

AE SELECTION: TASK ORDER REQUIREMENTS NOTICE (TORN)

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Military



Multipurpose Reservoirs



Hydropower



Interagency and International Support



MKARNS



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WHAT DID SELECTION LOOK LIKE BEFORE FEBRUARY 2020?

- Requirement was identified
- Contract type and business category determined by KO with input from Technical Lead and SB Director
- SF330 reviewed against selection criteria and task order requirement
- Board Report was submitted to KO, then package submitted to contracting, and RFP was released to selected AE.



AE Selection References:

1. 40 USC Chapter 11, Selection of Architects and Engineers (Brooks Act)
2. FAR Part 36.6 Architect – Engineer Services
3. EP 715-1-7, Architect-Engineer Contracting in USACE, 29 Feb 2012



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3. EP 715-1-7, Architect-Engineer Contracting in USACE, 29 Feb 2012
4. DPM 2020-02, Procedures for the Selection of Task Orders on Architect-Engineer Indefinite Delivery Contracts (IDCs)



*** A-E Selections are qualifications based!!!**



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WHY THE MEMORANDUM?

- “The purpose of this Directive is to reinforce requirements and specify procedures for the selection of an Architect-Engineer (A-E) contractor under a multiple-award task order contract (MATOC). This Directive is being issued to ensure compliance with the Brooks Act and FAR requirements.” DPM 2020-02
- 40 USC Chapter 11, Sec 1103: “AE Services shall not be offered under multiple award schedule contracts [i.e. MATOCs] unless they are performed under direct supervision of P.E. or Registered Architect and are awarded **in accordance with selection procedures set forth in Chapter 11 of title 40.**”
- According to FAR 36.602-3 “...evaluation board shall”
 - “Review the current data files on eligible firms...” (see [36.603](#)).
 - “Evaluate the firms in accordance with the criteria in [36.602-1](#).”
 - “Hold discussions with at least three of the most highly qualified firms...”
 - “Prepare a selection report for the agency head...”



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DISCUSSIONS

“All firms will be asked similar questions about their experience, capabilities, capacity, organization, management, quality control procedures, and approach for the project, as appropriate. All questions must relate to the announced selection criteria.

Information obtained from an interview that influenced the final ranking will be documented in the selection report.”

EP 715-1-7



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THE PROCESS

- Determine AE contract w/ applicable scope
 - “C” Type A-E Contract
 - Task order on existing Tulsa/RPEC Contract
 - Task order on capacity of other district or agency AE Contract.
- KO notifies all A-E Firms within the pool of the Task Order requirement
- TORN shall include:
 - Short summary of the scope of work
 - A Request for Supplemental Information tailored to the specific requirement
 - “The TORN will include questions to each AE Firm concerning their concepts and methods for furnishing the requested services to satisfy req'ts for discussions as stated in FAR 36.602-3(c)”

- *Information must be identical to each firm*
- *New SF330 submission NOT required.*



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THE PROCESS (CONT'D)

- Responses to the TORN:
 - Responses should be brief (three pages or less) and require minimal effort (provided w/in 5 days)
 - A firm may choose not to respond or to indicate that the information on file is adequate.
 - Firm may choose to not be considered for the specific TO req't (*and would subsequently not be among the firms evaluated*).
- Evaluation:
 - the SF330
 - TORN Responses
 - Against the selection criteria (listed in order of importance and will contain at a minimum criteria from FAR 36.602-1)
 - ✓ Specialized Experience and Technical Competence
 - ✓ Professional Qualifications
 - ✓ Past Performance
 - ✓ Capacity
 - ✓ Knowledge of the Locality



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THE PROCESS (CONT'D)

- Selection Memorandum indicates *rationale for ranking of the most highly qualified firms* by the board *against the selection criteria* to allow selection authority to understand the basis for the recommendation and must include:
 - What information was used to evaluate
 - The results of the evaluation & any discussions against the selection criteria used
- Notification & Debriefing
 - All firms sent TORN will be promptly notified upon a selection decision
 - Unsuccessful offerors for TOs greater than \$5.5M will be given opportunity for debriefing
 - TOs estimated below \$5.5M not required, but will be provided upon request.

This is a competitive selection and all communication and documents are considered source selection sensitive.



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TASK ORDER REQUIREMENT NOTICE

Architectural-Engineering Services are required to:

(Insert description of Task Order requirement provided by District or Center.)

This serves as notification of an upcoming task order under the subject IDC. You may submit a maximum three pages in total of supplemental information that would support the selection of your firm as the most highly qualified contractor for this task order. Covers, tabs and graphics are not needed.

TASK ORDER QUESTIONNAIRE

You are requested to provide the below supplementary information to be used in conjunction with your SF 330 on file and past performance information available to the government.

