

# REQUEST FOR PROPOSALS

## Assessment of Natural Gas Combined Cycle Plants for Carbon Dioxide Capture and Storage in a Gas-Dominated Electricity Market



RFP # 500-10-502  
[www.energy.state.ca.gov/contracts](http://www.energy.state.ca.gov/contracts)  
State of California  
California Energy Commission  
October 2010

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## I. Introduction

### BACKGROUND

The California Energy Commission's (Energy Commission) Public Interest Energy Research (PIER) program was established to support research, development and demonstration projects that advance energy-related sciences and technologies, and also help improve the quality of life for electric utility customers. An issue of concern in energy research is how to best manage emissions of carbon dioxide (CO<sub>2</sub>) from fossil fuel electrical plants to prevent further increases in atmospheric CO<sub>2</sub> levels that may induce global climate change. One mechanism for managing CO<sub>2</sub> that is currently being evaluated is the capture and geological or terrestrial storage of CO<sub>2</sub> entrained in plant and industrial facility flue gases. This is commonly referred to as carbon capture and storage (CCS) or carbon sequestration.

To support development of CCS technologies and evaluate storage options, the United States Department of Energy (DOE) established regional partnerships to characterize regional carbon storage opportunities and to conduct technology validation and large-volume storage tests. The West Coast Regional Carbon Sequestration Partnership (WESTCARB) is one of the seven research partnerships formed and funded by DOE. It represents all or part of seven states – Alaska, Arizona, California, Hawaii, Nevada, Oregon, and Washington – and the Canadian province of British Columbia. The Energy Commission's PIER program manages WESTCARB and also provides match funding for WESTCARB projects.

As the WESTCARB administrator, PIER is currently funded under Phase II of the DOE partnership cycle to conduct site and facility assessments for CCS implementation. One WESTCARB project identified for Phase II is an assessment of the technical and economic viability of retrofitting existing California natural gas-fired combined cycle (NGCC) plants or designing new facilities to capture CO<sub>2</sub> from plant emissions for transport and storage. Pacific Gas and Electric Company (PG&E) and Lawrence Livermore National Laboratory (LLNL) are Key Partners for this effort, but all contractual arrangements and management authority resides with the Energy Commission. Additional organizations, such as other California investor-owned utilities or NGCC plant owners/operators, may become Key Partners over the course of the project.

### PURPOSE OF RFP

The purpose of this Request for Proposals (RFP) is to select the best qualified contractor to provide the following items:

- 1) Compile and perform a basic evaluation of CO<sub>2</sub> capture technology options for use on NGCC plants.
- 2) An engineering and economic assessment report of the installation and operation of various CCS technologies, in retrofit and new-build applications, at California utility-scale NGCC plants, or if a suitable NGCC plant cannot be identified, an alternative natural gas-fired system. If a suitable NGCC plant cannot be determined because of technical or other reasons, the awarded contractor shall recommend a replacement natural gas system (i.e., a natural gas fired cogeneration/oilfield steam flood unit) for the detailed analysis and pilot demonstration elements of this RFP.
- 3) A preliminary design for a pilot-scale CO<sub>2</sub> capture, compression/dehydration, and injection well test facility. If successfully proposed, this system could be fully engineered, procured, constructed, and operated under a future competitively bid contract.

## I. INTRODUCTION, CONTINUED

The awarded contractor shall be responsible for submitting the contract deliverables within the contract schedule and budget.

### **WHO CAN BID ON THIS RFP?**

This solicitation is restricted to private entities, including non-profit organizations and private universities. Public entities, such as government agencies, public universities and colleges, Department of Energy National Laboratories, cannot apply as bidders. The Energy Commission will screen out and eliminate from any further consideration any proposal from a public entity bidder. However, public entities can participate as subcontractors to private-entity applicants.

The prime contractor can only submit one proposal, but there are no limits on the number of proposals that an entity can participate as subcontractor. A prime contractor from one proposal may be a subcontractor on another proposal.

### **KEY ACTIVITIES AND DATES**

Key activities and times for RFP are presented below. This is a tentative schedule; please call the Contracts Office to confirm dates.

<b>ACTIVITY</b>	<b>ACTION DATE</b>
RFP Release	October 13, 2010
Deadline for Written Questions	November 3, 2010
Pre-Bid Conference	November 3, 2010
Distribute Questions/Answers and Addenda (if any) to RFP	November 12, 2010
<b>Deadline to Submit Proposals by 3:00 p.m.</b>	December 1, 2010
Clarification Interviews (If necessary)	December 13, 2010
Notice of Proposed Award	January 13, 2011
Commission Business Meeting	March, 2011
Contract Start Date	April, 2011
Contract Termination Date	September, 2011

### **AVAILABLE FUNDING**

There is \$1,400,000 available for the contract resulting from this RFP. This is an hourly rate plus cost reimbursement contract and the contract shall be awarded to the responsible bidder with the highest score, after application of preferences.

