

**THE PUBLIC SERVICE COMMISSION FOR THE DISTRICT OF COLUMBIA**

**REQUEST FOR PROPOSALS (RFP NO. PSC-17-10)**

**THE PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA  
("COMMISSION'S") REQUEST FOR PROPOSALS TO ASSIST THE COMMISSION  
IN REVIEWING THE POTOMAC ELECTRIC POWER COMPANY'S ("PEPCO")  
FORMAL NOTICE OF CONSTRUCTION OF THE CAPITAL GRID PROJECT**

**Proposal Issue Date:** July 5, 2017

**Proposal Due Date:** July 26, 2017, no later than 4:00 pm EDT

**Contact:** Jesse P. Clay, Jr.  
Deputy Executive Director for Administrative Matters  
The Public Service Commission for the District of Columbia  
1325 G Street, NW  
8<sup>TH</sup> Floor Washington, DC  
20005 Email:  
jclay@psc.dc.gov  
Telephone: (202) 626-5145

**Scope of Work for the Engineering and Construction Consultant**  
**Pepco's Formal Notice of Construction of the Capital Grid**  
**Project in the District of Columbia**

## **Background**

The Public Service Commission of the District of Columbia (“Commission”), located at 1325 G Street, N.W., 8th Floor, Washington, D. C. 20005, invites the submission of sealed proposals from qualified technical consultants to advise and assist the Commission in reviewing the Potomac Electric Power Company’s (“Pepco” or “Company”) Formal Notice to Construct Two 230 kV Underground Circuits from the Takoma Substation to the Rebuilt Harvard Substation and From the Rebuilt Harvard Substation to the Rebuilt Champlain Substation (“Capital Grid Project NOC-1”).

On May 10, 2017, Pepco filed the first of two Notices of Construction (“NOC”) with the Commission seeking approval for its Capital Grid Project NOC-1.<sup>1</sup> Specifically, under this first NOC (“NOC-1”), Pepco proposes to construct two 230kV underground transmission lines from the Takoma Substation to the rebuilt Harvard Substation and from the rebuilt Harvard Substation to the rebuilt Champlain Substation and to upgrade aging infrastructure. Pepco also proposes to engage in demolition, site preparation, and substation construction for the rebuilt Harvard and Champlain Substations.<sup>2</sup>

On May 24, 2017, the Commission gave notice that it is *sua sponte* opening an investigation into the reasonableness, safety and need for the underground transmission lines and substations work proposed in Pepco’s Notice of Construction (“NOC”) for its Capital Grid Project NOC-1.<sup>3</sup> The Commission opens this investigation given that the activities described in the Capital Grid Project NOC-1 will likely affect many stakeholders and because Pepco has provided, with its Capital Grid Project NOC-1, the information the Commission requires when initiating an investigation pursuant to Chapter 21 of Title 15 of the D.C. Municipal Regulations.

Note: All tasks outlined in this Request for Proposals are expected to be completed no later than three to six months. The procedural schedule, including the possibility of hearings, has not been determined at this time. (Task No. 4 provides additional details below.)

The tasks associated with this Request for Proposals are organized in two parts - General Tasks and Specific Tasks.

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<sup>1</sup> *Formal Case No. 1144, In the Matter of the Potomac Electric Power Company’s Notice to Construct Two 230 kV Underground Circuits from the Takoma Substation to the Rebuilt Harvard Substation and From the Rebuilt Harvard Substation to the Rebuilt Champlain Substation (Capital Grid Project) (“Formal Case No. 1144”) (“Pepco’s NOC”).* Pursuant to 15 DCMR § 2111.1 (2004), “An electric corporation which plans to construct inside the District of Columbia an underground transmission line in excess of sixty-nine thousand (69,000) volts, or substation connected to such line, shall file formal notice with the Commission six (6) months prior to the construction.” Pepco expects to file the second NOC in early 2018.

<sup>2</sup> Pepco’s NOC at 2.

<sup>3</sup> *Formal Case No. 1144; Public Notice; May 24, 2017.*

## **A. GENERAL TASKS**

The Offeror shall:

