

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT		1. CONTRACT ID CODE	PAGE OF PAGES 1 1
2. AMENDMENT/MODIFICATION NO. 000001	3. EFFECTIVE DATE 02/27/2009	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
6. ISSUED BY ICE/Detent Mngt/Detent Contract-LAG Immigration and Customs Enforcement Office of Acquisition Management 24000 Avila Road, Room 3104 Laguna Niguel CA 92677	CODE ICE/DM/DC-LAGUNA	7. ADMINISTERED BY (If other than Item 6)	CODE ICE/DM/DC-LAGUNA
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)		(x) 9A. AMENDMENT OF SOLICITATION NO. HSCEDM-09-R-00001	
		x 9B. DATED (SEE ITEM 11) 02/02/2009	
		10A. MODIFICATION OF CONTRACT/ORDER NO.	
		10B. DATED (SEE ITEM 11)	
CODE	FACILITY CODE		

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers is extended, is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning 8 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor is not, is required to sign this document and return _____ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

This amendment answers written questions submitted by potential offerors. Revisions to the RFP as a result of the answer to any particular question have been identified in the answer to the question. A second amendment with the revised RFP will be issued early in the week of March 2, 2009.

Attached to this Amendment are the following documents:

- Attachment 1 - Questions and Answers
- Attachment 2 - ICE Body Armor Policy
- Attachment 3 - Detention and Removal Operations Policy and Procedure Manual Appendix 32-1 Vehicle Ordering Menu

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Bobbie Wright	
15B. CONTRACTOR/OFFEROR <i>(Signature of person authorized to sign)</i>	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA <i>(Signature of Contracting Officer)</i>	16C. DATE SIGNED

Questions and Answers to RFP#: HSCEDM-09-R-00001

General

1. Will ICE allow an opportunity to negotiate the Terms and Conditions provided in the RFP?

A: No, this is not a commercial contract; therefore, terms and conditions are not negotiable.

2. Please clarify if the incumbent work force satisfies all the requirements provided in this RFP.

A: The incumbent's performance on the current contract is operating under a different Statement of Work and has no bearing on the requirements for this RFP

3. How long will the phase-in period be?

A: There is no phase-in period. A transition period of 30 days is planned.

4. Page 2: CLIN: There is no "transition/mobilization" CLIN established in pricing sheets. Where do we charge start up costs?

A: Correct, there is no transition/mobilization CLIN established. All allowable, allocable costs need to be included under the existing CLIN structure.

How long of a transition is planned?

A: Transition is anticipated to be 30 days.

5. Since there is a large increase in hours over the current security services contract, there will be many new employees to train during phase in. Will ICE allow enough phase in time to train all these new employees?

A: Transition is anticipated to be 30 days. Training of all employees is the responsibility of the contractor selected for award.

6. What is the average number of detainees / bed days at this facility over the last year? Do you expect this number to stay about the same over the next few years?

A: The maximum capacity of the SPC is 747. Generally, the facility is 80-90% of capacity.

7. Will any of the required detainee transport cross State lines?

A: Infrequently, if at all.

8. Is the contractor to provide a commissary on site or commissary services by subcontractor?

A: No, commissary services are not required under this RFP.

9. Please clarify if ICE requires a small business subcontracting plan for the submission of the proposal

A: Please see Section I, FAR 52.219-9. When an offeror has been identified as the apparently successful offeror, that firm will be contacted and instructed to submit a subcontractor plan within 7 days of notification. If the apparently successful offeror fails to negotiate an acceptable subcontracting plan within an additional 7 days, the offeror will be ineligible for award.

10. Please clarify if ICE requires any type of SECRET security clearances or any other special clearances for the required personnel.

A: No, security clearances are not required; however a favorable Suitability for Employment Determination is required for all contractor employees.

11. Will the contractor be obligated to offer employment to current employees?

A: The RFP does not contain a requirement for the offeror to offer employment to current employees.

12. Please identify the security requirement for the installation of the detainee location monitoring system, as part of the ICE DRO Modernization program (awarded to Northrop Grumman). Please clarify if the contractor needs to include costs associated or required with staging and installing the system at the facility during the performance period?

A: This RFP does not include any requirements for the installation of the detainee location monitoring system. The contractor should only include costs as specified in the RFP.

13. We understand that the Service Processing Centers (SPC) will move to the new ICE Performance Based National Detention Standards in April of 2009. As such, can ICE please confirm which set of performance standards apply to this RFP (National Detention Standards for Performance Based National Detention Standards)? Have the PBNDS outcome measures for each performance standard been established for the SPCs? If so, can ICE please provide these for the prospective bidders?

A: The ICE Performance Based National Detention Standards (PBNDS) were issued in September 2008. Every reference in the RFP to the former ICE/DHS Detention Standards will be replaced with the PBNDS.

14. Will the SPC facility house juveniles? How will the SPC be informed if they are emancipated or convicted of a crime as an adult?

A: No, juvenile detainees will not be housed at the Florence SPC. All juveniles will be transferred to an appropriate facility.

15. Does Florence house juvenile detainees? If so, who provides educational services, counseling, etc.?

A: See answer to question 14.

16. Please clarify if it will be the contractor's responsibility to determine the alienage of the detainees.

A: The contractor will not determine alienage of the detainees.

Section B

1. It is our understanding that currently the maximum number of detainees that can be housed at the facility is less than the 747 bed days used in the pricing pages CLIN 0001. Are there plans to expand the facility or increase the capacity of the facility?

A: The Government's maximum requirement for CLIN 0001 is based on 747 beds per day.

2. Will the Contractor be paid for detainees who are processed but not housed overnight?

A: Bed day for this facility means a detainee that occupies a bed in a housing unit or a detainee in custody for at least 4 hours in either a holding cell or staging area (not both.) If the detainee is moved from the holding cell or staging area into a housing unit the same day, only one bed day charge is allowable. Bed-day means day in, not day out, and all days in between. The contractor may charge only for day of arrival, and not for day of departure.

3. C II-L.5(a): Please confirm that the Stationary Detention Services described is time that is not included in the posts in Attachment 1 and that these hours will be billed at the hourly rate provided for Transportation Services CLIN 0002A.

A: Stationary Detention Services should be proposed under CLIN 0002A Transportation Services. See Subsection 1 Paragraph L 5 of the RFP.

4. An hourly rate for transportation officers is required for CLIN 0002A. C II-L.4(a) states that when not doing transportation duties, these officers will be assigned to other security duties and that these officers "shall not incur any additional expenses to the government." Please confirm that the transportation officer hours, whether spent on transportation or other security duties, will be billed hourly at the rate provided in CLIN 0002A.

A: When officers are providing transportation their hours will be billed under the Transportation CLIN 0002A. If those same officers perform other security duties, their hours will be included in the bed day rate under CLIN 0001.

5. CLIN 0002A of the pricing document estimates 220,000 annual transportation service hours, but Attachment 1 only lists transportation officer hours at 81,120 hours (including supervisor, posts 78-89). How many hours are anticipated for transportation services? Is there any data on actual hours over the last year or two?

A: The offeror shall propose pricing based on the quantity specified in Section B. The data on actual hours is not available.

6. Page 2, CLIN 0002; does the 220,000 hours for evaluation purposes include “escort” time spent at hospitals, clinics, courts, etc.?

A: Yes.

On page 25 Para “c”, there appears billing instructions for these services, in that they are billed separately from regular transport (assuming driving time) hours. On page 24 there appears a chart indicating only 5 2-member teams are required M-F for each 24 hour period or 400 hours for the week; and only 3 2-member teams required S-S-H for each 24 hour period or 96 hours a week. This totals out at 25,792 total “transport” hours; however, attachment one totals 61,984 annual transport hours.

A: The chart is giving the minimum of the requirement, the contractor may propose more teams but the minimum is 5-two person teams M-F and 3-two person team’s weekends and holidays. The attachment 1 provides an estimate based on the population needs currently.

Are we to base the hourly rate for CLIN 0002 on labor and overhead for 61,984 hours per attachment 1, and then use this same hourly rate to bill any stationary “escort” hours?

A: The hourly rate should be based on the estimated quantity provided in CLIN 0002A.

Are all off site escort officers armed?

A: Yes – Section C, Subsection II, Para L-Armed Transportation

7. CLIN 0002B: “This is a fully burdened rate inclusive of the mileage rate in accordance with the GSA Federal Travel Regulation, equipment, maintenance and fuel costs.”
- a. Are there FTR mileage rates for buses that carry 40 to 48 passengers? Please clarify what FTR mileage rates apply since the costs for fuel, maintenance, etc would be very different for personally owned vehicles than for buses.

A: The FTR mileage rate as of the date of this amendment is 50.5 cents per mile. This is the only motor vehicle rate allowed by GSA. Please refer to the actual wording of CLIN 0002B and 0002C for pricing purposes.

- b. Why are the FTR mileage rates applicable in building fixed unit rates for a competitive RFP process?

A: The FTR mileage rate is one component of your fully burdened rate per mile.

8. Page 2, CLIN 0002B/0002C: The Federal Travel Regulation mileage rate (currently 50.5 cents per mile) is based on travel by government employees while performing temporary duty in their private auto. Gas mileage portion is based on a typical sedan. Transport vehicles, especially buses, do not obtain typical sedan gas mileage. Do we put "excess" fuel costs for transport vehicles into overhead against CLIN 0002A?

(Recent Google of Arizona diesel fuel is range of \$2.29 to \$2.49 with prices going up weekly; with expected 6-7 miles per gallon mileage for average diesel bus, the FTR rate barely covers the gas and does not cover maintenance, repairs and insurance.)

Insurance costs for transport of persons per DOT regulations are MUCH higher than "typical sedan" rates considered in the Federal Travel Regulations. (An additional 5 million in liability is a standard DOT requirement for bus operations.) Are these excess insurance costs also to be included under CLIN 0002A overhead component?

A: Please see the specific wording under CLIN 0002B and 0002C. Insurance costs are to be incorporated in accordance with your firm's standard accounting procedures.

9. CLIN 0002B, CLINs, Transportation Services: In order to ascertain the quantity of 40-48 Passenger Vehicles and less than 40 Passenger Vehicles, can ICE provide the number of transportation shifts per day and the number of these vehicles needed per shift. Can ICE provide the volume of detainees per trip, per shift, per day? Can ICE provide a log of the most recent year's provided transportation services?

A: Transportation services are not currently performed by a contractor at this facility. Transportation is accomplished by ICE at this time and there is not statistical data as to the amount of vehicles used during shifts or amount of detainees moved per trip. ICE currently has a fleet of five 48-50 passenger buses, one 24 passenger bus and eighteen 13 passenger vans. Although, you must realize we do have back-up vehicles to use while line vehicles are in for service. We do conduct movements at times that include up to 140 detainees while still operating other details with detainee movement. The offeror is responsible for proposing a solution to the requirements of the RFP.

10. Section B, CLINs, Transportation Services: Can ICE provide historic information of the number of hours, events, frequency, time, etc. of the travel costs of Detention Officers that exceeded the standard working hours?

A: Historical information is not available.

11. The mileage on the pricing pages (CLINS 0002B and 0002C) add up to approximately 550,000 miles per year. Is this expected to be the maximum annual mileage? Is there any historical data on how many miles have been driven over the last year or two?

A: The mileage shown for CLINS 0002B and 0002C is the Government's best estimate. Historical information is not available.

12. Page 24, Para D: discusses overtime rate for transportation requiring overnight or longer than 8 hours to complete. CLIN 0002D appears to be the CLIN to charge in such instances, however it mentions only Lodging, Meals and Incidental Expenses; labor charge is not included. Will/can a separate "overtime" transportation CLIN 0002E be established to charge the OT?

A: Yes, an overtime CLIN 0002E will be established with a quantity of not-to-exceed 22,000 HR for transportation services only. Overtime must be pre-approved by the Government and tracked by the contractor (including name of approver, hours approved, date of approval). Overtime hours not used in any base or option period will not roll over to the next performance period.

13. CLIN 0002D asks for a cost for Detention Officers exceeding the standard working hours. Please clarify what this would include:

a. Since this will be reimbursed at cost, should offerors leave this blank?

