

**MEMORANDUM OF AGREEMENT**  
**BETWEEN**  
**HEADQUARTERS AIR COMBAT COMMAND**  
**AND**  
**THE DEPARTMENT OF ENERGY**

**1.0 PURPOSE:**

The purpose of this agreement is to establish the roles and responsibilities between the Head Quarters Air Combat Command, Acquisition Management Integration Center, Technology and Infrastructure Division, (ACC AMIC/PKA) and Headquarters Air Combat Command Installations and Mission Support, Environmental Division, Environmental Quality Branch, HQ ACC/A7VQ, and The Department of Energy in awarding, administering, and providing technical guidance on environmental project task orders issued against the design-build, restoration and remediation (DBR2) contracts.

**2.0 SCOPE AND DURATION:**

2.1 This agreement applies to environmental design build, restoration and remediation construction contracts and associated task orders awarded by ACC AMIC/PKA or The Department of Energy contracting office and may be modified by mutual consent of both parties. This agreement is effective through the September 28, 2016 close-out date for each of the following contracts, unless sooner dissolved:

- FA4890-06-D-0004 - CAPE
- FA4890-06-D-0005 - Kemron Environmental Services, Inc.
- FA4890-06-D-0006 - URS Group, Inc.
- FA4890-06-D-0007 - CH2M Hill Corporation
- FA4890-06-D-0008 - Innovative Technical Solutions, Inc. (ITSI)
- FA4890-06-D-0009 - Tetra Tech, Inc.
- FA4890-06-D-0010 - Shaw Environmental, Inc.
- FA4890-06-D-0011 - Environmental Chemical Corporation (ECC)

2.2 In cases where the parties to this agreement cannot agree upon appropriate modifications of the agreement, disputes will be resolved by next higher organizational level for each party concerned.

### **3.0 BACKGROUND:**

**3.1 Air Combat Command, Acquisition Management Integration Center, Technology and Infrastructure Division, (ACC AMIC/PKA) is the contracting organization responsible for contract administration of the basic DBR2 contracts and associated task orders issued by ACC AMIC/PKA. Headquarters Air Combat Command Installations and Mission Support, Environmental Division, Environmental Quality Branch (HQ ACC/ A7VQ) is the technical organization responsible for program management and technical oversight of the basic contracts.**

**3.1.1 All eight (8) contracts are Indefinite-Delivery, Indefinite-Quantity (IDIQ). The basic contracts are structured to allow for issuance of firm fixed price (FFP), fixed price incentive (FPI), cost plus fixed fee (CPFF), cost plus incentive fee (CPIF), time and materials/labor hours (T&M/LH) and cost reimbursable (CR) task orders. The T&M task orders will be used on rare occasions when needed. A Determination and Findings must be approved by the issuing activity for each task order when CR and TM contract type are anticipated. The minimum amount on each contract is \$10,000.00 and has already been met. The program ceiling for all eight (8) contracts is \$500 million. There is no minimum or maximum dollar threshold for individual task orders.**

**3.1.2 The subject contracts are primarily for use by HQ ACC and all ACC Bases. The contracts may be used by other government agencies only if there is excess capacity available beyond ACC's actual needs. This will be determined jointly between ACC AMIC/PKA and HQ ACC/A7VQ.**

**3.1.3 All requests to use subject contracts are required to be sent to HQ ACC/A7VQ for approval.**

**3.1.4 Nothing in this Memorandum of Agreement (MOA) or its attachments will be construed to require The Department of Energy to order any amounts under the IDIQ contract discussed herein.**

**3.1.5 HQ ACC/A7VQ and ACC AMIC/PKA withhold the unilateral right to terminate this agreement if The Department of Energy fails to comply with any provision stated within this MOA.**

### **4.0 SPECIFIC DUTIES AND RESPONSIBILITIES:**

#### **4.1 ACC AMIC/PKA will:**

**4.1.1 Determine in conjunction with HQ ACC/A7VQ if there is excess capacity available on the contracts for use by non-ACC organizations.**

**4.1.2 Negotiate and award centralized task orders/modifications, or provide assistance to The Department of Energy contracting personnel in this process via decentralization.**

**4.1.3 Issue contract modifications to basic contracts.**

**4.1.4 Issue centralized task order modifications, or provide assistance to The Department of Energy contracting personnel in this process as they perform administrative functions on The Department of Energy task orders.**

**4.1.5 Review and approve all payments for centralized task orders handled at ACC AMIC/PKA level, or decentralize the procedure to The Department of Energy contracting.**

**4.1.6 Ensure obligation and contract ceilings are not exceeded.**

**4.1.7 Ensure program and procedural compliance with the Federal Acquisition Regulation (FAR), DoD FAR Supplement (DFARS) Air Force FAR Supplement (AFFARS), and other Air Force regulations, policies, environmental laws, and statutes. If a task order is decentralized, this function will be performed by The Department of Energy contracting.**

