

**ATTACHMENT 1-A
PROPOSAL INSTRUCTIONS**

1. Submittals

1. The Bidder shall submit all of the following documents with its Bid unless otherwise noted:
 - A. Submit in accordance with RFP Section B.1 Documentation
 - B. Bids shall be submitted by 4:00 pm Eastern Daylight Time, Monday, October 6, 2008. Three (3), double-sided, hard copies of the Bid and the original must be submitted by mail, express mail, or hand delivered enclosed in a sealed envelope and addressed to:

LATA/Parallax Portsmouth, LLC
Attention: Dan, McKenzie, Contracts Manager
3930 US Route 23 South
X-1000 Building
Piketon, Ohio 45661

Request for Proposal RFP 08 LPP-OFF SPEC-01
Bid Due Date: 4:00 pm Eastern Daylight Time, Monday, October 6, 2008
Attention: Dan McKenzie, Contracts Manager

NOTICE TO MAIL ROOM: DO NOT OPEN. THIS IS A PROPOSAL UNDER THE ABOVE-IDENTIFIED SOLICITATION.

2. General Information

- A. The Bidder agrees, if its Bid is accepted by the LPP within sixty (60) working days from the date specified in Paragraph 1.g. above, to purchase any or all material on which Bids are made at the price proposed and to take delivery of the material within the time specified in the executed Sale of Government Property Negotiated Sales Agreement.
- B. Unless a designation of agent is on file with LPP, a Bidder submitting a Bid as an agent for another party shall submit written proof, either prior to or with the Bid, that it is authorized to act as agent and shall tender the Bid in the name of the principal.

3. Minimum Bid Quantity

- A. Minimum Bid Quantities are in Metric Tons Uranium (MTU). Delivery will be a function of current packaging. Refer to Form B. 1 provided in Attachment # 7, Bid Forms.
- B. Bids for individual lots, partial lots, or small quantities will be considered. However, it is the LPP's intent to disposition the entire DOE/PORTS Off-Specification Non-UF₆ Uranium Materials inventory as expeditiously as possible consistent with best value to the Government and the Secretary of Energy's policy. Bidders are encouraged to develop Bids that facilitate disposition of the entire inventory at the best economic value to the Government
- C. LPP reserves the right to reject any or all Bids, overlook irregularities in a Bid, or accept only a portion of a Bid unless expressly precluded in the Bid from doing so.

4. Late Submissions, Modifications, and Withdrawals of Bids

- A. Bidders are responsible for submitting Bids, and any revisions, and modifications, so as to reach the LPP office designated in the solicitation by the time specified in the solicitation. Bidders shall submit bids in accordance with Section B.2.
- B. (1) Any Bid, modification, or revision, that is received at the designated office after the exact time specified for receipt of Bids is "late" and will not be considered unless it is received before award is made, the LPP's Contracting Officer determines that accepting the late Bid would not unduly delay the sale and:
 - (i) There is acceptable evidence to establish that it was received at the office designated for receipt of Bids and was under the LPP's control prior to the time set for receipt of Bids; or
 - (ii) It was the only Bid received.
- (2) However, a late modification of an otherwise timely successful Bid, that makes its terms more favorable to the LPP and the Government, will be considered at any time it is received and may be accepted.
- C. Acceptable evidence to establish the time of receipt at the LPP office includes the time/date stamp of the installation on the Bid wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of LPP personnel.
- D. If an emergency or unanticipated event interrupts normal LPP processes so that proposals cannot be received at the office designated for receipt of Bids by the exact time specified in the solicitation, and urgent LPP requirements preclude amendment of the solicitation closing date, the time specified for receipt of Bids will be deemed to be extended to the same time of day specified in the solicitation on the first work day on which normal LPP processes resume.
- E. A Bidder may withdraw its Bid by written notice at any time before award. Bids may be withdrawn in person by a Bidder or an authorized representative, if the identity of the person requesting withdrawal is established and the person signs a receipt for the Bid before award.
- F. Bidders may submit modifications to their Bid at any time before closing date and time, and may submit modifications in response to an amendment, or to correct a mistake at any time before award.
- G. The LPP's Contracting Officer will promptly notify any Bidder if its Bid, modification, or revision was received late, and will inform the Bidder whether its Bid will be considered, unless contract award is imminent.

5. Consideration of Bids

The Seller reserves the right to accept any one lot, partial lots, or group of lots, or all lots contained in a Bid, as may be in the best interest of the Government.

6. Basis of Award

- A. To be eligible for award the Bidder(s) must be determined to be responsive to the RFP requirements and responsible, and Seller will make these determinations. Upon determination that a Bidder is both responsive and responsible, award(s) will be made to the Bidder(s) providing the most advantageous price and price related factors.
- B. The Seller reserves the right to make multiple awards, if it is in the Government's best interest to do so. The Seller will make an award(s) to the responsible and responsive Bidder(s) that results in the most advantageous prices (and price related factors) to the Government.
- C. The Seller intends to award a Sales Agreement(s) to the responsible Bidder(s) who's Bid represents the best value to the Government after evaluation in accordance with the terms and conditions contained in the RFP. Accordingly, Bidders are advised to include their best possible terms in their initial Bid.
- D. The Seller may reject any or all Bids if such action is in the Seller's best interest.
- E. The Seller may waive informalities and minor irregularities in Bids received.
- F. The Seller intends to evaluate Bids and award a sales agreement(s) without discussions (except for clarifications). However, the Seller reserves the right to conduct discussions if the Seller determines that holding discussions is in its best interest.

7. Contract Award

- A. A written award or acceptance of an Agreement signed by the LPP's Contracting Officer and furnished to a successful Bidder(s) within the time specified for acceptance shall result in a binding contract incorporating all the terms and conditions of this Request for Proposal (RFP).
- B. The Seller reserves the right to award to the next offeror(s) in line for award if the Bidder(s) issued the Sales Agreement cannot perform after receipt of award.

8. Bid Costs

This RFP does not commit the Seller to pay any costs incurred in the preparation or submission of any Bid.

9. Equal Bids

If two or more Bidders are determined to be tied for an award, award shall be made by a drawing by lot limited to those Bidders. If time permits, the Bidders involved shall be given an opportunity to attend the drawing. The drawing shall be witnessed by at least three persons, and the Agreement file shall contain the names and addresses of the witnesses and the person supervising the drawing.