A: CLIN 0002D will be amended to include a Not to Exceed dollar amount of \$30,000 per year. All offerors are instructed to propose that same dollar amount.

b. Since this will be reimbursed at actual costs, is the government requesting a markup rather than a cost for something that will not be the same for each occurrence?

A: See answer directly above.

c. Is 1 Lot equal to 1 occurrence? Since the specifics of each occurrence may vary and will be paid at cost, what does the government want included in the cost for 1 Lot? For example, should the FTR rate for Florence for one day of lodging and one day of per diem be included?

A: See answer above.

Section C - Detention and Transportation Services Statement of Work

1. Section C, Contract Objectives, Item A.3 (page 8): How many unauthorized access attempts/successful unauthorized access events and attempted escapes have occurred during the prior performance period? If there were any events, were any of these attributed to physical plant deficiencies that have not been addressed?

A: There have only been civilian visitors turned away for improper or inadequate identification. There have been no attempted escapes. No events were attributed to physical plant deficiencies.

2. Page 8, A.4.1. Facility Security and Control. Is there a vehicle mounted outside perimeter patrol required?

If so, what is the frequency per shift of the patrol?

What are the total facility circumference / distance traveled for one patrol route?

What type of vehicle/markings would be required?

A: No, a vehicle mounted outside perimeter patrol is not required under the RFP.

3. Section C, Contract Objectives, Item A.4.2 (page 8): Have there been any conditions of confinement or CRIPA findings at the facility?

A: No.

4. Section C, Contract Objectives, Item A.4.2 (page 8): Does the contractor need to include costs for preventative maintenance within the bill rate?

A: No, the Government provides preventative maintenance.

5. Page 8, A.4.2.: States "facility shall be fully compliant with all applicable health and safety codes." Whose responsibility is it to maintain compliance when facility infrastructure such as electrical systems, drains, plumbing, air conditioning, or other physical plant items do not meet code?

A: This is done by a separate contractor.

6. Will the Government or the Contractor be responsible for making necessary repairs, currently and in the future, to the facility? If the Contractor is responsible, please provide the maintenance expenditures for the past three years and any 2009 forecasted maintenance expenditures.

A: This is done by a separate contractor.

7. Page 9, A.5.2.: States "no health and safety code violations shall occur..." Is the contractor responsible for the building(s) structural or physical plant equipment such as boilers, HVAC, etc?

A: This is done by a separate contractor.

8. Will the Contractor be able to utilize its own maintenance staff?

A: No, this is done by a separate contractor.

9. Is there any cost to the Contractor for construction/renovation at the facility?

A: No.

10. Please provide any recent internal evaluations of the physical condition of the facility.

A: There have not been any recent internal evaluations of the physical condition of the facility. The facility is in satisfactory condition.

11. Section C, Contract Objectives, Item A.7 (page 10): Can bidders have copies of the MOUs to determine what areas impact costing, staffing of the overall program?

A: Copies cannot be provided; however, it is unlikely that there would be any impacts to cost or staffing of the overall program.

12. Numerous references are made to ACA standards. Is the facility currently ACA accredited?

A: The facility is expected to be ACA accredited by June 1, 2009.

13. Can the Contractor utilize its own policy and procedures as long as they are ACA compliant and adhere to National Detention Standards?

A: Policies and procedures must comply with ICE Detention Standards, Performance Based National Detention Standards and be ACA compliant.

14. Section C, Contract Objectives, Item B General (page 10): What is the average gender mix of the detainee population?

A: Female detainees are only processed and held until cleared by medical, after which they are transferred to a separate contract facility. Occasionally up to 20 females are held for a short period due to bed shortages in the other facilities, but this is rare and only for a few days.

15. Please confirm the capacity of the facility excluding any beds located in the processing/staging building.

A: Your proposal should reflect pricing for the quantities specified in Section B.

16. Section C, Contract Objectives, Item B General (page 10): In the fourth line it states, "and state and local laws on firearms for California." Please clarify if California and Arizona laws apply for firearms.

A: Arizona laws apply for this facility, however, in the infrequent event that transportation duties require the contractor to cross State lines, the specific State laws will also apply for firearms.

17. Section C, Contract Objectives, Item B General (page 10): ICE reserves the right to operate the facility at 10% over capacity at no additional cost to the Government. How often has the facility operated above 100% capacity in the past five years?

A: The facility has not operated above 100% capacity within the past five years.

18. Page 2, CLIN 0001 Detention & Food Services; per page 11 "bed day rate" definition, CLIN 1 encompasses all costs for detention and overhead labor, overhead, G&A and profit associated with Detention & Food Services. The CLIN provides a minimum of 373.5 beds per day and a maximum of 747. Yet, on page 10, General: it states the government may increase the population 10% above operating capacity without additional cost to the government. Three options therefore present themselves:

- a. Contractor bids 10% above actual cost to meet this contingency, or
- b. The government agrees to pay the daily bed rate in excess of 747 when this occurs or

- c. The government agrees to pay the daily bed rate for every detainee over 272,655 in any calendar year.

Will the government agree to either establish CLIN 1-A for this purpose as it will remove the guesswork and reduce risk to both parties?

A: The contractor will be reimbursed at the daily bed day rate for the 10% above the maximum quantity stated in CLIN 0001.

19. Page 15, "On call Post/Remote Custody Officer Post." Are these posts considered hospitalization posts?

A: Yes

Are they billable under CLIN 0002?

A: Yes

20. Page 16. Tour of Duty: DOT regulations proscribe that a driver may "work" no more than 15 hours per day, with no more than 10 hours spent driving. This limits driving radius to about 6.5 hours one way including 2 hours of down time for lunch/loading-unloading; ICE specifies no more than 12 hours total work per day. One page 24, item 4-J, it states the COTR may direct transport to "miscellaneous" locations. While no trip listed on page 25 is longer than 130 miles, should the total round trip to a miscellaneous location require driver teams to exceed 12 hours, will the 12 hour rule be waived?

A: Trips exceeding 12 hours will be unlikely, mostly in emergency situations. The Performance Based National Detention Standard-Number 3 entitled "Transportation (by Land)" dictate following USDOT regulations for maximum driving times.

21. Section C, Contract Objectives, Item C Explanation of Terms (page 16): Weapons – are Mace or other chemical agents used routinely within the facility? Do they represent general issue items?

A: Any chemical agents used in the facility will be by Government personnel only.

22. Section C, Contract Objectives, Item D Ambiguities (page 17): States "Should a conflict exist between any of these standards, the most stringent shall apply." However, on page 10, it states, "Some ACA standards are augmented by ICE policy and/or procedure. In cases where other standards conflict with DHS/ICE Policy or Standards, DHS/ICE Policy and Standards prevail." Please clarify which applies?

A: Reference Section C, Contract Objectives, Item D Ambiguities – "If the Contractor is unable to determine which standard is more stringent, the Contracting Officer shall determine the appropriate standard." In general, ICE policy and standards follow ACA standards.

23. Section C, Subsection 1 B, QCP (page 18): Quality Control Plan – Do the audits have to be completed on site or can they be conducted remotely/via video conference?

A: This would be an onsite audit for compliance with the Contractor’s Quality Control Plan.

24. Page 18, Para A states: The contractor shall audit the facility operations monthly...does this require that a “corporate level” audit be accomplished, or that on site Quality Assurance manager audit take place?

A: This would be an onsite audit for compliance with the Contractor’s Quality Control Plan.

25. Section C, Subsection 1 B, QASP: Please clarify what financial values and associated work performance measurements will be applied in any adjustments to the Contractor’s invoices. Can ICE provide a copy of the current QASP for review by Contractors so they can understand the financial values and mechanisms for applying adjustments as part of our pricing the contract?

A: Performance work measurements are contained in the Performance Requirements Summary. The QASP will be issued as a modification to the contract.

26. Page 19, Para H states: That deduction may be made if staffing falls below 95%. Most staff shortfalls are caused by the time it takes to receive a suitability determination/clearance. Is the contractor penalized when it can “show cause” that applicants’ suitability determinations were processed timely but not received timely?

A: This would be taken into consideration if the circumstances are outside the control of the Contractor.

27. Section C, Subsection 1, Item H.1 (page 20): On average how many detainees are processed daily?

A: On average, 110 detainees are processed per day.

28. Section C, Subsection 1, Item H.2 (page 20): If only one officer is required within the unit for supervision purposes, does the contractor have to provide a male and a female if both genders are represented in the unit’s population?

A: The genders are never mixed in the unit.

29. Section C, Subsection 1, Item H.3.a Key Personnel (page 20): Please define “accredited” bachelor’s degree? Does this refer to the school? What accreditation is required?

A: Education must be from an institution accredited by an accrediting agency recognized by the U.S. Department of Education.

30. Page 20, Project Manager Qualifications: This paragraph requires a bachelor's degree and 5 years related experience...Would 15 to 20 year career in progressively challenging department of corrections, or 10 to 15 years experience in ICE detention satisfy these requirements if positions held were commensurate with the Project Manager?

Can significant (20 year career) military experience or law enforcement experience, in senior grades be substituted for degree requirement?

A: Yes. The PWS will be revised with the language below:

- a. **Project Manager.** The Project Manager shall hold an accredited bachelor's degree in an appropriate discipline, or significant military or corrections experience of a minimum 15 years, and have at least five years of related administrative experience, and have knowledge of program objectives, policies, procedures, and requirements for managing a secure detention/correctional facility. The degree requirement may be satisfied by completion of a career development program that includes work-related experience, training, or college credits at a level of achievement equivalent to the bachelor's degree. The official holding this position, even in an acting capacity, shall meet ACA requirements.

Can the Project Manager or Assistant Project Manager also act as the Corporate Security manager?

A: This should be a separate position. (Chief of Security)

31. Section C, Subsection 1, Item H.3 Key Personnel (pages 20 – 21): Please clarify the number of required Supervisory Detention Officers and Training Officers.

A: The current numbers are 14 supervisors on shift each day and 1 training officer with a back-up. However, the offeror is responsible for proposing a solution to the requirements of the RFP.

32. Page 20, Supervisor staffing and Attachment 1: Are any of the supervisor posts in Attachment 1 considered a Processing Supervisor? Is the contractor entitled to propose additional supervision?

A: The supervisors referred to in Attachment 1 are shift supervisors and are not specifically assigned to processing. However, they do supervise the processing officers.

33. Will the government provide sufficient office space for key personnel required within this solicitation?

A: The Government will provide a Modular trailer with three 11x11, one 21x16, and one 23x13 rooms for administration, training and storage.

34. Do the staffing requirements in Attachment 1 decrease as the number of detainees in the facility decrease, or must the Contractor always maintain the staffing levels in

A: The contractor shall maintain the staffing levels in Attachment 1.

35. Assuming that the staffing requirements do not decrease incrementally as the number of detainees decrease, the price for the first 373.5 detainees is much more expensive than the next 373.5 detainees. The Government is asking for one price per bed day for the entire range of 373.5-747.

- a. Would the Government consider changing the billing structure to a fixed monthly price for the first 373.5 detainees and a bed day price for anything over 373.5? This is the structure used in recent RFPs for Batavia, El Paso and Krome. This would protect the Government from paying too much if the Offerors base their bed day rate on 373.5 bed days and from having a Contractor that cannot cover costs if they based their price on 747 bed days but because of low census can only bill for some lesser number.

A: No.

- b. Can one Bed day rate be given for the first 373.5 detainees and a discounted rate be given for any detainees over that minimum?

A: No.

36. Section C, Subsection 1, Item H.3 Key Personnel (pages 20 – 21): Please clarify if the key personnel positions (Project Manager, Assistant Project Manager, Supervisory Detention Officers, Training Officers, Quality Assurance Manager, and Corporate Security Officer) are included in the productive hours provided in the CLINs Detention and Food Services Hours and Transportation Labor Hours or if these are outside the provided productive hours.

A: Key personnel will be either included or excluded based on your firm's standard accounting practices.

37. Section C, Subsection 1, Item H.3 Key Personnel (pages 20 – 21): Please clarify if the Corporate Security Officer position is a dedicated position to the contract.

A: The Corporate Security Officer is a dedicated position under this contract.

38. C II-H.3.f: Will the Government elaborate on the duties and responsibilities of the Key Personnel position of Corporate Security Officer. Will this position be located at the facility?