### **PRE-BID CONFERENCE**

There will be one Pre-Bid Conference; participation in this meeting is optional but encouraged. The Pre-Bid Conference will be held at the date, time and location listed below. Please call (916) 654-4392 or refer to the Energy Commission's website at [www.energy.ca.gov](http://www.energy.ca.gov) to confirm the date and time.

**November 3, 2010**

1:30 PM

California Energy Commission  
Hearing Room A  
1516 9th Street  
Sacramento, CA 95814  
Telephone: (916) 654-4392

## I. INTRODUCTION, CONTINUED

### Participation Through WebEx

For participation through WebEx, the Energy Commission's on-line meeting service, follow the instructions below:

#### **Computer Logon With A Direct Phone Number:**

- \* Please go to <https://energy.webex.com> and enter the unique meeting number: **492 313 713**
- \* When prompted, enter your information and the following meeting password: **meeting@1516**
- \* After you login, a prompt will appear on-screen for you to provide your phone number. In the Number box, type your area code and phone number and click OK to receive a call back on your phone for the audio of the meeting. International callers can use the "Country/Region" button to help make their connection.

#### **Computer Logon For Callers With An Extension Phone Number, Etc.:**

- \* Please go to <https://energy.webex.com> and enter the unique meeting number: **492 313 713**
- \* When prompted, enter your information and the following meeting password: **meeting@1516**
- \* After you login, a prompt will ask for your phone number. CLICK CANCEL.
- \* Instead call 1-866-469-3239 (toll-free in the U.S. and Canada). When prompted, enter the meeting number above and your unique Attendee ID number which is listed in the top left area of your screen after you login. International callers can dial in using the "Show all global call-in numbers" link (also in the top left area).

#### **Telephone Only (No Computer Access):**

- \* Call 1-866-469-3239 (toll-free in the U.S. and Canada) and when prompted enter the unique meeting number above. International callers can select their number from:  
<https://energy.webex.com/energy/globalcallin.php>

If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239. Please be aware that the meeting's WebEx audio and on-screen activity may be recorded.

### QUESTIONS

During the RFP process, questions of clarification about this RFP must be directed to the Contracts Officer listed in the following section. You may ask questions at the Pre-Bid Conference, and you may submit written questions in writing via mail, electronic mail, FAX, and by phone. However, all questions must be received by 5:00 pm on the day of the Pre-Bid Conference. After the Pre-Bid Conference, question and answer sets will be mailed to all parties who requested a copy of this RFP from the Commission Contracts Office and to all that attended the Pre-Bid conference. The questions and answers will also be posted on the Commission's website at:

<http://www.energy.ca.gov/contracts/index.html>.

Any verbal communication with a Commission employee concerning this RFP is not binding on the State and shall in no way alter a specification, term, or condition of the RFP.

## I. INTRODUCTION, CONTINUED

### CONTACT INFORMATION

Rachel Grant, Contracts Officer  
California Energy Commission  
1516 Ninth Street, MS-18  
Sacramento, California 95814  
Telephone: (916) 654-4379  
FAX: (916) 654-4423  
E-mail: [rgrant@energy.state.ca.us](mailto:rgrant@energy.state.ca.us)

### RESPONSES TO THIS RFP

Responses to this solicitation shall be in the form of a Technical and Cost Proposal according to the format described in this RFP. The Technical Proposal shall document the Bidder's approach, experience, qualifications, and project organization to perform the tasks described in the Scope of Work, and the Cost Proposal shall detail the Bidder's budget to perform such tasks.

### REFERENCE DOCUMENTS

Bidders responding to this RFP may want to familiarize themselves with the following documents:

1. **Attachment 16** Sample Standard Agreement
2. Cost and Performance Baseline for Fossil Energy Plants, Volume 1: Bituminous Coal and Natural Gas to Electricity Final Report. Issue Date, May 2007; Revision 1, August 2007. DOE/NETL-2007/1281. (Chapter 5, "Natural Gas Combined Cycle Plants").  
[http://www.netl.doe.gov/energy-analyses/pubs/Bituminous%20Baseline\\_Final%20Report.pdf](http://www.netl.doe.gov/energy-analyses/pubs/Bituminous%20Baseline_Final%20Report.pdf)
3. Advanced Amine Solvent Formulations and Process Integration for Near-Term CO<sub>2</sub> Capture Success, Final Report, Work Performed by Trimeric Corp., University of Texas at Austin, and Dow Gas Treating Services under DOE-NETL Grant No.: DE-FG02-06ER84625, Submitted June 28, 2007.  
<http://www.netl.doe.gov/technologies/coalpower/ewr/co2/pubs/Advanced%20Amine%20Solvent%20Formulations%20and%20Process%20Integration.pdf>
4. The West Coast Regional Carbon Sequestration Partnership Interactive Map  
<http://atlas.utah.gov/co2wc/viewer.htm?Title=ArclMS%20HTML%20Viewer>
5. **Attachment 20** WESTCARB Preliminary Assessment Paper - Draft
6. Cost and Performance of Retrofitting NGCC Units with Carbon Capture, Issue Date September 21, 2010. DOE/NETL- 401/080610.  
[http://www.netl.doe.gov/energy-analyses/pubs/NGCC\\_Retrofit\\_Analysis.pdf](http://www.netl.doe.gov/energy-analyses/pubs/NGCC_Retrofit_Analysis.pdf)