1. Review, analyze and advise the Commission and Staff on all relevant filings in this proceeding, including, but not limited to the Notice to Construct Two 230 kV Underground Circuits from the Takoma Substation to the Rebuilt Harvard Substation and From the Rebuilt Harvard Substation to the Rebuilt Champlain Substation (Capital Grid Project NOC-1), which includes among others: the reasonableness, safety, and need for the underground transmission line and rebuilt substation construction; applications for needed approvals from any local, state, or federal agency; all designs and plans for the construction of the underground transmission line and rebuilt substations including electrical designs and components; potential impacts on affected neighborhoods and communities as well as proposed mitigating measures; impact of the Capital Grid Project NOC-1 on system stability, reliability, and resiliency; alternative solutions; alternative routes; and potential environmental impacts including but not limited to, storm water management, noise traffic, air quality, and electro-magnetic fields as well as proposed mitigating measures.
2. Review and advise Commissioners and Staff on related proposals, comments, motions, testimony, data requests, and data responses by interested parties under the direction of the leadership of the Office of Technical and Regulatory Analysis (“OTRA”) and assigned Staff.
3. Coordinate all activities with OTRA leadership and conduct weekly status conference calls, if necessary.
4. Confer with the Commissioners and Staff as necessary to provide information and explain engineering matters over the course of the proceeding.
5. Prepare analytical advisory memoranda as assigned.
6. Conduct briefings as requested.
7. Attend meetings if requested by the Commission and Staff.
8. Assist and advise the Commission and Staff in rendering decisions in these proceedings.
9. If the Offeror takes possession of any confidential information or critical infrastructure information (as defined at D.C. Code § 2-539) during this engagement, that information will be appropriately protected at all times and will be destroyed or returned to the Commission at the conclusion of the engagement.

## **B. SPECIFIC TASKS**

The selected Consultant shall provide advisory services to the Commission in this case and assist the Commission with reviewing Pepco’s Formal Notice of Construction of the Capital Grid Project NOC-1. The selected Consultant will take the lead in conducting all such analyses as may be necessary to address the tasks in the outlined Scope of Work.

**Task No. 1** – Assessment of Pepco’s Need Analysis to Construct Two 230 kV Underground Circuits from the Takoma Substation to the Rebuilt Harvard Substation and From the Rebuilt Harvard Substation to the Rebuilt Champlain Substation and to engage in demolition, site preparation, and substation construction for the Harvard and /Champlain Substations, (Capital Grid Project NOC-1) including need analyses performed by Pepco or on Pepco’s behalf by third-parties.

- A. Review and analyze the impact of the Capital Grid Project NOC-1 on the reliability and resiliency of the distribution and transmission system serving the District of Columbia.
- B. Pepco’s load forecast and forecasting methodology supporting the need for the Capital Grid Project NOC-1.
- C. Review and analyze the need for the increased distribution substation capacity included in the Capital Grid Project NOC-1.
- D. Review and analyze the need for the new transmission capacity included in the Capital Grid Project NOC-1, including the benefit of radial versus networked transmission systems. (The scope of this item will be further refined pending receipt of data responses on the status of FERC and/or PJM approvals.)
- E. Review and analyze filings made by Pepco with local, state, and federal agencies – including FERC and PJM regarding the need for the Capital Grid Project NOC-1.
- F. Review and analyze the potential of the Capital Grid NOC-1 to support additional Distributed Energy Resources (“DER”) in the District of Columbia above currently projected DER growth scenarios.
- G. Review and analyze alternative DER growth scenarios developed by or for Pepco.
- H. Review and analyze alternative solutions for the Capital Grid Project NOC-1 including but not limited to the following:
  - 1. The alternative solution analysis provided on page 10 of the Capital Grid Project NOC-1
  - 2. Energy storage, distributed generation, demand side management, and other alternative solutions for managing peak demand.

**Task No. 2** – Assessment of the reasonableness and safety of Pepco’s Notice to Construct Two 230 kV Underground Circuits from the Takoma Substation to the Rebuilt Harvard Substation and From the Rebuilt Harvard Substation to the Rebuilt Champlain Substation and to engage in demolition, site preparation, and substation construction for the rebuilt Harvard and Champlain Substations. (Capital Grid Project).

The Consultant will assist staff to:

- A. Review, analyze and make recommendations on the reasonableness and safety of the engineering concepts, plans, and designs, specifications, and standards of Notice to Construct Two 230 kV Underground Circuits from the Takoma Substation to the Rebuilt Harvard Substation and From the Rebuilt Harvard Substation to the Rebuilt Champlain

Substation and to engage in demolition, site preparation, and substation construction for the rebuilt Harvard and Champlain Substations, including underground conduit and duct banks, electrical vaults, manholes, etc., as well as civil engineering, construction and installation.

