

Questions from Vendors

Questions (IDIQ):

1. Is there a threshold for the Task Order to be competitively bid by IDIQs?

Answer: Orders over the threshold identified in FAR 16.505(b)(1)(i), currently \$3,500.00, will follow fair opportunity procedures. Orders over the Simplified Acquisition Threshold shall be placed on a competitive basis unless an exception to fair opportunity procedures process is determined in accordance with FAR 16.505(b)(2). Each task order procurement will be conducted based on its own acquisition strategy.

2. Will there be a briefing and a Q&A process for IDIQs to understand the project thoroughly?

Answer: Frequently, Multiple Awardees receive a request for Task Order Proposals, with scope of work, and have an opportunity for question and answers, but this is not required on all orders. There will be no briefings only written Requests for Task Order Proposals. Each task order procurement will be conducted based on its own acquisition strategy.

2. What is the anticipated time frame to bid?

Answer: Most task orders request a response in 5 business days. However, each task order procurement will be conducted based on its own acquisition strategy. The intent of the Multiple Award IDIQ is to be flexible to respond depending on the requirements of the Government.

Questions (Training/Coursework Requirements):

1. Required courses could not be taken within the 120 days period of time specified what are the alternatives?

Answer: In order to be able to bid on task orders, a minimum of two individuals proposed as a part of the team, which is directly responsible for the management of the assigned tasks will have Lease Acquisition Training, Cost and Price Analysis for Leases, Real Property Lease Law, Techniques in Negotiating Federal Real Property Leases, and Fundamentals of Appraisal Course. New staff will have 120 days to complete these courses. Commercial training is available. Contractor personnel are required to know and understand the Federal laws and regulations related to the acquisition of leased space in order to perform satisfactorily on the contract. If the required courses are not completed within 120 days between award of the contract and Notice to Proceed on a task order, temporary approval may be granted with the understanding that all must be completed within three months of Notice to Proceed. Personnel who do not demonstrate sufficient knowledge to perform functions will not be allowed to perform work on task orders issued under the contract. In the event the Contractor's personnel attend these courses, the Government will not reimburse any costs associated with training. **The VA is going to add the course Best Value Source Selection as a required course.**

2. Required courses are not available on-line, what are the online courses?

Answer: If the required courses are not available, the Contractor may submit a request to substitute equivalent courses from certified academic or training institutions. An approved substitute course cannot be used as a substitution for more than one course.

3. Required courses are not current to reflect the new Global Format and exhibits, are there more current courses?

Answer: The courses listed are the courses the VA has selected as the required courses.

4. Required courses do not stress important GSA/VA Contracting items (see below) to the level of importance as does actual application:

- a. GREX – all GSA vendors must have training and implementation of GREX reporting but courses do not address this important aspect of the VA program
- b. Seismic issues and remediation
- c. ADA/ABAAS application and computation
- d. Post Award coordination, understanding of construction and security issues – long lead items, permitting, sub-contractor bid reviews, TICs tables, Shell vs TI, etc.

Answer: The VA, Office of Real Property (ORP) has designated the minimum mandatory training required in order to be able to bid on task orders. In addition, the Contractor is expected to attend national follow-on training as determined by the PM and CO. This training may be held and attended in-person or virtually. The training listed in Question 4.a-d, are part of the knowledge, skills and abilities the Government would expect an offeror's management staff and project managers would have based on the requisite experience necessary to successfully execute this contract.

5. Has consideration been given to Alternative Courses through other government training vehicles – Assessment as to equivalency of requisite courses or availability of alternates?

Answer: Yes. The Offeror may submit alternative courses for review and consideration. The alternative courses submitted to the VA for consideration must have the course description, certificate or transcript, as well as the name and position of the Contractor's team member who attended the course. A course may only be used once as an alternative course.

6. Will contractors be provided equivalency credit through prior experience in GSA Contracting prior experience?

Answer: Experience will not be substituted for the required training courses.

7. GSA Task Order work covers, both in leasing knowledge and important practical application, all of the requisite course curricula with the possible exception of the details involved under the Federal Lease Law course – Real Estate Law and Lease Law are an integral part of the knowledge base required to become a Licensed Real Estate Broker.

Answer: This is a statement not a question.

8. There is no Appraisal Course to be found specific to the government – real estate brokers have appraisal methodology as a part of their professional curriculum.

Answer: The Fundamentals of Appraisal course was selected because the curriculum covers universal appraisal principles; however, there are several institutions that teach courses, which specifically address the federal government appraisal standards.