A: No. The duties of the Corporate Security Officer are determined by the Offeror. The position is located at the facility.

39. Page 21, Para L: Will the contractor be required to create and maintain the A-files for detainees?

A: No

Is the post officers designated in as Processing Assistants performing these functions?

A: No

Are we to assume that we are responsible for maintaining all detainee property records and safeguarding property/funds and dispensing detainee funds?

A: Yes

40. Page 21: By “providing detainee welfare” is this indicating that the contractor provides recreation services?

A: The Contractor supervises recreation.

Do we provide a recreation coordinator/planner?

A: No.

Or, do we simply supervise recreation?

A: The contractor supervises recreation and may distribute recreation equipment.

Who provides recreation equipment and supplies?

A: The Government.

Does this also include religious services?

A: The contractor supervises religious services

Do we provide clergy, clergy supplies/equipment or simply supervise services when held?

A: The contractor supervises religious services

41. Will the Contractor be responsible for hiring a Recreation Specialist? If so, what are the training and qualification requirements? What is the current wage paid for this position?

A: A recreation coordinator/planner is not provided by the contractor. The contractor supervises recreational activities.

42. Presolicitation Notice HSCEDM09R0006 indicates a solicitation will be issued on or about March 13, 2009 for on-site religious services at eight SPC's including Florence. Does this mean the offeror should plan not to staff a chaplain position?

A: The contract does not require a chaplain position. The contractor will supervise religious services.

43. Page 21, L-1: Who is responsible for writing the fire/emergency plan? If the contractor, does an ICE plan exist that may be updated or is an original plan required?

ICE has a fire/emergency plan that will be followed. The PWS will be revised with the language below:

Detention Site Standards

Contractor shall ensure that detention sites conform to ACA and DHS Standards. A fire and emergency plan provided by the Government shall be aggressively managed by the Contractor.

Is the contractor required to have a Safety/Environmental manager on staff to provide all OSHA and Safety/Emergency related plans and training?

A: The offeror is responsible for proposing a solution to the requirements of the RFP.

44. Page 21, L-1(a): Who pays for pest control?

A: The Government pays for pest control under a separate contract. The PWS will be revised with the following language.

- a. The Contractor is to report any sighting of vermin/pests to keep the facility clean and vermin/pest free. Any issues shall be reported to the COTR immediately.**

45. Page 22, L-1(b): Who pays for trash removal and recycling? Does the contractor provide recycling bins?

A: The Government pays for trash removal and recycling under a separate contract. The contractor is not required to provide recycling bins.

46. Page 22, L-1(c): Does the contractor also provide all detainee clothing, such as jumpsuits, shoes, underwear, etc or only linens, blankets.

A: The RFP is being revised to reflect that the Government provides clothing, linens, blankets etc. The contractor disperses the items to detainees.

47. Page 22, L-1(d): Has there been any history of "lack of volunteer" detainee labor to support laundry or food services?

A: Yes, lack of volunteer detainee labor frequently occurs.

48. How many detainees work in laundry at any one time?

A: 5 to 6 detainees at a time

49. Is one officer sufficient to supervise laundry detainees?

A: Yes, generally.

50. Are two posts on day/swing shifts sufficient for food services?

A: Yes, generally

(These are the numbers reflected in Attachment 1 posts); however, is there a serving line officer, count control officer, loading dock officer, and dining area officer at every meal?

A: Housing officers and escorts supervise detainees during feeding.

Or, are the housing unit officers tasked to supervise these areas in addition to the two food service officers?

A: Housing officers and escorts supervise detainees during feeding.

Is a key-making machine available on site or is the contractor required to provide one?

A: The Government has one.

51. Page 22, L-1(g). What is the approximate annual turnover of detainees to compute need for personal hygiene kits?

A: The Government provides the personal hygiene kits. The contractor dispenses the items to the detainees. The RFP will be revised to include the language below:

The Government shall furnish personal hygiene kits and the Contractor will disperse the kits to the detainees.

52. Page 22, L-1(g) and Attachment 1: Locks. Who repairs/replaces locks ICE or contractor?

A: The Government provides repair/replacement of locks.

Who provides replacement keys?

A: The Government provides replacement keys.

On attachment 1, no post titled "Key Control Officer" is included; are these duties associated with a listed post? If so, which one?

A: The key control officer is a Government employee.

Can Key/Lock Control and Tool Control post be combined?

A: No, the key control officer is a Government employee and the tool control post is provided by contractor.

53. Section C, Subsection 1, Item L.2 (page 22): When does the Contractor have to notify COTR/ICE designee of detainee request for medical treatment - immediately upon notification by the detainee or within a specific period of time (one hour, three hours, etc.)? Does this include evenings, weekends, holidays, etc.?

A: The contractor notifies USPHS of all detainee requests for medical treatment immediately.

54. Page 22, L-2. Are policies discussed for emergency medical care access, summoning emergency responders, evacuation of detainees, policy, procedures, and post orders for medical already in place, or do they need to be written?

A: The RFP will be revised to include the language below:

The Contractor shall comply with the Government's current written policies and procedures for appropriately addressing the health needs of detainees in ICE custody. Written policies and procedures shall include, but not be limited to, the following:

- a. Policy and procedures for accessing 24-hour emergency medical care for ICE detainees.**
- b. Policy and procedures for prompt summoning of emergency medical personnel.**
- c. Policy and procedures for evacuation of detainees, if deemed necessary by qualified medical personnel.**
- d. Policy, procedures, and post procedures for duty officers to ensure that medical emergencies are recognized and promptly attended to.**
- e. The contractor shall notify the appropriate personnel of all detainee requests for the need of medical treatment. These requests shall be addressed with urgency.**

Are medical policies and procedures a USPHS responsibility or a contractor function?

A: United States Public Health Services (USPHS)

55. Section C, Subsection 1, Item L.3 (page 22): Will USPHS staff screen for Suicide Risk upon arrival at the facility. Will the outcome of the health care screening be made known to Contractor's staff to ensure proper precautions are followed?

A: Arrivals to the facility are screened by DIHS as soon as possible. Yes, the outcome will be forwarded to the appropriate section.

56. Is the Jail Special Housing Officer assigned to watch suicidal detainees; i.e., is the "jail" and "jail" posts commensurate with Special Management Unit and Segregation Unit posts?

A: Please see the answer for the next question.

Or, are additional posts required for SMU and SEG?

A: The Jail Special Housing Officer manages the segregation area; suicide watches must be completed by another officer (escort) one-on-one.

57. Section C, Subsection 1, Item L.3 (page 22): What is the average detainee population housed in the infirmary at any one time?

A: There is no on-site infirmary at this time, only a medical clinic.

58. Page 22, L-3: Do any of the 3 medical posts listed in attachment 1, provide coverage to the infirmary or is this post provided by contractor in addition to posts listed in attachment 1?

A: There is no onsite infirmary at this time, only a medical clinic.

If provided by contractor when needed, how many days last year was a patient confined in the infirmary?

A: There is no onsite infirmary at this time, only a medical clinic.

59. Are the 13 escorts listed in attachment 1 sufficient for medical, legal, visitation and other escort requirements?

A: Yes, generally.

Do these escorts act as Relief Officers for breaks/lunch when not escorting?

A: Post Relief

As indicated in the post orders, the Detention Officer shall not leave his pos until relieved by another Detention Officer. When the Contractor or Contractor's Supervisors authorize rest or relief periods, the Contractor shall assign undesignated officers to perform the duties as of the Detention Officer on break.

***** Restroom breaks are given by escorts. *****

60. Section C, Subsection 1, Item L.3 (page 22): Is USPHS responsible for providing and maintaining first aid kits and AED's?

A: The Government maintains the first aid kits. Only Government personnel operate AEDs.

61. Page 23. The contents of this page indicate that the contractor must seek ICE approval for off site medical treatment. Does PHS liaison directly with ICE or if PHS desires to send a detainee outside for services, does the Contractor relay that information to the COTR?

A: PHS will notify ICE of the requirement to send a detainee outside for medical service, then ICE will notify the contractor for transportation.

Is an intermediate management/clerical position required to monitor all such requirements and ensure Transportation division is notified timely of the requirement?

A: The contractor must determine whether such a position should be proposed or not.

62. Section C, Subsection 1, Item L.4 (page 24): Please clarify if the number of two person teams required for transportation is per day or per shift. Of the eight (8) two man teams described will any other Detention Officers require a Commercial Drivers license (CDL)? Will all Detention Officers be required to have a CDL?

A: Offerors must follow the Department of Transportation and the Arizona Motor Vehicle Division requirements regarding Commercial Drivers Licenses.

63. Page 24, Para "g": States transport officers will have Department of Transportation (DOT) physicals. The DOT Physical form is DOT 649F; the solicitation otherwise requires the SF 88 to be used for physicals. Do transport officers have to have BOTH physicals or just the DOT physical?

A: Both for transportation officers.

64. BOP Standards for bus transportation require an increase (beyond 2) for bus trips transporting more than 10 detainees. ICE regulations require only 2 officers (one of which is same sex as passengers). Will any bus transport require the use of more than 2 officers? If so would such additional officers be separately billable under the additional invoice line item under CLIN 0002 as discussed in Para 5.C on page 25?

A: No. 2 officers per bus

65. Is the contractor required to provide a "chase" vehicle for long distance trips?

A: No

66. Is transportation in frequencies indicated in the locations chart on page 25 currently performed by the incumbent contractor? If so, how many buses/vans and what size vehicles are provided?

A: No. Transportation service is currently provided by the Government.

67. Page 25, Para "l": requires radios to be compatible with Motorola XTS 3000/5000 radios. NDS states vehicles must have a 2 way radio, radios for "crew" communications, and a cell phone.

In order to communicate with ICE radio system and other federal law enforcement agencies, Motorola informs that they will need the ICE encryption key to program radios for encryption and the ICE frequencies as well. At other ICE detention sites, ICE is providing a radio when needed for transportation due to the government's reluctance to provide encryption key and frequencies. Additionally, at one site, ICE has agreed to the deployment of Nextel walkie talkie cell phones to satisfy this

requirement as long as a number of phones are provided to the COTR for ICE use. (ICE is granting an exception to the NDS for the radio requirement.)

In view of the above, can we propose Nextel walkie talkie cell phones in lieu of 2 way radios so long as all transport crew members have a phone?

A: The RFP will be revised to reflect that the encrypted radios for transportation duties only will be provided by the Government. Nextel walkie talkie cell phones furnished by the contractor can be used as a second form of communication.

68. How many buses and vans are currently in use for transportation of detainees? How many are 40 to 48 passenger buses? How many are less than 40 passenger? How many of the latter category are vans?

A: Transportation services are not currently performed by a contractor at this facility. ICE currently has a fleet of five 48-50 passenger buses, one 24 passenger bus and eighteen 13 passenger vans. Although, you must realize we do have back-up vehicles to use while line vehicles are in for service. We do conduct movements at times that include up to 140 detainees while still operating other details with detainee movement. The offeror is responsible for proposing a solution to the requirements of the RFP.

69. Are there a specific number of buses and vans required for this contract?

A: The contractor should propose what they consider necessary to achieve the work.

70. Are 40 passenger buses and 10 passenger vans acceptable?

A: The contract requires 40-48 passenger vehicles and less than 40 passenger vehicles. (See CLIN 1002B and 1002C description.)

71. Do any transport requirements exceed 10 passengers?

A: Yes.

72. Approximately how many miles have been logged transporting detainees annually for the last 2 or 3 years?

A: This information is not available.

73. Section C, Subsection 1, Item L.4 (page 24): Are male and female detainees ever transported together?

A: Yes.

74. Section C, Subsection 1, Item L.4 (page 24): Will ICE provide sufficient space for vehicle parking and washing area for buses, vans, etc. Please clarify if there are any associated costs for parking at the Service Processing Center. Are there any associated costs for parking at any of the medical facilities, courthouses, etc. as part of the detainee transport?

A: The Government will provide parking for buses, vans, etc. There are no associated costs for parking at the SPC. The cost of parking at medical facilities, courthouses etc. will depend on the particular facility. It would be impracticable to list all potential facilities and parking rates. A washing area for vehicles is not provided.

75. Will the government provide sufficient space for parking transportation vehicles at the SPC?

A: See answer above.

