Spectra Tech, Inc. regarding workforce transition. IEC shall refrain from any dialogue with the incumbent workforce until formal commencement of TO-1, beginning October 1, 2021:

- Julie French, Transition HR Manager
- Michelle Stevens, Transition Senior HR Specialist

Duration: September 1, 2021 through September 30, 2021 (official transition will begin October 1, 2021)

4) Logistical Transition

DOE-ID authorizes logistical transition costs prior to October 1, 2021 for purposes of securing an office lease and ensuring internet access can be secured. Additional approvals will be required for any other specific logistical precontract costs.

Duration: September 1, 2021 through September 30, 2021 (official transition will begin October 1, 2021)

5) Mobilization of Remaining Key Personnel

The following IEC Key Personnel are permitted to mobilize to Idaho falls as early as September 26, 2021, prior to official transition beginning October 1, 2021:

- Dan Coyne
- Dave Hutchinson
- Ken Whitham

Due to October 1, 2021 falling on a Friday, this allows for maximum use of time at the start of transition. The other four key personnel have been previously authorized for precontract costs as stated above. It is anticipated that the NTE of \$428K is sufficient and will not need to be increased.

Conclusion:

All labor costs incurred for the above transition activities will be at the rates identified in IEC's proposal for Contract Transition and in accordance with Section J, Attachment J-11 IDIQ Labor Rate Schedule. Travel costs incurred will be reimbursed at current per diem rates.

A Not-To-Exceed (NTE) value of \$428K was provided in CO Letter CLN211360, dated August 3, 2021. As agreed to by both parties, IEC shall invoice based upon the rates provided in IEC's proposal, with the exception of the following:

During this unprecedented time during the COVID-19 Pandemic, in the event IEC is unable to secure hotel rooms in Idaho Falls, Idaho at the current GSA per diem rate for travel to perform DOE authorized Transition-related activities, IEC will perform best efforts to locate alternative lodging per Federal Travel Regulations, Subchapter B - Allowable Travel Expenses, Chapter 301 - Temporary Duty (TDY) Travel Allowances - Subpart 301-11.303 - Allowable Travel Expenses. Under these changed conditions, DOE-ID will allow reimbursement of actual hotel charges not to exceed 300 percent of the established GSA per diem rates. Further, in the event actual COVID-19 conditions affect Federal guideline changes, DOE will also allow documented increased costs for airfare, car rental and fuel costs as additional allowable cost.

Per FAR 31.205-32 – *Precontract costs*, DOE-ID has determined that these costs would have been allowable if incurred after the date of contract transition and these activities are necessary to comply with the contract delivery schedule of an anticipated 90-day contract transition and are therefore applicable. The duration for each activity is provided above and are within the 60 days authorized by federal regulation. All costs will be reviewed for reasonableness, allocability and allowability in accordance with FAR subpart 31.201.

Consistent with all of the requirements in FAR 31.109, this Advance Agreement is being negotiated prior to IEC takeover of the ICP contract and before incurrence of the costs involved and will be incorporated under TO-1, Contract Transition.