## II. Scope of Work and Deliverables

### ABOUT THIS SECTION

This section describes the contract scope of work, deliverables and due dates under the direction of the CCM.

### BACKGROUND

A substantial portion of California's power supply is now provided by large, modern NGCC units. Between 1995 and 2009, approximately fifty F- and H-Class gas turbines (GTs), in about 28 combined-cycle power blocks, were commissioned in the state. With the highest efficiency among the fossil fuel-fired units serving California, many of these units operate at relatively high capacity factors. Consequently, they are among the state's top annual producers of CO<sub>2</sub> emissions.

California also has many smaller NGCC units and GT-based cogeneration units that serve municipal utilities, industrial steam hosts, and enhanced oil recovery steam flood operations. Although these units have lower annual CO<sub>2</sub> emissions, many also operate at high capacity factors to meet distribution system needs or around-the-clock steam demand, and may offer site-specific advantages for hosting a pilot-scale technology validation field test.

To date, there has only been one application of CO<sub>2</sub> capture on an NGCC unit that has lasted longer than several years. Furthermore, there are currently relatively few research efforts specifically addressing GT exhaust, which has a higher oxygen concentration and lower CO<sub>2</sub> concentration than flue gas from coal-fired boilers.

Around the world, research, development, and demonstration (RD&D) efforts are developing and testing numerous technologies that may be ready for commercial-scale CO<sub>2</sub> capture from NGCC units by 2020. Today, the most mature candidate technologies for CO<sub>2</sub> capture from NGCC units involve post-combustion capture of CO<sub>2</sub> from flue gas using direct contact with a liquid chemical sorbent. Such an approach is only one of the options that may be considered for evaluation in this project.

In considering CCS as a means for meeting CO<sub>2</sub> emission reduction goals, California's utilities need updated information on the near-commercial-ready and emerging options for implementing CCS on NGCC generating units so they can understand the nature and magnitude of cost and performance impacts associated with CCS operation. Operating flexibility may also be affected by CCS regulations and CCS system dynamics, and overall generating unit reliability may be reduced by the added complexity of CO<sub>2</sub> capture and compression/dehydration equipment. The scope for this project is aimed at enhancing the information available to power generation planners and policymakers for use in their decisions and investments for CO<sub>2</sub> and greenhouse gas (GHG) reductions.

### GENERAL REQUIREMENTS OR GOALS AND OBJECTIVES

Bidders responding to this solicitation should clearly describe in their proposal how they would complete the required tasks shown in [Attachment 13](#), "Exhibit A – Scope of Work.". Descriptions should detail the criteria and methods they would employ in gathering any necessary information, developing data, and preparing technical designs. In addition to the required tasks, Bidders may also propose any other items to existing tasks where indicated to adequately achieve the purpose of the RFP.



## II. SCOPE OF WORK, CONTINUED

### TASK LEVEL OF EFFORT

A detailed Scope of Work can be found in [Attachment 13](#). Bidders shall propose any additional items that can be provided in the places indicated. The following table is provided as a guideline for the recommended level of effort for each task for the proposed overall budget. These guidelines are not mandatory and the final budget is up to the bidders to determine.

Task	% of Total Budget
1- Administration	10
2- Overall Assessment	30
3- Engineering Options	30
4- Preliminary Scope and Cost for Pilot	30

### **III. Evaluation Process and Criteria**

#### **ABOUT THIS SECTION**

This section explains how the proposals will be evaluated. It describes the evaluation stages, preference points, and scoring of all proposals. A Bidder's proposal will be evaluated and scored based on its response to the information requested in this RFP.

During the evaluation and selection process, the Commission may interview a Bidder either by telephone or in person at the Energy Commission for the purpose of clarification and verification of information provided in the proposal. However, these interviews may not be used to add or change to the contents of the original proposal. The Evaluation Committee may seek input from technical reviewers both internal and external to the Energy Commission when evaluating proposals.

#### **PROPOSAL EVALUATION**

To analyze all Proposals, the Commission will organize an Evaluation Committee. The Proposals will be analyzed in three stages:

##### **Stage One: Administrative and Completeness Screening**

The Contracts Office will review Proposals for compliance with administrative requirements and completeness. Proposals that fail Stage One may be disqualified and eliminated from further evaluation.

