Sevenson Environmental Services, Inc. PRESENTS SAME Buffalo Post Industry Day 2016
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Sevenson Environmental Services, Inc.
Today’s Presentations

Will be posted at SAME.org/Buffalo
ASCE/SAME Golf Tournament and Beer and Winery Tour!

August 26 Lunch (on course), Dinner, Beer and Wine
Rothland Golf Course Clarence, NY
Shotgun start/Leave for Brewery/Winery tour at 10AM
Contact: Jim Kaczor at james.kaczor@aecom.com
716-923-1300

$100 after 8/5; $90 before 8/5; $40 Dinner only; Tour is $95
and $90 before 8/5; Government Employees Golf-$95
Program

- Welcome
  - Bill Lorenz Post President
- Small Business—What’s New and Exciting?
  - Sherrie Plonski, SB Deputy Buffalo and Pittsburgh Districts
- Update on FUSRAP Niagara Falls Storage Site
  - Michelle Barker, HTRW Regional Technical Specialist
- Contracting Update Buffalo District
  - Jeffrey Ernest Chief of Contracting Great Lakes Districts (Buffalo, Chicago, Detroit)
Buffalo District
Small Business Potpourri

Presented by
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Deputy for Small Business
Pittsburgh-Buffalo
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SMALL BIZ POTPOURRI

- NAICS Codes Changes
- Changes to WOSB Program
- Non-Manufacturer Rule
- Limitations on Subcontracting
- Universal Mentor-Protégé Program
- JV Rules Changes
- Size Status Opinions
IN THE NEWS…

- 5% WOSB Goal met for 1st time ever!
- $17.8B in Federal Contracts in 2015!
- NAICS Size Standards Increases
  - Employee-Based NAICS Sectors Increased
    - NAICS Sectors 31-33, Manufacturing
    - Other Employee Based
NAICS CODES UPDATES, CONT’D

- Revenue Based NAICS – average 8.73% increase; 8,500 additional companies qualify as small. (eff. 7/2014)

**SMALL IS GETTING BIGGER!**

**Competitive Implications**

This means more companies are eligible to be small business. This also means there is more competition to overcome, making it tougher.

Are you a “glass half full” or a “glass half empty” person?
WOSB PROGRAM UPDATES

WOSB Eligible NAICS*: 2016 Table of Eligible NAICS
Eff. 3 Mar 16

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>WOSB</strong></td>
<td>38 NAICS GROUPS</td>
<td>92 NAICS GROUPS</td>
</tr>
<tr>
<td><strong>EDWOSB</strong></td>
<td>45 NAICS GROUPS</td>
<td>21 NAICS GROUPS*</td>
</tr>
</tbody>
</table>

- EDWOSB is a subset of WOSB…all EDWOSB’s can participate in WOSB set asides, but not vice-versa. # of Groups set aside exclusively for EDWOSB have decreased.
- Construction has been moved to WOSB – none are left under EDWOSB.

* WOSB NAICS Study due every 5 years – next due 2021
### WOSB Eligible NAICS, cont’d

#### 2016 WOSB CONSTRUCTION NAICS

<table>
<thead>
<tr>
<th>NAICS Code</th>
<th>Description</th>
<th>NAICS Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2361</td>
<td>Residential Bldg Construction</td>
<td>2381</td>
<td>Foundation, Structure &amp; Bldg Exterior Contractors</td>
</tr>
<tr>
<td>2362</td>
<td>Non-residential Bldg Construction</td>
<td>2382</td>
<td>Bldg Equipment Contractors</td>
</tr>
<tr>
<td>2371</td>
<td>Utilities Construction</td>
<td>2383</td>
<td>Bldg Finishing Contractors</td>
</tr>
<tr>
<td>2373</td>
<td>Highway, Street &amp; Bridge</td>
<td>2389</td>
<td>Other Specialty Trade Contractors</td>
</tr>
<tr>
<td>2379</td>
<td>Other Heavy &amp; Civil</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This means that more opportunities can be set aside for WOSB exclusively when market research indicates there is a pool of qualified firms that can be expected to bid at fair & reasonable prices.

