



RFP-2024-0001

Request for Proposal (RFP)

Swift & Staley Inc. invites you to submit a proposal for RFP-2024-0001. This is a Fixed Price Subcontract to replace the Low Water Crossing, as requested by CONTRACTOR, at the U.S. Department of Energy (DOE) Paducah Gaseous Diffusion Plant (PGDP) site in Paducah, Kentucky.

The *Scope of Work* provides full details.

The RFP opening date is February 12, 2024, and the closing date is February 27, 2024 at 5:00 PM Central Time. The *Period of Performance* and *Schedule of Events* are found in *Exhibit A*. The *Scope of Work* is found in *Exhibit B-1*.

Thank you,

David Holman
Subcontractor Administrator
Swift & Staley Inc.
5505 Hobbs Road
Kevil, KY 42053
E-mail: david.holman@pad.pppo.gov



Request for Proposal

Instructions and Information for Offeror

Provide all labor personnel, supervision and management personnel, materials, tools, supplies, equipment, products-for-use, transportation, and additional items necessary to perform the replacement of the Low Water Crossing in accordance with this scope of work as requested by CONTRACTOR, at the Paducah Gaseous Diffusion Plant. Refer to *Scope of Work* and *Technical Specifications* for full details.

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1. INTRODUCTION

This Request for Proposal (RFP) is issued by Swift & Staley Inc., CONTRACTOR, under Contract number DE-EM0003733 with the U.S. Department of Energy (DOE), to solicit proposals for award of a Fixed Price Subcontract for all labor personnel, supervision and management personnel, tools, supplies, materials, products-for-use, transportation, equipment, and additional items necessary to replace the Low Water Crossing, as requested by CONTRACTOR, as defined in the Scope of Work for CONTRACTOR at the Paducah Gaseous Diffusion Plant (PGDP).

2. ACKNOWLEDGMENT OF ATTACHMENTS AND INTENT TO OFFER

The term “RFP” includes all exhibits and other documents provided to Offeror as part of this RFP.

Offeror shall acknowledge receipt of all attachments to this RFP, along with the intent to submit or decline a proposal by returning the “Letter of Acknowledgment” provided with the RFP. The “Letter of Acknowledgment” must be received or proposal cannot be accepted.

CONTRACTOR must receive the “Letter of Acknowledgment” by 5:00 PM Central Time, February 16, 2024.

3. EXAMINATION OF REQUEST FOR PROPOSAL DOCUMENTS AND EXPLANATION TO OFFEROR

Offeror planning to submit a proposal is responsible for examining the complete RFP and all amendments and/or conditions that might in any way affect the cost of the performance of any work. Failure to do so will be at the sole risk of the Offeror, and no relief for errors or omissions by the Offeror will be given.

Should the Offeror find discrepancies in, or omissions from the RFP, or should the intent or meaning appear unclear or ambiguous, or should any other questions arise relative to the RFP, the Offeror shall notify CONTRACTOR promptly by **5:00 PM Central Time on February 20, 2024**, via email to david.holman@pad.pppo.gov. The Offeror making such request solely will be responsible for its timely receipt by CONTRACTOR. Replies to such notices will be made to all prospective Offerors by **5:00 PM Central Time on February 22, 2024**. If the request(s) require changes to the original RFP, then an amendment to the RFP will be issued to all prospective Offerors.

In order to address any questions, an Offeror desiring an explanation of interpretation of the RFP, drawings, specifications, etc., must submit questions to david.holman@pad.pppo.gov. No verbal inquiries will be accepted. Oral explanations or instructions given by the CONTRACTOR before the award of the Subcontract will not be binding. Any information given to a prospective Offeror concerning the RFP will be furnished to all other prospective Offerors. In order to facilitate questions regarding this RFP, please include the RFP number (RFP-2024-0001) with your questions.

4. EXHIBITS INCLUDED IN RFP-2024-0001

Offeror agrees to perform all work specified in Exhibits listed below, and in accordance with all conditions stated in this RFP.