- 1) Key Staffing: What are the qualifications of the personnel who will be working on this task order?
- 2) Relevant Experience and Past Performance: Provide a brief description of the qualifications and experience, to include specific projects, your firm has conducted that are relevant to the scope of this task order. Relevant information from CPARS also will be reviewed.
- 3) Technical: Provide a brief description of your proposed technical approach to this specific task order.

Questionnaires shall be returned by XX:XX on XX. {Typically this will be five days, but may vary based on the size and complexity of the requirement.}

The government will review the technical capabilities, reflected in the responses to the questionnaire, and review of the current SF 330s on file to determine the most highly qualified firm for this task order project. Additional discussions may occur once the information has been reviewed; however, the intent is to make the selection decision based on the information provided. Selection of the most highly qualified firm will use the criteria in FAR 5.602-1.

This questionnaire allows you to provide supplemental information that is not in your SF 330 on file, which may be relevant to this Task Order. If you do not submit the requested supplementary information, the government's review will be based solely on the SF 330 on file and past performance information available to the government.

Please submit your information in PDF format via email.

FEE PROPOSALS ARE NOT DUE AT THIS TIME. A REQUEST FOR PROPOSAL WILL BE ISSUED TO THE FIRM FOUND MOST HIGHLY QUALIFIED FOR THE SPECIFIC TASK ORDER.



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TASK ORDER REQUIREMENT NOTICE

SECTION 1. TASK ORDER REQUIREMENT NOTICE

Architectural-Engineering Services are required on contract.

Summary of task order requirements:



This serves as notification of an upcoming task order under the subject IDC for the services described above.

Please select one of the following as your response to this TORN:

- We would NOT like to be considered for award of this task order.
- We WOULD like to be considered for award of this task order, but will NOT be submitting additional qualifications information. This questionnaire allows you to provide supplemental information that is not in your SF 330 on file, which may be relevant to this Task Order. If you do not submit supplementary information, the government's review will be based solely on the SF 330 on file and past performance information available to the government.
- We WOULD like to be considered for award of this task order AND have attached additional information as requested in SECTION 2 below in response to this TORN. Please refer to our SF330 on file for this supplemental information for our qualifications.

SECTION 2. TASK ORDER QUESTIONNAIRE AND SUPPLEMENTAL INFORMATION

You may provide the below supplementary information to be used in conjunction with your SF 330 on file and past performance information available to the government. You may submit a maximum three (3) pages of total of supplemental information that would support the selection of your firm as the most highly qualified contractor for this task order. Covers, tabs and graphics are not needed. In your supplemental information, you should address the following:

1) Specific qualifications:



2) General Qualifications: In addition to the information specifically requested under item 1, you may address any other qualifications relevant to your specialized experience and technical competency, professional qualifications, past performance, capacity, and knowledge of locality.



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3) Technical: Provide a brief description of your proposed technical approach to this specific task order.

SMALL BUSINESS CONSIDERATION

If this box is checked, it is anticipated that one or more of the small businesses will be highly qualified for this task order. In accordance with the Tulsa District Acquisition Plan, consideration for small business AE's will be given first. Therefore, no additional information is requested from the large business pool at this time.

The government will review the technical capabilities, as reflected in the responses to the questionnaire, and review of the current SF 330s on file to determine the most highly qualified firms for this task order project. Additional discussions may occur once the information has been reviewed; however, the intent is to make the selection decision based on the information provided. Selection of the most highly qualified firm will use the criteria in FAR 36.602-1.

Please submit your information in PDF format via email.

Questionnaires shall be returned within 5 business days or as requested by the Contracting Officer.

FEE PROPOSALS ARE NOT DUE AT THIS TIME. A REQUEST FOR PROPOSAL WILL BE ISSUED TO THE FIRM FOUND MOST HIGHLY QUALIFIED FOR THE SPECIFIC TASK ORDER.

TORN Prepared By:



TORN Response Provided By:




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Questions



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Task Order Requirement Notification (TORN) Response

AE Perspective

COL Miro Kurka, P.E., PMP, F.SAME, USA (Ret.)