B. Review, analyze, and make recommendations on the following:

1. The reasonableness and safety of the underground transmission line and rebuilt substations;
2. Applications for needed approvals from any local, state, or federal agency;
3. All designs and plans for the construction of the underground transmission line and rebuilt substations including civil drawings and electrical schematics ;
4. Potential impacts of planned construction activities on affected neighborhoods and communities as well as proposed mitigating measures;
5. Quality, Safety, and Environmental (“QSE”) certification program for managing construction risk;
6. Pepco’s plans for managing potential conflicts with the DC Power Line Undergrounding (“DC PLUG”) project;
7. Pepco’s plans and systems for fire and hazardous gas protection in the two rebuilt substations;
8. Pepco’s plans for coordinating with local emergency management agencies during construction and operation of the Capital Grid Project NOC-1;
9. Pepco’s analysis of the structural bearing capacity of the soil supporting the rebuilt substations;
10. Pepco’s plans and systems for managing and containing SF6 gas required on site for the Gas Insulated Switchgear (“GIS”) to be installed in the two rebuilt substations;
11. Pepco’s evaluation of 500 kcmil XLPE insulated solid dielectric cable for use in underground 230 kV circuits;
12. Review Pepco’s and PJM’s Fault current analysis associated with the design of the 230 kV circuits;
13. Pepco’s plans for the communications network between the two rebuilt substations and the system operations center in Bethesda, Maryland;
14. Review any distribution automation systems in the Capital Grid Project NOC-1; and
15. Alternative transmission routes.

C. Review and assess the costing methodology used by Pepco to produce construction cost estimates for the Capital Grid Project NOC-1 and alternatives.

**Task No. 3** – Environmental Impact Assessment and Remediation. This task involves the review of an Environmental Impact Statement (“EIS”) and related materials expected to be included by Pepco in the NOC-1 or in subsequent filings of specific project plans with engineering designs.

- A. Review of the EIS provided by Pepco for the Capital Grid Project NOC-1 in subsequent filings of specific project plans with engineering designs.
- B. Review of potential environmental impacts including but not limited to, flood plain, storm water management, soil erosion and sedimentation control, noise traffic, air quality, and electro-magnetic fields as well as proposed mitigating measures.
- C. Review of Pepco’s plans for compliance with the District of Columbia Green Area Ratio requirements.
- D. Review the potential impacts of specific conduit, undergrounding, and substation replacement/upgrades work (construction, underground depth, excavation/trenching, boring, backfilling, cut-over, borrow pitting, blasting, rigging, water diversion, cabling, etc.) on:
  - 1. The District’s air quality (noise, fumes, dust contamination) and overall environment.
  - 2. The District’s road network and surface infrastructure (trees, easements, rights of way, sidewalks, retaining walls, etc.).
  - 3. The District’s existing underground infrastructure (tree root structures, interfaces with subway corridor and tunnels, wayside, train envelopes, transit system utilities, vital and non-vital signal and communications wiring/equipment, natural gas pipelines and related protection systems, underground storage tanks, telephone lines, cable lines and ducts, water lines, unknown obstructions, etc.).
  - 4. Road transportation in the District (street closings, detours, night-time work, and traffic slowdowns, etc.
  - 5. Joint use poles, cable and other communications systems, e.g., fiber optics cables.
- E. Public safety, public health and occupational safety and health hazards and assess the overall risks associated with the Capital Grid Project NOC-1.

**Task No. 4** – Offeror shall provide the following final report deliverables:

- A. Render a preliminary final report within 90 days of receipt of the necessary information as mutually agreed by the Offeror and OTRA.
- B. Render a final report within 30 days of filing the preliminary report.

Offerors need to submit one combined proposal to cover Task No. 1, Task No. 2, Task No. 3, and Task No. 4. Reviewing filings, parties’ comments, and reply comments, and all work papers is included in all tasks.

All Offerors should provide a separate time-and-materials cost estimate for any work related to

hearings (if any are scheduled) and motions for reconsideration (if any are filed) after the Commission's decision is rendered.

In addition, selected Offeror must be prepared to meet with Staff and the Commissioners, as necessary, to provide information and explain technical matters over the course of the Commission's deliberations in the proceeding.

## **SECTION 2 – BUSINESS & CONTRACT TERMS**

It is anticipated that the contract will be for one (1) base year with two (2) one-year option periods that can be exercised by the Commission at its sole discretion.

## **SECTION 3 – AUTHORITY**

This Request For Proposals (“RFP”) is released pursuant to the Commission’s procurement regulations, 15 DCMR § 2200 *et. seq.* (2000), which is published on the Commission’s website at [www.dcpsc.org](http://www.dcpsc.org) or click on [http://www.dcpsc.org/pdf\\_files/commorders/dcmr15/Chapter22.pdf](http://www.dcpsc.org/pdf_files/commorders/dcmr15/Chapter22.pdf).