“RULE OF 2” still exists.
Other WOSB Program news:

- **Sole Source** is authorized if only **ONE** WOSB firm can be identified during market research that can perform the contract at fair and reasonable prices.
  
  - Sole Source is *not* mandatory – discretion of the contracting officer based on factors found during MR. If it makes sense, it can be done.
  
  - **RULE OF 2** – If MR shows more than one WOSB, then the contracting officer may set aside for competition limited only to ED/WOSB firms, depending on the NAICS. *(no sole source)*
• WOSB CERTIFICATION CHANGES:
  
  • Self-Certification authorization to be eliminated
    • Elimination of self-cert will ONLY apply to ED/WOSB Set Asides, not for regular SBSA contracts.
    • NDAA 2016 eliminated self-certification under ED/WOSB set asides but this change not effective yet.
    • SBA will establish rules for implementation; until then, ED/WOSB may continue to self certify IAW current rules.
    • For acquisitions not set aside for ED/WOSB, firms can continue to self-certify status using SAM.gov reps & certs.

  • KO’s can accept 3rd party certification when verifying eligibility for ED/WOSB set-aside awards. Moving towards this as a mandatory requirement.
3rd party certifiers contd:

- 4 approved third party certifiers:
  - El Paso Hispanic Chamber of Commerce
  - Nat’l Women business Owners Corp
  - US Women’s Chamber of Commerce
  - Women’s Business Enterprise Nat’l Council (WEBNC)
Repository Changes – 4/25/16

- WOSB Repository moved from SBA GLS (General Login System) to new SBA One Contracting @ www.certify.SBA.gov
- Will become one-stop-shopping for all small biz programs.
- Companies must ensure they use the new process to upload their docs to the repository.
- Not sure if current repository docs have been relocated – WOSB companies need to verify and if not, then upload.
MORE POTPOURRI

- Non-Manufacturer Rule in a nutshell:
  - “…if SB prime contractor does not itself mfr the products or materials that it provides to the Government under a set aside contract for supplies, it MUST supply the product of a small business.”
  - SBA may issue waivers to NMR if it determines there are an insufficient number of SB w/required manufacturing capability.
    - https://www.sba.gov/contracting/contracting-officials/non-manufacturer-rule/class-waivers
  - N/A to Unrestricted, full & open acquisitions.
LIMITATIONS ON SUBCONTRACTING CLAUSE

CHANGES – PROPOSED RULE

- Use total contract value (excl. materials for supplies, construction) – Simpler
- Exclude amounts subcontracted at any tier to small Similarly Situated Entities (SSEs) under applicable NAICS – you can meet rqd % thru subcontracts to SSE’s.
  - But include amounts further subcontracted to non-SSEs.
  - Requires reporting and tracking of subcontract work.
- New offeror certification, contractor reporting and contracting agency monitoring requirements.
LIMITATIONS ON SUBCONTRACTING CLAUSE CHANGES, cont’d

- Continue current percentages for the various categories of contracts -
  - SERVICES – 50%
  - SUPPLIES – 50%
  - CONSTRUCTION –
    - 15% for General Contractors
    - 25% for Specialty Trade Contractors
      - You are assumed to be participating in the specialty you are engaged in – like roofing, carpentry, etc. and thus be able to self-perform a larger piece.
LIMITATIONS ON SUBCONTRACTING CLAUSE CHANGES, cont’d

- New offeror certification, contractor reporting and contracting agency monitoring requirements
  
  *(NDAA-13; NPRM, 79 F.R. 77955 (12/29/14); comments closed 4/6/15)*

  What does this mean? More administrative work for you and the government; must cost it appropriately in your bid or offer.