- EXHIBIT A PERIOD OF PERFORMANCE AND SCHEDULE OF EVENTS
- EXHIBIT B PROJECT GENERAL OVERVIEW
- EXHIBIT B-1 SCOPE OF WORK
- EXHIBIT B-2 BEST MANAGEMENT PRACTICES
- EXHIBIT B-3 PROJECT WASTE GENERATION FORECAST & WASTE ITEM CONTAINER LOG
- EXHIBIT C TECHNICAL SPECIFICATIONS
- EXHIBIT D GENERAL CONDITIONS
- EXHIBIT D-1 DIFFERING PROFESSIONAL OPINIONS
- EXHIBIT D-2 EMPLOYEE CONCERNS FOR SUBCONTRACTORS
- EXHIBIT E SPECIAL TERMS AND CONDITIONS
- EXHIBIT E-1 TALENT RECRUITMENT SLIDES
- EXHIBIT E-2 QUALITY ASSURANCE REQUIREMENTS (QAR)
- EXHIBIT F U.S. GOVERNMENT PROVISIONS FLOWDOWN CLAUSES
- EXHIBIT G ENVIRONMENT, SAFETY, AND HEALTH (ESH)
- EXHIBIT H SUBMITTAL REQUIREMENTS
- EXHIBIT I INTEGRATED SAFETY MANAGEMENT SYSTEM (ISMS)
WORKERS SAFETY AND HEALTH PLAN (WSHP)

5. AMENDMENTS TO REQUEST FOR PROPOSAL

If this RFP is amended, all terms and conditions that are not modified remain unchanged. The term “RFP” includes all exhibits and other documents provided to Offeror as part of this RFP.

6. PRE-PROPOSAL CONFERENCE

To aid in further clarification, a **mandatory** pre-proposal conference is scheduled at 5505 Hobbs Road, Kevil, KY 42053, C-304 Conference Room, at 9:00 AM Central Time, on February 15, 2024. A physical walk down at the worksite will follow the pre-bid meeting. Each Offeror may send a maximum of two representatives. Please contact Stacey Marinelli for directions and/or information as to the exact place to meet for this pre-proposal conference. **The names of attendees must be provided to Stacey Marinelli by February 14, 2024, as visitor badges will be needed. Attendees must be U.S. Citizens. Real ID Act Compliant identification is required for entry.**

Information needed includes name as shown on Real ID, along with company name, address, and phone number. If a dual citizen, a passport must be presented.

Ms. Marinelli may be reached at email: stacey.marinelli@pad.pppo.gov prior to the conference. Please reference RFP-2024-0001 in your email.

7. PREPARATION COST

The preparation of the proposal shall be by, and at the expense of, the Offeror. This proposal shall contain all costs to CONTRACTOR.

8. PRICING CONDITIONS

The quoted price(s) must include all costs to the CONTRACTOR for all supervision, labor, tools, supplies, materials, equipment, transportation, testing, and any and all items of expense, fees, taxes, bonds, duties, overhead, and profit for full and complete performance of the work as set forth herein. Pricing will be guaranteed for 90 days from submission of proposal. All pricing information requested in this RFP must be provided. Costing/Pricing by detail must be broken out by labor, material, etc. CONTRACTOR reserves the right to require the Offeror to furnish an accounting breakdown of all contract prices. This request may be made after contract price has been finalized with the selected Offeror.

9. PAYMENT TERMS

CONTRACTOR payment terms are net 30 days less retainage upon receipt of invoice, subject to approval. A 10% retainage will be withheld until completion and acceptance of work performed.

10. RIGHT OF ACCEPTANCE

CONTRACTOR reserves the right to:

- Accept or reject any proposal in whole or in part.
- Reject all proposals, with or without, notice or reason.
- Enter into discussions or negotiations with Offeror prior to award. Negotiations do not constitute a rejection of the proposal nor a counter-offer by CONTRACTOR.
- Abandon the work or have the work performed in such a manner as CONTRACTOR may elect, if no proposal is accepted.

Partial or incomplete proposals will not be accepted.

11. PROPOSAL EVALUATION CRITERIA

While CONTRACTOR intends to engage in the purchase for services, this event shall not guarantee that a participating Offeror will be awarded a Subcontract.