##### **Stage Two: Technical Evaluation of Proposals**

Proposals passing Stage One will be submitted to the Evaluation Committee to score proposals based on the Evaluation Criteria in this Section. The total score for each proposal will be the average of the combined scores of all Evaluation Committee members. The Evaluation Committee may, at its discretion, seek clarification of any point in the written technical proposal through a clarification interview with the Bidder. Proposals not attaining a score of 700 points will be eliminated from further competition. All applicable preferences will be applied to all proposals attaining a minimum of 700 points.

After the technical evaluation, those Bidders who pass the minimum required technical score may be scheduled for a clarification interview by the Committee. Those Bidders not meeting the minimum technical score of 700 points will not be interviewed.

##### **Award**

The contract shall be awarded to the responsible bidder with the highest score, after application of preferences.

### III. EVALUATION PROCESS AND CRITERIA, CONTINUED

#### Scoring Scale

The Evaluation Committee will give a score from zero (0) to ten (10) for each criterion described below. The point calculations reflect the averages of the combined scores of all Evaluation Committee members.

#### Point Scale

0 Points	Is not in substantial accord with the RFP requirements. Has a potential significant effect on the amount paid or net cost to the State or the quality or quantity of product and/or service. Provides an advantage to one competitor over the other competitors, for example, not paying minimum wages.
1-3 Points	The proposal states a requirement, but offers no explanation of how or what will be accomplished. The response contains a technical deficiency which is an inaccurate statement or reference concerning the how, what, where, or when, which is part of an overall statement or description.
4-6 Points	Satisfies the minimum requirements and describes generally how and/or what will be accomplished.
7-9 Points	Satisfies the minimum requirements and specifically describes how and/or what will be accomplished in an <u>exemplary manner</u> , using sample products and illustrative materials (i.e., diagrams, charts, graphs, etc.).
10 Points	Exceeds the minimum requirements and specifically describes how and/or what will be accomplished both quantitatively and qualitatively, using sample products and illustrative materials (i.e., diagrams, charts, graphs, etc.).

#### TECHNICAL EVALUATION CRITERIA

References will be considered throughout the scoring criteria.

Criterion	Weight	Possible Score
<b>1. Project Description and Approach to Scope of Work</b>		
a. The proposal provides a clear approach to evaluate CO <sub>2</sub> capture technologies with their potential application in a NGCC plant.	8	80
b. The proposal provides a clear approach to identify the key market, regulatory, and technology advancement barriers necessary for CCS implementation.	7	70
c. The proposal provides a clear approach to identify expected regulatory and permitting requirements for CO <sub>2</sub> capture, transport, and storage.	7	70
d. The proposed scope of work demonstrates a clear, appropriate, and complete plan for the assessment of NGCC plants for CCS in a gas-dominated electricity market.	8	80
e. The proposed work schedule is logical, reasonably sequences tasks, and allocates time and labor per task.	6	60
f. The proposed scope of work clearly identifies which resource performs the work task.	4	40
<b>2. Company/Team Experience and Technical Expertise</b>		
a. Depth of coverage for all technical areas and functions is identified. Demonstrated experience, understanding and judgment in handling both research and engineering design projects. Project Team includes qualified experts with technical experience and proven skills in the proposed technical areas. Project Team members have experience in facility design and engineering economic analysis pertaining to plants and CCS.	8	80

### III. EVALUATION PROCESS AND CRITERIA, CONTINUED

Criterion	Weight	Possible Score
b. Provided example(s) illustrating the Contractor's quality of work products.	5	50
c. Demonstrated knowledge of various national, state, regional, and local governmental organizations and their processes/requirements involved in the planning for, or permitting of, plants and CCS	4	40
d. Ability of Contractor to provide quality assurance for each team member's performance, and to identify and resolve performance problems effectively.	4	40
e. The project manager has organizational, administrative, and team lead skills and a proven track record for managing research projects successfully, including the capability of administering the contract to control costs, maintain the project schedule, provide quality control of the deliverables produced by the team, and communicate effectively.	4	40
f. The team structure provides clear roles and responsibilities among the team members, and establishes clear lines of communication to ensure that team members share information and meet their individual responsibilities.	4	40
<b>3. Match Funds</b>		
a. Match funds provided based on the percentage of the proposed PIER Funds budget (rounded up to the nearest whole number): 0% = 7 points Between 1% and 4% = 8 points Between 5% and 9% = 9 points 10% or greater = 10 points	1	10
<b>4. Cost Points</b>		
The Proposal with the lowest cost shall be awarded the maximum number of points available. All other proposals will be awarded cost points based on the follows (rounded to the nearest point): Lowest Bidder's Cost / Proposal Cost x 300= Proposal Cost Points Example: Lowest Bidders Cost = 100,000, Proposal 1 Cost = 110,000 Lowest Bidder Cost Points = 300 Proposal 1 Cost Points = 100,000/110,000 x 300 = 273 (rounded to the nearest point)	N/A	300
<b>Total Possible Score</b>		<b>1000</b>

