

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

**REQUEST FOR PROPOSALS  
RFP NO. PSC-19-04**

**INDEPENDENT CONTRACTOR'S REVIEW OF PEPCO'S PROGRAMS RELATED  
TO MANHOLE INSPECTION, MAINTENANCE, AND TRAINING**

**Proposal Issue Date:**           **January 23, 2019**

**Proposal Due Date:**           **February 14, 2019, no later than 4:00 pm EDT**

**Contact:**                       Karen M. Hester  
Contract Specialist  
Public Service Commission of the District of Columbia  
1325 G Street, N.W., Suite 800  
Washington, D.C. 20005  
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## **SECTION A EXECUTIVE SUMMARY**

### **A.1 Purpose**

The Public Service Commission of the District of Columbia (“Commission”) requires the assistance of a technical consultant to monitor, inspect, audit and report on PEPCO’s programs related to manhole inspection, maintenance, and training.

### **A.2 Contract Term**

The base year of the contract will be for one year from the date of award. The Commission shall have the unilateral right to extend the term of the contract for two additional one-year periods at the end of the base year.

### **A.3 Type of Contract**

The contract resulting from this RFP will be Fixed Price for Task 1 and Time and Materials for Task 2.

### **A.4 Selection Criteria**

Proposals will be evaluated in accordance with Part D of this RFP. The following evaluation criteria will be used:

- Experience & Past Performance (20 points)
- Key Personnel (20 points)
- Work Plan & Technical Approach (40 points)
- Price (20 points)

### **A.5 Anticipated Procurement Schedule**

Publish RFP on Commission website	January 24, 2019
Deadline for RFP questions	January 30, 2019
Responses to questions posted on the Commission’s website	February 5, 2019
Deadline for submission of proposals	February 14, 2019
Selection of Offeror approved by the Commission	March 14, 2019
Contract Executed	March 21, 2019
Commencement of project activities	Immediately

### **A.6 List of Attachments**

Attachment A - Disclosure Statement  
Attachment B - Past Performance Evaluation Form  
Attachment C - Offer Letter/Bid Form  
Attachment D – Tax Certification Affidavit

## **SECTION B SCOPE OF WORK**

### **B.1 Background**

The Commission is statutorily charged with, among other things, ensuring that the facilities and services furnished by the public utilities are reasonably safe and adequate.<sup>1</sup> Pursuant to its statutory mandate, the Commission opened Formal Case No. 991 on March 6, 2000, to investigate the manhole incidents that began occurring in the District of Columbia.<sup>2</sup> On June 26, 2001, in Order No. 12036, the Commission directed, among other things, that Potomac Electric Power Company (“PEPCO”) file quarterly manhole inspection reports.<sup>3</sup>

On May 16, 2003, the Commission released its Opinion and Order (Order No. 12735), regarding its investigation into the cause or causes of manhole explosions and fires in the District of Columbia.<sup>4</sup> The Commission adopted several measures for PEPCO to implement to address the problems identified and documented by the Commission’s investigation. The Commission required, among other things, that PEPCO expand its on-going manhole inspection effort from 5,000 manholes a year to 10,000 manholes a year in order to complete the inspection of all of its approximately 60,000 manholes every six (6) years. The Commission also required PEPCO to prepare a plan and provide periodic reports on the implementation of remedial actions mandated by the Commission as a result of the investigation, as well as those undertaken by PEPCO’s own initiative. Since the implementation of these requirements, PEPCO has taken several remedial actions and instituted the reporting requirements mandated by the Commission.

In addition, for twelve (12) years, the Commission has retained a technical consultant to complete the following: 1. Monitor, assess, evaluate, and report on PEPCO’s implementation of all remedial and investigative activities required by Commission Order No. 12735; 2. Draft findings regarding PEPCO’s underground electrical distribution system; 3. File a report each year that details its findings and PEPCO’s compliance with the Commission’s directives, and 4. Perform 200 (now 300) independent manhole inspections and technical auditing services and file reports. Further, the Commission has initiated additional formal cases related to the safety and reliability of PEPCO’s distribution system. The Offeror will be required to assist the Commission in resolving technical, safety, and reliability issues in other formal cases relating to manhole inspections.

