

## WM2015 Conference Panel Report

**PANEL SESSION 035: Emerging Issues that Challenge Traditional Contractor Roles at Federal Sites**

**Session Co-Chair:** **John Longenecker**, *Longenecker & Associates*  
**Bill Shingler**, *Fluor Corporation*

**Panel Reporter:** **Judith Connell**, *Fluor Corporation*

### Panelists:

- **Robert Cochran**, *President, CB&I Federal Services*
- **Andy Kelsey**, *Vice President, Environmental Business Development, Bechtel Environmental, Inc.;*
- **Peter Lock**, *Director, Health, Safety, Security & Environment, Radioactive Waste Management Limited, UK Nuclear Decommissioning Authority (United Kingdom);*
- **Greg Meyer**, *Senior Vice President, Environmental & Nuclear Operations, Fluor;*
- **Joan Miller**, *Vice President, Decommissioning & Waste Management, Canadian Nuclear Laboratories (Canada);*
- **James Taylor**, *Executive Vice President & General Manager, Nuclear & Environmental Management & Service Group, AECOM; and*
- **Martin Schneider**, *CEO, Exchange Monitor Publications.*

**Summary of Presentations:** (Adapted with permission from Weapons Complex Monitor 3/20)

Executives from several major Department of Energy contractors urged the DOE Office of Environmental Management to take a more “balanced” approach when it comes to evaluation criteria for bids on new contracts. In recent years, EM has moved to make past performance the top evaluation criteria in almost all instances, and while contractor executives did not oppose that approach in remarks at this year’s Waste Management conference, they also urged DOE to tie past performance with company experience. “When you look at past performance, it’s really adverse past performance that DOE looks at,” said James Taylor, Executive Vice President and General Manager of AECOM’s Nuclear and Environmental Management and Service Group. “Therefore, obviously they want to reward contractors that are performing well across the business and therefore they put a lot of emphasis on that. But I think it’s just as important to have the experience as well.”

Taylor went on to say, “Unfortunately, when you’re just looking at adverse past performance, what about the good performance when you have a large base of business and getting credit for that as opposed to only getting penalized for the adverse past performance?”

Bechtel Vice President Andy Kelsey echoed Taylor’s comments, noting that DOE had previously tied together past performance and company experience. In recent procurements,

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though, EM has often made relevant experience a lower criterion than past performance. “That’s important because ... companies with broad experience, lots and lots of work and lots and lots of experience, are going to have some upsets. In my view of debriefing reports, it looks like they generally just start at the top and go down,” Kelsey said. “I think the old concept of past performance and experience being the same, whatever level you put them at--- you can put them pretty high, that’s fine---those two things weighed the same I think works better than I think the way they’ve separated them today.”

CB&I Federal Services President Bob Cochran said DOE should also look to tie past performance and company experience to the key personnel contractors offer on specific bids. “A corporation can have a lot of past performance and great experience and deliver a team that had nothing to do that. So linking that is probably the most crucial element of that,” he said.

### CPARs Allow More Balanced Look at Past Performance, Fluor Exec. Says

Fluor Senior Vice President Greg Meyer offered praise for EM’s use of the Contractor Performance Assessment Reporting (CPAR) system to track and evaluate contractors’ past performance. The system includes both DOE assessments and contractor responses. “So when the SEB [Source Evaluation Board] is reviewing past performance, they can see the CPAR; this is what the government said and they can see the contractor response. If we take issue or we think there are other conditions, those are all available for an SEB. So I think the SEB has a more balanced way to look at past performance through the CPAR system than perhaps five-to-10 years ago,” Meyer said.