Any award resulting from this request will be made to the Offeror whose proposal provides the best value to CONTRACTOR. The best value determination will be at the sole discretion of CONTRACTOR, and could result in an award to other than the lowest price proposal. Any resulting purchase award will be set forth in writing between CONTRACTOR and the successful Offeror at some date after the close of the request. CONTRACTOR reserves the option to cancel this RFP process at any time and/or to elect not to engage in a Subcontract.

The Offeror must provide all data required in order to be considered an acceptable Offeror. All data must be executed completely, correctly, and accurately by the Offeror. Should the Offeror not complete all forms and documents, the Offeror will be deemed non-responsive.

This RFP will be evaluated based on the following criteria. Offerors are reminded the Subcontract will be awarded for best value with technical ability having the highest weighted percentage. An Evaluation Team (ET) composed of representatives of SST will review the proposals. The Evaluation Criteria listed below will be used to rank proposals in relative position based on how fully each proposal meets the requirements of this RFP.

| Criteria | Weighted Percentage (%) |
|--|--------------------------------|
| Technical Ability (Project Plan, Schedule) | 40% |
| Cost | 40% |
| Safety Record | 10% |
| Plant Site Knowledge | 10% |
| TOTAL | 100% |

12. SUBMITTAL OF PROPOSAL

Offeror's proposal must be submitted with:

- Detailed project plan
- Schedule
- Safety record
- Plant site knowledge
- Detailed cost estimate: The Quote will contain pricing for labor personnel, supervision and management personnel, bonds, parts, supplies, transportation, equipment, and materials to provide work, as outlined in *Exhibit B-1, Scope of Work (SOW)* of this RFP for CONTRACTOR. A cost breakdown/pricing schedule is provided.
- Listing of lower-tier subcontractors

Offeror shall list and acknowledge receipt of all amendments to this RFP in their proposal. Failure to indicate receipt of amendment(s) may cause rejection of the Offeror's proposal.

Specific documentation requested by CONTRACTOR must be submitted within the time specified and unless otherwise specified by CONTRACTOR, at no expense to CONTRACTOR.

13. PROPOSAL RESPONSE FORMAT

The following information is required to be considered for the award of the Subcontract:

- The proposal must be submitted under the same cover at the same time, in two distinct sections: a *Technical Proposal* and a *Cost Proposal*.
 - Technical Proposal to include:

- Project plan,
- Man-power loaded schedule,
- Past performance,
- DOE plant site knowledge, and experience,
- Listing of Lower-tier Subcontractors, (which may be subject to change when Subcontract is awarded), and
- Safety Records shall include Offeror's prior three years:
 1. Occupational Safety and Health Administration (OSHA) Recordable Injury Rate;
 2. Experience Modification Rate; and
 3. Any citations, notice of violations, etc., from state or federal regulators.
- Cost proposal to include:
 - Bond,
 - Labor personnel, supervision and management personnel,
 - Materials,
 - Equipment,
 - Other expenses, and
 - Lower-tier Subcontractor(s).

These items shall be broken down by line item. **Bonding will be required for this Subcontract.**

- Proposals are to be prepared on standard 8-1/2" x 11" paper.
- Proposals must respond to all the RFP requirements listed in *Exhibit B-1*. All responses to the requirements of this SOW must state clearly whether the proposal will satisfy the referenced requirements, and the manner in which each requirement will be satisfied.
- Proposals shall be based only on the material contained in the RFP. Included in the RFP are any official responses to the pre-proposal conference questions and any other material published by the CONTRACTOR pursuant to the RFP. The Offeror is to disregard any previous draft material, and/or any oral representations Offeror may have received.

14. AWARD OF SUBCONTRACT

CONTRACTOR contemplates award of a Subcontract in accordance with the requirements and conditions set forth or incorporated by reference in this RFP.

Proposals, for other than the total work defined, may be rejected. Award may not be made to any Offeror who has not responded to all instructions, certifications, and representations indicated in this RFP.

CONTRACTOR may reject any or all proposals if such action is in the best interest of CONTRACTOR or the Government, and/or waive informalities and minor irregularities in offers received.