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<sup>1</sup> See D.C. Code, 2001 Ed. § 34-301

<sup>2</sup> See Formal Case No. 991, *In the Matter of the Investigation Into Explosions Occurring In or Around the Underground Distribution Systems of the Potomac Electric Power Company (“F.C. 991”)*, Order No. 11625, rel. March 6, 2000 (“Order No. 11625”).

<sup>3</sup> *F.C. No. 991*, Order No. 12036, rel. June 26, 2001.

<sup>4</sup> See Formal Case No. 991, *In the Matter of the Investigation Into Explosions Occurring In or Around the Underground Distribution Systems of the Potomac Electric Power Company (“F.C. 991”)*, Order No. 12735, rel. May 16, 2003 (“Order No. 12735”).

## **B.2    Task 1 - Inspect and Report on PEPCO Manhole Activity**

The Commission requires the Offeror to monitor, assess, evaluate, and report on PEPCO's implementation of all remedial and investigative activities required by Commission Order No. 12735 in F.C. No. 991. The Contractor shall independently inspect and report on 300 or more PEPCO manholes in the District. The Contractor will conduct inspections, studies and investigations, collect and analyze data, and draft findings regarding the safety and reliability of PEPCO's underground, above ground and overhead electrical distribution system, and perform other duties as directed. The Offeror will be required to file periodic and annual reports that detail its findings and PEPCO's compliance with the Commission's directives. In order to accomplish this, the Contractor shall:

- B.2.1** Apply detailed selection criteria and select at least 300 manholes by valid (stratified random) sampling methodology, including geographic diversity in the District, recent inspections by PEPCO's contractors, inspections along feeders appearing and re-appearing on the annual least performing feeders list, and at locations of recent manhole events, particularly the severe events.
- B.2.2** Review previous manhole inspection reports and the maintenance history of manholes involved in manhole events.
- B.2.3** Review and analyze the loading history and rating of the feeders and report on overloading incidents.
- B.2.4** Visually inspect and digitally photograph the contents of at least 300 manholes, including all cables, splices and equipment. Identify all reportable conditions for remediation. Take temperature readings using a thermal gun and report any and all readings found to be above maximum allowable for the specific cables and splices, and recommend remedial action(s).
- B.2.5** Review and comment on the accuracy of PEPCO's description of the network transformer primary cabinet failures and help assure that PEPCO's future equipment related manhole events reflect corrosion as a descriptive cause whenever observed.
  - B.2.5.1** Monitor to validate that PEPCO includes observation of significant rusting (corrosion) on transformers and other critical equipment as a Priority 1 Reportable Condition (requiring corrective action within five (5) days) in the Company's manhole inspection program Repair Priority Schedule.
  - B.2.5.2** Investigate and validate the number of infrared surveys and mappings conducted by PEPCO to detect hot spots/potential fault spots.
  - B.2.5.3** Conduct a detailed and meticulous inspection of each cable splice to check and report on evidence of:
    - Paper insulation wrinkled during the splicing process

- Paper insulation damaged while bending the conductors
- Irregularity or void in the insulation
- Joints submerged under water
- Voids in the outer lead covering or in the filler
- Water infiltration into the splice
- Oil infiltration into the splice
- Arc proof tape applied to imploded areas/dents on PILC splices

**B.2.5.4** Verify quality assurance (“QA”) by comparing inspection findings with PEPCO’s inspection documentation and recently inspected manholes. Examine and assess the results from PEPCO’s manhole inspection quality control (“QC”) program and determine the extent to which contractor inspections have been accepted or rejected based on protocol and re-inspection samples performed by PEPCO personnel. Review the status and performance of the manhole inspection training program and refresher training efforts.

**B.2.5.5** Review and comment on PEPCO’s inspection of manholes adjacent to the event manhole during the post-event repair and inspection procedure.

**B.2.5.6** Examine and inspect PEPCO’s manhole inspection records and reports to ensure/validate that: 1) all of the 10,000 manholes scheduled for inspection each year were actually inspected, 2) all of the 60,000 manholes in PEPCO’s distribution system have been inspected at least once during the six-year inspection cycle with no repeat inspection of any manhole conducted counted towards the 10,000 manhole inspection target per year or the 60,000 manhole inspection target over six years.