76. Section C, Subsection 1, Item L.4.d (page 24): Please clarify what equipment and modifications are required in accordance to the ICE National Detention Standards for each Transport Vehicle.

A: Attached to this amendment is a copy of the Detention and Removal Operations Policy and Procedures manual, Appendix 32-1, Vehicle Ordering Menu.

Please note, all vehicles must comply with Department of Transportation requirements, including restrooms, handicapped access, temperature controls, etc.

Offerors are responsible for providing a solution to the requirements for vehicle equipment meeting the requirements of the Performance Based National Detention Standards. A sample list of vehicle equipment currently includes:

- **Mobile radio(s) able to communicate on frequencies used by Border Patrol and other law enforcement agencies;**
- **Cellular Phone (backup communication system)**
- **In the forward baggage compartment, two equipment boxes containing:**
 - **Box#1: large bolt cutters, fuses, fan belts, jack, small hand tools, flashlight, lantern, rags, disposable trash bags, broom, ground cloth, two sets of coveralls, and work gloves (Fleet officer/shop supervisor maintains inventory; checks written inventory quarterly).**
 - **Box #2: Transmission fluid, water for radiator, oil, toilet disinfectant, extra fire extinguisher(s), road flares, and reflectors (transporting officers record amount and date used and by whom on inventory sheets kept in box 2, likewise maintaining MSDS sheets as necessary).**
- **Other equipment may be added as necessary (transporting officers shall provide supervisors with written notification of inventory needs, including items that need replenishing or replacing).**
- **First-aid equipment bag (disaster kit), auxiliary to the first-aid kit the driver's compartment (officers shall document each emergency requiring first-aid treatment, including whether and how quickly the injured received proper medical care);**
- **Emergency blankets equal to the rated capacity of the vehicle;**

- **Boarding bag containing extra forms, camera that produces instant photographs, film, batteries, emergency phone numbers: ICE DRO offices, local police, state police, etc.;**
- **Spare tire and snow chains (if applicable);**
- **Restraining equipment, including, at minimum: Buses-50 sets of waist chains; 50 sets of leg irons; 2 sets of leg irons modified for use as hand cuffs (extra-large); other vehicles-equipment equal to the rated capacity of the vehicle.**
- **All restraining equipment must be of high quality and needs to be maintained in good operating condition and kept in the forward baggage compartment with the other supplies.**

77. Section C, Subsection 1, Item L.4.f (page 24): Please clarify the quantity and type of restraint devices needed for the contract.

A: A definition of Restraint Equipment is included under the Section for Explanation of Terms. The types and quantities for transportation restraint equipment is contained in the ICE/DRO Detention Standard entitled "Transportation (by Land)." The offeror is responsible for providing a solution to the requirements in the referenced paragraph.

78. CII L.4(l)- Will the Government be prepared to use digital communications on the contract start date or will analog radios be necessary at contract start up?

A: The Government plans to be digital by the contract start date.

79. Page 25, Para "M": transportation delays are caused by many reasons; if the contractor is "over-tasked" with hospital runs on a given day, or providing jail runs, etc., with only 5 teams available M-F, and these 5 teams split between various shifts, delays are inevitable due to the length of some runs, the "overhead" time associated with runs...if this paragraph is rigidly enforced, contract deductions may occur daily. Can this paragraph be re-worded to indicate that "If ready transport is available and not otherwise being utilized, all prescheduled transports will occur as planned or deductions will be made for each hour a transport is delayed, unless waived by the COTR. 2 hours will be deducted for each hour delayed if the COTR does not waive the deduction."

A: The numbers of teams provided were given as a minimum that would be acceptable when providing your staffing plan; the proposal can add additional staff to successfully complete the requirement.

80. Page 25 Para "n": Please provide data on projected hospital runs including frequency and average duration of trips including supervision at the hospital, clinic, court, other locations; unless all this "overhead" transportation time is billable under CLIN 0002.

A: Hospital runs and doctor visits vary each day. Average 3-5 hours per day. All transportations costs should be included under CLIN 0002. No transportation costs should be included in overhead.

81. Page 25, Para 5(b): If one officer is assigned to guard a detainee in a hospital for a 24 hour period, are we required to “relieve” these officers or may they take “in area” restroom and lunch breaks?

A: Detainees must be guarded at all times. If a guard takes a break, he or she must be relieved.

82. Section C, Subsection 1, Item L.5 (page 25): Can ICE provide an estimate based on historic data on the amount of time (days/hours) detainees may have to spend at medical facilities that require stationary guard services.

A: This information is not available.

83. Section C, Subsection 1, Item L.5 (page 25): Are hospital costs paid for directly by ICE or is it via reimbursement to the contractor?

A: Detainee medical costs are billed directly to and paid by USPHS/DIHS.

84. Section C, Subsection 1, Item L.4.n (page 25): Please clarify the chart indicating "Frequency" of transportation routes. How many daily and/or weekly routes are required? Will any of these trips require transport outside of the State? How many ad hock trips are taken estimated daily and weekly? Can ICE provide an average number of detainees on these routes?

A: Frequencies are provided in the referenced table. It is not likely, but possible, that transportation will take place outside of the State. The table provided includes all known routes and frequencies. The average number of detainees on the routes is not available.

85. Please provide information regarding the size and capacity of the fleet of vehicles currently providing the transportation services described in the table on page 25 of Section C.

A: ICE currently has a fleet of five 48-50 passenger buses, one 24 passenger bus and eighteen 13 passenger vans. Although, you must realize we do have back-up vehicles to use while line vehicles are in for service. We do conduct movements at times that include up to 140 detainees while still operating other details with detainee movement. The offeror is responsible for proposing a solution to the requirements of the RFP.

86. Please provide the mileage reimbursement rate for the high occupancy vehicles used to transport detainees in accordance with the table on page 25 of Section C.

A: The contractor is responsible for providing the mileage reimbursement rate for high occupancy vehicles in CLIN 0002B.

87. Please advise how many detainees are typically transported on each trip and the type of vehicle used for trips listed in the table on page 25 of Section C.

A: This information is not available.

88. Page 25, Para 5(c): We take this to mean that “regular” transport hours performed (driving hours) are billed under CLIN 0002 and a separate invoice line under the same CLIN 0002 is used for billing “escort” hours. Is this correct?

A: CLIN 0002 requires the hourly rate for Transportation hours (a “regular” transportation hour is the same as an “escort” hour.)

89. Section C, Subsection 1, Item L.7 (page 26): Will detainees always be returned without escorts on the plane? If there is an escort, does the Detention Officer have to wait for gate agent confirmation of the plane being in flight?

A: In accordance with referenced paragraph, the contractor is required to escort the detainee onto the aircraft and remain at the gate until aircraft is airborne and verify verbally with carrier gate attendant that aircraft is in flight.

90. Section C, Subsection 2, Item I Post Relief (page 30): Will ICE allow the Contractor to use supervision as part of the relief plan? Are there any posts that have been or could be designated as “self relief posts” where guards can rotate to take their lunch but still maintain the post? If so, can ICE identify these posts?

A: As stated in Subsection 2 paragraph H “Dual Positions,” a contractor employee shall not hold the position of Detention Officer and Supervisory Detention Officer simultaneously; therefore, a supervisor on duty cannot relieve an officer of their post. Detainees must be guarded at all times. It is up to the offeror to propose the relief plan.

91. Page 25, Para 5(b): If one officer is assigned to guard a detainee in a hospital for a 24 hour period, are we required to “relieve” these officers or may they take “in area” restroom and lunch breaks?

A: Detainees must be guarded at all times.

92. Page 25, Para 5(c): We take this to mean that “regular” transport hours performed (driving hours) are billed under CLIN 0002 and a separate invoice line under the same CLIN 0002 is used for billing “escort” hours. Is this correct?

A: No. CLIN 0002 requires the hourly rate for Transportation hours (a “regular” transportation hour is the same as an “escort” hour.)

93. Page 26 Para 7: Are airport (tarmac) access cards required? TSA is reluctant to issue non-federal entities, such as contractors, such passes for national security reasons. Will ICE provide such passes for contractor vehicle access to airports/terminals etc under the ICE account?

A: Airport access cards not required.

94. Page 27, Para B: States employees will have “no criminal record”. We presume this means no felony convictions of any kind at any time; we also presume this applies to any Class A misdemeanors and any case of domestic violence. What about Class B misdemeanors (which include DUI in many states) occurring more than 7 years ago?

Can ICE please clarify “no criminal record”?

The RFP will be amended to include the following language:

If the Contracting Officer or his designee receives disqualifying information on a Contractor employee as a result of a Suitability Check, he shall direct that the Contractor not allow employee to perform any work under the terms of the contract. The Contractor must comply with all such directions. When any employee is removed from duty under these circumstances, the Contractor shall revoke his identification credentials as necessary and properly complete any required dispositions. Contractor employees may be disqualified for duty if any of the following are developed as facts pursuant to a Suitability Check:

1. Conviction of a felony, a crime of violence, or a serious misdemeanor within the last five (5) years.
2. Possessing a record of arrests for continuing offenses.
3. Falsification of information entered on suitability forms.
4. Non-payment of Court ordered Payments (child support, liens, etc.) or excessive delinquent debt as determined by credit check.
5. Misconduct or negligence in prior employment which would have a bearing on efficient service in the position in question, or would interfere with or prevent effective accomplishment by the employing agency of its duties and responsibilities.
6. Alcohol abuse of a nature and duration, which suggests that the applicant or appointee would be prevented from performing the duties of the position in question or would constitute a direct threat to the property or safety of others.
7. Illegal use of narcotics, drugs, or other controlled substances without evidence of substantial rehabilitation.

95. Page 27 Para C. Health Requirements: As written, the SF 88 could require a visit to a doctor, a dentist, an eye doctor and extensive lab work. Is a dental exam performed by a dentist required, or is a physician allowed to perform a cursory exam without requiring x-rays; in addition, is the serology lab tests in Block 19 required?

A: All exams required on the SF88 must be accomplished by the appropriate medical personnel.

96. **Page 27, C2:** This paragraph could be interpreted as precluding officers who wear glasses to correct near sightedness. Are detention officers allowed to wear corrective lenses although the paragraph states “uncorrected distant vision must be equal to 20/20...?”

A: Yes. The RFP will be revised to reflect the correct figure for the referenced paragraph to read 20/200 for uncorrected distant vision.

97. **Page 27, C8:** This paragraph requires annual TB skin tests. Is the contractor also required to offer Hepatitis shots series as well? (OSHA places burden for employee exposure to disease upon the employer.)

A: If an employee is required to have a Hepatitis shot under OSHA requirements, then the contractor shall provide it.

98. Is it an OSHA requirement for all officers to be offered Hepatitis B vaccinations?

A: Offerors are required to verify and comply with OSHA requirements.

99. Page 30, Para I and Attachment 1: There are no “rover” posts listed in attachment 1; are any posts in attachment 1, such as the “escorts” considered “self relieving” for lunch and restroom breaks?

A: Detainees shall be guarded at all times. The offeror should propose a post relief plan to accomplish the requirements.

Are any posts in attachment 1 considered “relief officer” posts?

A: Detainees shall be guarded at all times. There are no relief posts listed in Attachment 1. Also see the answer above.

100. Are any posts considered “self” relieving, such as mobile posts titled “escorts” and transport officers?

A: Detainees shall be guarded at all times. There are no relief posts listed in Attachment 1. Also see the answer above.

101. Page 30, Para K: May the contractor display its “patch” on the ball cap as well as the shoulder patch? Or, is a unadorned ball cap with rank insignia for supervisors only required?

A: Yes, a patch may be worn on the cap as long as it complies with the requirements in the RFP.

If the contractor uses silver and gold breast badges to distinguish supervisors from officers, can the badge be placed on the hat as well in lieu of other “rank” insignia?

A: Yes, see the answer above.

Does ICE require “all cloth” name tapes, breast badges, hat emblem to reduce introduction of metal prongs and other sharp items into the facility?

A: No, not at this time.

102. Section C, Subsection 3 (page 32): Please clarify if contractor is to provide ICE Van training Driving Course?

A: Yes.