9. Training – The Performance Work Statement (PWS) states that “new employees must complete all training within 90 days to be eligible to work on the contract”.

a. Please confirm that this training is the initial training and VA annual training (VA's Talent Management System) and not: “Lease Acquisition Training, Cost and Price

Analysis for Leases, Real Property Lease Law, Techniques in Negotiating Federal Real Property Leases, and Fundamentals of Appraisal Course”. Only two (2) contractor employees are required to have all this training. This is the same requirement as the current contract.

b. The list of training does not include Best Value Source Selection. Please confirm if that training is also required of the two (2) Key Personnel.

Answer: The training new employees must complete within 90 days is the VA annual training. The Best Value Source Selection will be a required training for two (2) Key Personnel.

10. Training - The PWS requires that the at least two proposed key personnel/staff meet VA’s minimum training requirements. We recommend that the two proposed personnel must be an employee of the offering entity, not a subcontractor or independent consultant (1099 contractor). The prime/offering entity is responsible for performance under the contract, to include performance of subcontractors, thus, the requirement for complete training, must also reflect the prime/offering entity’s capabilities. Will VA consider this requirement in its solicitation?

Answer: The VA is considering this question and will address it in any future solicitations.

Questions (Module 1 Lease Acquisition Tasks):

1. Will contractor be inputting directly into GREX for the VA as we do under the GSA NBC?

Answer: No, contractors will not upload documents to GREX. The Contractor will provide support in obtaining and preparing documents for submission to GSA, via GREX.

2. Should we assume that all acquisitions (Full and Open or Succeeding) considered to have Post Award requirement?

Answer: Yes.

3. Will there be Post Award site visit requirements (ie GSA NBC has one site visit requirement for Post Award which is the acceptance walk?

Answer: Yes. In coordination with the RE, PM, CO, lessor, and user group, the Contractor shall perform an on-site pre-acceptance walkthrough inspection. The Contractor shall recommend to the CO if the space is substantially complete. The Contractor shall assist the RE in the development of a punch-list to be reviewed by the PM and CO. The Contractor is not required to perform additional on-site inspections.

4. Post Award Services – Is it VA's intent that contractors would provide the following post-award services as a component of its lease commission:

- a. User group meetings with Lessor
- b. Collaboration on DDs and CDs and establishment/management of the review schedule
- c. Conformance evaluation of DDs and CDs as well as comment consolidation and analysis of lease conformance
- d. Management of TI pricing adherence
- e. Monitoring of construction schedule and establishing corrective action recommendations
- f. Identifying and documenting Lessor construction progress deficiencies

g. Review of Lessor payrolls

h. Monitoring of planned delivery dates (as stated in Coordination of VA occupancy)

If this is VA's intent, these significant, labor-intensive efforts will materially increase the lease commissions. This will have an unbalanced effect on small lease acquisitions. The impact will result in further Operating Lease Treatment difficulties and make significant impact to non-prospectus leases. Recommend VA procure these necessary services outside of the lease commission and on a labor hour basis. Will VA consider labor hour or firm fixed price contract vehicles for these services, instead of including in the commission?

Answer: The VA is considering this question and will address it in any future solicitations.

5. Will VA consider the creation of a 4th leasing tier (Micro) for leases less than 10,000 NUSF?

Answer: The VA is considering this question and will address it in any future solicitations.

6. VA should not include fee based services, of any type, into the brokers' commission. As small businesses, we will be unable to pay for these services up-front, often times several months before a lease award is made. Delays in these payments to environmental due diligence contractors will create an environment where they no longer want to support VA projects. This creates an unrealistic burden on brokers and subcontractors. Will VA consider removing this requirement from the broker's commission?

Answer: The VA is considering this question and will address it in any future solicitations.

Questions (Module 2 Lease Acquisition Tasks):

1. Will the IDIQ be responsible for estimating the contract services for the due diligence listed in Module 2 and incorporate into their bid for the Task Order?

Answer: The VA is considering this question and will address it in any future solicitations.

2. What is the time frame for review / approval of the specialized due diligence reports outlined above as a part of the Facilities Assessment?

Answer: The VA is considering this question and will address it in any future solicitations.

Question (Module 3 Due Diligence)

1. Due Diligence Deliverable Review – we recommend that VA establish a firm internal review period for due diligence deliverables to facilitate timely invoicing/payment. Brokers must maintain an active and interested pool of qualified subject matter experts across the country and timely review and prompt payment is important. How will VA ensure deliverables are clear, review of acceptance of services is timely, and payment is timely?

Answer: The VA is considering this question and will address it in any future solicitations.

Questions (Incentives):

1. Please confirm that CLIN002 incentives will be applied in addition to CLIN001 fixed commission for Module 1 Lease Acquisitions.

