

Amendment #1
36C24818Q9203 Court Reporter Services

Solicitation# 36C24818Q9203, SERVICES: Court Reporter Services is amended as follows:

1. PWS, Changes
2. Add Vendor Questions and Government Responses

Amend PWS at

Section 1, paragraph 1.5.1;

As reads: "Note with comments
Change to: Note and comments are deleted

Section 5, Paragraphs 5.7.1-3;

As reads: 3 days, 3-5 days or 5 days
Change to read: 10 days

Vendor Question and Government Responses

Questions 1

1. Reference Section 5, Specific Tasks, Performance Work Statement 36C24818Q9203-003("PWS") and Price Schedule 36C24818Q9203-002: Does the Government require the contractor to deliver expedited transcripts within 5- or 3-days depending upon whether a hearing is an AIB or EEO/MSPB, respectfully? If so, would the Government revise the PWS and Price Schedule to state the specific delivery timeline for each type of hearing?

See this amendment regarding PWS delivery times. However, 10 business days is the required delivery time of all electronic transcripts and certified original copies; and shall be via the US Postal Service (USPS). The price schedule does not reflect delivery times; the price schedule reflects only the cost per required action.

2. Id.: In our experience supporting VA customers with these requirements, EEO/MSPB cases involve depositions, which require standard delivery timelines. The Government does not provide a delivery timeline for depositions. What is the delivery timeline for depositions? If required, please revise the Price Schedule to more accurately reflect the Government's requirements.

The required delivery time is within 10 business days for delivery of all electronic transcripts and certified original copies and shall be mailed via USPS mailed within 10 business days for all testimonies. Special expedited transcripts may be requested by the COR will require Contracting Officer's approval at the time of service request. Price for expedited services may be annotated in the offeror's quote.

3. The PWS and Price Schedule are open ended and ambiguous. Please revise them to accurately account for the specific anticipated Places of Performance ("PoP"), reflecting the differences in Department of Labor Wage Determinations ("DOL WD") in each location.

The acronym "POP" regards to the Period of Performance for the base contracting period and all additional one-year options. The locations for the required service are identified in the solicitation.

4. The Government applies unreasonable risk on the contractor by providing the Government an unlimited requirement to demand services without a clear method of cost recovery for the contractor. The Price Schedule is insufficient to account for the multitude of court reporting markets the Government intends to cover with the ensuing contract. Why does the Solicitation 36C24818Q9203-001 not provide for the contractor to recover costs if the Government adds a PoP not included in the initial contract?

The locations are clearly stated and are within the North Florida/South Georgia Veterans Health Service catchment area. See response to question 3, regarding the meaning of "POP".

5. How did the Government obtain court reporting services prior to this attempt for a contract that will cover multiple regions?

The requested service has been provided to government for multiple years with multiple contractors.

6. What does the Government consider successful delivery of transcripts within the timeline-- electronic or hard copy paper? If hard copy, then the expedited delivery timelines are reduced by two days, in other words, the 3- and 5-day deliveries are really 1- and 3-days delivery expedited services. In our experience with other VA customers requiring the same services for the same purposes, these expedited services are not required as they are wasteful spending incurring surcharges up to 250% the standard delivery rate.

See response to question #2.

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7. Why does the Government not provide a Price Schedule that covers each DOL WD or court reporting market?

The primary place of duty is the Malcom Randall VAMC, however, duty may be required at other locations within the North Florida/South Georgia designated geographical catchment area.

8. Reference PWS 1.3.3, can the Government provide an estimate of services needed by location?

See response to question #7

9. Reference PWS pg. 10, para. 5.b, please explain why “[t]his contract does not allow for outsourcing or subcontracting by the selected contractor,” when the court reporting industry depends on freelancers and subcontractors to provide the best services within the local area.

VA Information Security determines who is authorized access to confidential government information.

10. Reference PWS 1.5.1, we believe the Government lacks the authority to require that “because this contract is funded with American appropriated tax dollars, all persons working under this contract shall be American Citizens. There shall be no exception to this requirement.” What authority does the Government have for this requirement?

See this amendment regarding PWS, “Note” at Section 1, paragraph 1.5.1; “Note and comments are deleted.

11. Reference PWS 1.4.4 and PWS 1.3.4, will the Government waive its requirement that the contractor provide proof of liability insurance for an individual, when the Government acknowledges that the matter will be scheduled with little notice?

No- liability insurance is the contractor’s burden, the VA will not waive this requirement

12. Reference Solicitation, page 4, paragraph 52.212-2 I.B.3 and 4: The NCRA does not provide certificates to certified court reporters. Furthermore, what are "training certificates for court reporting equipment?" How does the Government expect for offerors to satisfy the requirements of these evaluation factors? Moreover, under what circumstances can the Government unilaterally determine the acceptability of court reporter certifications when there are objective methods of doing so? This evaluation factor appears to disadvantage some offerors over others. We request the Government remove or revise this evaluation factor so all offerors are treated equivalently.

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The required training certificates are awarded after completing the online training, not by National Court Reporting Association. Please read the PWS regarding requirements of personnel required for this contract.

13. Given the questions raised about the PWS and Price Schedule, we request the Government provide six-days extension before the deadline to receive quotations following posting of the Government's answers.

This solicitation will not be extended.