

<i>Schedule/Contract Value/Contracting Office</i> .....	<i>Page 1</i>
<i>Contract Structure/Bidding Procedures</i> .....	<i>Page 2</i>
<i>Contract Scope</i> .....	<i>Page 5</i>
<i>Points of Contact/Work Priorities</i> .....	<i>Page 6</i>
<i>SBI/POEs</i> .....	<i>Page 7</i>
<i>Contractor Security</i> .....	<i>Page 8</i>
<i>Storage/Materials</i> .....	<i>Page 8</i>
<i>Clearances/Bonding</i> .....	<i>Page 9</i>
<i>Rights of Entry (ROE)/Access Issues</i> .....	<i>Page 9</i>
<i>Work Hours/Response Time</i> .....	<i>Page 10</i>
<i>Environmental</i> .....	<i>Page 11</i>
<i>Data Capture/Shared Data</i> .....	<i>Page 11</i>

**Schedule/Contract Value/Contracting Office**

Q: When will the Comprehensive Tactical Infrastructure Maintenance and Repair (CTIMR) Requests for Proposal (RFPs) be posted on FedBizOps.gov?

A: Three separate Requests for Proposal (RFPs) will be issued beginning in the First Quarter of Fiscal Year (FY) 2010:

- o One RFP will be issued for Areas 2 and 3.
- o One RFP will be issued for Area 1.
- o One RFP will be issued for Area 4.

The RFP for Areas 2 and 3 will be issued first, followed approximately three weeks later by the RFP for Area 1. Subsequent the release of the RFP for Area 1, the RFP for Area 4 will be released approximately three weeks later.

Q: In addition to the Industry Day Events, does the government anticipate it will schedule any other open sessions with vendors prior to the RFP due dates?

A: TI will schedule site visits in each of the areas before the RFPs are due. The dates and times of these visits are to be determined. Please continue to monitor the “Procurement Updated” portion of the TI Maintenance and Repair (M&R) Web site at [http://cbp.gov/xp/cgov/border\\_security/ti/ti\\_mr/ctimr/procurement\\_updates/](http://cbp.gov/xp/cgov/border_security/ti/ti_mr/ctimr/procurement_updates/) for details.

Q: Will the acquisition be handled by the U.S. Army Corps of Engineers (USACE)? Will CBP or TI be managing the acquisition?

A: The USACE multiple task order contract will not be utilized for this acquisition. The procurement will be handled by the U.S. Customs and Border Protection (CBP) Office of Procurement, TI Acquisition Group.

Q: Does the government have any idea of the total value of the contracts?

A: TI has a budgeted amount of \$75 million for FY2010. The \$75 million is the combined total for each of the four contracts and is finite. TI expects to develop a concept of operations before the release of the RFP to help determine the budgeted amount for each contract.

### **Contract Structure/Bidding Procedures**

Q: What type of contracts will be awarded? Firm, fixed-price? Cost-plus award fee?

A: The contract type for this procurement will remain “cost” type. At this time, we ask companies that do not have Defense Contract Audit Agency (DCAA) certified cost accounting systems AND intend to pursue one or more of these procurements as a prime contractor to contact the Contracting Officer for this effort so that we can begin working with DCAA to certify your systems. It is important to note that companies that do not have, or cannot achieve, certification will be ineligible to participate as a prime contractor on these efforts.

Q: Will having a DCAA-approved accounting system be part of the evaluation process?

A: Contractors must have a DCAA-approved accounting system in order to be awarded a cost type contract.

Q: Will DHS sponsor and pay for DCAA audits of firms?

A: Firms will be sponsored for DCAA audits (paid for by the Government).

Q: Would the government consider awarding separate contracts for each of the work categories in each of the four areas?

A: It is the government’s intent to have a single point of contact for each contract by awarding comprehensive contracts (encompassing Fences and Gates, Roads and Bridges, Drainage and Grate Systems, Lighting and Electrical Systems, and Vegetation Control and Debris Removal) in each of the four areas: Area 1 (San Diego and El Centro Sectors), Area 2 (Yuma and Tucson Sectors), Area 3 (El Paso and Marfa Sectors), and Area 4 (Del Rio, Laredo and Rio Grande Valley Sectors). Based on our preliminary investigations, managing 20 separate contracts was not feasible for the government.

