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May 31, 2023

**TO ALL PROSPECTIVE OFFERORS:**

**Subject:** Request for Proposal (RFP) No. 3-P127-P-00120-00 based on Argonne National Laboratory Statement of Work for “Estimating the Cost of a Manufacturing Plant for NMCA Cathode Materials“, dated 01/20/2023

UChicago Argonne, LLC, operator of Argonne National Laboratory, under Prime Contract No. DE-AC02-06CH11357 with the U. S. Department of Energy (DOE), has a requirement to obtain services which are the subject of this Request for Proposal (RFP). Therefore, you are invited to submit a proposal to perform the desired services in accordance with the requirements contained in Appendix “B”. Your attention is directed to the enclosed documents which constitute requirements for this RFP and should be fully complied with as indicated. Note that this is a request for proposal, not a contract.

**Enclosure No. 1:** Contract Articles and General Provisions applicable to any resultant contract including:

- A. Sample Subcontract AE
- B. Appendix “A,” Argonne Terms and Conditions for Fixed Price Architect-Engineer Contracts, ANL-525 (December 10, 2021).

Paragraph c. of Clause 43. FAR 52.236-22 – DESIGN WITHIN FUNDING LIMITATIONS (APR 1984) is hereby amended in its entirety to read as follows:

“(c) The estimated construction price for the project described in this contract ranges from \$500 Million for the smallest capacity plant to \$1 Billion for the largest capacity plant. Design costs should be as economical as possible, threshold not to exceed these amounts.”

- C. Appendix "B" Statement of Work entitled, "Estimating the Cost of a Manufacturing Plant for NMCA Cathode Materials", dated 01/20/2023.
- D. Appendix "D-8," Intellectual Property Provisions, Supplies and Services Requiring Delivery of Data, ANL-537 IP (June 2020)

Enclosure No. 2: Pre-Award Information and Booklet of Representations and Certifications, ANL-70B (June 6, 2022).

Enclosure No. 3: Contract Pricing Proposal, PD-9 (Feb-85).

## GENERAL INSTRUCTIONS

Your immediate requirements are to submit a firm fixed price proposal for performing the work set forth in the Statement of Work, identified as Appendix "B" to the sample contract included under Enclosure No. 1 to the RFP. Your proposal should also respond to all of the requirements contained in the Enclosures to the RFP, as well as the requirements described in the following paragraphs. Based upon your submission(s) and determination by this office for any subsequent award, a potential contract similar to that transmitted to you for information purposes, may be transmitted to you.

### A. General Terms and Conditions

**Enclosure No. 1** represents the anticipated contractual vehicle, including standard terms, provisions, and scope of work. This enclosure was provided for your information and review. Unless notified during any subsequent negotiations, these documents will be included in any resultant agreement. Any request for deviation or waiver from terms or conditions provided herein must be addressed in writing with your response. Your request must specify the particular term or condition that you desire altered, changed or deleted. Identify the basis of your request.

### B. Representations and Certifications

**Enclosure No. 2** should be reviewed, completed, and returned with your price submission. Assure that you have signed and dated the document on the last page.

### C. Rights in Proposal Data

Offerors should indicate on the fore page and all subsequent pages of their proposal those sections, paragraphs or areas which they consider to be proprietary or otherwise considered confidential (see enclosure entitled, "Representations and Certifications" second page Notice, and pages 14 through 16). Argonne National Laboratory assumes no liability for disclosure of use of unmarked data, and may use or disclose such data for any purpose. Unless restricted, information submitted in response to this RFP and

subsequently used for procurement purposes may become subject to public disclosure pursuant to the provisions of the "Freedom of Information Act."

D. Cost/Pricing Data

**Enclosure No. 3** is a pricing format to be used when submitting your price estimates. Full disclosure on the development of each cost element is required. Instructions have been provided to assist you in costing preparation.