#### Preference Points

A Bidder may qualify for up to seven categories of non-technical preference points. Each qualifying Bidder with a technical evaluation score of 700 points or greater will receive the applicable preference points. The sum of the Bidder's technical evaluation score and preference points will constitute the Bidder's total score. Proposals will be ranked based upon the Bidder's total score. Forms submitted for preference points must be included in the proposal.

#### A. SMALL / MICROBUSINESS

Bidders who qualify as a State of California certified small business will receive five percent (5%) preference points based on the highest responsive, responsible bidder's total score, if the highest scored proposal is submitted by a business other than a certified small business. Instructions for becoming certified by the State of California as a small or disabled veteran owned business is contained in RFP [Attachment 3](#).

### **III. EVALUATION PROCESS AND CRITERIA, CONTINUED**

#### **B. NON-SMALL BUSINESS**

Government Code Section 14838(b) (1) (2) provides for a non-small business preference. The preference to a non-small business bidder that commits to small business or micro-business subcontractor participation of twenty-five percent (25%) of its net bid price shall be five percent (5%) of the highest responsive, responsible bidder's total score. A non-small business, which qualifies for this preference, may not take an award away from a certified small business. The small business regulations are located at 2 CCR 1896.

#### **C. DISABLED VETERAN BUSINESS ENTERPRISE**

The DVBE Incentive program was established pursuant to Military & Veterans Code Section 999.5(2) and Department of General Services' Regulations 2 CCR 1896.98 et.seq. The information on [Attachment 3](#) explains how the incentive is applied and how much of an incentive will be given.

#### **D. CALIFORNIA-BASED ENTITY**

Public Resources Code Section 25620.5(h & i) requires the PIER Program to give priority to "California-based entities" (CBEs) when making awards. To implement this law, the Energy Commission will award preference points if the proposal documents on [Attachment 8](#) that the Bidder meets the criteria for a CBE as described in [Attachment 7](#).

#### **E. TARGET AREA CONTRACT PREFERENCE REQUEST**

The Target Area Contract Preference Act (Government Code Section 4530 et seq.) provides five percent (5%) preference points to California-based companies that perform state contract work in a distressed area. Bidders should complete RFP [Attachment 9](#) if they qualify for this preference. If you have further questions or need additional information on this matter, please contact TACPA/LAMBRA Preference Program Group at (916) 375-4609.

#### **F. ENTERPRISE ZONE REQUEST**

The Enterprise Zone Act (Government Code Section 7070, et seq.) provides preference points as an incentive for business and job development in distressed and declining areas of the State. Bidders should review RFP [Attachment 10](#) to determine if they qualify for this incentive. If you have further questions or need additional information on this matter, please contact TACPA/LAMBRA Preference Program Group at (916) 375-4609.

#### **G. LOCAL AGENCY MILITARY BASE RECOVERY ACT**

The Local Agency Military Base Recovery Act (LAMBRA, Government Code Section 7118, et seq.) provides five percent (5%) preference points to California-based companies that perform State contract work in the LAMBRA. Bidders should review RFP [Attachment 11](#) to determine if they qualify for this preference. If you have further questions or need additional information on this matter, please contact TACPA/LAMBRA Preference Program Group at (916) 375-4609.

#### **Notice of Proposed Award**

Subsequent to the Proposal evaluations, the Commission will post a "Notice of Proposed Award" at the Commission's headquarters in Sacramento, and on the Commission's Web Site.

## IV. Proposal Format, Required Documents, and Delivery

### ABOUT THIS SECTION

This section contains the format requirements and instructions how to submit a proposal. The format is prescribed to assist the Bidder in meeting State bidding requirements and to enable the Commission to evaluate each proposal uniformly and fairly. Bidders must follow all Proposal format instructions, answer all questions, and supply all requested data.

### REQUIRED FORMAT FOR A PROPOSAL

All proposals submitted under this RFP must be typed or printed using a standard 11-point font, singled-spaced and a blank line between paragraphs. Pages must be numbered and sections titled and printed back-to-back. Spiral or comb binding is preferred. Binders are discouraged.

### NUMBER OF COPIES

Bidders must submit the original and **6** copies of the proposal. Bidders must also submit electronic files of the proposal on [CD-ROM diskette](#) along with the paper submittal. Electronic files must be in Microsoft Word XP (.doc format) and Excel Office Suite formats. Electronic files submitted via e-mail will not be accepted.