Q: How will the RFP be structured?

A: TI anticipates that four contracts will be awarded, one in each of the four areas. Each contract will clearly identify the points of contact and the Contracting Officer’s Technical Representatives (COTRs). The government will be posting more information about the structure of the RFP as becomes available on the CTIMR Web site, which can be accessed at: [http://cbp.gov/xp/cgov/border\\_security/ti/ti\\_mr/ctimr/](http://cbp.gov/xp/cgov/border_security/ti/ti_mr/ctimr/).

Q: Will one contractor be eligible to submit a proposal for more than one contract? Can one contractor bid on all four contracts?

A: TI is receptive to a contractor submitting multiple proposals, especially those that demonstrate how a contractor receiving multiple awards will result in efficiencies to the government. However, please note that Area 1 (El Centro / San Diego) will be set-aside for certified HUBZONE small business contractors only and Area 4 (Del Rio / Laredo / Rio Grande) will be set-aside for certified 8(a) small business contractors only.

Q: Will companies that were awarded Multiple Award Task Order Contracts (MATOCs) to construct the fence be eligible to bid for the CTIMR contracts?

A: There is no organizational conflict of interest on this project with the MATOC contractors, and they will be eligible to submit proposals for the CTIMR contracts.

Q: What companies are providing current repair services under U.S. Army Corps of Engineers (USACE) contracts?

A: CBP is seeking permission from USACE to post the names of the companies on the CTIMR Web site.

Q: Do the Contractors providing current repair services under USACE contracts need to have specific qualifications?

A: CPB is following up with USACE on the specific qualifications; the CTIMR contract will explicitly describe the required qualifications for key personnel.

Q: Will the CTIMR contract supersede the existing repair contracts?

A: The existing repair contracts will be phased out and the CTIMR contract will encompass the duties currently performed by the existing repair contractors in addition to several more work categories specified in the CTIMR contract.

Q: What role – if any – will the Boeing Company play in the CTIMR contract?

A: TI has utilized Boeing for long-term purchasing of raw materials for the fence, and this relationship ended in June 2009. TI anticipates that CTIMR contractors will work with CBP on materials purchasing.

Q: Will any of the area contracts be designated as a small business set-aside(s)?

A: Area 1 (El Centro / San Diego) will be set-aside for certified HUBZONE small business contractors only and Area 4 (Del Rio / Laredo / Rio Grande) will be set-aside for certified 8(a) small business contractors only.

Q: What will be the breakdown of the small business goal?

A: TI was granted permission to seek input from industry before agreeing on an acquisition strategy. The purpose of the Industry Day events is to get a better understanding of contractor's questions, concerns, and ideas before determining the type of contracts or defining the specific contract goals. Two of the Areas (Area 1 and Area 4) are being set-aside for small business which will allow us to work towards meeting our small business goals. CBP's small business goal is 32 percent and we have exceeded this goal. The set-aside decision for Area 1 HUBZONE will assist the department in meeting its overall goal of 3 percent.

Q: Is demonstrating past performance a necessity for being awarded one of the contracts?

A: The government is required to consider both past performance criteria and price in the review of all proposals. Companies that have performed similar work for the government are seen as attractive because this reduces the risk to the government. However, companies that have not done this type of work for the government are also encouraged to submit proposals.

Q: Will any sort of maps be included in the final solicitation?

A: All data and maps that are relevant to the solicitation and are not deemed Law Enforcement Sensitive will be available for viewing on the CTIMR portion of the TI M&R Web site at:  
[http://cbp.gov/xp/cgov/border\\_security/ti/ti\\_mr/ctimr/inventory\\_data/maps/](http://cbp.gov/xp/cgov/border_security/ti/ti_mr/ctimr/inventory_data/maps/).

Q: Is the government looking for a partner to suggest/implement improvements along the fence or are the contracts strictly for maintenance and repair?

A: The government is looking for partners to not only perform maintenance and repair but also to suggest solutions to improve performance. Of course, any changes would require a cost-benefit analysis and would need to be signed off on by Border Patrol to ensure continuity with operational requirements.