  *More to come on that…*
LIMITATIONS ON SUBCONTRACTING AFFECTING HUBZONES

- **HUBZone set-asides have unique self-performance requirements for construction under HZ Set asides**

  - **For General Construction:**
    - At least 15% percent of the cost of contract performance to be incurred for personnel BY THE PRIME contractor – mandatory
  
  - **For Specialty Trade Construction:**
    - At least 25% percent of the cost of contract performance to be incurred for personnel BY THE PRIME contractor - mandatory
  
  - **ALL** - No more than 50% of the cost of contract performance for personnel may be subcontracted to non-HUBZone subs.
  
  - **ALL** - Prime can meet 50% thru a combination of its own personnel (15% min) and personnel from other HUBZone subcontractors.
Proposed ‘UNIVERSAL’ Mentor / Protégé Program

- New Gov-wide M/P program for ALL Small Biz
  - Parallel to 8(a) but separate from...
  - Mirrors 8(a) in –
    - MPA agreement content
    - Approval by SBA
    - No Affiliation between M & P – can bid as a small (SDV, HZ, WOSB, etc) business – However, affiliation can still exist based on other grounds.
    - Annual Review by SBA; may terminate if non-compliance or insufficient benefit
    - Mentor may invest up to 40% in Protégé
  - Must be in place before submitting proposal.
Proposed ‘UNIVERSAL’ Mentor / Protégé Program, cont’d

- Comments still in process – things to work out
  - Term limits, limits on program participants
  - Other M/P benefits to incorporate
  - Others…

- Implementation
  - Limits on processing due to volume
  - Approval process timeliness
Proposed ‘UNIVERSAL’ Mentor / Protégé Program, cont’d

- What happens to other stand alone M/P programs?
  - All others “go away” unless they are re-written to mirror Universal M/P program.
  - DoD’s already mirrors and is acceptable – will remain in existence. Lower agency’s might not…
  - It’s anticipated that rather than re-write, agencies will just adopt the Universal Program for it’s own and abandon it’s individual program.
PROPOSED JOINT VENTURE RULES

CHANGES

- Permits JV’s of 2 or more Small Biz to be considered small if each is small under the assigned NAICS for the contract
-Eliminates current affiliation exceptions
- Allows HUBZ Small Biz to JV or be in a M/P with a non-HUBZ firm
PROPOSED JOINT VENTURE RULES CHANGES, cont’d

- **Formal JV agreement Rqd**
  - Eliminate populated JV’s
  - Considering JV’s to be separate legal entity

- **New Certification & Reporting Rqmts**
  - Compliance with JV Rules & Work performance requirements
  - Certs with Offer, annually and upon contract completion
PTAC/SBDC ADVISORY “SB SIZE STATUS OPINIONS”

- SBA Final Rule 2/11/15, eff. 8/10/15
  - 13 C.F.R. 121.109:
    - Authorizes PTACS/SBDC to issue “SB Status Advisory Opinions” based on evidence (Form 355, other…)
    - To SBA Office of GC, Office of Procurement Law for review – approve, deny or refer for formal size determination
    - Favorable opinion DOES NOT shield against a size protest.
    - Negative decision entitles formal size determination upon request
PTAC/SBDC ADVISORY “SB SIZE STATUS OPINIONS” cont’d

- Congress mandated, but is discretionary
- No funding made available
- No timetables for implementation, etc
- Limitations based on individual PTAC / SBDC knowledge & capabilities
- Value is questionable…
QUESTIONS?
Niagara Falls Storage Site
Lewiston, New York

SAME Buffalo Post – Industry Day
May 12, 2016

Presented by:
Michelle Barker
USACE Buffalo District
NFSS Site Location

NFSS
Towns of Lewiston & Porter
Niagara County, NY.
- 20 miles north of Buffalo, NY
- Congressional District NY-28

New York State
NFSS and IWCS Location

- Lake Ontario Ordnance Works
- Niagara Falls Storage Site
- Interim Waste Containment Structure
NFSS Operable Units

Interim Waste Containment Structure (IWCS)

Groundwater (underlies site)

Balance of Plant
Niagara Falls Storage Site
Manhattan Engineer District (MED) Waste Streams