### PACKAGING AND LABELING

The original and copies must be labeled "Request for Proposal 500-10-502," and include the title of the proposal.

Include the following label information and deliver your proposal, in a sealed package:

Person's Name, Phone #	
Bidder's Name	
Street Address	
City, State, Zip Code	
	RFP 500-10-502
	Contracts Office, MS-18
	California Energy Commission
	1516 Ninth Street, 1st Floor
	Sacramento, California 95814

### PREFERRED METHOD FOR DELIVERY

A Bidder may deliver a proposal by:

- U. S. Mail
- Personally
- Courier service

Proposals must be delivered to the Commission Contracts Office during normal business hours and prior to the date and time specified in this RFP. In accordance with Public Contract Code 10344, proposals received after the specified date and time are considered late and will not be accepted. There are no exceptions to this law. Postmark dates of mailing, E-mail and facsimile (FAX) transmissions are not acceptable in whole or in part, under any circumstances.

## **IV. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY, CONTINUED**

### **ORGANIZE YOUR PROPOSAL AS FOLLOWS:**

#### **Section 1, Administrative Response**

Cover Letter

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Small Business Preference Certification

If applicable

Completed Disabled Veteran Business Enterprise form Std 843

[Attachment 5](#)

Bidder Declaration form GSPD-05-105

[Attachment 6](#)

California Based Entity Questionnaire (CBE)

[Attachment 8](#)

Target Area Contract Preference Act Std 830

[Attachment 9](#)

Enterprise Zone Act Preference (Eza) Request Std 831

[Attachment 10](#)

Local Agency Military Base Recovery Area Act Std 832

[Attachment 11](#)

Darfur Contracting Act Certification

[Attachment 12](#)

#### **Section 2, Technical Response**

A. Scope of Work

[Attachment 13](#)

B. Approach to Tasks in Scope of Work

See Below

C. Team Organizational Structure

See Below

D. Labor Hours by Personnel and Task

See Below

E. Project Team Experience and Qualifications

See Below

F. Budget Forms

[Attachment 14](#)

G. Customer References

[Attachment 15](#)

H. Previous Work Products

See Below

#### **A. SCOPE OF WORK**

In addition to the required tasks, Bidders may also propose any other items to existing tasks where indicated to adequately achieve the purpose of the RFP.

#### **B. APPROACH TO TASKS IN SCOPE OF WORK**

Describe the Bidder's approach to providing services listed in the Scope of Work, highlighting any outstanding features, qualifications and experience.

#### **C. TEAM ORGANIZATIONAL STRUCTURE**

1. Describe the organizational structure of the Bidder, including providing an organizational chart of the entire contract team.
2. Identify the location of the Bidder's and Subcontractor's headquarters and satellite office(s) and proposed methods of minimizing costs to the State.
3. Provide a short description of each firm and key members on the team. Describe the relationship between the Contractor and subcontractors on your team. Indicate any history of a working relationship between the team members noting any significant success stories
4. Describe professional awards.
5. Describe the organization, composition, and functions to be performed by staff members of the Bidder and any subcontractors and how the staff pertains to this contract.
6. Identify a primary contact person.

## **IV. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY, CONTINUED**

7. Describe any technical capabilities that would facilitate communicating with the Energy Commission (e.g., internet capability and electronic reports).

### **D. LABOR HOURS BY PERSONNEL AND TASK**

Provide the title or classification of each person and their hours as it applies to each task, including subcontractor hours.

### **E. PROJECT TEAM RELEVANT EXPERIENCE AND QUALIFICATIONS**

1. Document the project team's qualifications as they apply to performing the tasks described in the Scope of Work. Describe the nature and scope of recently completed work as it relates to the Scope of Work.
2. Identify and list all Bidder staff and subcontractors (all team members) who will be committed to the tasks and describe their roles.
3. Describe job classification, relevant experience, education, academic degrees and professional licenses of these technical staff team members.
4. Provide a current resume for all team members listed.
5. Identify the percentage of time each team member will be available throughout the contract.
6. Describe their familiarity with the administration, management, and technical expertise in performing pertinent tasks identified in the Scope of Work.

### **F. SCHEDULE OF DELIVERABLES AND BUDGET FORMS**

The information provided in these forms will **not** be kept confidential. Bidders must submit information on all the attached budget forms, B-1 through B-6, and will be deemed the equivalent of a formal bid submission under the Public Contract Code. Bidder must include information for all subcontractors as described in the Instructions Document. Rates and personnel shown must reflect rates and personnel you would charge if you were chosen as the contractor for this RFP. The salaries, rates, and other costs entered on these forms become a part of the final contract. The entire term of the contract and projected rate increases must be considered when preparing the budget. The rates bid are considered capped and shall not change during the term of the contract. The Contractor shall only be reimbursed for their **actual** rates up to these rate caps. The Hourly Rates provided in all B-3s shall be unloaded (before fringe, overheads or profit).