Q: What "lessons learned" documents exist from the construction of the fence that may help vendors prepare their proposals?

A: The lessons learned documents are in the process of being prepared. The TI Program will be sure to share these documents with interested vendors as appropriate and/or post them to the CTIMR portion of the TI M&R Web site.

## Contract Scope

Q: Will contractors be asked to maintain access roads as well as patrol roads?

A: The contractor will be required to maintain a combination of access roads and patrol roads for which CBP has legal rights of entry. The TI Program is in the process of cataloging all the roads that will need to be maintained and a roll-up of this information will be shared with interested vendors as soon as the data is available via the CTIMR portion of the TI M&R Web site.

Q: Are most of the roads stabilized?

A: While stabilization occurred in some cases, the vast majority of the roads were built for construction access only. This has especially been a problem at drainage crossings, most of which were design-build.

Q: Will the eradication of Carrizo Cane – including the introduction of biological agents – be part of this CTIMR contract?

A: The maintenance of areas where Carrizo Cane has been eradicated is part of the CTIMR contract. However, introduction of biological agents will not be part of CTIMR. Traditional methods of maintenance such as cutting and mowing are envisioned.

Q: Will the contractor be responsible for removal of hazardous materials (HAZMAT) and hazardous waste?

A: The contractor will be responsible for identifying and properly disposing of HAZMAT and hazardous waste under this contract.

Q: Will the contractor be required to have direct radio communication to the Sectors/Stations?

A: The contractor will need to have working phones or satellite phones in the areas in which they are working so they can contact Border Patrol, if necessary, although no direct radio communications will be required.

Q: How many Native American Tribes are in the Tucson Sector?

A: The Tohono O'odham Nation is the only Native American Nation in the Tucson Sector. While the Nation consists of 12 districts, contractors will most likely perform a majority of its work in only two of the districts. Tucson Sector Border Patrol will be responsible for working through all access issues.

Q: Will New Mexico fall under the Area 3 contract?

A: Yes.

Q: Can you define how often the “periodic inspections” – as noted in the draft statement of work – will take place?

A: At this time, no data exists to help us determine how often periodic inspections of roads, bridges, etc., will need to take place. Once data becomes available, TI will share this information with potential vendors.

Q: Have sign-in sheets been posted for the Industry Day events?

A: The sign-in sheets are available by logging onto [http://cbp.gov/xp/cgov/border\\_security/ti/ti\\_mr/ctimr/industry\\_day/](http://cbp.gov/xp/cgov/border_security/ti/ti_mr/ctimr/industry_day/) and clicking on the specific city where the Industry Day event took place.

### **Points of Contact/Work Priorities**

Q: Will each Border Patrol Sector have its own COTR?

A: It is anticipated that each of the nine Border Patrol Sectors along the Southwest Border will have its own COTR to help define and prioritize projects.

Q: Will the COTR be someone from the Border Patrol or will it be someone from the TI Program?

A: The government envisions COTRs to be comprised of TI employees working out of specific Sectors or Stations.

Q: Will there be a requirement for Contractors to maintain offices in the Area covered by the CTIMR contract?

A: This will not be a requirement. It’s up to the Contractor to decide where their office(s) should be located.

Q: Would the government consider allowing the contractor to co-locate with the COTR in each Sector to help determine the contractor’s daily work routine?

A: The government is looking for contractors to suggest the most advantageous solution on how to ensure connectivity between the COTR, the Sector and the contractor. Final decisions on co-location will rest with the Border Patrol Sector Chief.

Q: In the event of a conflict, who will be responsible for determining which project has the highest priority?

A: The process of project priority resides with the Office of the Border Patrol and the Sector. The contractor will be responsible for a work plan which will be developed by the contractor with information and guidance from the COTR at the Sector.

Q: Will the contractors need to interact directly with CBP's Facilities Management and Engineering division (FM&E)?

A: No. The contractors will interact both with the TI Program – which is part of FM&E – and Border Patrol personnel at the Sector level.

Q: Who are the TI Coordinators and what are their functions?

A: The TI Coordinators are the Border Patrol Agents in each Sector that will report maintenance issues related to TI. TI Coordinators will work closely with the COTRs and the contractors to determine and prioritize maintenance issues.