## **SECTION 4 – RFP AVAILABILITY**

The RFP will be published on the Commission’s website at [www.dcpsc.org](http://www.dcpsc.org) or click on <http://dcpsc.org/About-PSC/Procurement/Contracting-and-Procurement/Requests-for-Proposals.aspx>. A copy of the RFP also may be obtained by e-mail or written request to:

Jesse P. Clay, Jr.  
Deputy Executive Director for Administrative Matters  
Public Service Commission of the District of Columbia  
1325 G Street, N.W., 8th Floor, Washington, D.C. 20005  
Email: [jclay@psc.dc.gov](mailto:jclay@psc.dc.gov)

## **SECTION 5 – CLARIFYING INFORMATION**

Any company or person wishing to obtain clarifying information about this RFP may submit inquiries *in writing only* to:

Jesse P. Clay, Jr.  
Deputy Executive Director for Administrative Matters  
Public Service Commission of the District of Columbia  
1325 G Street, N.W., 8th Floor, Washington, D.C. 20005  
Email: [jclay@psc.dc.gov](mailto:jclay@psc.dc.gov)

All inquiries for information must be made in writing and submitted to the Commission on or before **Wednesday, July 12, 2017, no later than 2:00 p.m., EST**, to the attention of Jesse P. Clay, Jr. at the above-stated Commission’s office or email address. The RFP number, RFP-PSC-17-10, must be identified in the written request for information.

In order to assure that no prospective Offeror may obtain a competitive advantage because of acquisition of information unknown to other prospective Offerors, answers to all written questions timely received will be posted on the Commission’s Contracting and Procurement webpage, at [www.dcpsc.org](http://www.dcpsc.org), click on About PSC, Contracts and Procurements, Request for

Proposals, and click on:

RFP No.: PSC-17-10 -**Request For Proposals To Assist The Commission In Reviewing The Potomac Electric Power Company's ("Pepco") Formal Notice Of Construction Of The Capital Grid Project.** or click on <http://dcpsc.org/About-PSC/Procurement/Contracting-and-Procurement/Requests-for-Proposals.aspx> by close of business, **Wednesday, July 19, 2017, no later than 4:00 p.m., EST.**

### **SECTION 6 – TIMING/DEADLINE FOR SUBMISSION OF PROPOSALS**

The times stated in this document refer to Eastern Standard Time (“EDT”) where appropriate. The closing date for proposals is **no later than 4:00 p.m., Wednesday, July 26, 2017.** Any proposals received after the deadline will not be considered. One (1) original and three (3) copies must be submitted under seal to:

Jesse P. Clay, Jr.  
Deputy Executive Director for Administrative Matters  
Office of the Commission Secretary  
Public Service Commission of the District of Columbia  
1325 G Street, N.W., 8th Floor,  
Washington, D.C. 20005

### **SECTION 7 – ELIGIBLE OFFERORS**

To be eligible, Offerors must be neutral and impartial and not advocate specific positions to the Commission in proceedings not related to matters within the scope of work in this RFP. Eligible Offerors must demonstrate technical capabilities, competence, and resources to perform the duties as delineated in the Scope of Work, Section I of this RFP.

### **SECTION 8 – PROPOSAL REQUIREMENTS**

Proposals submitted in response to this request must meet the following conditions to be considered for selection. Faxed proposals will not be accepted under any circumstances.

**PROPOSALS MUST BE WRITTEN ENTIRELY ON 8½” x 11” PAPER. PROPOSALS SHOULD INCLUDE NECESSARY APPENDICES AND ATTACHMENTS. PROPOSALS SHOULD BE STAPLED IN THE TOP LEFT CORNER OR BOUND IN A 3-RING BINDER.**

**PROPOSALS MUST BE SUBMITTED IN A MANNER THAT DOES NOT PRESENT ANY BENEFIT, KEEPSAKE, OR VALUE FOR MEMBERS OF THE REVIEW PANEL.**

Proposals shall begin with a cover page that clearly states the name of the Offeror and the name, address, telephone number, fax number and email address, if available, of the Offeror’s contact person who may be contacted directly regarding the proposal. The cover page shall make up the cover of the proposal. All parts of the proposal after the cover page must be filed under seal. A proposal must be submitted in the format outlined herein with a Table of Contents. Pages of the proposal must be numbered with index tabs included for each section.

## **SECTION 9 – SOURCE SELECTION**

The Commission will award the contract to the Offeror that, in light of all factors, best meets the requirements of this proposal. Each Offeror will be evaluated in accordance with the procedures set forth in this RFP and the Commission’s procurement regulations. The Commission’s selection will be based on the Evaluation Criteria in Attachment A.