Schedule of Deliverables	Attachment 14, A-1
Budget Summary	Attachment 14, B-1
PIER Budget	Attachment 14, B-2
Personnel Unloaded Hourly Rates	Attachment 14, B-3
Fringe Benefits, Indirect Overhead, General & Administrative, and Profit	Attachment 14, B-4
Travel, Equipment, Materials, and Misc. List	Attachment 14, B-5
Match Funding	Attachment 14, B-6

### **G. CLIENT REFERENCES**

Each bidder shall complete a Customer Reference Form. Three customer references are required for the bidder.

### **H. PREVIOUS WORK PRODUCTS**

Each bidder shall provide at least one example of a similar work product for the services to be provided. If more than one company will be performing work in a task area, each company shall submit one example product that demonstrates experience in potential work assignments described in this RFP.



## V. Administration

### RFP DEFINED

The competitive method used for this procurement of services is a Request for Proposal (RFP). A Proposal submitted in response to this RFP will be scored and ranked based on the Evaluation Criteria. Every Proposal must establish in writing the Bidder's ability to perform the RFP tasks.

### DEFINITION OF KEY WORDS

Important definitions for this RFP are presented below:

Word/Term	Definition
State	State of California
DGS	Department of General Services
Energy Commission	California Energy Commission
RFP	Request for Proposal, this entire document
Proposal	Formal written response to this document from contractor
Bidder	Respondent to this RFP
CCM	Commission Contract Manager
DVBE	Disabled Veteran Business Enterprises

### IMPORTANT ADMINISTRATIVE DETAILS

#### Cost of Developing Proposal

The Bidder is responsible for the cost of developing a proposal, and this cost cannot be charged to the State.

#### Printing Services

Per Management Memo 07-06, State Agencies must procure printing services through the Office of State Publishing (OSP). Bidders shall not include printing services in their proposals.

#### Confidential Information

No confidential information will be accepted during the proposal and selection phase of this solicitation. If any confidential information is submitted, the entire proposal will be rejected and will not be eligible for funding. Proposals containing confidential information will be returned to the Bidder.

#### Darfur Contracting Act of 2008

Effective January 1, 2009, all Requests for Proposals (RFP) must address the requirements of the Darfur Contracting Act of 2008 (Act). (Public Contract Code sections 10475, et seq.; Stats. 2008, Ch. 272). The Act was passed by the California Legislature and signed into law by the Governor to preclude State agencies generally from contracting with "scrutinized" companies that do business in the African nation of Sudan (of which the Darfur region is a part), for the reasons described in Public Contract Code section 10475.

A scrutinized company is a company doing business in Sudan as defined in Public Contract Code section 10476. Scrutinized companies are ineligible to, and cannot, bid on or submit a proposal for a contract with a State agency for goods or services. (Public Contract Code section 10477(a)).

## V. ADMINISTRATION, CONTINUED

Therefore, Public Contract Code section 10478 (a) requires a company that currently has (or within the previous three years has had) business activities or other operations outside of the United States to certify that it is not a “scrutinized” company when it submits a bid or proposal to a State agency. (See # 1 on [Attachment 12](#)).

A scrutinized company may still, however, submit a bid or proposal for a contract with a State agency for goods or services if the company first obtains permission from the Department of General Services (DGS) according to the criteria set forth in Public Contract Code section 10477(b). (See # 2 on [Attachment 12](#)).

### **Disabled Veteran Business Enterprises (DVBE) Compliance Requirements**

The Disabled Veteran Business Enterprise (DVBE) Program has two inter-related aspects:

**Participation Goals:** This RFP is subject to a participation goal of three percent (3%) certified California Disabled Veteran Business Enterprise (DVBE) as set forth in Public Contract Code Section 10115 et seq.

And,

**Incentive:** The DVBE Incentive Program gives a contractor an opportunity to improve their bid status based on the efforts attained from the DVBE Participation Program.

More information is contained in [Attachment 3](#).

### **RFP CANCELLATION AND AMENDMENTS**

If it is in the State’s best interest, the Energy Commission reserves the right to do any of the following:

- Cancel this RFP;
- Amend this RFP as needed; or

Reject any or all Proposals received in response to this RFP

If the RFP is amended, the Energy Commission will send an addendum to all parties who requested the RFP and will also post it on the Energy Commission’s Web Site [www.energy.ca.gov/contracts](http://www.energy.ca.gov/contracts) and Department of General Services’ Web Site [www.cscr.dgs.ca.gov/cscr](http://www.cscr.dgs.ca.gov/cscr).