**B.2.5.7** Provide detailed analysis of results of the manhole-related findings and issues and make specific recommendations on new technologies for manhole construction and rehabilitation/rebuilding of existing manholes.

**B.2.5.8** Provide timely analysis and comments if requested and required by the Commission and Staff on inspection and maintenance items, including but not limited to PEPCO’s quarterly manhole inspection reports and reports in response to various Commission orders.

**B.2.5.9** Prepare and submit an Annual Technical Audit Report.

**B.2.6.** Review and analyze PEPCO’s outages, the causes and the frequency of the manhole incidents implicated in the outages. In order to accomplish this, the Contractor will:

**B.2.6.1** Review and analyze PEPCO’s power outage and manhole event reports by cause categories (e.g., equipment failures, weather/precipitation/chemicals, animals, etc.) and summarize the trends and root causes. Conduct analyses of manhole events and trends, including the severity of events (explosions, fires, smokers), number of manhole events by primary vs. secondary system, and primary voltage levels, geographic location, including clustering of events by neighborhood, cable/splice type and date, equipment and date, identity of technician/splicer, and secondary splice technologies.

- B.2.6.2** Examine and comment on PEPCO's underground system reliability performance vis-à-vis the Commission's standards such as the Electricity Quality of Service Standards ("EQSS") (blue sky System Average Interruption Frequency Index ("SAIFI"), System Average Interruption Duration Index ("SAIDI"), Customer Average Interruption Duration Index ("CAIDI")), and major (storm) outage restoration benchmarks ("MSO"), as appropriate.
- B.2.7** Conduct interviews with PEPCO's personnel as directed and/or pre-approved by the Contract Administrator regarding topics of current interest and concern. In order to accomplish this, the Contractor shall:
- B.2.7.1** Schedule visits to PEPCO's offices for interviews and discussions with PEPCO management, professional and technical personnel. **(Note: All data requests and planned visits to PEPCO must first be submitted to and formally approved by the Contract Administrator).**
- B.2.7.2** The topics to be discussed may include the following: a) the manhole inspection program; b) status of the expanded use of slotted/vented manhole covers; c) status of the secondary splice technologies pilot project; d) the Paper Insulated Lead Cable ("PILC") replacement programs with latest generation of solid dielectric cable; e) changes or enhancements to PEPCO's asbestos and asbestos containing materials ("ACM") management and reporting policies, procedures and practices, and appropriate recommendations for improvement; and, f) results of PEPCO's cathodic protection and corrosion control/abatement program for the period. Additional topics may be addressed in light of investigative findings, and with approval of the Contract Administrator.
- B.2.8** Provide advice and confer with Commission Staff as necessary. In order to accomplish this, the Contractor will:
- B.2.8.1** Provide contact information for its Project Manager and all key team members to the Commission. This will include office and cell phone numbers, e-mail addresses, and office addresses.
- B.2.8.2** The Project Manager will be available on short notice throughout the duration of the contract.
- B.2.8.3** In the event issues and/or concerns arise that require immediate attention by the Commission or the Contractor, the Contractor will communicate such items at any time during the contract.
- B.2.9** The Contractor's reports to the Commission shall be the primary project deliverables. The reports will include:
- Periodic Project Status Reports that contain a description of the project team's efforts.
  - Annual Technical Audit Report for PSCMIR.

- Drafts of PSCMIR related memoranda, data requests, and opinions as requested by the Commission and Staff and as required during project execution.

### **B.3    Task 2 – Technical Assistance**

The Offeror will be required to assist the Commission in resolving technical, safety, and reliability issues in other formal cases relating to manhole inspections and events.

## **SECTION C: ECONOMIC INCLUSION**

### **C.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>5</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.

**C.1.1** 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.

**C.1.2** 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 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.

**C.1.3** A prime contractor that is a CBE and has been granted an offer preference pursuant to D.C. Official Code § 2-218.43, or is selected through a set-aside program, shall perform at least 50% of the contracting effort with its own organization and resources and, if it subcontracts, 50% of the subcontracting effort shall be with CBEs. A CBE prime

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<sup>5</sup> D.C. Code §2-218.01 *et. seq.* (2006 Repl. & Supp. 2008).



contractor that performs less than 50% of the contracting effort shall be subject to enforcement actions under D.C. Official Code § 2-218.63.