Answer: CLIN 0001 is firm fixed price commission. CLIN 00002 is fixed price incentive commission. These are completely separate line items for pricing and shall not be integrated or

transferable. Task Orders for Module 1 services will be priced only as either CLIN 0001 or CLIN 0002, but not both CLINs.

2. As incentives will be based on an awardable operating lease and a TBD percentage below market rate...how will VA determine the market rate? For many of the markets VA is conducting lease acquisitions, there is no comparable market to establish this rate – VA often “makes the market”. Commercial real estate data services fail to consider most of the Agency Specific Requirements that drive VA rates. Please define how this will be determined and at what point in the bidding/execution process.

Answer: The VA is considering this question and will address it in any future solicitations.

3. VA currently has no formal process of evaluating performance; and, in fact has not provided an evaluation on any project under the current contract. As lease commissions are paid at the time of award, is VA committing to completing CPARS at the time of lease award? So, is VA able to define how performance will be evaluated, by whom, and when? What are the performance standards?

Answer: The VA is considering this question and will address it in any future solicitations.

4. Will the corresponding commission incentive be applied to the aggregate lease value in the same way as the baseline commissions/lease acquisition fees?

Answer: The VA is considering this question and will address it in any future solicitations.

Questions (Subcontracting):

1. The sources sought asks for subcontractors to be noted in the response. While the sources sought only discusses brokerage work, the draft contract discusses due diligence work (Module 3). Do we need to include all potential subcontractors in our response to sources sought that could potentially work for us under Module 3? If so, given that there could be subcontract work requested in the future for work or in areas that we haven't worked in, will we be able to add subcontractors to our Module 3 work after award?

Answer: This is a sources sought VA will not be awarding a contract based on the sources sought responses, the information is for market research purposes only. When providing proposals SDVOSB set-asides contractors will be required to follow subcontracting limitations in accordance with 52.219-27 -- Notice of Service-Disabled Veteran-Owned Small Business Set-Aside.

2. Under the current US Department of Veterans Affairs IDIQ contracts capacity has been a factor in determining award. Will capacity be a determining factor in this new contract? If so, how will it be defined and measured?

Answer: Capacity was recently used in evaluating several task order procurements. Task orders procurements are executed based on individual acquisition strategies, and evaluation factors are stated in each Request for Task Order Proposal.

Questions (Capabilities Statement):

1. Experience – No. 4 in the Sources Sought requires “company experience”. Please confirm that eligible experience is for the contractor/company/prime and not related to personnel. The reality is that an offeror, to adequately meet VA’s requirements and performance levels, should be able to demonstrate both personnel AND organizational experience. These projects have a life-cycle of 18-36 months and the carrying costs to support personnel committed to those projects are significant. If VA does not ensure an offering entity has viable experience performing these services for the Federal Government, it is exposed to increased risk.

Answer: The VA is considering this question and will address it in any future solicitations.

2. Experience – Due to the time required to support VA’s previous two-step acquisitions and the length of time to close current Module 2 acquisitions, will VA consider making the minimum time limitation for relevant land acquisition experience to be extended to the past 7 years, be inclusive of ongoing Federal land acquisition support (due to the extended acquisition timeline) and be tied to organizational experience.

Answer: The VA is considering this question and will address it in any future solicitations.

3. CVE Verification - In accordance with VAAR 852.219-10, eligible SDVOSB/VOSB entities must be CVE Verified at the time of submittal as well as at the time of award. Offerors that are “pending” or “expired” should not be considered as they do not meet VA’s definition of Service Disabled Veteran Owned Small Business. This will mitigate against VA evaluating potential entities that are ultimately ineligible for award. This is consistent across VA contracting efforts. Will VA consider this in its evaluation?

Answer: VA requests CVE verifications from SDVOSB or VOSB contractors from vet.biz.gov in their capabilities statements. VA will verify the information on CVE when considering acquisition strategy. VA will verify SDVOSB and VOSB statuses through CVE upon receipt of proposals and prior to award.

4. Experience - Given the scope and scale that is needed, VA should require offering entities to have this experience to mitigate risk and further ensure that the companies have the resources and infrastructure to support known/existing and surge requirements. The required experience should not reflect “individuals”. Will VA consider this in its solicitation?

Answer: VA will consider experience provided by contractors in the capabilities statement.

5. Experience - If VA is evaluating “experience” to include personnel, the proposed personnel, must be that of the prime contractor/offeror. The prime contractor is ultimately responsible for quality and performance under the contractor and for meeting training requirements, thus if leveraging “personnel experience”, it too must be for employees of the prime/offering entity, not independent contractors (1099)/consultants.

Answer: Provide all relevant experience in the capabilities statement. Contractors may explain how their experience is relevant.