From: Fajardo, Juan
To: Mitchell, Tanya
Subject: RE: Rolling Knolls Landfill Oversight Cost Bill
Date: Monday, January 26, 2015 1:41:00 PM

The message below is from the contracting officer?

From: Mitchell, Tanya
Sent: Monday, January 26, 2015 11:58 AM
To: Fajardo, Juan
Subject: RE: Rolling Knolls Landfill Oversight Cost Bill

Juan,
The short answer is that "Complete Market Research and AE Matoc Selection documentation" is the procurement process utilized by the USACE to procure a new Task Order their subcontractor, CDM Smith. If you like the long version see below.
Thanks,
Tanya
In Late 2013, we knew that CDM's previous task order under their 2008 contract was expiring yet there was still work to do. We needed then to get a new task order. Although it may seem simple to just get CDM Smith to do more work, the interpretation of the Federal Acquisition Requirements (FAR) is that we need to select a contractor best suited and qualified for the work. This entails a few steps and documents that must be completed before the request for proposal was sent to CDM:
A project execution plan with market research determination was prepared by myself and our contracting specialist for review and approval by the acquisition strategy board. This document dated November 4th outlines the different contracting strategies available to us, which contracting strategy was selected and why. It concluded that we can select a large business A-E contractor.
From there, an informal team reviewed our pool of seven available A-E contractors. The review for this project only looked at their previously provided contract documents to evaluate their qualifications to perform the work at Rolling Knolls. The selection memo determined that CDM Smith was most qualified. The memo was completed on Dec 11 and then the Request for Proposal sent to CDM on December 18, 2013.

From: Fajardo, Juan
Sent: Monday, January 26, 2015 10:11 AM
To: Mitchell, Tanya
Subject: FW: Rolling Knolls Landfill Oversight Cost Bill

What can we find out?

From: Ricci, Richard F. [mailto:RRicci@lowenstein.com]
Sent: Monday, January 26, 2015 10:00 AM
To: Fajardo, Juan
Subject: RE: Rolling Knolls Landfill Oversight Cost Bill

I have done a quick review of these reports and have a question. A number of them have an entry in the narrative "Complete Market Research and AE Matoc Selection documentation." Can you shed any light on what work this narrative refers to. We may have additional questions as well as we continue to review the reports. Thanks. Rich Ricci

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From: Fajardo, Juan [mailto:Fajardo.Juan@epa.gov]
Sent: Monday, January 26, 2015 7:52 AM
To: Ricci, Richard F.
Subject: RE: Rolling Knolls Landfill Oversight Cost Bill

Rich –

Attached are Progress Reports submitted by the U.S. Army Corps of Engineers for the relevant period of time. This is the best information we have for those costs.

Juan

From: Ricci, Richard F. [mailto:RRicci@lowenstein.com]
Sent: Friday, January 16, 2015 6:21 PM
To: Fajardo, Juan
Subject: Rolling Knolls Landfill Oversight Cost Bill

Juan – We are in receipt of an oversight bill from the EPA in the amount of $318,197.03, covering the period 10/1/13 to 9/30/14. Included in that amount are $96847.20 in Interagency Agreement Costs. The only support for the Interagency Agreement Costs is a list of vouchers, which appear in Section 5 of the bill. We would appreciate it if you could provide us with copies of those vouchers or any other back-up information from which we shed light on the nature and scope of the work relating to those costs. The bill also includes $37,160.28 in indirect costs relating to the Interagency Agreement Costs. These costs appear to have been calculated by applying a 38.37% indirect cost factor to the voucher amounts. We would also appreciate it if you could shed some light on the rationale for applying an indirect cost factor to what appear to be costs invoiced from a third party. Of course, if you have any questions or would like to discuss this further, do not hesitate to contact me. Thanks. Rich Ricci

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