103. Page 31 Para L. Permits and Licenses: Arizona will not grant a final company license until the company has a “business” (or contract site) address. Can this be changed to state “by Date of Commencement of services under the contract” instead of by contract award date?

A: The requirement will not be changed.

104. Page 31, Para N-2: Is guard mount required? If so, what is duration allowed? If 15 minutes guard mount is allowed for muster and inspection/instruction and this period includes walk time to post, is 15 minutes allowed for “post turnover/pass down” and walk time for officer departing the post? (The USDOL requires payment for walk time unless less than 5 to 6 minutes from any post to point of checkout from work.)

A: It is less than 5 minutes walk time to exit the facility.

105. Page 32 Paragraph A provides basic training requirements of 60 hours. Currently the requirement is 54 hours. Will the incumbent guards require any additional basic training or will they just be required to attend the refresher training?

A: Incumbent guards that only have 54 hours of training will require an additional 6 hours to obtain the required 60 hours.

106. Page 33 training during initial 60 day period: Is this training satisfied by teaching a 40 hour ACA/NDS standards course?

A: Yes, if the curriculum is approved by the COTR.

107. Will the government provide and pay for the 4 hours of training required for individuals using?

A: The Government will provide training for the Training Officer, who will then provide training to the contractor employees.

The RFP will be revised to include the following under Subsection 3 A 1 “Basic Training Requirements”:

Add:	Annual IT Security Training	1 Hour
Revise:	Use of Restraints	5 Hours

108. Who provides initial and annual IT security training?

A: See answer above.

109. Section C, Subsection 3, Item A (page 32): During the first 60 days, an additional 40 hours of training is required which brings the total training in the first year to 140 hours in the three months or less, is this correct?

A: That is correct.

110. Section C, Subsection 3 (pages 32-34): Will any of the required training be billable to ICE?

A: Any training conducted after EOD is billable to ICE; however, it must be incorporated into the bed day rate.

111. Is there sufficient training space on-site to accommodate concurrent new hire and in-service training?

A: The Government will provide a Modular trailer with three 11x11, one 21x16, and one 23x13 rooms for administration, training and storage

112. Page 32, under Training header states “the training site shall be provided at no additional cost to the government.” Are any on-site training spaces/classrooms available, or must all training, except OJT be conducted off site?

A: The Government will provide a Modular trailer with three 11x11, one 21x16, and one 23x13 rooms for administration, training and storage

113. Section C, Subsection 3, Item A.2 Refresher Training (page 33): Please clarify if the 40 hours of required refresher training includes the CPR/First Aid Certification, Supervisory Refresher Training, and Firearms requalification.

A: CPR/First Aid is part of the refresher training. As stated in Subsection 3 A 2, “in addition to the refresher training requirements for Detention Officers, supervisors must receive refresher training relating to supervisory duties.” Firearms re-qualification training is separate and not included in the refresher training.

114. Page 33, Annual Refresher Training: Can this 40 hour training be administered either monthly/bi-monthly at 8 hours a month to work into officers’ schedules?

Or, can the 40 hour period be scheduled for small groups of officers each month during the year?

A: Scheduling for training is at the discretion of the contractor as long as the training hours are completed.

115. Section C, Subsection 3, Item A.3 (page 33): Will ICE provide training on detainee processing to include a period of "On the Job Training" specific to the detainee processing? Will this include training on all of the required Government forms? Will the Government provide all of the required forms?

A: On-the-job training will be provided either by the Government or the contractor as appropriate to the particular situation. If Government forms are required to be filled-out, necessary training will also be provided as needed. All forms will be provided by the Government.

116. Page 34, Para B Supervisor Training: Is 20 hours OJT acceptable to complete the 40 hour requirement?

A: No, the requirement is 40 hours.

117. Section C, Subsection 3, Item A.5 (page 34): Please clarify if there is any requirement for AED training and certification.

A: Only Government employees will be using the AED.

118. Page 34, Para 5 Basic 1st Aid/CPR training: Since these classes are included under Basic Training, are any additional hours of training required to satisfy this paragraph?

A: The contractor shall provide re-certification in CPR and First Aid in accordance with Subsection 3 Para 2.

119. Page 34, Para C Proficiency tests: Basic training consists of 23 topics. Is a 25 question test required for each topic? Or one test for the entire course?

A: There is a test for each topic.

120. Section C, Subsection 3, Item C Proficiency Testing (page 34): Are tests expected to be independently validated (i.e. bias based on gender/ethnicity etc.)? If not, this could lead to challenges with whether the testing is biased.

A: No, tests are not expected to be independently validated.

121. Section C, Subsection 3, Item D (page 34): Please define “certified instructor.” Who has to certify the instructor? Which State/Local/National authorities are acceptable?

A: As stated in the referenced paragraph “A state or nationally recognized institution shall certify instructors unless otherwise approved in writing by the COTR.”

122. Page 35, Para A: Is the contractor to provide any equipment such as conveyor belt x-ray machines, walk through metal detectors and or hand held wands; or vehicle undercarriage inspections mirrors?

A: No, all of that equipment is already in the facility.

123. Page 35, Para C: What is ratio of detainees to Housing Officers in each housing unit? Such as 50 detainees to each housing officer? If ratio exceeds 50, will the contractor be required to provide an additional housing officer?

A: There are 64-80 detainees depending on the unit. If a unit that is designated for 80 detainees goes over 80 a second officer is required.

124. Page 35, Para C: What is approx number of Level 1, 2, and 3 detainees?

A: That information is not available.

Are extra housing officers placed in Level 3 Pods?

A: No

125. Page 36, Para H: Are any posts on attachment 1 performing “shakedown” team duties? Is contraband shakedown conducted randomly or are all housing units subject to shakedown daily?

Can Escorts be used as a shakedown team?

A: Escorts and unit housing officers can be used as shakedown teams. All units are shaken down randomly, but must be shaken down on a weekly basis.

126. Page 36, Para I: Attachment 1 does not contain a "Mail Officer" post. How is mail distributed/carried from point of reception from the post office to the detainees?

A: The contractor is responsible for proposing a solution to the requirements of the RFP.

127. Section C, Subsection 4, Item J (page 36): Have there been any OSHA infractions at the facility during the prior period of performance? If so, were any related to physical plant concerns that have not been remedied?

A: No.

128. Section C, Subsection 4, Item K (page 36): Will ICE provide copies of the post orders to bidders? Can the successful contractor add to post-orders? If so, does this require COTR permission/authorization?

A: The Government will not provide copies of the post orders to bidders. The successful contractor can make recommendations for additions to post orders, but it will require COTR approval.

129. Page 37 Para M: What "intermediate devices" are authorized for this facility?

A: None are authorized in the facility.

130. Page 37, Para N: Are any 4 pt restraints to be provided by the contractor?

A: The contractor is required to provide all approved restraints required by the RFP.

131. Section C, Subsection 4, Item N (page 37): Have four-point restraints ever been used? What is their anticipated requirement during the course of the contract?

A: Yes they have been used, but it is extremely rare.

132. Section C, Subsection 4, Item R (page 38): Will ICE provide the process for securing detainee funds and valuables and a safe place to store these valuables? If not, will Contractor have to provide a safe?

A: The Government will provide a secure storage locker for holding valuables and a baggage and property storage area. The Contractor is responsible for providing a procedure for documentation, inventory of and receipt of surrendered property.

133. Subsection 4-R, page 38: Which post or position in attachment 1 handles the funds and valuables? Does ICE want a Supervisor to cover this position? How much cash does this position manage? Will the valuables and cash be turned over to ICE for storage or will it remain in the custody of the Contractor?

A: It is up to the offeror to propose a solution to the requirements. The Detention Standards state that the secure locker for holding valuables and the baggage and property storage area can only be accessed by a designated supervisor. In response to the question of how much cash this position manages, each detainee is allowed no more than \$40.00 cash on their person. The average cash this position manages is approximately \$80,000, but has gone as high as \$110,000 and could conceivably go higher. The contractor is responsible for storage and safekeeping of all property.

134. Will the government provide safes for detainee funds/valuables?

A: Yes

135. Page 38, Para R: Is the "property officer" post officer responsible for safeguarding detainee funds, or is the contractor to provide clerical staff to account for and dispense detainee cash?

A: The offeror is responsible for providing a solution to the requirements in the RFP.

136. Page 38, Para S: Who provides fingerprinting personnel? Is this task completed by the Processing staff in attachment 1? Fingerprinting supplies?

A: Fingerprinting and supplies are provided by ICE.

The RFP will be revised to reflect the following in Subsection 4 Para. S:

The government will provide the equipment and supplies for all fingerprinting.

137. Page 38, Para T: Does ICE review and/or make final classifications decisions? If a detainee objects to his classification, does the detainee appeal to ICE or the Contractor's Project Manager?

A: The processing officers classify detainees ICE reviews the classifications and responds to appeals.

138. Page 38, Para U: Who provides postage meter/stamps for detainee outgoing mail?

A: The Government.

The RFP will be revised to include the following in Subsection 4 Para. U:

The government will provide postage to all outgoing mail sent by the detainee.

139. Does the contractor provide managers/workers for any facility maintenance functions?

A: Only the Tool Room Officer (Attachment 1 #71)

140. Assuming detainee cleaning crews (in addition to detainees in residence) clean housing units, there does not appear to be a post associated with “housekeeping”. Does the contractor provide any janitorial labor/or a detainee labor supervisor?

A: Housing Officers supervise housing unit cleaning, escorts/compound supervise outside details.

141. Section C, Subsection 4, Item T (page 38): What information will the contractor receive to make appropriate detainee classification decisions?

A: Contractors will make appropriate detainee classification decision in accordance with the Performance Based Detention Standard 5 entitled “Classification System.”

142. Section C, Subsection 5 (page 38): Does ICE provide the books/materials for the law library?

A: Yes.

143. Section C, Subsection 6 (page 38): Can detainees be used to provide laundry services as part of their paid work?

A: Yes.

144. Subsection 6 – Detainee work details: Can ICE provide a range or estimate of how many hours or days of detainee work details there are? Can these work details generally be monitored by positions listed in Attachment 1 or are extra people needed for this task? What tasks do detainees regularly perform?

A: The RFP will be revised to reflect an estimated quantity of 80,000 hours annually for CLIN 0003. Reimbursement for this line item will be at actual cost. The offeror is responsible for providing a solution to the requirements. Some of the duties detainees perform include laundry, food service and janitorial.

145. What equipment must the Contractor provide for the Disturbance Control Team?

A: The contractor must provide all DCT equipment as required by the Performance Based National Standard.

146. Subsection 7-A: “The Contractor shall establish and maintain a Disturbance Control Team...” What equipment must be provided by the Contractor for the Disturbance Control Team? Is there a requirement as to the number of people that must be trained for this duty?

A: See answer above for equipment requirements. The offeror is responsible for providing a solution to the requirements of the RFP.

147. Page 39, Subsection 7: DCT requirements. How many personnel comprise one team?

A: The industry standard is a 12 person team to include a supervisor; however, the offeror is responsible to propose a solution to the requirements of the RFP.

Is a team required for each shift?

A: The offeror is responsible for proposing a solution to the requirements stated in the RFP.

What equipment is required for the DCT? (Such as neck/chest protectors, elbow, knee, shin protectors, batons, shields, helmet with face mask?)

A: Equipment requirements are listed in the Performance Based National Detention Standard Number 18 “Use of Force and Restraints.”

Can equipment provided for riot control be used by the DCT in lieu of providing “x” amount for DCT and additional “y” amount for riot control?

A: The offeror is responsible for proposing a solution to the requirements stated in the RFP.

How many sets of riot gear are required, and what constitutes one set?

A: The offeror is responsible for proposing a solution to the requirements stated in the RFP.

148. Section C, Subsection 7, Item C (page 39): Have there been any incidents of infectious diseases such as MRSA at the facility? If so, with what frequency and how recently?

A: This information is not available.

149. Page 40 Para J: Who is responsible for providing potable water and testing facility water supplies?

A: The Government.

150. Section C, Subsection 8, Item B (page 41): Please provide an aged inventory listing of Government Furnished Equipment (GFE) so that the prospective contractors can make a determination of the value of GFE and replacement costs in the event of damage.

A: Loss, damage, destruction or theft of Government Furnished Property will be handled in accordance with FAR 52.245-1.