Belgian Congo and Other Sources 1940s
Uranium Ore (Uranium, Radium, Thorium)
Uranium Ore Processing Wastes
Niagara Falls Storage Site
Atomic Energy Commission (AEC) Waste Streams

Knolls Atomic Power Laboratory, Schenectady, NY (Cesium, Plutonium)

Lab debris & animal remains from radiological testing (Plutonium, Strontium)

Reactor (Fission) Products

[Map of New York State with a star indicating the location of Niagara Falls Storage Site]

[Logo of the Atomic Energy Commission]

[Image of the Knolls Atomic Power Laboratory]

[Image of the University of Rochester]

[Image of the Niagara Falls Storage Site]
NFSS Interim Waste Containment Structure

Historical Photo (1944) Showing Site of IWCS
(Constructed by USDOE 1982-1985)

Current IWCS Bounds

Former R-10 Pile

Former Freshwater Intake Pond

Demolished Tank 412

Former Bldg 403

Tank 413 (L-50 Storage)

Tank 414 (L-50 Storage)

Former Bldg 409

Bldg 410

Bldg 401

Bldg 411
(K-65, L-30, and F-32 Storage)
Cut-off Walls Under Construction

Clay Dike/Cut-off Wall

IWCS Cover (Soil, Grass) (Clay)

Brown Clay

Gray Clay

Building 414

Bay A

K-65 Residues

Other Residues

Other Contaminated Soil

~1983
Waste Activity vs. Volume

% Volume
- K-65 Residues (1%)
- Other wastes (99%)

% Radioactivity (Radium-226)
- K-65 Residues (91%)
- Other wastes (9%)
IWCS Today
IWCS Operable Unit
Preferred Alternative Selection
IWCS Subunits

Subunit A
- K-65, F-32, L-30, and L-50 Residues

Subunit B
- Rubble/Debris and Contaminated Soils

Subunit C
- R-10 Residues and Contaminated Soils
Remedial Alternatives

1. No Action - (screened out)
2. Enhanced Containment of Subunits A, B, and C with Land-use Controls and Monitoring
3A. Excavation, Treatment, and Off-site Disposal of Subunit A; Enhanced Containment of Subunits B and C with Land-use Controls and Monitoring
3B. Excavation, Treatment, and Off-site Disposal of Subunit A; Excavation and Off-site Disposal of Subunit B; Enhanced Containment of Subunit C with Land-use Controls and Monitoring

4. Excavation, treatment, and off-site disposal of Subunit A; excavation and off-site disposal of Subunits B and C
## Comparative Analysis

<table>
<thead>
<tr>
<th>CERCLA Balancing Criteria</th>
<th>Alt 2: Enhanced Containment</th>
<th>Alt 3A: Partial Excavation (Subunit A only)</th>
<th>Alt 3B: Partial Excavation (Subunits A and B only)</th>
<th>Alt 4: Complete Excavation (Subunits A, B and C)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Long-term Effectiveness &amp; Permanence</td>
<td>Moderate</td>
<td>High</td>
<td>High</td>
<td>High</td>
</tr>
<tr>
<td>Reduction of Toxicity, Mobility or Volume through Treatment</td>
<td>Low</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Moderate</td>
</tr>
<tr>
<td>Short-term Effectiveness</td>
<td>High</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Low</td>
</tr>
<tr>
<td>Implementability</td>
<td>High</td>
<td>Moderate</td>
<td>Moderate</td>
<td>Moderate</td>
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<tr>
<td>Cost Capital</td>
<td>$23.4M</td>
<td>$259.6M</td>
<td>$318.4M</td>
<td>$490.6M</td>
</tr>
<tr>
<td>Cost (O&amp;M* Discounted)</td>
<td>$44.0M</td>
<td>$44.0M</td>
<td>$44.0M</td>
<td>$0</td>
</tr>
<tr>
<td>Total Cost</td>
<td>$67.4M</td>
<td>$303.6M</td>
<td>$362.4M</td>
<td>$490.6M</td>
</tr>
</tbody>
</table>