## **SECTION 10 – ANTICIPATED SCHEDULE OF ACTIVITIES<sup>5</sup>**

Publish RFP on Commission website	July 5, 2017
RFP questions from Offerors due to the Commission	July 12, 2017
Responses to questions posted on the Commission’s website	July 19, 2017
Deadline for submission of proposals	July 26, 2017
Approved by Commission	August 2, 2017
Contract Negotiations	August 7, 2017
Contract Award	August 11, 2017
Commencement of Activities	Immediately

## **SECTION 11 – LIST OF ATTACHMENTS**

- Attachment A – Special Provisions
- Attachment B – Proposal Evaluation Criteria
- Attachment C - The Public Service Commission of the District of Columbia’s Procurement regulations 15 DCMR § 2200 *et. seq.* (2000)
- Attachment D – Disclosure Statement
- Attachment E – Tax Certificate

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5      **Disclaimer:** Dates are subject to change.

## ATTACHMENT A

### SECTION A: SPECIAL PROVISIONS

#### **A.1 Preference for Local and Disadvantaged Business Enterprises or Businesses Operating in an Enterprise Zone**

**General:** Under the provisions of the Small, Local and Disadvantaged Business Enterprise Development and Assistance Amendment Act of 2005,<sup>6</sup> preference shall be given to Offerors that are certified by the Department of Small and Local Business Development (“DSLBD”) as having resident business ownership, being a Local Business Enterprise, being a Disadvantaged Business Enterprise, or as operating in an Enterprise Zone. (A copy of the certification acknowledgment letter must be submitted with the Offeror’s submission and, if applicable, the Technical Proposal.) In accordance with these laws, the following preferences shall be awarded in evaluating an Offeror’s proposal:

- Three points shall be awarded if the Offeror is certified as a small business enterprise;
- Five points shall be awarded if the Offeror is certified as resident-owned business;
- Ten points shall be awarded if the Offeror is certified as a longtime resident business;
- Two points shall be awarded if the Offeror is certified as a local business enterprise;
- Two points shall be awarded if the Offeror is certified as a local business enterprise with its principal office located in an enterprise zone; and
- Two points shall be awarded if the Offeror is certified as a disadvantaged business enterprise.

A Certified Business Enterprise (“CBE”) shall be entitled to any or all of the preferences provided in this section, but in no case shall a CBE be entitled to a preference of more than 12 points or a reduction in price of more than 12 percent.

**Information:** For information regarding the application process, contact the DSLBD at the following address or telephone number:

Department of Small and Local Business Development  
Government of the District of Columbia  
One Judiciary Square  
441 - 4th Street, N.W., 9<sup>th</sup> Floor, Suite 970 N  
Washington, D.C. 20001  
(202) 727-3900 (Telephone Number)  
(202) 724-3786 (Facsimile Number)

Any Offeror with Local Business Enterprise or Disadvantaged Business Enterprise certification as its joint venture or constituent entity, shall be entitled to the applicable preference points provided for in the Small, Local, and Disadvantaged Business Enterprise Development and

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<sup>6</sup> D.C. Code §2-218.01 *et. seq.* (2006 Repl. & Supp. 2008).

Assistance Act, Part D, Subpart 2, Sec. 2343 in direct proportion to the percentage of the effort to be performed by the Local Business Enterprise or Disadvantaged Business Enterprise. A copy of the certification acknowledgment letter must be submitted with the Offeror's Proposal.

## **A.2 Time**

Unless otherwise specified in this RFP, time, if stated in number of days, shall include Saturdays, Sundays and holidays.

## **A.3 Licensing, Accreditation and Registration**

The selected Offeror shall comply with all applicable District of Columbia and federal licensing, accreditation, and registration requirements and standards necessary for the performance of the contract.

## **A.4 Limitation of Authority**

Only the Commission or a person with prior written authority from the Commission shall have the express, implied, or apparent authority to alter, amend, modify, or waive any clause or condition of the contract. Furthermore, any alteration, amendment, modification, or waiver of any clause or condition of this RFP is not effective or binding unless made in writing and signed by the Commission or its authorized representative.

## **A.5 Conformance with Laws**

It shall be the responsibility of the selected Offeror to perform under the contract in conformance with the Commission's procurement regulations and all statutes, laws, codes, ordinances, regulations, rules, requirements, orders, and policies of governmental bodies, including, without limitation, the U.S. Government and the District of Columbia government; and it is the sole responsibility of the selected Offeror to identify the procurement regulations, statutes, laws, codes, ordinances, regulations, rules, requirements, orders and policies that apply and their effect.

# **SECTION B: PROPOSAL REQUIREMENTS**

## **B.1. List of Required Documentation**

Offerors are required to submit the following information with their proposals:

- a. An executive summary that provides an overview;
- b. A statement of the Offeror's experience;
- c. A list of key individuals and their resumes;
- d. A detailed cost and price proposal; and
- e. A CBE Utilization Plan (if applicable).

