VCLS DRFP Questions and Answers

#	DRFP Reference	Question	Answer
1	General Question	Will there be a more formal industry day after all comments are received and presented?	No, based on the success of Industry Day event held via telecom on 5/13/15, and the comments received, NASA will not hold an additional industry day.
2	General Question	Under this procurement, is it anticipated that there may be more than one launch a year or can NASA LSP provide a forecast of potential launch services?	The VCLS requirement is for a launch service, that can occur via a single launch of 60kg or a dual launch of 30kg. NASA does not have a forecast at the current time for future potential launch services.
3	General Question	How will payloads be selected and will there be a formal payload manifest such that emerging small launch service providers can foresee the potential NASA demand?	The VCLS satellites will be selected from NASA's backlog of CubeSats awaiting flight. NASA will select satellites based on their compatibility with the offeror's proposed launch service solution. Currently NASA has 50+ CubeSats on a manifest backlog.
4	General Question	In regards to the single 60kg vs. 30kg dual launch solution, can offerors propose both?	The Government is seeking the offerors optimal solution.
5	General Question	If proposing dual 30kg launches, is a specific turnaround time required? Also, is there a requirement for both to go to the same orbit?	No specific turnaround time is required, however, we would like to understand the offerors approach to turnaround time where dual launches are proposed. Both launches would have to occur before April 15, 2018. There is no requirement for both to go to the same orbit.
6	General Question	Does KSC have existing capabilities and services, including use of facilities and small vehicle launch pad, available for launch vehicle providers? If so, how would a potential launch vehicle provider get information on the types of services/facilities available and the cost to use them?	Yes, KSC and other NASA centers have exisiting capabilities and services available for launch vehicle providers. The following links provide details on what KSC can offer: http://www.nasa.gov/centers/kennedy/business/index.html http://kscpartnerships.ksc.nasa.gov/ For information on other NASA center capabilities and services, please refer to Attachment 1, Senior Partnership and Space Act Agreement Point of Contact Listing found at the end of these questions and answers. The cost to utilize these services shall be included in the total price offered for the VCLS requirement.
7	General Question	If a perspective launch service provider's vehicle is not ready (launch vehicle design currently unknown) until 2017, will there be opportunities for on-ramp?	No, VCLS is a stand alone contract and does not utilize the NLS II contract IDIQ format. Therefore, there will not be a future opportunity to on-ramp on this contract.
8	SOW Section 1.1	Reference Statement: The launch(s) shall occur at a Contractor-specified launch date, which shall be no later than June 15, 2018. Question: Does NASA expect to have a continuing requirement for a dedicated launch service following the June 15, 2018 launch date?	The VCLS requirement is for a launch NLT April 15, 2018 (Error in SOW will be updated in final RFP). The VCLS requirement is for a launch service, that can occur via a single launch of 60kg or a dual launch of 30kg. NASA does not have a forecast at the current time for future potential launch services.
9	SOW Section 1.1	Reference Statement: The launch(s) shall occur at a Contractor-specified launch date, which shall be no later than June 15, 2018. This contract will consist of a single launch with a 60 kg minimum payload mass or two launches each with a 30 kg minimum payload mass. Question:Are there specific payloads that NASA is interested in launching at this time?	The VCLS requirement is for a launch NLT April 15, 2018 (launch date error in SOW will be updated in final RFP). The VCLS satellites will be selected from NASA's backlog of CubeSats awaiting flight. NASA will select satellites based on their compatibility with the offeror's proposed launch service solution. Currently NASA has 50+ CubeSats on a manifest backlog.

10	SOW Section 1.1	Reference Statement: The NASA Launch Services Program (LSP) is seeking a NASA dedicated launch service for U-Class satellites, with NASA having sole responsibility for the payload on the launch vehicle. This contract will consist of a single launch with a 60 kg minimum payload mass or two launches each with a 30 kg minimum payload mass. Question: Is NASA's requirement to further develop a commercially available launch service for dedicated small satellite launches or is the intent to secure dedicated, low-cost space access?	VCLS is not a development contract. NASA will procure a commercially available dedicated launch service via a single launch of 60kg or a dual launch of 30kg. NASA does not have a forecast at the current time for future potential launch services.