**4.1.8 Ensure contractors respond to The Department of Energy needs for data. These needs include, but are not limited to: progress reports, invoicing, proposal submittals, and deliverables. Progress reports will contain sufficient detail to justify payment in the amount and categories requested. If a task order is decentralized, this function will be performed by The Department of Energy contracting.**

**4.1.9 Terminate task orders as agreed between the parties. Letters of concern, show cause notices, cure notices, and other adverse correspondence with contractors on The Department of Energy task orders will be coordinated with ACC AMIC/PKA, HQ ACC/A7VQ, and The Department of Energy prior to being sent to the contractor. Protests and contract litigation will be handled as agreed between the parties.**

**4.2 HQ ACC/A7VQ will:**

**4.2.1 Review all proposed projects from The Department of Energy and coordinate with AMIC/PKA all projects to ensure they are within the scope and therefore appropriate for award under subject contracts.**

**4.2.2 Provide technical guidance in developing statements of work (SOW), performance work statements (PWS), Statement of Objectives (SOO) and independent Government cost estimates. HQ ACC/A7VQ will not act as a Technical Project Manager (TPM) or be solely responsible for writing the statement of work and estimate. HQ ACC/A7VQ will be used in an advisory capacity.**

4.3 The Department of Energy Contracting Unit will:

4.3.1 Follow the guidelines for accessing subject contracts (Atch 1).

4.3.2 Ensure selection of contractor for each task order based on proposal submitted, applying the following standard evaluation criteria: technical and managerial approach, proposed price, and relevant past performance unless other factors are specifically stated in the task order RFP.

4.3.3 Negotiate and award decentralized task orders. Provide ACC AMIC/PKA with a copy of the award document i.e. DD 1155. Coordination with ACC AMIC/PKA is critical in providing both the estimated cost and actual dollars obligated to prevent exceeding of contract ceiling.

4.3.4 Issue task order modification to decentralized orders only. Provide ACC AMIC/PKA with a copy of any modification that either obligates or de-obligates funds under decentralized order.

4.3.5 Perform all required administration functions on decentralized orders. Administration functions will include, but will not be limited to: processing invoices, reviewing progress reports, issuing correspondence, receiving deliverables, fact-finding sessions, and negotiations.

4.3.6 Ensure program and procedural compliance with the FAR, DFARS, AFARS other Air Force regulations, policies, environmental laws, and statutes.

4.3.7 Perform closeout procedures to include, but not limited to: receiving final invoice and the release of claims, completing SF 1420 Performance Evaluation (Construction Contracts), and inputting DD Form 2626 data into the Construction Contractor Appraisal Support System. With the incorporation of CCASS and importance of past performance information, each contracting office is highly encouraged to get on line with CCASS.

4.3.8 Upon completion of project forward copy of SF 1420 to HQ ACC/A7VQ and ACC AMIC/PKA.

4.4 The Department of Energy Technical Unit will:

4.4.1 Identify and coordinate requirement with HQ ACC/A7VQ to determine project eligibility. Provide HQ ACC/A7VQ with an advance copy of the Statement of Work (SOW), performance work statements (PWS), Statement of Objectives (SOO). Make recommendation regarding requirement and performance to HQ ACC/A7VQ.

4.4.2 Designate a person, in writing, in the technical section of The Department of Energy to act as a point of contact between HQ ACC/A7VQ and the agency to coordinate all Design Build, Restore, Remediate (DBR2) task orders for the agency.

4.4.3 Prepare SOW, PWS or SOO and Government cost estimates for requirements. HQ ACC/A7VQ will provide guidance on these tasks, if requested. Provide HQ ACC/A7VQ with

electronic copies of SOW/ PWS/SOO when available. (Prepare purchase request package LAW Attachment #1)

**4.4.4 Perform Contracting Officer Representative (COR) duties to ensure selected contractors abide by all requirements identified in awarded task order for their organization.**

**4.4.5 Designate escorts for contractor employees when required.**

**4.4.6 Attend and conduct local site visits as required for performance of your requirement.**

**4.4.7 Provide specific on-site contractor oversight, when required.**

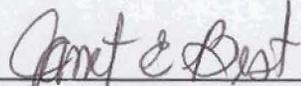
**4.4.8 Inventory and monitor on-site all Government property.**

**4.4.9 Provide guidance and the necessary paperwork on any licenses and right of entry permits required by the contractors.**

**4.4.10 Provide funding for any official travel required for HQ ACC AMIC/PKA and/or HQ ACC/A7VQ to perform and/or support program initiation, site visits, technical oversight, pre-performance conferences, or any other meetings associated with decentralized task orders.**

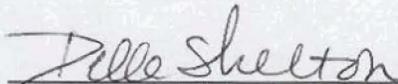
5.0 REVIEWING PERSONNEL:

ACC AMIC/PKA

  
\_\_\_\_\_  
Chief, Technology and Infrastructure Division .