151. Subsection 8-C, states that the “contractor shall furnish, install, operate and maintain in acceptable condition all equipment and supplies necessary for performance under this contract...” There are many items in the facility that are not listed as either Government furnished equipment (GFE) or Contractor furnished equipment (CFE). Please clarify what is the Contractor’s responsibility and/or provide a complete list of GFE and CFE (for example: key control systems, metal detectors, x-ray equipment, recreation equipment, laundry equipment including

A: Offerors are requested to reread the referenced paragraph. The paragraph references (1) office equipment, (2) detention officer's uniforms and equipment, (3) communications equipment, and (4) personnel protection equipment. The paragraph does not specify, and does not intend to mean, the contractor is to furnish, install, operate and maintain all equipment throughout the facility.

152. Subsection 8 B.2 – Will the government be providing a sufficient number of computers for processing detainees or will the contractor be expected to purchase additional computers?

A: The number of computers provided by the Government is included in the simplified list of Government Furnished Property included in this Amendment to the RFP.

153. Section C, Subsection, Item B (page 41): Please clarify if the government will provide office space for the pre-assignment training to be conducted for new personnel. If not, will ICE allow Contractor to bring temporary trailers for the required training?

A: The contractor will be provided a Modular trailer with three 11x11, one 21x16, and one 23x13 rooms for administration, training and storage

154. Page 41 Para B: What is the square footage of office space provided to the contractor for PM and administration personnel?

A: Modular trailer with three 11x11, one 21x16, and one 23x13 rooms for administration, training and storage

155. Section C, Subsection 8, Item B (page 41): Will ICE or the Contractor be responsible for the maintenance of the video camera and monitors and metal detectors used throughout the facility?

A: The Government.

156. Are surveillance cameras performance/maintenance the contractor's responsibility?

A: See answer to the above question.

157. Page 41, Para C. Radios: Do radios utilized within the facility require encryption? (Basic, inexpensive Motorola models are compatible with Motorola 3000/5000, however, if encryption is required, the radios are VERY expensive)

A: The facility radios do not require encryption.

158. Section C, Subsection 8, Item C (page 41): Please clarify if the contractor is required to provide detainee clothing to include shoes, jumpsuits, etc. If yes, please provide the quantity and approved types.

A: The Government will provide clothing.

159. C II-L.1(c): “The Contractor shall furnish, supervise and distribute suitable linens.” Does the government purchase/pay for the linens which are then distributed by the Contractor? If the Contractor is responsible for the cost for linens, please provide historical information on how many of each item has been purchased each year? Please include kitchen towels, aprons, etc. if applicable. Does the government pay for the laundry detergent?

A: The Government provides linens, kitchen towels, aprons, etc., but the contractor will distribute these items.. The Government will provide laundry detergent.

160. C II-L.1(c): “The Contractor shall furnish, supervise and distribute articles of personal hygiene.” Does the government purchase/pay for these items which are then distributed by the Contractor? If the Contractor is responsible for the cost, please provide historical data on annual costs and the numbers of various items purchased annually.

A: The Government furnishes the articles of personal hygiene.

161. Section C, Subsection 8, Item C (page 41): Will the contractor be required to provide special equipment to transport special needs detainees such as wheelchairs, canes, etc.

A: The Government provides wheelchairs to transport special needs detainees.

162. Section C, Subsection 8, Item C (page 42): Please clarify the requirement for “civil disturbance-type equipment” and the required quantity. Please clarify if Contractor is to provide any additional training for utilizing this equipment for riots, etc.

A: Equipment requirements are listed in the Performance Based National Detention Standard Number 18 “Use of Force and Restraints.”

163. Section C, Subsection 8, Item D (page 42): Please clarify the equipment needed for “ICE-approved intermediate weapons” and the required quantity.

A: Per the Performance Based National Detention Standards, the definition of intermediate weapons refers to weapons otherwise known as “non-deadly force weapons,” “non-lethal weapons,” “less-than-lethal weapons.” Oleoresin capsicum spray and collapsible steel baton are the two intermediate weapons approved by ICE. The offeror is responsible for proposing a solution of the requirements of the RFP.

164. Will the government provide sufficient weapons storage space and/or weapons lockers for armed transportation and access DO's?

A: The Government will provide storage space, the contractor shall provide the weapons lockers.

165. Page 42 Para D-4 states: Uniformed supervisors receive ammunition; attachment 1 does not reflect any armed supervisor posts; does this infer that transportation supervisors are armed? Are there any other armed supervisor posts?

A: Yes

166. Page 42, Para D-9; is there currently an “armory” area within the facility? May the contractor use this area if it exists?

A: No.

Is there a weapons clearing area with clearing barrels available on site?

A: Yes, it is available for use by the contractor.

Does the contractor provide clearing barrels?

A: No.

Is there an ICE firing range on site? If so, is the contractor permitted to use the range?

A: No.

How much general storage space is provided on site for the contractor to utilize?

A: The Government will provide a modular trailer with three 11x11, one 21x16, and one 23x13 rooms for administration, training and storage.

Para D-24: What intermediate weapons are required and in what quantities?

A: The definition of intermediate weapons refers to weapons otherwise known as “non-deadly force weapons,” “non-lethal weapons,” “less-than-lethal weapons” per the Performance Based National Detention Standards. Oleoresin capsicum spray and collapsible steel baton are the two intermediate weapons approved by ICE.

167. Can ICE provide the make and model of the current firearm being utilized by the incumbent work force?

A: The current requirement is for a standard police-type semi-automatic weapon as stated in Subsection 8, Para D 3.

168. Section C, Subsection 8, Item E (page 43): Can bidders have a copy of the ICE Body Armor policy to ensure that the correct specification of body armor is priced into the proposal?

A: The ICE Body Armor Policy is attached to this amendment.

169. Section C, PWS for Food Services: Does ICE have any contract-specific requirements for pre-employment screening for the food service personnel

A: Yes, all contractor personnel are subject to a suitable pre-employment determination.

170. Attachment 1-Post positions is provided for Detention Officer Services. Can a similar list be provided for Food Services? What is the current staffing structure for food services (number of cooks, etc)?

A: It is the responsibility of the contractor to submit post position descriptions for each position. Staff structure is currently as follows: Project Manager - 1; Asst Project Manager - 1; Cook II - 3; Cook I - 4 (includes 1 warehouse employee); Food Service Worker – 4.

171. Please clarify which Food Service Labor Classifications apply to this contract.

A: See the response above; however, it is up to the contractor to propose a solution to the requirements of the RFP.

172. Section C, PWS for Food Services, Item C (page 47): Please clarify if the key personnel positions (On-Site Manager and Cook Supervisor) are included in the productive hours provided in CLINs Detention and Food Services Hours or if these are outside the provided productive hours.

A: The offeror must price these positions in accordance with their standard accounting practices.

173. C III-A states that the Contractor orders food and supplies. Does the government have a mechanism for payment for this food, which is ordered by the Contractor?

A: The Government has a mechanism in place for payment that the contractor will utilize.

174. Will the Contractor be able to utilize its own food service provider?

A: Yes. Subcontracting is not prohibited; however, the successful contractor is responsible for satisfactory performance of the work at all times.

175. Section C, PWS for Food Services, Item F (page 48): Please clarify if the required CPR and First Aid annual training is included within the required 32 hours of annual refresher training.

A: Yes.

176. C III-J, states that “except for those items or services specifically stated as Government furnished or Government reimbursed, the contractor shall furnish everything required to perform this contract. Please provide a list of government furnished equipment. Does the government provide plates, silverware, napkins,

A: An inventory has been submitted and the Government does supply the items stated above. Some of the items such as plates, silverware, napkins, etc. are ordered by the contractor and is included in their amount allowed to spend from the Government.

Section H

1. Are new or updated suitability determinations required for carry-over employees from the previous contractor?

A: Yes

2. Are new physicals required for carry over employees? Are tri-annual or annual physicals required?

A: Yes

Section I

1. Page 62, clause 52.219-9 is included; when is subcontracting plan due to the government?

A: Please see Section I, FAR 52.219-9. When an offeror has been identified as the apparently successful offeror, that firm will be contacted and instructed to submit a subcontractor plan within 7 days of notification. If the apparently successful offeror fails to negotiate an acceptable subcontracting plan within an additional 7 days, the offeror will be ineligible for award.

2. Page 63, clause 52.222.35 is included; how can this clause apply in view of the health requirements in the contract?

A: This FAR clause applies to all solicitations and contracts in the expected value is \$100,000 or more.

Section J

1. Section J, Attachment 1, Post Positions: please clarify if all the food service positions have been included in this breakdown. If not, can ICE provide the food service breakdown?

A: Staff structure is currently as follows: Project Manager - 1; Asst Project Manager - 1; Cook II - 3; Cook I - 4 (includes 1 warehouse employee); Food Service Worker – 4.

2. Attachment 1 – Post positions for Florence is provided for the current security service contract. The post list indicates a large increase in hours over the current security services contract. Are there currently employees covering these additional posts

A: The current RFP covers security services, transportation services and food services. The offeror is responsible for providing a solution to the current RFP requirements.

3. Section J, Attachment 1, Post Positions: Can ICE provide a job description for each of the positions listed in the Post Position breakdown?

A: This information is not available. It is the responsibility of the offeror to submit post position descriptions for each position. The offeror is responsible for providing a solution to the current RFP requirements.

4. Can the government supply current wages and benefits being paid to food service employees so that their wages can be maintained?

A: Attachment 3 provides the current wage determination for Food Service personnel. It is the responsibility of the offeror to propose wages and benefits.

5. Please confirm there is no CBA for Food Service employees?

A: There is not currently a CBA for Food Service employees.

6. Section J, Attachment 1, Post Positions, Armed Transportation (page 2 of 3): The Post Position provides the number of Transportation personnel per shift; however this does not correspond to Subsection 3, Item L.4.b on page 24 that indicates eight 2-man teams. Please clarify?

A: The chart is giving the minimum of the requirement, the contractor may propose more teams but the minimum is 5-two person teams M-F and 3-two person team's weekends and holidays. The attachment 1 provides an estimate based on the population needs currently.

7. Section J, Attachment 2, Collective Bargaining Agreement: Please describe what ICE will require regarding payment of accrued benefits such as vacation, sick and personal time to incumbent personnel selected to continue duty but now employed with a new service provider.

A: ICE will require compliance with the Collective Bargaining Agreement provided.

8. The CBA wage (page 27 of CBA) increases on January 1 of each year. Will the government give a price adjustment for the increase that falls in the middle of the base period?

A: The Government will follow the process outlined in FAR Clause 52.222-43 entitled "Fair Labor Standards Act and Service Contract Act -- Price Adjustment (Multiple Year and Option Contracts).

9. Section J, Attachment 2, Collective Bargaining Agreement, Exhibit A (page 27 of 28): Can ICE provide a breakdown of the hours for armed and unarmed personnel as the CBA provides two separate pay rates?

A: All transportation officers are considered armed. The CLIN for transportation services is 0002A. A small number of non-transportation officers are considered armed. Those few positions are identified in Attachment 1. The offeror is responsible for providing a solution to the requirements of the RFP.

10. Section J, Attachment 2, Collective Bargaining Agreement, Exhibit A (page 27 of 28): Please clarify the requirement of a “temporary supervisor” position as provided for in the CBA.

A: The CBA provides rates for temporary supervisors. It does not provide the necessity for a temporary supervisor. It is the offerer’s responsibility to propose any temporary supervisors they deem necessary to perform the requirements of the RFP.

Section K

1. RFP, Section K – Representations, Certifications and other Statement of Offerors (page 77-78): Please clarify if Contractor is to submit responses to sections 52.204-8 and 52.209-5 as part of the proposal response.

A: Representations and Certifications are to be made electronically via the Online Representations and Certifications Application (ORCA) website as stated in paragraph c of FAR clause 52.204-8.

2. Page 77, clause 52-204-8: Why is a small business size standard included in the solicitation if this is a full and open competition?

A: The size standard is included so that a business can certify as a small business if they qualify. The solicitation is full and open competition.

3. Does the size standard, if applicable, apply only to revenue earned against NAICS 561210 or all company revenue?

A: Please refer to www.sba.gov for information on size standards.