11	SOW Section 1.1	Reference Statement: The NASA Launch Services Program (LSP) is seeking a NASA dedicated launch service… Question: Could NASA further define "dedicated launch?" For example, does a dedicated launch mean that only NASA's payload(s) would fly or that NASA's payloads would drive the launch schedule?	A dedicated launch means that all of the payload capacity will be used by NASA. The VCLS satellites will be chosen by NASA. The NLT April 15, 2018 launch requirement is based on NASA's CubeSat Launch Initiative (CSLI). NASA will not drive the launch schedule as long as the launch(es) occurs no later than April 15, 2018.
12	RFP Section 1.2	Please clarify if it is allowable to utilize government-furnished aircraft as a launch platform under this procurement. Also, please describe how the costs for government furnished aircraft will be accounted for in the evaluation.	Use of government property, facilities or other assets is allowable if the offeror has signed agreements with the Government entity offering such property, facilities or other assets and it is allowable per that agreement to be used in the commercial marketplace. The proposal price shall include any cost associated with the offerors use of the government property, facilities or other assets. The RFP will be updated with a Use of Government Property, Facilities, and Assets clause.
13	SOW Section 1.2c	Reference Statement: The objectives of VCLS are to...Incorporate best commercial practices. Question: In the spirit of "utilizing the full capability of commercial services," (Para 1.1) could NASA's requirement be satisfied utilizing foreign partners, launch ranges and subcontracted services or would this be in violation of the "Buy American" Act?	Launches may occur at any worldwide FAA-approved location, representing the offeror's optimal solution for the VCLS requirement. The requirements for use of US commercial providers is governed by 51 U.S.C. §50131 - REQUIREMENT TO PROCURE COMMERCIAL SPACE TRANSPORTATION SERVICES. The definitions of a US Commercial Provider is found in 51 U.S.C. §50101 Definitions and include: (7) United States commercial provider.—The term "United States commercial provider" means a commercial provider, organized under the laws of the United States or of a State, that is— (A) more than 50 percent owned by United States nationals; or (B) a subsidiary of a foreign company and the Secretary of Transportation finds that— (i) such subsidiary has in the past evidenced a substantial commitment to the United States market through— (I) investments in the United States in long-term research, development, and manufacturing (including the manufacture of major components and subassemblies); and (II) significant contributions to employment in the United States; and (ii) the country or countries in which such foreign company is incorporated or organized, and, if appropriate, in which it principally conducts its business, affords reciprocal treatment to companies described in subparagraph (A) comparable to that afforded to such foreign company's subsidiary in the United States, as evidenced by— (I) providing comparable opportunities for companies described in subparagraph (A) to participate in Government-sponsored research and development similar to that authorized under this chapter; (II) providing no barriers, to companies described in subparagraph (A) with respect to local investment opportunities, that are not provided to foreign companies in the United States; and (III) providing adequate and effective protection for the intellectual property rights of companies described in subparagraph (A).

14	RFP Section 2.7	In one example scenario, say that the Government decides to terminate for convenience sometime after completion of QT but before FRR because NASA no longer has the funds to continue the program. Is our interpretation correct that, in this scenario, the contractor will be required to refund 20% of payments made to date (specifically, 20% of 7 payments totaling 75% of total contract value, or 15.0% of total contract value)?	The termination for convenience repayment percentage is based on the milestone at which termination for convenience occurs. For example, if the offeror has successfully completed Milestone 5 (Qualification Testing) but has not successfully completed the requirements for Milestone 6 (Qualification Data Review), then based on table 4-1, Launch Service Payment Schedule, the offeror would be required to repay 15% of cumulative payments made to date (15% of 55%, which represents 8.25% of the total contract value).
15	SOW Section 3.0	Reference Statement: The Contractor shall design the launch vehicle, including but not limited to the following subsystems: structures, mechanisms, fluids/propulsion, electrical/electronics, guidance/navigation/control, flight termination, and software. Question: Does NASA require the launch service contractor to develop a new launch vehicle? Can existing launch systems be utilized by an integrating contractor to satisfy the NASA requirement for a dedicated launch service?	NASA expects the contractor to propose a solution for a viable launch service that meets the requirements of the RFP, this could include design of a new launch vehicle or the intergration of exsiting launch systems. The SOW will be updated to state " The Contractor shall provide the design of the launch vehicle, including but not limited to..."