Q: When it comes to debris removal and erosion control south of the fence, would the contractor work through the process with the TI Coordinator?

A: All maintenance projects will be coordinated through the TI Coordinator, the Border Patrol Sector, and the COTR.

### **SBI<sup>net</sup>/POEs**

Q: Will the chosen CTIMR contractors be responsible for maintenance of any SBI<sup>net</sup> Technology assets?

A: The chosen CTIMR contractors will be required to perform maintenance on roads leading to SBI<sup>net</sup> Technology tower sites. However, the contractors will not be required to maintain any other SBI<sup>net</sup> Technology assets.

Q: Will the government be classifying and defining the roads for any SBI<sup>net</sup> repairs?

A: The classification of roads is an ongoing process and the government will notify contractors as data is consolidated and verified.

Q: Will this CTIMR contract include maintenance for video surveillance cameras?

A: Video surveillance cameras are considered a technology application and the government does not envision the CTIMR contract to be applicable to any technology.

Q: Are Ports of Entry (POEs) considered tactical infrastructure?

A: POEs are the official, legal crossing points between the United States and Mexico and are not considered tactical infrastructure. However, there are some instances where TI has constructed fence near or adjacent to POEs. These sections of fence will be covered under the CTIMR contract.

## **Contractor Security**

Q: Will contractors be responsible for their own security?

A: Contractor safety is of the utmost concern and Border Patrol asks contractors to retreat and report – rather than confront – situations when safety concerns arise. In some cases, companies constructing the fence have brought in private security firms at their own cost. Additionally, Border Patrol agents will alert contractors working in the vicinity of known or expected security concerns to the best of its ability.

Q: Have local and county police jurisdictions been amenable to hiring off-duty county officers for contractor security?

A: In some cases, companies constructing the fence have brought in private security firms using off-duty county sheriffs.

Q: In instances where contractors building the fence have hired private security, what has the security been allowed to do?

A: A contractor's private security is responsible only for watching the contractor's equipment.

Q: If a company decides to hire a private security firm, is the cost billable back to the government?

A: When companies constructing the fence have brought in private security firms, the contractor has included security costs in their bids.

Q: When contractors are working on the border, how will the Border Patrol be able to identify them as contract employees?

A: The contractor will be required to comply with the identification requirements assigned by each area. Signage and identification will be coordinated with the Border Patrol prior to commencement of any work.

## **Storage/Materials**

Q: Will the government provide storage of the materials used to repair fences?

A: Sectors will not provide locations for contractors to store supplies and equipment.

Q: Do you know of any instances where contractors building the fence have had a problem with their insurance companies about leaving their equipment overnight when work cannot be completed in one day?

A: While the government has not heard about any such issues, contractors are 100% responsible for the security of their assets.

### **Clearances/Bonding**

Q: Will contractor personnel need to possess a CBP background investigations (BI) in order to work on the projects?

A: A CBP BI will not be required for laborers. However, if Border Patrol requires contractor personnel to be onsite at a Sector or Station, a CBI BI may be required for badging purposes. In general, companies will be required to facilitate background checks on their own employees and subcontractor employees to ensure all laborers are legally eligible to work in the United States. The contractors will be responsible for their own background checks.

Q: Will contractors be required to have Anti-Terrorism Force Protection Training (AFPT) certification to work on this project?

A: AFPT is a Department of Defense requirement, not a Department of Homeland Security requirement. It would not be necessary for the CTIMR contract.

Q: Would each vendor chosen for award need to be bonded – or have a letter of intent – within the state the contract is issued?

A: Yes. The Prime contractor will be required to have a bond. The required bonding levels can be found on the FEDBIZOPS notice posted 22 June 2009.

### **Rights of Entry (ROE)/Access Issues**

Q: How will ROE issues be resolved, especially for places such as the Buenos Aires National Wildlife Refuge (BANWR)?

A: The contractor will need to perform maintenance and repair in all areas where tactical infrastructure assets exist, including on the BANWR. The government will be responsible for working through all ROE issues in all areas. The contractor will not be required to maintain or repair assets in areas where the government does not have access to the land.

Q: Will local coordination with land managers and landowners be the responsibility of the contractor or the government?