## **B.2 Work Plan(s)**

Offerors shall briefly describe clearly and specifically their proposals for carrying out the responsibilities associated with the Scope of Work in Section 1 of this RFP. Additionally, Offerors shall be prepared to clearly and completely describe in detail their proposals as soon as

possible after the contract award, including a timeline for all deliverables. The timeline must identify the key milestones, tasks, activities and events outlined in the Scope of Work.

### **B.3 Prior Experience and Qualifications**

Offerors shall describe their prior experience and qualifications to review the reasonableness, safety, and need for the underground transmission lines and substations and other work required for Pepco's proposed Capital Grid Project NOC-1. Must have knowledge and experience of transmission and distribution system planning and design, have knowledge and experience of the feasibility and soundness of the engineering concepts and designs, specifications, standards, and constructability of the underground transmission lines and substations. Must have knowledge and experience of the Environmental Impact Assessment and Remediation ("EIS"). Public safety, public health and occupational safety and health hazards and assess the overall risks to the environment and community associated with the construction of the underground transmission lines and substation work.

### **B.4 Personnel**

Identify the persons who will perform the work described in this RFP and provide a detailed resume for each individual that describes the qualifications applicable to the performance of the tasks for which they would be responsible. Please include an organizational chart showing reporting relationships of team personnel. The Commission must be notified of any personnel changes if individuals assigned to work on this project(s) are relieved of their responsibilities. Offerors shall designate one individual as the project manager and this person shall be responsible for project management, reporting, coordination, and accountability for the entire project.

### **B.5 Budget**

Costs must be justified in terms of activities and objects of expenditure and must be reasonable and necessary to the project as outlined in the Scope of Work, Section 1, of this RFP. Financial resources must be adequately and appropriately allocated among cost categories in a cost-effective and prudent business manner to accomplish the RFP objectives and activities. Services to be purchased from other agencies, subcontractors, including any amounts subcontracted to CBE's, consultants, and others must be specified.

### **B.6 Statement Regarding Potential Conflicts of Interest**

Each Offeror shall identify any relationships between itself or its employees and the companies under the jurisdiction of the Commission, or any parent, subsidiary or affiliate, of such companies. The extent, nature and time aspects must be identified. If there have been no such relationships, a statement to that effect shall be included in the proposal. Failure to provide the statement on potential conflicts of interest will automatically disqualify the Offeror.

### **B.7 Financial Capability**

Offerors shall describe their financial capability to complete the work required and to sustain operations for the term of the contract. Acceptable evidence of financial capability includes an audited financial statement within the past 12 months from a certified public accountant.

## **B.8 Insurance**

### **B.8.1 Required Policies**

The selected Offeror shall be required to maintain: (i) workers compensation insurance in accordance with statutory limits; (ii) a general liability insurance policy with limits of at least the value of the contract; (iii) an employer's liability policy; and (iv) an umbrella policy providing coverage at least as extensive as the underlying policies.

### **B.8.2 Required Endorsements**

All policies required hereunder must show the selected Offeror as the certificate holder and must contain language requiring a sixty (60) day prior notification directly to the Commission.

All insurance policies shall be issued by insurers licensed to do business in the District of Columbia and any insuring company is required to have a minimum rating of an A-, Class C in Best's Key Rating Guide published by A.M. Best and Company, Inc.

## **B.9 Corporate Information**

Offerors, if incorporated, shall attach to the proposal, a current franchise tax Certificate of Good Standing, issued by the District of Columbia Comptroller's Office. Offerors shall provide to the Commission, Offeror's 9-digit Federal Employer's Identification Number (FEI#) or Social Security Number (SSN) if Offeror is an individual. If a domestic corporation, Offerors shall also provide to the Commission the corporation's charter number issued by the District of Columbia Department of Consumer and Regulatory Affairs. If a foreign corporation, Offerors shall also provide to the Commission a copy of a valid Certificate of Authority to do business in the District of Columbia, issued by the District of Columbia Department of Consumer and Regulatory Affairs.

## **B.10 Debarment and Suspension**

By submitting a proposal to the Commission, Offerors understand, agree, and certify that:

- a. Submitting a proposal with a false statement is a material breach of contract and shall void the submitted proposal and any resulting contract, and the Offeror shall be removed from all future contracting opportunities with the District of Columbia Public Service Commission. The Commission may debar and suspend the Offeror for:
  - (i) engaging in contract fraud or a criminal offense incident to obtaining, attempting to obtain, or performing a public contract or subcontract (Payments due under the contract will be applied towards any debt, including but not limited to delinquent taxes, that is owed the District of Columbia);
  - (ii) violating federal or state antitrust statutes related to the submission of bids and proposals;
  - (iii) engaging in acts involving embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, false statements, tax evasion, or any other offense indicating a lack of business integrity or business honesty; and,
  - (iv) being convicted of any other offense that indicates a lack of business integrity of present responsibility as a Offeror.