16	RFP Section 4.1	As written, NASA retains the right to unilaterally determine whether or not each milestone is completed, and has approval rights for certain deliverables, implying the ability to influence or control some design and operational parameters of the vehicle. Additionally, it is also withholding 20% of the payment if the mission is not successful. Given the level of oversight and analysis that NASA is requiring, would NASA consider reducing the size of the mission success payment, under the assumption that if NASA has approved everything to its satisfaction, then the Government and the contractor are making their best good faith effort for a successful launch, and should share the mission assurance risk?	No. NASA has significantly and strategically removed our standard insight and approval language. NASA performs additional insight and approval when providing launches for our typical low risk tolerant payloads, as contrasted to the VCLS high risk tolerant approach for U-Class payloads that exists when launching lower risk tolerant payloads. NASA retains insight to the Contractor's performance of the contract in order to assure satisfactory completion of the milestones as described in Attachment 03, Milestone Deliverable Descriptions and Requirements.
17	RFP Section 4.1	Will NASA LSP offer consideration to alternative percentages for kick-off, SRR, PDR, etc? (As an example: The NASA COTS Program offered up front funding to help in necessary testing and qualification.)	No. NASA has reviewed the percentages and determined that the selected percentages are appropriate for the VCLS requirement.
18	RFP Section 4.3	Do the perspective launches have to occur within CONUS? Can they occur within a US Territory?	Launches may occur at any worldwide FAA-approved location, representing the offeror’s optimal solution for the VCLS requirement.

19	Draft RFP Sec 4.3(b)	Section 4.3(b) limits participation to "prime Contractors from the United States launch vehicle/services industry." An entity within the United States launch vehicle/services industry is an entity "which is organized or existing under the laws of the United States or any State, and whose controlling interest is held by United States citizens." It appears from the definitions provided that "controlling interest" based upon ownership refers to and is determined by direct ownership. Can you please confirm? Given that other companies with overseas ownership routinely provide services to the United States government in timely and effective means, it may make sense to limit participation to entities within the United States launch vehicle/services industry such that controlling foreign interest should not matter.	The requirements for use of US commercial providers is governed by 51 U.S.C. §50131 - REQUIREMENT TO PROCURE COMMERCIAL SPACE TRANSPORTATION SERVICES. The definitions of a US Commercial Provider is found in 51 U.S.C. §50101 Definitions and include: (7) United States commercial provider.—The term “United States commercial provider” means a commercial provider, organized under the laws of the United States or of a State, that is— (A) more than 50 percent owned by United States nationals; or (B) a subsidiary of a foreign company and the Secretary of Transportation finds that— (i) such subsidiary has in the past evidenced a substantial commitment to the United States market through— (I) investments in the United States in long-term research, development, and manufacturing (including the manufacture of major components and subassemblies); and (II) significant contributions to employment in the United States; and (ii) the country or countries in which such foreign company is incorporated or organized, and, if appropriate, in which it principally conducts its business, affords reciprocal treatment to companies described in subparagraph (A) comparable to that afforded to such foreign company's subsidiary in the United States, as evidenced by— (I) providing comparable opportunities for companies described in subparagraph (A) to participate in Government-sponsored research and development similar to that authorized under this chapter; (II) providing no barriers, to companies described in subparagraph (A) with respect to local investment opportunities, that are not provided to foreign companies in the United States; and (III) providing adequate and effective protection for the intellectual property rights of companies described in subparagraph (A). The National Space Transportation Policy requires that the launch vehicle be manufactured in the United States. Eligible offerors with a controlling foreign interest would need to provide details of how their proposed solution will meet this policy for the VCLS requirement.