### **ERRORS**

If a Bidder discovers any ambiguity, conflict, discrepancy, omission, or other error in the RFP, the Bidder shall immediately notify the Commission of such error in writing and request modification or clarification of the document. Modifications or clarifications will be given by written notice of all parties who requested the RFP, without divulging the source of the request for clarification. The Commission shall not be responsible for failure to correct errors.

### **MODIFYING OR WITHDRAWAL OF PROPOSAL**

A Bidder may, by letter to the Contact Person at the Energy Commission, withdraw or modify a submitted Proposal before the deadline to submit proposals. Proposals cannot be changed after that date and time. A Proposal cannot be “timed” to expire on a specific date. For example, a statement such as the following is non-responsive to the RFP: “This proposal and the cost estimate are valid for 60 days.”

### **IMMATERIAL DEFECT**

The Energy Commission may waive any immaterial defect or deviation contained in a Bidder’s proposal. The Energy Commission’s waiver shall in no way modify the proposal or excuse the successful Bidder from full compliance.

## **V. ADMINISTRATION, CONTINUED**

### **DISPOSITION OF BIDDER'S DOCUMENTS**

On the Notice of Proposed Award posting date all proposals and related material submitted in response to this RFP become a part of the property of the State and public record. Bidders who want any work examples they submitted with their proposals returned to them shall make this request and provide either sufficient postage, or a Courier Charge Code to fund the cost of returning the examples.

### **BIDDERS' ADMONISHMENT**

This RFP contains the instructions governing the requirements for a proposal to be submitted by interested Bidders, the format in which the technical information is to be submitted, the material to be included, the requirements which must be met to be eligible for consideration, and Bidder responsibilities. Bidders must take the responsibility to carefully read the entire RFP, ask appropriate questions in a timely manner, submit all required responses in a complete manner by the required date and time, make sure that all procedures and requirements of the RFP are followed and appropriately addressed, and carefully reread the entire RFP before submitting a proposal.

### **GROUND TO REJECT A PROPOSAL**

#### **A Proposal shall be rejected if:**

- It is received after the exact time and date set for receipt of Proposal's pursuant to Public Contract Code, Section 10344.
- It is considered non-responsive to the California Disabled Veteran Business Enterprise participation requirements.
- It is lacking a properly executed Certification Clauses.
- It is lacking a properly executed Darfur Contracting Act.
- It contains false or intentionally misleading statements or references which do not support an attribute or condition contended by the Bidder.
- The Proposal is intended to erroneously and fallaciously mislead the State in its evaluation of the Proposal and the attribute, condition, or capability is a requirement of this RFP.
- There is a conflict of interest as determined by the Energy Commission. This includes but is not limited to the legal conflicts of interest contained in Public Contract Code Sections 10410-10412 and/or 10365.5.
- It contains confidential information.

#### **A Proposal may be rejected if:**

- It is not prepared in the mandatory format described.
- It is unsigned.
- It does not literally comply or contains caveats that conflict with the RFP and the variation or deviation is not material, or it is otherwise non-responsive.

### **PROTEST PROCEDURES**

A Bidder may file a protest against the proposed awarding of a contract. Once a protest has been filed, contracts will not be awarded until either the protest is withdrawn, or the Commission cancels the RFP, or the Department of General Services decides the matter.

Please note the following:

- Protests are limited to the grounds contained in the California Public Contract Code Section 10345.

## **V. ADMINISTRATION, CONTINUED**

- During the five working days that the Notice of Proposed Award (NOPA) is posted, protests must be filed with the DGS Legal Office and the Commission Contracts Office.
- Within five days after filing the protest, the protesting Bidder must file with the DGS and the Commission Contracts Office a full and complete written statement specifying the grounds for the protest.

- Department of General Services**  
Office of Legal Services  
Attention: Protest Coordinator  
707 Third Street, 7<sup>th</sup> Floor, Suite 7-330  
West Sacramento, CA 95605  
FAX: (916) 376-5088  
**California Energy Commission**

Contracts Office  
1516 Ninth Street, MS-18  
Sacramento, CA 95814  
FAX: 916-654-4423

If the protest is not withdrawn or the solicitation is not canceled, DGS will decide the matter. There may be a formal hearing conducted by a DGS hearing officer or there may be briefs prepared by the Bidder and the Commission for the DGS hearing officer's consideration.

### **AGREEMENT REQUIREMENTS**

The content of this RFP shall be incorporated by reference into the final contract. See the sample Agreement terms and conditions included in this RFP.

### **NO CONTRACT UNTIL SIGNED & APPROVED**

No agreement between the Commission and the successful Bidder is in effect until the contract is signed by the Contractor, approved at a Commission Business Meeting, and approved by the Department of General Services, if required.

### **CONTRACT AMENDMENT**

The contract executed as a result of this RFP will be able to be amended by mutual consent of the Commission and the Contractor. The contract may require amendment as a result of project review, changes and additions, changes in project scope, or availability of funding.