A: Coordination with land managers and landowners will be a government function.

Q: In areas where the government has both primary and secondary fence, will the contractor be responsible for – and have access to – this enforcement zone between the fences?

A: The contractor will have access to this area and be responsible for maintenance and repair.

Q: How much room exists between the fence and the actual border in areas where debris removal will be required?

A: In the areas where no drainage problems are known to exist, the access is typically about three feet. In areas where a known drainage problem exists, room between the fence and the actual border is typically 10-15 feet, sometimes more.

Q: How will access issues be sorted out with regards to debris removal and erosion control south of the fence?

A: Contractors are not allowed to cross the border for any maintenance work. In most cases, TI has built fence at least three feet from the border with Mexico. In cases where there are washes along the border, the government has built fence with a larger buffer (approximately 10-15 ft.). Should issues arise with regards to accessing the south side of the fence, TI will leverage its relationship with the International Boundary and Water Commission (IBWC) – an organization that operates bilateral projects related to the borders and rivers shared between the U.S. and Mexico – to arrange for corrective actions. Please note that while the government has been somewhat successful in its relationships with IBWC in the past, those past successes are not necessarily an indication of future success.

### **Work Hours/Response Time**

Q: Will the contractor need to make itself available to Border Patrol on a 24/7 basis?

A: The contractor will need to be available 7 days a week.

Q: What will the “response time” thresholds be for maintenance and repair operations? How long will contractors have to physically position themselves with respect to the border (for instance, would it make sense to choose a contractor based out of Yuma, AZ who will also need to perform repairs in Douglas, AZ)?

A: In general, response times may vary. For instance, one Sector may want fence repairs as soon as possible while another may be willing to wait for a day. In general, it is anticipated that fence breaches will require the most expedient response, where as more routine maintenance may not require the same response time.

## **Environmental**

Q: Will the waiver that was issued by the Secretary of the Department of Homeland Security in April 2008 cover the work the contractors will have to perform?

A: The waiver issued by Secretary Chertoff gave CBP relief from many of the administrative requirements of the National Environmental Policy Act (NEPA), but the Secretary also committed CBP to be good stewards of the environment throughout the duration of the projects and thereafter. Just as the MATOCs were responsible for following these guidelines, contractors who are awarded this contract will be responsible for Best Management Practices (BMPs) that were part of the development of the Environmental Stewardship Plans (ESPs)

## **Data Capture/Shared Data**

Q: Will there be a Web site that will inform the CTIMR Contractor what work is required on a daily basis?

A: Yes. The CTIMR program is developing a Web-based solution to notify the contractor.

Q: What data will the Contractor have to provide, and what Web-based system will be used to collect data from the contractor?

A: At this time, all CTIMR data requirements have not been defined. Some of the known requirements the Contractor will be required to report are:

- Cost per repair for all repairs, broken down by cost and type of material used, labor categories and hours required, and transportation costs
- Global Positioning System (GPS) coordinates of repair, before and after photographs, and the date and time the repair efforts began and were completed

In order to comply with this requirement, Contractors will be required to purchase GPS equipment with specific requirements.

Q: Will there be a capability (or requirement) for the Contractor to enter required data into the Web-based system via a mobile device?

A: The capability is being explored at this time, though entering data via a mobile device will not be a requirement. Additional info will be provided in time for the proposals.

Q: Will the database of information inventory, etc., be Web-based and accessible to all interested vendors?

A: The government anticipates that the database will be Web-based and accessible to all interested vendors. This document repository is available on the CTIMR portion of the M&R Web site at: [http://cbp.gov/xp/cgov/border\\_security/ti/ti\\_mr/ctimr/](http://cbp.gov/xp/cgov/border_security/ti/ti_mr/ctimr/)

Q: Does TI have a database of the roads? Is there a database of the roads?

A: The classification of roads can be found at:  
[http://cbp.gov/linkhandler/cgov/border\\_security/ti/ti\\_mr/ctimr/inventory\\_data/road\\_class.ctt/road\\_class.pdf](http://cbp.gov/linkhandler/cgov/border_security/ti/ti_mr/ctimr/inventory_data/road_class.ctt/road_class.pdf)