20	RFP Section 4.4	Will NASA LSP indemnify the launch service provider under this launch service?	VCLS requires a FAA license for launch. The Commercial Space Launch Act provides indemnification authority to the FAA under certain circumstances. See 51 U.S.C. 50914-15 and its implementing regulations at 14 CFR 440 et seq. for specific details. Launch providers are required to obtain third-party liability equal to the FAA determined Maximum Probable Loss. Any third-party liability in excess of the MPL is indemnified statutorily by the Government up to $1.5B. In regards to the payload, NASA's only relief from a post launch failure is withholding of the final milestone payment.
21	RFP Section 6.1	Please clarify if government furnished equipment and/or government furnished facilities are allowable for use on this effort. Specific items of interest include surplus rocket motors, final assembly buildings, launch facilities, runways, and ground handling equipment.	VCLS is a FAR Part 12 acquisition of Commercial Services and Government Furnished Property (GFP) will not be provided under this requirement. Use of government property, facilities or other assets is allowable if the offeror has signed agreements with the Government entity offering such property, facilities or other assets and it is allowable per that agreement to be used in the commercial marketplace. The proposal price shall include any cost associated with the offerors use of the government property, facilities or other assets. The RFP will be updated with a Use of Government Property, Facilities, and Assets clause.
22	RFP Section 6.1	Can a perspective launch service provider team with another NASA Center, if that NASA Center is providing support or necessary capabilities at a best value?	VCLS is a FAR Part 12 acquisition of Commercial Services and Government Furnished Property (GFP) will not be provided under this requirement. Use of government property, facilities or other assets is allowable if the offeror has signed agreements with the Government entity offering such property, facilities or other assets and it is allowable per that agreement to be used in the commercial marketplace. The proposal price shall include any cost associated with the offerors use of the government property, facilities or other assets. The RFP will be updated with a Use of Government Property, Facilities, and Assets clause.
23	RFP Section 6.1	Will NASA LSP provide any development funding for mission unique capabilities?	The VCLS requirement is for the launch of U-Class payloads. NASA has no requirement for mission unique capabilities and will not provide any additional funding to support requirements that do not exist at this time.

24	RFP Section 6.1	NASA allows FFRDCs to propose on some opportunities, e.g., this SMD opportunity that we are currently proposing to: "Advancing Collaborative Connections for Earth System Science" (http://nspires.nasaprs.com/external/solicitations/summary.do?method=init&solId={4477FA89-FA98-1CBC-3678-C7AB00B6E769}&path=open), whose eligibility paragraph reads: "ELIGIBILITY INFORMATION (a) Eligibility of Applicants Prospective investigators from any category of organizations or institutions, U.S or non-U.S., are welcome to respond to this solicitation. Specific categories of organizations and institutions that are welcome to respond include, but are not limited to, educational, industrial, and not-for-profit organizations, Federally Funded Research and Development Centers (FFRDCs), University Affiliated Research Centers (UARCs), NASA Centers, the Jet Propulsion Laboratory (JPL), and other Government agencies. Historically Black Colleges and Universities (HBCUs), Other Minority Universities (OMUs), small disadvantaged businesses (SDBs), veteran-owned small businesses, service disabled veteran-owned small businesses, HUBZone small businesses, and women-owned small businesses (WOSBs) are encouraged to apply". Wondered if you would be using this model for VCLS? If not, will there be a commercial partnership model that would allow the FFRDCs to bring their unique capabilities to bear on your problem?	VCLS is a FAR Part 12 acquisition of Commercial Services. Offerors must be a commercial entity offering commercial services and items. Offerors may partner with educational, industrial, and not-for-profit organizations, Federally Funded Research and Development Centers (FFRDCs), University Affiliated Research Centers (UARCs), NASA Centers, the Jet Propulsion Laboratory (JPL), and other Government agencies. The RFP will be updated with a Use of Government Property, Facilities, and Assets clause.
25	Draft RFP Sec 6.5	If Offeror, pursuant to Public Law 105-303, Title II, Section 201 (B) (i) (b) is eligible to obtain a finding of eligibility, from the Secretary of Transportation, based on its "substantial commitment to the US market", is such a finding necessary prior to bid or can it be provide after the award?	Offeror's proposal shall include a finding of eligibility from the Secretary of Transportation, or a reasonable plan to obtain the finding of eligibility prior to award. If an offeror requires a finding of eligibility, the finding of eligiblity from the Secretary of Transportation must be furnished prior to contract award.