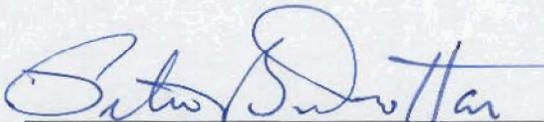
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DATE

ACC AMIC /PK

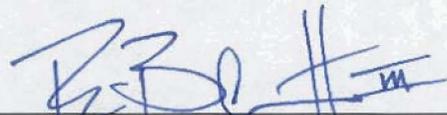
  
\_\_\_\_\_  
ACC AMIC Deputy Director, Contracting

17 May 07  
DATE

ACC A7VQ

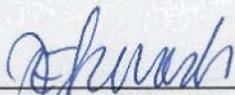
  
\_\_\_\_\_  
DBR2 Program Manager

3/27/07  
DATE

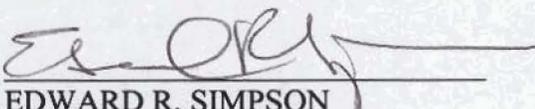
  
\_\_\_\_\_  
Chief, Environmental Programs

3/27/07  
DATE

**The Department of Energy**

  
\_\_\_\_\_  
JOHN E. SURASH  
DEPUTY ASSISTANT SECRETARY  
FOR PROJECT AND ACQUISITION  
MANAGEMENT

3/5/2007  
DATE

  
\_\_\_\_\_  
EDWARD R. SIMPSON  
DIRECTOR  
OFFICE OF PROCUREMENT AND  
ASSISTANCE AND MANAGEMENT

3/6/2007  
DATE

**ATTACHMENT 1**

**GUIDELINES FOR ACCESSING THE CONTRACTS**

**ACC Design Build, Restore, Remediate (DBR2)**

**CONTRACT INFORMATION:**

**Contract No:** FA4890-06- D0004  
**Contractor:** CAPE Environmental Management  
**Subcontractors:** CH2M Hill Corporation

**Contract No:** FA4890-06- D0005  
**Contractor:** Kemron Environmental Services Inc  
**Subcontractors:** Michael Baker Jr. Inc.  
Envirocon, Inc.  
Sundt Construction Inc.  
Pond & Company  
MKM Engineers

**Contract No:** FA4890-06- D0006  
**Contractor:** URS Group Inc.  
**Subcontractors:** AMEC Earth and Environmental, Inc.  
Vanguard Contractors, Inc.  
Ahtna Government Services Corp. (Ahtna)  
Avatar Environmental  
Environmental Specialists Inc. (ESA)

**Contract No:** FA4890-06- D0007  
**Contractor:** CH2M Hill Constructors Inc  
**Subcontractors:** CAPE  
Arrowhead  
USA Environmental, Inc  
PBS&J

**Contract No:** FA4890-06- D0008  
**Contractor:** Innovative Technical Solutions Inc. (ITSI)  
**Subcontractors:** Parsons Infrastructure & Technology Group, Inc.  
AMEC Earth and Environmental, Inc. (AMEC)  
engineering -environmental Management, Inc. (e2M)  
USA Environmental, Inc.

**Contract No:** FA4890-06- D0009  
**Contractor:** Tetra Tech Inc.  
**Subcontractors:** Stronghold Engineering, Inc.  
The S.M. Stoller Corp. (Stoller)  
American Integrated Services, Inc. (AIS)  
Stone Environmental, Inc. (SEI)

**Contract No:** FA4890-06- D0010  
**Contractor:** Shaw Environmental Inc.  
**Subcontractors:** TransSystems Corporation ( TranSystems)  
The Onyx Group  
Pangea, Inc.

**Contract No:** FA4890-06- D0011  
**Contractor:** Environmental Chemical Corporation ECC  
**Subcontractors:** Science Applications International Corporation (SAIC)  
Burns and McDonnell (BMcD)

**DOLLAR VALUES:** \$500 million program ceiling, minimum for each contract is \$10,000  
Each contract consists of a base year and 7-1 year option periods. There is a two-year close out period past the expiration date of each contract. The program ceiling for each of the eight years is the money remaining out of the \$500 million spent to date.

**PRICING ARRANGEMENTS:** Firm-Fixed Price (FFP), fixed price incentive, cost plus fixed fee, time and materials/labor hours and cost reimbursable.

**CONTRACT SCOPE:** The contract will support requirements for environmental remediation, design/build, Future First Planning (F2P), environmental construction, and vertical/horizontal construction projects. Specifically, the DBR2 contract will provide for restoration; performance-based remediation; horizontal and vertical construction, repair and maintenance; demolition; force protection; homeland security; and a full range of operations and services and tasks that support environmental requirements on government installations.