- b. The Commission, in its discretion, may debar or suspend any Offeror as a result of:
- (i) willful failure to perform in accordance with the specifications within the time limit provided in a contract; (ii) a record of failure to perform or of unsatisfactory performance of the terms of one or more contracts; or (iii) false assertion of status giving rise to special benefits under the laws of the District of Columbia.

### **SECTION C: PROPOSAL ORGANIZATION AND SUBMISSION**

This section outlines specific information necessary for the proper organization of the Offeror's proposal and manner in which the proposal should be proffered.

#### **C.1 Submission Identification**

**Submissions shall be proffered as one (1) original and three (3) copies, and each Offeror's submission shall be placed in a sealed envelope conspicuously marked: "Submission In Response To RFP No. PSC-17-10:**

**The Public Service Commission of the District Of Columbia ("Commission's") Request For Proposals to Assist the Commission in Reviewing the Potomac Electric Power Company's ("Pepco") Formal Notice Of Construction Of The Capital Grid Project."**

#### **C.2 Delivery or Mailing of Submissions**

Submissions should be delivered or mailed to:

Jesse P. Clay, Jr.  
Deputy Executive Director for Administrative Matters  
Public Service Commission of the District of Columbia  
1325 G Street, N.W.  
8th Floor  
Washington, D.C. 20005

#### **C.3 Date and Time for Receiving Submissions**

**Submissions shall be received no later than 4:00 p.m., EST, Wednesday, July 26, 2017.** Offerors assume the sole responsibility for timely delivery of their submission, regardless of the method of delivery.

#### **C.4 Submission Size, Organization and Offeror Qualifications**

All submissions shall be submitted on 8-1/2" x 11" paper and typewritten. Telephonic, email, telegraphic, and facsimile submissions shall not be accepted. The Commission is interested in a qualitative approach to presentation material. Brief, clear, and concise material is more desirable than quantity.

#### **C.5 Acknowledgment of Amendments and Addenda**

Offerors shall acknowledge receipt of any amendment or addenda to this RFP by: (i) signing and returning the amendment or addenda or (ii) letter or telegram, including

mailgrams or by facsimile. The Commission must receive the acknowledgment by the date and time specified for receipt of submissions. An Offeror's failure to acknowledge an amendment or addenda may result in rejection of its proposal.

## **SECTION D: GENERAL REQUIREMENTS**

### **D.1 Contact Person**

For information regarding this RFP please contact:

Jesse P. Clay, Jr.  
Deputy Executive Director for Administrative Matters  
Public Service Commission of the District of Columbia  
Email: [jclay@psc.dc.gov](mailto:jclay@psc.dc.gov)  
Telephone: 202-626-5145

### **D.2 Explanations to Prospective Offerors**

Offerors should carefully examine this RFP and all amendments, addenda, or other revisions, and be thoroughly familiar with all requirements prior to proffering a submission. Should an Offeror find discrepancies or ambiguities in, or omissions from, the RFP and amendments, addenda or revisions, or otherwise desire an explanation or interpretation of the RFP, any amendments, addenda, or revisions, it must submit a request for interpretation or correction in writing. Any information given to an Offeror concerning the solicitation shall be furnished promptly to all other Offerors as an amendment or addendum to this RFP if, in the sole discretion of the Commission, that information is necessary in proffering submissions or if the lack thereof would be prejudicial to any other prospective Offerors. Oral explanations or instructions given before the award of the contract shall not be binding.

### **D.3 Protests/Disputes**

Protests and disputes shall be governed by Sections 2206 and 2207 of the Commission's Procurement regulations (15 DCMR §§ 2206-7). As provided in Section 2206.1, protests alleging defects in this solicitation must be filed within ten (10) business days of the solicitation. If an alleged defect does not exist in this initial RFP, but was incorporated into the RFP by an amendment or addendum, a protest based on that defect must be filed before the next closing time established for proffering submissions. In all other cases, a protester shall file the protest within ten (10) days after the protester knows or should have known, whichever is earlier, of the facts and circumstances upon which the protest is based. All protests must be made in writing to the Office of the Commission Secretary and must be filed in duplicate. Protests shall be served on the Commission by obtaining written and dated acknowledgment of receipt from the Office of the Commission Secretary. Protests received by the Commission after the indicated period shall not be considered. To expedite handling of protests, the envelope shall be labeled "Protest." The written protest shall be signed by the protester or its representative and shall include at a minimum the following:

1. The name, address, and telephone number of the protester;

2. Appropriate identification of the procurement, i.e., the RFP number and, if a contract has been awarded, its number;
3. A concise statement of the grounds for the protest and a specific request for a ruling from the Chief Contracting Officer of the Commission; and
4. Supporting exhibits, evidence or documents to substantiate any claims, unless not available within the filing time, in which case the expected availability date should be indicated.