26	RFP Section 7.2	Please clarify the preferred format for the SRR Level Package to be submitted with Volume 1 Technical Management Capability (i.e., bound report or briefing slide format).	Typically, NASA's SRR Level Packages are received in briefing style format. However, the VCLS requirement for the SRR Level Package may be submitted via the contractors preferred format as long as it is in compliance with section 7 of the RFP.
27	RFP Section 7.3.1	Given NASA's strong commitment to small disadvantage businesses, what will be the allocations and percentages for small business utilization?	No specific allocations or percentages will be provided for small business utilization. NASA will review the small business documentation provided by the offeror and evaluate in accordance with Section 8.1 of the RFP.
28	RFP Section 7.3.1	Instead of insisting on an absolute minimum TRL requirement of 5, would NASA consider allowing a launch vehicle where one or more major systems begins at a lower TRL, so long as the contractor provides a clear and credible plan for attaining the requisite thresholds?	The RFP will be updated to clarify the TRL requirement in section 7.3.1.
29	RFP Section 7.3.2	Reference Statement: PP includes: (1) Demonstrated use of the proposed technical subsystems 2) technical complexity w/LV development 3) experience with partnering for use of assets for I&T Question: The page limit for PP is only 5 pages and the requirments are comprehensive. Is 5 pages the limit for all 3 references? If so, would the government consider a higher page limit for this area?	The page limit for past performance in the RFP will be increased to 7 pages.

30	Draft RFP Sec. 8.1	The VCLS RFI is designed to offer an "alternative to rideshare" and is targeted at the 60 kg weight class. "The Government will evaluate [performance] enhancements only to the extent that the offeror commits to providing the enhancements as a contract requirement, and it is included in the offeror's proposed unit prices." When discussing this topic on the industry call, we understood NASA to say that more capability that 60 kg – in a dedicated launch - could be valuable, but that NASA would not be evaluating the criteria on a price per kg basis. Could you give us some indication of how NASA would assess the value of a dedicated launch that exceeds 60 kgs?	NASA will consider offered enhancements that the offeror has included in their model task order and any enhancements may be considered in the trade-off consideration by the Source Selection Authority (SSA).
31	Draft RFP Sec. 8.1	NASA has said that price will be considered as the most important selection criteria. Can NASA please confirm that both relative and absolute price will be considered, such that notional proposal that offers 100kg more than another notional proposal at a price $1 higher than the other proposal would not automatically be ranked more poorly?	Price will be evaluated based on the total proposed price to meet the VCLS requirement. In the final evaluation, NASA will evaluate the offeror's technical and management, past performance, and price as described in Section 8.1 of the RFP.
32	Attachment 1: SOW, Section 1.1	This section states: "… capable of delivering a total minimum payload mass of 60 kg (includes contractor supplied deployment mechanism and U-class satellites) to an orbital altitude of 425 km." Does this imply that the contractor-supplied deployment mechanisms are considered part of the 60kg minimum payload requirement, and that the minimum delivered mass of U-class satellite(s) would be less than 60kg?	Yes, the contractor is required to provide a deployment mechanism within the 60kg requirement. With the U-Class satellites taking up the remaining capability provided by the offeror.
33	Attachment 1: SOW, Section 2.2.b and 8.0	These sections reference complying with the AS9100 Aerospace Quality Management System Document, "or equivalent." Can NASA clarify how it will evaluate or determine if a non-AS9100 Qualify Management System is "equivalent" or not, and what kind of documentation of such a system would be required?	NASA will evaluate the offeror's equivalency with non-AS9100 Quality Management System requirements based on the Contractor's assessment. The Contractor shall provide adequate detail to show that a non-AS9100 Quality Management System is equivalent.
34	Attachment 1: SOW, Section 4.0	Will NASA LSP develop a standardized payload dispenser to accommodate a variety of small sats or is this up to the launch service provider to accommodate the variety in the small sat industry?	No, it is up to the offeror to determine their optimal deployment mechanism configuration within the 60kg requirement.