CONTRACTOR may evaluate proposals and award a Subcontract without discussions with Offeror. Therefore, each initial proposal should contain the Offeror's best terms. CONTRACTOR reserves the right to conduct discussions, if later determined to be necessary by CONTRACTOR's Subcontract Administrator and the Project Lead (PL).

The Offeror agrees, if the proposal is accepted within the number of days allowed, to furnish any or all items upon which prices are offered, at the set price opposite each item, at the designated point(s) within the time specified in the schedule.

Neither financial data submitted with a proposal, nor representations concerning facilities or financing, will form a part of the resulting Subcontract. However, if the resulting Subcontract contains a clause providing for price reduction for defective cost or pricing data, the Subcontract price will be subject to reduction if cost or pricing data furnished are incomplete, inaccurate, or not current.

CONTRACTOR may determine that a proposal is unacceptable if the prices proposed are materially unbalanced between line items or sub-line items. A proposal is materially unbalanced when it is based on prices significantly less than cost for some work and prices that are significantly overstated in relation to cost for other work, and if there is a reasonable doubt that the proposal will result in the lowest overall cost to CONTRACTOR, even though it may be the lowest evaluated proposal, or it is so unbalanced as to be tantamount to allowing an advance payment.

A price evaluation will be performed to determine the reasonableness and realism of the proposed price. Reasonableness will be determined considering other competitive prices received and, where applicable, comparison to the CONTRACTOR's independent estimate. The CONTRACTOR may also consider the realism of a proposed price (i.e., whether a proposed price is too low); since this might indicate a lack of technical understanding on the Offeror's part or a performance risk that the CONTRACTOR may not be willing to accept. Whether a price is too high or too low may be considered in the context of comparison to other price proposals as well as to the CONTRACTOR's independent cost estimate or to any other information the CONTRACTOR deems useful in its discretion.

Certain mandatory requirements are required upon award of Subcontract to meet and perform the work described in the RFP. This may include such things as proper licensing or special accreditation, Certificate of Insurance, Certifications, Qualifications, W-9 forms, bonding requirements, registration on System for Award Management (SAM), and E-verify.

15. NOTICE TO SUCCESSFUL OFFEROR – Registration on System for Award Management

CONTRACTOR will require any successful Offeror to be registered on the System for Award Management (SAM) web-site at www.sam.gov.

16. NOTICE TO SUCCESSFUL OFFEROR - U.S. Citizenship & Employment Eligibility

Any person entering the PGDP must be a U.S. Citizen. Refer to *Exhibit E-2, U.S. Citizenship*.

CONTRACTOR will require any successful Offeror to supply the method of verification to prove employment eligibility of their employees or any Lower-tier Subcontractors by using the E-verify employment data base at www.e-verify.gov per Federal Acquisition Regulation (FAR) 52.222-54. **E-verify does not constitute proof of U.S. Citizenship.**

17. NOTICE TO OFFERORS

The Offeror will be informed whether or not the proposal was successful.

Swift & Staley Inc.

**EXHIBIT A
PERIOD OF PERFORMANCE AND SCHEDULE OF EVENTS**

RFP-2024-0001

| Event | Date |
|--|---------------------------|
| RFP Release Date | February 12, 2024 |
| Pre-proposal Conference (Walk Down) | February 15, 2024 9:00 AM |
| Letter of Acknowledgment Due | February 16, 2024 5:00 PM |
| Deadline for Receipt of Written Inquires | February 20, 2024 5:00 PM |
| Written Responses Distributed | February 22, 2024 5:00 PM |
| Proposal Due Date | February 27, 2024 5:00 PM |
| Evaluation Period | February 29, 2024 |
| Anticipated Subcontract Selection | March 7, 2024 |

PERIOD OF PERFORMANCE

The Subcontract period of performance is from April 22, 2024, through June 27, 2024.

Swift & Staley Inc.