* - O&M costs are assumed for a period of 1,000 years and are discounted.
Preferred Alternative - Alternative 4: Excavation, Treatment, and Off-Site Disposal of Subunits A, B, and C

- Excavation, treatment, and off-site disposal of Subunits A, B, and C
- No five-year reviews or land-use controls for the IWCS Operable Unit
- Eliminates future operations and maintenance, environmental surveillance, and security costs associated with the IWCS Operable Unit

Note: Not to scale, vertical exaggeration approximately 7:1

Original IWCS Surface

Excavations backfilled and site restored

Subunits A, B, and C removed, treated (as needed), and shipped off site

Brown Clay

Gray Clay

Backfill
Primary IWCS Remedial Challenges

- **Proximity to hypothetical receptors:**
  - Lewiston-Porter Central School District, adjacent Landfill Workers, nearby Residents

- **Waste Retrieval/Remote Handling**
  - Physical Location of Residues
  - Dose/Radon Emanation (primarily from K-65 residues)

- **Transportation/Disposal**
  - Meeting DOT dose limits and WAC (due to radium in K-65 residues)
  - 11e.(2) byproduct designation of residue material – Water Development Appropriations Act of 2004
  - Potential for detectable concentrations of SNM (KAPL/U of R)
NFSS Path Forward

Remedial Investigation (2007 and 2011)

IWCS Operable Unit

Feasibility Study (2015)

Proposed Plan (2015)

Record of Decision (2017)

Site-Wide Remedial Design/ Remedial Action (TBD)

Balance of Plant/ Groundwater Operable Units

Feasibility Study (2018)

Proposed Plan (2020)

Record of Decision (2022)

Site-Wide Close-Out (TBD)

Transfer Site to DOE (TBD)

Public and agency input throughout process
Questions?
Buffalo District Award Forecast – FY15

Presented by

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## FY15 Execution

<table>
<thead>
<tr>
<th>Programs</th>
<th>FY 15 Actual ($K)</th>
<th>FY 15 Actual %</th>
<th>FY 15 Goal %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small Business</td>
<td>41,723</td>
<td>93.31%</td>
<td>43%</td>
</tr>
<tr>
<td>Small Disadvantaged</td>
<td>12,289</td>
<td>27.48%</td>
<td>12%</td>
</tr>
<tr>
<td>Woman Owned</td>
<td>906</td>
<td>2.03%</td>
<td>3%</td>
</tr>
<tr>
<td>Hub Zone</td>
<td>11,515</td>
<td>25.75%</td>
<td>5%</td>
</tr>
<tr>
<td>Service Disabled Vet</td>
<td>1,845</td>
<td>4.13%</td>
<td>3%</td>
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</table>

**FY 15 Obligations: $44,715,542**
### LRD FUSRAP Lifecycle

<table>
<thead>
<tr>
<th>Location</th>
<th>2015</th>
<th>Relationship</th>
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<tbody>
<tr>
<td>Painesville, OH</td>
<td></td>
<td>TO</td>
</tr>
<tr>
<td>Linde, NY</td>
<td>CR</td>
<td>TO</td>
</tr>
<tr>
<td>SLDA, PA</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Luckey, OH</td>
<td>CA</td>
<td></td>
</tr>
<tr>
<td>Seaway, NY</td>
<td>CA</td>
<td>CA</td>
</tr>
<tr>
<td></td>
<td>CA</td>
<td>CA</td>
</tr>
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</tr>
<tr>
<td></td>
<td>CR</td>
<td>CR</td>
</tr>
<tr>
<td></td>
<td>TO</td>
<td>TO</td>
</tr>
</tbody>
</table>

**Remedial Action**
- **Bldg. G-1 Demo**
- **LRD FUSRAP Lifecycle**
- **2015**
- **Remedial Action**
- **Painesville, OH**
  - **Remedial Action**
  - **TO**
- **Linde, NY**
  - **Remedial Action**
  - **CR**
  - **TO**
- **SLDA, PA**
  - **Remedial Action**
  - **Preliminary**
- **Luckey, OH**
  - **Remedial Action**
  - **Pending**
- **Seaway, NY**
  - **Remedial Action**
  - **CR**
  - **TO**