35	Attachment 1: SOW Section 4.0:	In re: to "test program for development and qualification", will NASA mandate any specific standard, i.e. MIL-STD-1540? Will NASA have final approval authority for the tests, and if so, are there any other NASA governing standards / documents / requirements that will apply?	NASA expects the providers to comply with their own standards for development and qualification, which should be representative of typical commercial industry standards. The only compliance documents required by VCLS are listed in SOW section 2.2. NASA does not have final approval on any tests, and only retains insight in order to assure milestones are completed in compliance with Attachment 03, Milestone Deliverable Descriptions and Requirements.
36	Attachment 1: SOW, Section 5.0	Is NASA able to provide any insight on requirements for the payload, i.e. power, TM, instrumentation, environmental conditioning, max environments, safety / handling needs, etc.? Or will the payload basically have to comply with the interface documents and environmental conditions the launch vehicle contractor provides?	The U-Class satellites will have no requirements other than the mechanical interface to the deployment mechanism as required per SOW 4.0. The U-Class satellites will comply with the launch vehicle predicted environments and parameters as documented in the ICD (CDRL VCLS-4).

37	Attachment 1: SOW, Section 6.0	With respect to operations, the draft Statement of Work says only that "The Contractor shall identify and secure a launch site to meet the requirements of the launch service." If offeror bids a launch system that provides operational flexibility and rapid response, will this be taken into consideration in the acquisition process?	NASA will consider offered enhancements that the offeror has included in their model task order in the trade-off analysis done by the SSA. NASA will evaluate the offeror's technical and management, past performance, and price as described in Section 8.1 of the RFP.

Attachment 1

Senior Partnership and Space Act Agreement Point of Contact Listing

NASA Center	SENIOR PARTNERSHIP CONTACTS	SAA CONTACTS
Ames Research Center	Gary Martin, 650-604-2400 Director, New Ventures and Communication David Morse, 650-604-4724 Chief, Technology Partnerships Division	Robin Orans, 650-604-5875 650-279-5734 (cell) -Retiring 6/30/15; replacement not yet named. Matthew Holtrust, 650-604-4069
Armstrong Flight Research Center	Chuck Rogers, 661-276-7572 Armstrong Mission Director (Acting), Exploration & Space Technology	John Del Frate, 661-276-3704
Glenn Research Center	Bryan Smith, 216-433-6703 Director of Space Flight Systems Directorate	Dr. Robert Shaw, 216-977-7135
Goddard Space Flight Center	Innovative Technology Partnerships Office 301-286-5810 Nona Cheeks, Chief, Innovative Technology Partnership Office Darryl Mitchell, Senior Technical Manager	Caroline Massey, 757-824-1959
Jet Propulsion Laboratory (JPL)	Indrani Graczyk, 818-354-2241 Commercial Program Manager	Nar Nazari, 818-354-5619
Johnson Space Center	Strategic Partnership Office Yolanda Marshall, 281-483-2422, Director Dwight Auzenne, 281-483-8041, Partnership Process Office Manager Bob Cort, 575-524-5521, Deputy Manager (WSTF)	Elizabeth Blome, 281-244-7121 Collin Hieger, 281-483-1803 Sheryl Reynolds (WSTF), 575-524-5138
Kennedy Space Center	Center Planning & Development (CPD) Directorate Scott Colloredo, 321-867-2640, Director Tom Engler, 321-861-3127, Deputy Director Vicki Johnston, 321-867-3722, Partnership Development Office	Eric C. Johnson, 321-867-4477 Jennifer Stahre, 321-867-2843
Langley Research Center	Development Office Christina Moats-Xavier, 757-864-3579, Director Kathy Dezern, 757-864-5704 Technology Gateway, 757-864-1178	Sherri Yokum, 757-864-3739 Shawn Gallagher, 757-864-3257 (POC for Legal only)
Marshall Space Flight Center	Flight Programs & Partnerships Office Jody Singer, 256-544-0612, Manager Stacy Counts, 256-544-6004	Steven Lambing, 256-544-2277
Stennis Space Center	Planning, Development, & Analysis Office/Project Directorate Robert Bruce, 228-688-1646	Wendy Houser Bateman, 228-688-3440 Diane Sims, 228-688-2164