Section L

1. Section L, Item L.2 (page 80): Will ICE consider extending the due date on the proposal to at least March 16, 2009 as proposals will have to ship a week after answers to questions are posted and this does not necessarily provide sufficient time to ensure that all answers are appropriately incorporated/addressed within the response. Movement of the date will allow prospective contractors sufficient time to ensure that amendments are appropriately addressed and incorporated.

A: The proposal due date will not be extended.

2. Section L.8.1 – Markings: Does the Government intend that each volume is to be shipped in a separate box, or may the shipping label be marked Volumes I, II, III?

A: The shipping label must be marked to indicate the volumes contained in each box or envelope. A separate box is not required for each volume.

3. Section L, Subsection L.9 Proposal Format and Preparation Instructions: Are fold-out charts/tables allowed?

A: The proposal will be revised to include the following language:

Fold-out charts or tables are allowable when necessary to ensure a readable font size.

4. Section L, Subsection I.9, Proposal Format and Preparation Instructions, Factor 1.2 Transition Plan (page 82): Will incumbent employees who transfer to the new contractor be allowed to commence work without having to go through the 60-hours initial training? Will their EOD/Suitability Determination transfer with them?

A: See response to question 105. Existing suitability determinations will be considered when applying for a new one.

5. Section L, Subsection L.9 Proposal Format and Preparation Instructions, Factor 1.2 Transition Plan (page 82): Understanding that EOD clearances may take between 30-60 days after submission and that pre-employment training must take place prior to contract commencement, can ICE provide some indication of when:

a) The existing contract expires with the incumbent;

A: The existing contract expires June 30, 2009

b) When ICE plans to make an award;

A: The Government intends to award a new contract on or about June 1, 2009

c) If a new contractor is selected, when services under the contract are expected to commence.

A: Please see Section F-1 Period of Performance.

6. Would the Government allow offerors to submit resumes of Key Personnel listed on pages 20-21 of Section C after contract award but before Notice to Proceed rather than with the proposal as indicated in Section L, Factor 1.3 Key Personnel?

A: Resumes are required to be submitted with the proposal.

7. Section L page 82 does not require a separate plan for Food Service/Laundry Service? Can Factor 1.6 “Food Service/Laundry Service” be added to the factor list or do we just integrate these plans into the overall Management Plan under factor 1.4?

A: A separate factor for food service/laundry service will not be added.

8. RFP, Section L Instructions, Conditions and Notices to Offerors, Past Performance (page 83): Does ICE have a minimum requirement on the number of past performances to be submitted?

A: There is no minimum requirement on the number of past performance references to be submitted.

Attachment 1

1. Attachment 1 does not include a law library post? Is one required?

A: No

2. Attachment 1 does not include a Barbershop/Beauty shop post? Is one required? Who provides barber services, equipment and supplies?

A: A Barbershop/Beauty shop post is not required. Currently, recreation officers supervise detainee barbers; however, it is the responsibility of the offeror to propose a solution to the requirement of the RFP. Equipment and supplies are provided by the Government.

3. Detainee work details (page 39, subsection 6). Attachment 1 provides laundry officer, food service officers, vehicle cleaning officer, and compound cleaning officer; are these the detainee work detail officers referred to on page 39 subsection 6?

A: Yes, along with additional details assigned and monitored by escorts.

Are these the only works details provided, or do detainees provide paint details as well?

A: Additional details may be assigned.

4. If paint details are performed, who provides respirators?

A: Paint equipment provided by ICE/separate contractor.

5. Since detention services are reimbursed at a per day basis, computation of hours is critical.

For all 7 day posts, (24 hours), the chart lists 8,736 hours per year based on 52 weeks coverage. $52 \text{ weeks} \times 7 \text{ days} = 364 \text{ days}$. Should not the appropriate hours be 8,760 for these posts which is $24 \text{ hours} \times 365 \text{ days} = 8,760$?

For all other 7 day posts, it appears this same computation was made; i.e., 1 shift, 1 guard, $7 \text{ days} = 2,912 \text{ hours}$. One 7 day post of 8 hours per day $\times 365 \text{ days} = 2,920 \text{ hours}$. Is this not correct?

Do all 5 day posts (such as Court Escorts) include Federal Holidays occurring Monday – Friday?

If they do not, then the following would apply:

For 2009, M-F = 365-104 weekend days and – 9 weekday holidays = 252 x 8 = 2,016 hours.

For 2010, M-F = 365-104 weekend days and 8 weekday holidays = 253 x 8 = 2,024

For 2011, M-F = 365-104 weekend days and 8 weekday holidays = 253 x 8 = 2,024

For 2012, M-F = 366 (including Wed Leap Day)-104 weekend days and 8 weekday holidays =

254 x 8 = 2,032

For 2013, M-F = 365-104 weekend days and 10 weekday holidays = 251 x 8 = 2,008

For 2014, M-F = 365-104 weekend days and 9 weekday holidays = 252 x 8 = 2,016

To ensure accuracy, please confirm that posts ARE including the holidays, or indicate which 5 days posts do and which do not.

If the posts do NOT include holidays, can we use an “average” number of days x hours such as 252.8 to include these variations and the leap year?

A: Offerors are required to propose a bed date rate based on the estimates provided in CLIN 0001. It is the offerors responsibility to determine manning levels to ensure detainees are guarded at all times.

There are 5 court positions that do not work holidays.

**U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
ICE Policy System**

**OFFICE OF PRIMARY INTEREST: Director of Operations (National Firearms and
Tactical Training Unit)**

DISTRIBUTION:	ICE
DIRECTIVE NO.:	70001.1
ISSUE DATE:	02/04/2005
EFFECTIVE DATE:	02/04/2005
REVIEW DATE:	02/04/2008
SUPERSEDES:	see section 3

DIRECTIVE TITLE: ICE Body Armor Policy

- 1. PURPOSE and SCOPE.** To establish the U.S. Immigration and Customs Enforcement (ICE) policy for the use of personal protective soft body armor (body armor) and identify related management and employee responsibilities. This directive applies to all components of ICE with armed officers.

- 2. AUTHORITIES/REFERENCES.**
 - 2.1. Statutory and Regulatory Authority**

8 USC 1103

 - 2.2. ICE Policy**

Interim ICE Firearms Policy (July 7, 2004)

Interim ICE Use of Force Policy (July 7, 2004)

 - 2.3. National Institute of Justice Reference Documents**

Ballistic Resistance of Personal Body Armor (NIJ Standard 0101-03 and 0101-04 and amendments)

Selection and Application Guide to Personal Body Armor (NIJ Guide 100-01 and 100-98, and amendments)

- 3. SUPERSEDED/CANCELLED POLICY/SUMMARY OF CHANGES.**

This directive supersedes previous legacy policies, issuances and previously recognized processes for soft body armor for all ICE offices with armed officers.

4. DEFINITIONS.

- 4.1. **Body Armor** - A protective garment designed to stop a variety of standard handgun projectiles. The armor is not designed to stop all projectiles, especially those fired from high-caliber rifles. Unless rated as stab resistant, this armor is not designed to prevent injury from sharp or cutting or piercing-type weapons. No body armor is designed as a replacement for common sense, good judgment and proper street survival procedures and tactics.
- 4.2. **Technology Standards for Body Armor** – The Law Enforcement and Corrections Standards and Testing Program (LECSTP) is sponsored by the Office of Science and Technology of the National Institute of Justice (NIJ), Department of Justice (DOJ). The LECSTP is an applied research effort that determines the technological needs of justice systems agencies, sets minimum performance standards for specific devices, tests commercially available equipment against those standards and disseminates the standards and the test results to criminal justice agencies nationally and internationally. The NIJ reference documents for this policy are listed in the Authorities section and are as follows: Ballistic Resistance of Personal Body Armor (NIJ Standard 0101-03 and 0101-04) and Selection and Application Guide to Personal Body Armor (NIJ Guide 100-01 and 100-98), to include amendments.

5. POLICY.

- 5.1. All ICE employees authorized to carry firearms as a condition of employment shall be issued protective body armor. New employees will be fitted for body armor during their initial training at the Federal Law Enforcement Training Center (FLETC) or as specified by ICE. Replacement of expired or damaged body armor in the field shall be coordinated with the designated official for that operational component, most often the Senior Firearms Instructor (SFI).
- 5.2. The ballistic resistance performance standard for protective body armor requires a minimum of threat level type IIA protection, with side panel coverage, and must meet the current NIJ standards.
- 5.3. All ICE armed officers are strongly encouraged to wear their issued body armor while performing law enforcement duties. When not being worn, body armor should be readily accessible in the vehicle or building where the officer is working. When away from the vehicle or building, the ICE armed officer does not have to carry the body armor, unless instructed by a supervisor.
- 5.4. All Federal Protective Service (FPS) armed uniformed officers shall wear their issued body armor while in the performance of their law enforcement duties. When in a non-uniform status or not being worn, body armor should be readily accessible in the vehicle or building where the officer is working. When away

from the vehicle or building, the ICE armed officer does not have to carry the body armor, unless instructed by an FPS supervisor.

- 5.5. All Detention and Removal Operations (DRO) armed uniformed officers shall wear their issued body armor while in the performance of their law enforcement duties. When not being worn, body armor should be readily accessible in the vehicle or building where the officer is working. DRO armed officers performing administrative duties or duties inside a detention facility shall not be required to wear their issued body armor.
- 5.6. Due to their covert mission within the aviation environment, Federal Air Marshals shall wear issued body armor according to their internal guidance and procedures as established by the Director, Federal Air Marshal Service.
- 5.7. The wearing of body armor during normal operations is at the discretion of the employee, except during activities as specified in the Procedures Section of this directive and for FPS and DRO armed officers as stated above in sections 5.4 and 5.5.
- 5.8. All employees need to be aware of the health risks associated with the wearing of body armor in high-heat/high humidity conditions and/or during strenuous exertion. When employees are required to wear body armor, they shall be provided opportunities to rehydrate and remove the body armor as necessary.
- 5.9. ICE does not authorize the use of personally owned body armor for armed officers while functioning as ICE employees. Any exception to this requirement first must be approved by the director of the operational component and then by the Director of the National Firearms and Tactical Training Unit (NFTTU).

6. RESPONSIBILITIES.

- 6.1. The NFTTU is responsible for the development of all national policy and procedures, and exercises program management responsibility for the body armor program.
- 6.2. The NFTTU shall coordinate all research, testing, evaluation, procurement, distribution and destruction of body armor.
- 6.3. The SFIs are responsible for coordinating requests for body armor, ensuring training requirements are met and conducting inspections of all body armor as required by the NFTTU.
- 6.4. Supervisors are responsible for ensuring armed personnel under their supervision are issued body armor and that it has not exceeded its expiration date.

- 6.5. Supervisors are responsible for ensuring that all personnel issued body armor comply with the mandatory requirements for wearing body armor specified in the Procedures Section of this policy.
- 6.6. ICE officers are responsible for the proper care and inspection of the issued body armor in accordance with the manufacturer's recommendations and ballistic panel labeling.
- 6.7. ICE officers are required to attend, participate and complete all mandated body armor training as required by ICE and/or their operational component.

7. PROCEDURES.

- 7.1. The NFTTU will develop standard operating procedures to be used for the selection, procurement, issuance, accountability, replacement and disposal of all ICE-owned and issued body armor.
- 7.2. The NFTTU shall maintain the national inventory system for body armor. Unless otherwise identified by the NFTTU, the Firearms Inventory System (FIS) module in the Automated Management Information System is the national inventory system and will be the official system of record for the accountability, transfer and inventory of all ICE body armor.
- 7.3. The officer to whom the body armor is issued is responsible for electronically accepting it in the designated automated inventory system. Body armor should not be documented on any other ICE property record document other than for exigent circumstances and only as an interim hand receipt until FIS can be properly updated by the responsible officer(s).
- 7.4. A 100 percent body armor inventory shall be performed annually by all employees issued body armor in FIS. Responsible officials (supervisory personnel) shall ensure that the employees complete their annual inventory and verification process in FIS within 30 days of notification of the initiation of the inventory process. Employees who fail to complete their inventory and verifications within the specified 30 days may be subject to disciplinary action.
- 7.5. In the event that body armor is lost or stolen, it must be reported to the NFTTU via facsimile (814-946-9995) and FIS within 48 hours of discovery by the employee to whom it was issued. This FIS reporting requirement does not preclude any other reporting requirement(s) mandated by any other ICE policy or procedure. The stolen body armor information, with serial number, shall also be entered into the National Crime Information Center (NCIC) database.