**Investigation Phase**
- **Harshaw, OH**
  - **Remedial Investigation**
  - **FS**
  - **PP**
  - **R**
  - **Remedial Action TBD**
- **Guterl, NY**
  - **Remedial Investigation**
  - **FS**
  - **PP**
  - **R**
  - **Remedial Action TBD**
- **Tonawanda LF, NY**
  - **Remedial Investigation**
  - **FS**
  - **PP**
  - **R**
  - **Remedial Action TBD**
- **NFSS, NY - IWCS**
  - **Remedial Investigation**
  - **FS**
  - **PP**
  - **R**
  - **Remedial Action TBD**
- **NFSS, NY - BOP**
  - **Remedial Investigation**
  - **FS**
  - **PP**
  - **R**
  - **Remedial Action TBD**
- **NFSS, NY - GW**
  - **Remedial Investigation**
  - **FS**
  - **PP**
  - **R**
  - **Remedial Action TBD**
- **NFSS, NY - VPs**
  - **Awaiting Access**
  - **RI**
  - **FS**
  - **PP**
  - **R**
  - **Remedial Action TBD**
- **Superior, PA**
  - **Remedial Investigation**
  - **RI**
  - **FS**
  - **PP**
  - **R**
  - **Remedial Action TBD**
- **Joslyn, IN**
  - **Remedial Investigation**
  - **RI**
  - **FS**
  - **PP**
  - **R**
  - **Remedial Action TBD**

**Legend**
- **Yellow** : Investigation Phase (RI = Remedial Investigation, FS = Feasibility Study, PP = Proposed Plan, R = Record of Decision)
- **Orange** : Awaiting Funding / Contract Procurement
- **Blue** : Remedial Action / Cleanup Phase (CA = Contract Award)
- **Green** : Closeout / Turn Back to USDOE (CR = Closeout Report, TO = Turnover)

05 MAY 2016
FUSRAP (Continued)

► SLDA Remediation
  • $400M SATOC
  • 10 Year Ordering Period
  • Unrestricted Opportunity
  • Currently Evaluating Proposals
    ▶ Anticipate Award by Jan 2017
Formerly Utilized Sites Remedial Action Program (FUSRAP)

- Seaway Remediation
  - $1M - $5M Cost Reimbursable Task Order
  - Best Value Source Selection under the Buffalo MARC
  - Anticipate releasing RFP in May 2016
BUFFALO MULTIPLE AWARD REMEDIATION CONTRACT (MARC)

- **Status of Current MARC**
  - Expires March of 2017
  - Approximately $140M of $300M of capacity used

- **Post-MARC**
  - Future Task Orders will likely be awarded off the LRL ERS Contracts
  - Not enough work to justify another MARC
  - Larger projects will continue to be advertised on FBO as single awards
Other Upcoming Opportunities (Over $150K)

- Cazenovia Creek Ice Control
  - $250K - $500K, anticipate release of RFP in May 2016; competed under Buffalo Construction MATOC

- Seneca Bluffs Ecosystem Restoration
  - $1M - $5M, small business sealed bid, anticipate release of the solicitation in May/Jun 2016

- Barcelona Harbor Breakwater Repair
  - $500K - $1M, small business sealed bid, anticipate release of the solicitation in May/Jun 2016
“Why the heck does it take so long to evaluate and award a $250M+ contract?”

► Initial Evaluation
  • Source Selection Evaluation Board (SSEB), Source Selection Advisory Council (SSAC), and SSA

► Competitive Range if Discussions (or makes selection)
► Discussions
► Revised Proposals
► Reevaluate
  • Source Selection Evaluation Board (SSEB), Source Selection Advisory Council (SSAC), and SSA

► Make award decision
► HQ Peer Review of Award and all documentation
► Congressional notification