#### **D.4 Contract Award**

This procurement is being conducted in accordance with the Commission's procurement regulations, 15 DCMR § 2200 *et. seq.* (2000).

#### **D.5 Written or Oral Discussions**

Section 2202.12 of the Commission's procurement regulations permits the Contracting Officer to conduct oral discussions with Offerors that tender submissions to expedite the proposal evaluation process.

##### **D.5.1 Award Without Discussions**

In order to meet the award schedule, the Commission will make every effort to award the prospective contract without either written or oral discussions. Therefore, each Offeror is advised that it should submit a complete and thorough submission that is fully compliant with the instructions in this RFP.

##### **D.5.2 Written or Oral Discussions**

If the Contracting Officer elects to hold discussions with Offerors, then a competitive range will be established based on the Evaluation Criteria set forth in Attachment A of this RFP. Upon completion of discussions, the Contracting Officer will issue to all Offerors in the competitive range a request for best and final offers. After receipt of best and final offers, the Contracting Officer will not reopen discussions unless it is clearly in the best interest of the Commission to do so.

#### **D.6 Retention of Submissions**

All submissions shall be retained by the Commission and therefore shall not be returned to the Offerors.

#### **D.7 Examination of Submissions**

Offerors are expected to examine the requirements of all instructions (including all amendments, addenda, attachments and exhibits) in this RFP. Failure to do so shall be at the sole risk of the Offeror and may result in disqualifications.

#### **D.8 Late Submissions: Modifications**

Any submission or best and final offer received at the office designated in this RFP after the exact time specified for receipt shall not be considered. Any modification of a submission, including a modification resulting from the Contracting Officer's request for best and final offers, is subject to the same conditions as in Section C.

The only acceptable evidence to establish the time of receipt at the Commission is the time-date stamp of the Commission on the submission cover page or other documentary evidence of receipt maintained by the Commission. Notwithstanding any other provisions of this RFP to the contrary, a late modification of an otherwise successful submission that makes the terms more favorable to the Commission may be considered at any time it is received and may be accepted.

Submissions shall be irrevocable and remain in full force and effect for a period not less than 120 days after receipt of submissions.

**D.9 No Compensation for Preparation of Submissions**

The Commission shall not bear or assume any financial obligation or liability regarding the preparation of any submissions in response to this RFP or prepared in connection therewith, including but not limited to any submissions, statements, reports, data, information, materials or other documents or items.

**D.10 Rejection of Submissions**

The Commission reserves the right, in its sole discretion:

1. To cancel this solicitation or reject all submissions.
2. To reject submissions that fail to prove the Offeror's responsibility.
3. To reject submissions that contain conditions and/or contingencies that, in the Commission's sole judgment, make the submission indefinite, incomplete, otherwise non-responsive, or otherwise unacceptable for award.
4. To waive minor irregularities in any submission, provided such waiver does not result in an unfair advantage to any Offeror.
5. To take any other action within the applicable procurement regulations or law.
6. To reject the submission of any Offeror that has submitted a false or misleading statement, affidavit or certification in connection with such submission or this RFP.

## **SECTION E: EVALUATION CRITERIA and AWARD PROCESS**

### **E.1 Evaluation Process**

The Commission shall evaluate proposals and any best and final offers in accordance with the provisions of the Evaluation Criteria in Attachment B.

### **E.2 Evaluation Committee**

Each proposal shall be evaluated by an Evaluation Committee in accordance with the Evaluation Criteria contained in Attachment B. The Evaluation Committee shall prepare a written report summarizing its findings and submit the same to the selection official(s). Based on the information submitted by the Offerors in response to this RFP and the report prepared by the Evaluation Committee, the selection official shall select proposals that are determined to best meet the criteria in this proposal.

**ATTACHMENT B**

Proposal Evaluation Criteria

**ATTACHMENT C**

Public Service Commission of the District of Columbia's Procurement regulations – 15  
DCMR § 2200 *et. seq.* (2000).

**ATTACHMENT D**

DISCLOSURE STATEMENT

Personnel who will perform the work described in the RFP shall disclose to the Commission whether they are blood related to the following individuals or have worked for the Commission in the past five (5) years:

Chairperson Betty Ann Kane

Commissioner Willie L. Phillips

Commissioner Richard A. Beverly

**ATTACHMENT E**

Tax Certificate