**BASE RESPONSIBILITY (Technical):** The requesting organization is responsible for the following:

- Identify the requirement
- Ensure funds are available (have appropriate documentation ready)
- Prepare SOW/PWS/SOO (guidance available from HQ ACC/A7VQ)
- Provide SOW/PWS/SOO to HQ ACC/A7VQ
- Develop Government Cost Estimate (HQ ACC/A7VQ will provide guidance)
- Prepare other documentation to ensure task order package is complete
- Evaluate contractor's proposal in accordance with the standard Evaluation

**Criteria listed in the RFP**

- Provide written technical evaluation
- Participate in negotiations
- Perform technical surveillance
- Document positive/negative observances during contractor performance
- Review contractor invoices and certify accuracy
- Complete performance and evaluation report (DD Form 2626)
- Ensure all deliverables have been submitted and meets your requirement

**BASE RESPONSIBILITIES (Contracting):** The contracting organization is responsible for the following:

- Receive task order package from requesting organization
- Review SOW/PWS/SOO
- Ensuring Funding Documentation is accurate
- Contacting HQ ACC CONS for control number
- Request proposals from contractors
- Receipt/Review of proposal
- Negotiate proposal
- Awarding of task order (provide copy of award document to ACC AMIC/PKA)
- Administration of task order
- Timely payment of invoices
- Close-out procedures
- Complete DD Form 2626 and forward a copy to HQ ACC/A7VQ

**NOTE:** All of the above contracting activities will be accomplished with assistance from ACC AMIC/PKA, or can be handled by ACC AMIC/PKA on a project-by-project basis.

**HOW TO USE THE CONTRACTS:**

Step 1. Forward a brief description of project to HQ ACC/A7VQ for a joint review and determination with ACC AMIC/PKA if project is within scope of contract and whether there is excess capacity for non-ACC work.

**NOTE:** Failure to accomplish step 1 will be grounds for termination of this MOA.

Step 2. If project is within scope, develop a task order request package and provide to the local contracting activity. The package should include, but not limited to the following:

- Clear Statement of Work (SOW), Performance Work Statement (PWS), or Statement of Objectives (SOO) to include:
  - Deliverables Schedule
  - Security and safety information - meeting requirements
  - A list of all Government owned material/information or equipment
  - Any assumptions and/or constraints

- Milestone chart on deliverables
- Recommended Payment Monitoring Chart - (Contact A7VQ for guidance)
- Independent Government Cost Estimate
- Funding documentation
- Letter requesting contracting support
- Supplemental evaluation criteria (if other than standard criteria listed in the RFP is being used)

Step 3. Forward package to contracting for action. Contracting, either local office or ACC AMIC/PKA will perform the following:

- Review package for accuracy and content
- Contact ACC AMIC/PKA for a task order control number (if local office)
- Send the contractors a Request for Proposal (RFP) – (Response time will vary depending on complexity of RFP)
- Receive and review RFP from contractor
- Forward a copy to TPM/COTR for technical evaluation
- Perform fact finding/negotiations if necessary
- Award task order, provide copy of award document to ACC AMIC/PKA
- Administer task order (to including payment and completing DD 2626)

**TIME FRAMES:** Amount of time to complete an award from the time a complete Task Order Package is received may vary significantly depending on the complexity of the Task as well as the type of evaluation requested (i.e., Best value, LPTA etc.).

**ACC GUIDANCE:** ACC will provide copies of task orders, SOWs, PWSs, SOOs, cost estimating spreadsheets, and any other task order package documentation requested.

#### **EXAMPLES OF DBR2 PROJECTS:**

**CERCLA and RCRA**

-Remedial Process Optimization

-Regulatory Site Closure

-Remediation system construction

Facility Construction with an environmental driver

Fuel Facilities to support environmental clean-up

Ordnance recovery and disposal

Sampling, testing, analysis and monitoring supporting remediation

Sustainable Infrastructure and operations during construction

Equipment installation, facility up-grades, utilities, O&M, when supporting environmental media

GIS/Environmental Management Training

Restoration Training Video

Corrective Action Plan

**ACC POC's:**

**Technical POC:**

HQ ACC/A7VQ

Mr. Peter Drottar

(757) 764-9394 (DSN 574-9394)

FAX 764-9369

**Contracting POC:**

ACC AMIC/PKA

Ms. Barbara Calloway

(757) 225-7662, (DSN 575-7662)

FAX 757-225-7765

**GOVERNMENT AGENCIES UNIT POCs:**

**Technical POC:**

Mr. Joseph D. Romanelli,

U.S. Department of Energy

Office of Contract & Project Execution

joe.romanelli@em.doe.gov

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**Contracting POC:**

William S. Reed

U.S. Department of Energy

Office of Procurement and Assistance Mgmt

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