**FIXED PRICE SUBCONTRACT
EXHIBIT B-1
SCOPE OF WORK**

STATEMENT OF WORK

This is a Fixed Price Subcontract to replace the Low Water Crossing, as requested by CONTRACTOR, at the Paducah Gaseous Diffusion Plant (PGDP) site in Paducah, Kentucky. Any Lower-tier Subcontracts issued by the SUBCONTRACTOR in support of this Subcontract shall require all Lower-tier Subcontractors to comply with the requirements set forth in this Scope of Work (SOW). Such subcontract service providers shall be accountable solely to the SUBCONTRACTOR, who, in turn, is responsible to CONTRACTOR.

GENERAL

The SUBCONTRACTOR shall provide all supervision and management personnel, labor personnel, tools, supplies, material, equipment, products-for-use, transportation, and additional items necessary to perform the replacement in accordance with this SOW.

The work area is not located within the Property Protection Area (PPA). Therefore, access to the work area will not require visitor security passes and badges.

SCOPE OF WORK:

Work shall, at a minimum, include the following tasks:

- Construct berm of approved material to divert water from work site and/or pump water with use of filter socks and/or other approved sedimentation control methods.
- Demolish existing crossing, size and load all waste materials in bins in accordance with provided waste acceptance criteria, and grade area as required.
- Construct new crossing in accordance with drawings and technical specifications provided in *Exhibit C*.
- Place rip rap upstream and downstream of the new culvert as shown on the drawings.
- Place compacted DGA to smoothly tie the existing road to the new crossing.
- Seed and stabilize any disturbed areas.
- At work completion, remove all temporary structures to restore flow to pre-work conditions.
- Meet requirements of US Army Corp of Engineers *Nationwide Permit 3 Maintenance*, effective February 25, 2022, paragraph (a) and applicable General Conditions.
- Meet General Conditions of Kentucky Department of Environmental Protection *General Certification for Nationwide Permit 3*, issued December 18, 2020.
- Refer to *Exhibit C* for *Nationwide Permit 3 and General Certification Conditions*.

SUBCONTRACTOR SHALL:

1. Coordinate all work with the CONTRACTOR.
2. Adhere to all site-work and construction practices and recommendations.
3. Work with the CONTRACTOR to provide controlled access to the work area and minimize interferences during construction.
4. Protect structures, canopies, utilities, sidewalks, pavements, and other facilities from damage caused by settlement, lateral movement, undermining, washout, and other hazards created by SUBCONTRACTOR equipment, as applicable.
5. Notify the Project Lead (PL) when excavations/penetrations are to be performed. Required excavation permits are to be provided to the SUBCONTRACTOR by the CONTRACTOR.
6. Notify the PL a minimum of 24 hours prior to the start of any inspections and/or testing.
7. Control excavated materials to ensure erosion/run-off does not enter ditches or storm drains, cover materials to prevent windblown dust, and adhere to all requirements in accordance with *Exhibit B-2, Best Management Practices plan (BMP)*.
8. SUBCONTRACTOR shall not provide final material release for off-site disposal; refer to items provided by CONTRACTOR.
9. Waste Path Sanitary Landfill, LLC, Calvert City, KY, shall be the only location used for off-site disposal of waste. SUBCONTRACTOR shall obtain and submit to the PL a certificate of disposal for all material sent to the off-site landfill. SUBCONTRACTOR will be responsible for arrangement of Waste Path bins, including delivery, pick-up, and meeting waste acceptance criteria (sizing, volume, etc.).
10. Register attendance at a daily plan-of-the-day meeting prior to commencing work every day.
11. Register attendance and understanding of an ES&H Activity Hazard Assessment (AHA) briefing and Work Package briefings.
12. Adhere to the directions of the on-site Protective Force.
13. Provide management and supervision until completion of this Project.
14. Costing/pricing by detail broken out by labor/craft, material, equipment, transportation (round trip), Lower-tier Subcontractors, and per diem. These items should be broken down by line item.
15. Detailed schedule of SUBCONTRACTOR work that supports the project schedule.
16. Documentation of required training.