- Became aware of potential changes in Feb 2019 through ACEC FAPA Committee
- ACEC Position:
 - Selection process change is not required due to change in law or regulation
 - Adds cost to both the Government and the Contractors
 - Adds significant time to the Corps' already a cumbersome contracting process
 - Change does not support the President's June 4th Executive Order
- Exchanged letters and met with HQ.
 - Receptive to ACEC Concerns and Recommendations
 - Limit responses to three pages and five business days
 - Allow firms to not respond and still be considered

Task Order Requirement Notification (TORN) Response – AE Experience

- USACE has issued DPM 2020–02
- Have AE IDC's with four USACE Districts: Kansas City, Louisville, Mobile and Tulsa.
 - Best – (3 pages max, five days to respond)
 - Worst – (no page limit and up to fifteen days to respond)
 - Effort to respond:
 - Technical staff: 5 to 25 hours @ \$175/hour = \$875 to \$4,375
 - Marketing staff: 8 to 24 hours @ \$100/hour = \$800 to \$2,400
 - TOTAL: ~ \$1,600 to \$7,000
 - Average win rate is 25% - therefore cost is \$6,400 to \$28,000 per win → this will affect overhead rates.
 - Feedback is limited
 - Often wait months with not hearing if we were selected
 - Only received two debriefs from 15+ responses

Task Order Requirement Notification (TORN) Response – Recommendations

- Like the visibility on Task Orders
- Like the opportunity to let District know our interest in competing
- Recommendations:
 - Absolutely limit response to three pages MAX (can waive this some highly unique/specialized requirement)
 - Keep response time to 5 working days
 - With exception of highly unique/specialized requirements, delete requirement for a technical narrative – Most expensive and time-consuming response requirement.
 - Send TORN to more than one POC → had issue with POC being unavailable for two days and response time was cut from 5 to 1 ½ days.
 - Provide timely notification of selection/non-selection.
 - A short debrief would also be useful.

Task Order Requirement Notification (TORN) Response AE Perspective – Environmental Contracts

David Epperly, P.E., PhD

TORN Request Contents – Environmental A-E (RPEC)

- Email request from Contracting – has short introduction/description, due date, and requirements (page limits, etc.)
- Requirement Description
 - Short description of the project – For RPEC, all have been worded almost exactly as the formal email request.
 - Includes requirements for the supplemental information (usually three pages) to support the selection of your firm as the most highly qualified firm for this prospective task order. Submittal covers, tabs and graphics are not needed.
- Task Order Questionnaire
 - Presents what supplemental information is requested
 - Used in conjunction with SF330 on file, previous TORNs, and past performance information available
 - Brief Description of the project
 - Usually limits responses to 2 - 5 pages and 5 business days (RPEC)
 - Allow firms to not respond and still be considered

TORN Request Contents – Environmental A-E (RPEC)

- Relative Experience and Past Performance

- Include specific supplemental information for the subject project. You can still reference the submitted SF330 if it includes good examples of relative project experience.
- It may ask to affirm that the information provided earlier is still accurate and allows you to provide updated information.
- Usually will ask for specific information about one or more topics in a bulleted list. Examples might include:
 - Experience with NEPA at a specific installation for a specific type of activity
 - Experience with landfill design in a specific State and working with their regulators for approval
 - Preparing UFP-QAPPS for FUDS
 - Experience with a “process” at a specific installation
- The relative experience usually has a time period limit such as the last 3 years, 5 years, etc.

TORN Request Contents – Environmental A-E (RPEC)

- Specialized Experience and Technical Competence
 - Might ask for your specific methodology for performing a task or approaching a problem
 - Examples could be methods for collecting PFAS samples, getting approval for designs from a State Agency, etc.
 - Will ask if updated or supplemental information is available that was not provided in the SF 330.
- General Information
 - Will provide the due date and time
 - Does not ask for any fee proposals
 - Adds that the Government will review the technical capabilities, as reflected in the responses to this questionnaire, and review the current SF 330s on file to determine the most highly qualified firm for the prospective task order
 - States that the questionnaire allows the firm to provide supplemental information, and if no information is provided, the review is based solely on the SF 330 on file for the A-E.

TORN Request Contents – Environmental A-E (RPEC)

- TORN Response
 - No specific format is required - usually
 - If there is space, include a short description of your firm and Team members, and past relationships with your Team
 - We usually provide a bulleted list of past project descriptions or specific experiences that are related to the questions. Keep the descriptions short – usually 1-3 paragraphs, depending on the number of projects included.
 - Have used a table format for projects that includes short descriptions, ratings, PoP, award amount, quotes
 - Use Team Member's experience – it doesn't have to be the Prime's experience only
 - May add resumes, or short bio's, if requested
 - If your Team has very specific specialized experience that is requested, brag on yourselves!!
 - If your project for the response is similar, but not exactly like the request (i.e., different state/installation, but similar type of work) go ahead and include if you have space.

TORN Request Contents – Environmental A-E (RPEC)

- TORN Response - Continued
 - Include any awards or recognitions you have received related to the request
 - Might include CPARS/Customer quotes if related to the request
 - Could summarize CPARS ratings for the specific type of project requested
- Ask questions as early as possible
- Request a response from the District that they received your supplemental information