Dependent upon the institutional composition of your firm, the following is also presented to assist you in cost development:

1. In the case of corporate structures, all elements of cost, such as base labor rate, hours, overhead, benefits, G & A, travel, ODC, profit/fee (if any, as applicable), etc., shall be broken out and itemized to facilitate an understanding of your total estimate(s).
2. The instructions represent the type of detail desired, regardless of how it is approached.

If subcontract opportunities or the use of outside consultants is considered, full costing information shall be required to substantiate their hourly or daily rate/fee. Therefore, the names of firms, addresses, contract number or work identity annotation, and name and telephone number of an individual contact shall be required.

E. Submission, Modification, Revision, And Withdrawal Of Proposals

- 1 Unless other methods (e.g., electronic commerce or facsimile) are permitted in the solicitation, proposals and modifications to proposals shall be submitted in paper media in sealed envelopes or packages (i) addressed to the office specified in the solicitation, and (ii) showing the time and date specified for receipt, the solicitation number, and the name and address of the offeror. Offerors using commercial carriers should ensure that the proposal is marked on the outermost wrapper with the information in paragraphs (12)(i) and (12)(ii) of this section.
- 2 The first page of the proposal must show--
  - (i) The solicitation number;
  - (ii) The name, address, and telephone and facsimile numbers of the offeror (and electronic address if available); and
  - (iii) Name, title, and signature of person authorized to sign the proposal. Proposals signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office.

3 Late proposals and revisions.

Any proposal received at the office designated in the solicitation after the exact time specified for receipt of offers will not be considered unless it is received before award is made and it is in the best interest of the Laboratory.

4 Proposals submitted in response to this solicitation shall be in English and in U.S. dollars, unless otherwise permitted by the solicitation.

5 Offerors may submit modifications to their proposals at any time before the solicitation closing date and time, and may submit modifications in response to an amendment, or to correct a mistake at any time before award.

6 Proposals may be withdrawn at any time before award. Withdrawals are effective upon receipt of notice by the Laboratory Procurement Official.

F. Authorized Contracting Representatives and Key Personnel

Proposals should identify the proposed key individuals(s) performing the project, and the individual(s), (name, title, and telephone number) who will represent the establishment in any ensuing negotiations.

G. Correspondence Submissions, Communications, and Due Date

Your proposal shall be submitted to the following address on or before **12:00 P.M., local prevailing time, Monday, June 12, 2023**. E-mail your proposal to [gsawicki@anl.gov](mailto:gsawicki@anl.gov)

Attention: Gregory D. Sawicki  
Procurement Specialist 3

Reference: RFP No. 3-P127-P-00120-00

Your proposal should be effective for a period of sixty (60) days from the date of receipt.

All communications or questions related to this RFP should be directed to Argonne in writing at the address provided above, or by telephoning (630)252-6504.

H. Award Authority

The Laboratory reserves the right to accept or reject all proposals if that is determined to be in the best interest of the Laboratory. Award may be made without discussions; and hence, your proposal should be submitted initially on the most favorable terms. Proposed award is based on a continuing program requirement and the issuance of obligational authority from the Procurement Department of the Laboratory. Any subsequent award issued by the Laboratory shall be constituted in writing from authorized representatives of the Laboratory that are authorized to issue contracts or agreements or bind the Laboratory to any form of agreement or understanding. The Authorized Laboratory

Procurement Official is the only individual who can legally commit the Laboratory to the expenditure of funds in connection with this proposed procurement.

I. Proposal Preparation Cost

This Request For Proposal does not commit the Laboratory to pay any cost for the preparation and submission of a proposal.

J. Period of Performance

All design work shall be completed not later than 6 months after award date and the contract's end of performance will be 6 months after award date.

K. Design Within Funding Limitations

The estimated construction price for the project described in this contract ranges from \$500 Million for the smallest capacity plant to \$1 Billion for the largest capacity plant. Design costs should be as economical as possible, threshold not to exceed these amounts.

All questions, comments, and correspondence should be directed to the undersigned at the address specified above or telephone (630)252-6504.

Respectfully,

Gregory D. Sawicki  
Procurement Specialist 3  
Procurement Department

GS/gs:

Enclosures