ITEMS TO BE PROVIDED BY CONTRACTOR

1. All compaction and concrete testing.
2. ES&H inspections and oversight.
3. QA inspections and oversight.

4. Construction and project engineering oversight.
5. Notification of final material release for off-site disposal.
6. Notification of final release of equipment.
7. Excavation/Penetration Permit(s). Known existing underground utilities will be identified on the permit(s).
8. Resolution to any Technical Specifications conflicts or discrepancies identified by the SUBCONTRACTOR or CONTRACTOR.
9. Design drawings as listed below and in *Exhibit C*:
 - a. C5D-ISSC2306-00, Cover
 - b. C5D-ISSC2306-01, Demolition Plan
 - c. C5D-ISSC2306-02, Plan and Profile
 - d. C5D-ISSC2306-03, Details
 - e. C5D-ISSC2306-04, Hydraulic Opening Details
10. Specifications as listed below and in *Exhibit C*:
 - a. Division 03 Concrete
 - i. 033000 Cast-In-Place Concrete
 - b. Division 31 Earthwork
 - i. 311000 Site Clearing
 - ii. 312000 Earth Moving
 - c. Division 32 Exterior Improvements
 - i. 321313 Concrete Paving
 - ii. 321373 Concrete Paving Joint Sealants
 - iii. 329200 Turf and Grasses
 - d. Division 33 Site Utilities
 - i. 334100 Storm Utility Drainage Piping

WORK HOURS

All work-hours shall be performed on regular shift working hours. If SUBCONTRACTOR is proposing or requesting any deviation to the normal work hours of operations, then SUBCONTRACTOR must submit the request to the PL 48 hours in advance and receive approval before any change in scheduled work-hours.

Regular shift working hours, excluding CONTRACTOR-recognized holidays, are 6:00 AM to 4:30 PM Central Time, Monday through Thursday.

CONTRACTOR holidays are as follows:

Memorial Day (May 27, 2024)

Juneteenth (June 19, 2024)

LABOR REQUIREMENTS

- Davis-Bacon Act wages will apply.
- Web-site for these requirements is: www.sam.gov.

TIME OF COMPLETION:

Milestone Schedule

| | |
|-------------------------------------|----------------|
| Mobilization and Construction Start | April 22, 2024 |
| Construction Complete | June 20, 2024 |
| SUBCONTRACTOR demobilization | June 27, 2024 |

REQUIRED QUALIFICATIONS AND/OR CERTIFICATIONS

The SUBCONTRACTOR shall have training, experience, and qualifications to perform grading, excavation/backfill, and concrete placement/finishing.

WORKER TRAINING CERTIFICATES/SUBCONTRACTOR LICENSES

- Equipment Operators
- Paducah/McCracken County Business Contractor License
- Training required by the Construction Project Safety and Health Plan (*Exhibit G, Attachment 1*)

Documentation of training and qualifications must be submitted to the PL for approval at a minimum of six calendar days prior to mobilization.

ACCEPTANCE OF SERVICES

- A weekly certified payroll from SUBCONTRACTOR and Lower-tier Subcontractors. A weekly certified payroll shall be sent to jeremiah.white@swiftstaleyinc.com.
- All work conducted by the SUBCONTRACTOR shall be inspected by the CONTRACTOR for acceptance.
- Acceptance will be documented by completion of all submittals, inspections, and testing listed.
- Approval signature on monthly invoices by CONTRACTOR. Payment will be net 30 less retainage.
- A 10% retainage will be withheld until completion and acceptance of work performed.

REFERENCE:

- **Source References:**

- *Quality Assurance Plan (QAP) (ISSC.QA-PL-001, latest revision)*
- *Worker Safety and Health Plan (ISSC-ESH-PL-004, latest revision)*
- *Work Planning and Control (ISSC-PM-PR-003, latest revision)*
- *Project Work Process (ISSC-PM-PR-002, latest revision)*
- *Excavation-Penetration Activities (ISSC-PM-PR-006, latest revision)*
- *ES&H Subcontractor Oversight Program (ISSC-ESH-PR-013, latest revision)*
- *Storage and Disposition of Spent Materials (ISSC-ESH-PR-005, latest revision)*

- **SUBCONTRACTOR Use References:**
 - *Waste Item Container Log (ISSC-ESH-FO-017, latest Revision)*
 - *Project Waste Generation Forecast (ISSC-ESH-FO-051, latest Revision)*