- 7.6. The wearing of body armor by ICE armed officers is mandatory during the following activities:**
- 7.6.1.** Special Response Team (SRT) deployments when officers are part of an arrest, or operate as an entry or perimeter element;
- 7.6.2.** Executing arrests in pre-planned situations. ICE officers working in an undercover capacity, or in support of another officer working in an undercover capacity, may be exempted from the requirement of wearing body armor stated in this section, if the wearing of the body armor presents a danger of being exposed as a law enforcement officer. This exemption pertains to officers who will be working in close proximity to violators and who may identify the officer as a law enforcement officer by noticing the body armor. In all cases, the exemption must be approved by a first-line supervisor prior to the operation;
- 7.6.3.** Execution of high-risk search warrants until the premises are secured and cleared or at the discretion of the first-line supervisor;
- 7.6.4.** Apprehension phases of air and marine interdiction operations;
- 7.6.5.** Transportation, storage or destruction of seized narcotics, currency or other high risk or valuable commodity;
- 7.6.6.** During normal operations for FPS and DRO officers, if armed, and in uniform as stated above in sections 5.4., 5.5. and 5.7.;
- 7.6.7.** In emergency situations where ICE management determines there is an immediate threat to the safety of employees. In addition to the nature of the emergency situation, ICE management will also determine the duration of the emergency and, accordingly, the length of time that body armor must be worn; and,
- 7.6.8.** During all DRO fugitive apprehension operations regardless of whether it is a formalized, preplanned operation or not. This does not include simple investigative inquiries when an apprehension is not anticipated by the DRO armed officer.
- 7.7.** SFIs shall ensure that training is provided to each employee who is issued body armor. SFIs shall ensure that all training is documented in the appropriate system as identified by the NFTTU.
- 7.8.** Body armor training covers the following:
- Circumstances/situations when body armor must be worn;
 - Type of body armor that is necessary;

- Procedures to properly don, doff, adjust and wear body armor;
 - Limitations of body armor;
 - Proper care, maintenance and useful life of the body armor; and,
 - Use of firearms while wearing body armor.
- 7.9. Employees shall notify their supervisor(s) of the need to replace worn, damaged or ill-fitting body armor should such a need be identified by the armed officer or SFI.
- 7.10. Body armor that is no longer serviceable will be physically and electronically transferred to the NFFTU for final disposition.
- 7.11. Expired body armor distributed prior to the utilization of the NFFTU automated system for inventory and accountability shall be physically transferred to the NFFTU for final disposition. The NFFTU shall furnish guidance for the manual transfer of body armor that is not documented in FIS.
- 7.12. Additional guidance or instructions regarding the identification, procurement, replacement, transfer, tracking and inventory of body armor may be issued by the NFFTU to address agency transition, reorganization and/or realignment.
8. **NO PRIVATE RIGHT STATEMENT.** This Directive is an internal policy statement of ICE. It is not intended to, and does not create any rights, privileges, or benefits, substantive or procedural, enforceable by any party against the United States; its departments, agencies, or other entities; its officers or employees; or any other person.

Approved _____


Michael J. Garcia
Assistant Secretary

Detention and Removal Operations

DRO Policy and Procedure Manual

Appendix 32-1 Vehicle Ordering Menu

DETENTION AND REMOVAL OPTION PACKAGES FOR ORDERING VEHICLES

- Option 1a. - Large Bus
- 1b. - Mid-Range Bus
- Option 2a. - Standard Airporter
- 2b. - Wheelchair Accessible Airporter
- Option 3a. - 13 Passenger Long Bed Van with Insert
- 3b. - 12 Passenger Long Bed Van w/ Insert and Luggage Space
- 3c. - 12 Passenger Short Bed Van with Insert
- 3d. - 13 Passenger Standard Van, No Insert
- 3e. - Standard Van, No Insert - wheelchair accessible
- Option 4a. - Minivan caged/secure package
- 4b. - Minivan Fugitive Operations package
- Option 5a. - Sedan full-size Caged/secure package
- 5b. - Sedan full-size Fugitive Operations package
- 5c. - Sedan mid-size Fugitive Operations package
- Option 6a. - SUV full-size Caged/secure package
- 6b. - SUV full-size Fugitive Operations package
- 6c. - SUV mid-size Fugitive Operations package
- Option 7. - Pick-up Fugitive Operations package

Option 8. - Fugitive Operations surveillance van*

Under development not available for order at this time

Option 9. - Specialty Vehicle (i.e.: Utility or Food Service Truck; Tractor Trailer)

OPTION DESCRIPTION

Option 1a. - Large Bus

Description: Long-range coach bus retrofit. Standard security screened interior with movable partition. 46-passenger capacity, equipped with lavatory.

Purpose: Long distances, long trip duration, high capacity.

Option 1b. - Mid-range bus

Description: Mid-range coach bus retrofit. Standard security screened interior with movable partition. 44-passenger capacity, equipped with lavatory.

Purpose: Shorter distances and shorter trip duration. Reduced passenger capacity.

Option 2a. Standard Airporter

Description: Twenty-two passenger rear and side loading retrofit. Standard security screened interior. Vehicle and chassis similar to typical airport/rental car shuttle bus. Secure vehicle with an eight-passenger compartment, a twelve-passenger compartment, and a two-passenger compartment. Two-passenger compartment contains a fold-up bench seat allowing for luggage/property storage.

Purpose: Designed for local area operations such as airport or court runs. Ideal for offices where routine operations call for mixed count of officers and detainees, or when detainee count routinely exceeds standard van capacity.

Option 2b. - Wheelchair accessible Airporter

Description: Maximum capacity of nineteen-passenger, rear and side loading retrofit. Standard security screened interior. Vehicle and chassis similar to typical airport/rental car shuttle bus. Secure vehicle with a two-passenger compartment, a twelve-passenger compartment, and a compartment with fold-up bench seats allowing for either two wheelchair bound passengers, or five passengers. The two-passenger compartment also has fold-up bench seat allowing for additional luggage/property storage.

Purpose: Same as option 2a, adding space for two wheel-chair passengers. Versatility to accommodate one or two wheelchairs and a combination of additional escort officers, detainee segregation or additional luggage/property space.

Option 3a. - 13 Passenger Long-Bed Van with Insert

Description: White long-bed cargo van, with thirteen-passenger, long-bed insert installed with a movable partition. Rear and side loading. Insert runs entire length of van.

Purpose: The Insert package is a high security package designed for transporting new apprehensions where classification of background, security level, and/or health conditions, are unknown. Officers cabin air independent of custody compartment. Ideal for shorter distances and trip duration. Easy loading and cleanup. Movable partition provides for custody and/or luggage segregation within insert.

Option 3b. - 12 Passenger Long-Bed Van with Insert

Description: White long-bed cargo van, with twelve-passenger, long-bed insert. Movable partition optional. Rear loading. Insert is shorter than option 3a, creating space between front cabin and insert, allowing for luggage space, and if necessary, side/front loading through front/emergency door of Insert.

Purpose: Same as 3a. Ideal for locations where permanent, easily accessible luggage space is a priority. Side loading of detainees is possible, but not ideal.

Option 3c. - 12 Passenger Short-Bed Van with Insert

Description: White short-bed cargo van, with twelve-passenger insert. Rear loading only. Insert runs entire length of van.

Purpose: Recommended for off road, border operations where long wheelbase bottoming out is a concern. Suitable for locations where luggage segregation and side loading availability is not necessary.

Option 3d. - 13 Passenger Standard Van, No Insert

Description: Standard thirteen-passenger white maxi-van with forward-facing vinyl bench seats with standard security screened package.

Purpose: For longer distances or trip duration where a standard security package and enhanced passenger comfort is appropriate. For operations where custody segregation and officer-custody air separation is not a major issue. Appropriate for transporting of detainees whose background, security level, and health conditions have been properly identified.

Option 3e. Standard Van, No Insert - wheelchair accessible

Description: Standard white maxi-van with forward-facing vinyl bench seats and standard security-screened package. Security screen installed behind bench seats. Rear bench seats are removed to allow for installation of rear-loading wheelchair lift, wheelchair locking

device, and wheelchair. Allows for 7 detainees, side loading only; and one wheelchair detainee, rear-loading only. Rear compartment can be used for luggage and/or equipment when not transporting wheelchair. Security screen allows for separation of detainees from luggage/equipment.

Purpose: Versatility to accommodate one wheelchair and up to seven detainees with segregation for large additional luggage/property space.

Option 4a. - Minivan Caged/security package

Description: Standard white mini-van with forward-facing bench seats with standard security screened package. Allows for up to five detainees.

Purpose: Smaller transport vehicle with lower capacity. Ideal for offices where a smaller vehicle is conducive to operating area.

Option 4b. - Minivan Fugitive Operations package

Description: Standard seven-passenger mini-van with standard fugitive operations package as described below.

Purpose: Self explanatory

Option 5a. Sedan full-size Caged/secure package

Description: Full size white sedan with standard security screened package. Allows for up to three detainees.

Purpose: Secure detainee transport when low number of detainees is routine and a larger capacity vehicle is not warranted.

Option 5b. - Sedan full-size Fugitive Operations package

Description: Full size sedan with standard fugitive operations package as described below.

Purpose: Self-explanatory.

Option 5c. Sedan mid-size Fugitive Operations package

Description: Mid size sedan with standard fugitive operations package as described below.

Purpose: Self explanatory

Option 6a. SUV full-size Caged/secure package

Description: Full size white SUV with standard security screened package. Allows for up to five detainees.

Purpose: Secure detainee transport when low number of detainees is routine and a larger capacity vehicle is not warranted.

Option 6b. SUV full-size Fugitive Operations package

Description: Full size SUV with standard fugitive operations package as described below.

Purpose: Self explanatory

Option 6b. SUV mid-size Fugitive Operations package

Description: Mid size SUV with standard fugitive operations package as described below.

Purpose: Self explanatory

Option 7 Pickup Truck Fugitive Operations package

Description: Full size, extended cab pickup truck with standard fugitive operations package as described below.

Purpose: Self explanatory

Option 8 Fugitive Operations surveillance van*

Under development not available for order at this time

Option 9 Specialty Vehicle

Description: This is a specialty vehicle required to fulfill unique requirements, such as a Food Service Truck to be deployed at a Service Processing Center or tow-truck to be deployed to a Service Maintenance Shop. Prior to ordering, written justification to, and concurrence from, Regional and Headquarters DRO management is required.

FUGITIVE OPERATIONS PACKAGE: Standard Accessories and Amenities

Tilt steering wheel and cruise control

AM/FM radio

Power windows, locks, and side mirrors

Intermittent wipers

Road emergency kit

First aid kit

Fire extinguisher

Service Radio - concealed out of sight

Tinted windows

Front and rear, emergency strobe/flashing lights

Locking trunk box to secure weapon and/or equipment

No alterations are to be made to DRO vehicles without specific concurrence from Regional and Headquarters DRO management.

CAGED/SECURE TRANSPORT VEHICLES (bus/van/suv/sedan): Standard Accessories and Amenities

Tilt steering wheel and cruise control

AM/FM radio

Power windows, locks, and side mirrors

Intermittent wipers

Map light

Road emergency kit

First aid kit

Fire extinguisher

Service Radio roof, console, or dash mounted

Tinted windows

Front and rear, emergency strobe/flashing lights

Locking trunk box to secure weapon and/or equipment

Shotgun rack and gun box (bus and maxi van)

Expanded metal security screen with plexiglass installed between drivers compartment (front seat) and passenger/custody area. Metal bars and/or screen on all windows.

No alterations are to be made to DRO vehicles without specific concurrence from Regional and Headquarters DRO management.

ADDITIONAL ACCESSORIES AVAILABLE - (these items require written justification to, and concurrence from, Regional and Headquarters DRO management)

All Wheel Drive or Four Wheel Drive

Block heater

Heated side mirrors

Transmission cooler

Additional emergency lights

Brush guards