**C.1.4** A prime contractor that is a certified joint venture and has been granted an offer preference pursuant to D.C. Official Code § 2-218.43, or is selected through a set-aside program, shall perform at least 50% of the contracting effort with its own organization and resources and, if it subcontracts, 50% of the subcontracting effort shall be with CBEs. A certified joint venture prime contractor that performs less than 50% of the contracting effort shall be subject to enforcement actions under D.C. Official Code § 2-218.63.

**C.2** **Information:** For information regarding the certification 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., 8<sup>th</sup> Floor, Suite 850N  
Washington, D.C. 20001  
(202) 727-3900 (Telephone Number)  
(202) 724-3786 (Facsimile Number)

## **SECTION D: EVALUATION AWARD CRITERIA**

### **D.1 Evaluation Process**

The Commission will award the contract to the Offeror whose proposal, in light of all factors, is most advantageous to the Commission. Each Offeror will be evaluated in accordance with the Evaluation Criteria listed below, the procedures set forth in this RFP and the Commission's procurement regulations.

### **D.2 Evaluation Committee**

Each proposal shall be evaluated by an Evaluation Committee in accordance with the Evaluation Criteria. The Evaluation Committee shall prepare a written report summarizing its findings and submit the same to the selection official(s). The selection official will consider the report prepared by the Evaluation Committee, in making an award decision.

### **D.3 Oral Presentation**

The Department reserves the right to interview Offerors in the competitive range if necessary. If the Department conducts such interviews, each Offeror within the competitive range shall make an oral presentation to the Department's Evaluation Committee and participate in a question and answer session. The purpose of the oral presentation and the question and answer session is to permit the Evaluation Committee to fully understand and assess the qualifications of each Offeror and the Offeror's key personnel.

#### **D.3.2 Schedule**

The order of presentation will be selected randomly, and the Offerors will be informed of their presentation date before the beginning of oral presentations. The Department reserves the right to reschedule the date and time of any Offeror's presentation.

#### **D.3.3 Offeror Attendees**

The oral presentation will be made by the Offeror's personnel who will be assigned the key jobs for this project. Each Offeror will be limited to 4 persons. The job functions of the persons attending the presentation will be considered to be an indication of the Offeror's assessment of the key areas of responsibility that are deemed essential to the successful completion of the project.

#### **D.3.4 Topics**

The Offeror may present information about its capabilities and special qualifications, including the qualifications of key personnel. The Offeror may be asked to present its proposed Work Plan.

#### **D.4 Proposal Evaluation**

Each proposal will be scored on a scale of 1 to 100 points. In addition, Offerors will be eligible to receive up to 12 preference points as described in **Section C.1** of this RFP for participation by Local, Small or Disadvantaged Business Enterprises. Thus, the maximum number of points possible is 112.

The Commission will use the following technical rating scale as a guide when assigning technical points to each offeror's proposal:

##### **Technical Rating Scale**

<b>Numerical Point Rating</b>	<b>Rating</b>	<b>Description</b>
0 -59	Unacceptable	Fails to meet minimum requirements, major deficiencies
60- 69	Poor	Marginally meets minimum requirements, significant deficiencies.
70 – 79	Acceptable	Meets requirements, only minor deficiencies.
80 – 89	Good	Meets requirements, no deficiencies.
90 – 100	Excellent	Exceeds most, if not all requirements, no deficiencies.

##### **D.4.1 Experience & Past Performance (20 points)**

The Commission desires to engage a Contractor with the experience necessary to perform the Scope of Work and realize the objectives set forth in **Section B** of this RFP.

Offerors will be evaluated based on the demonstrated experience qualifications, capabilities, and quality of past performance of the Contractor in completing projects of similar scope and complexity to that required by this RFP.

##### **D.4.2 Key Personnel (20 points)**

Offerors will be evaluated on the experience and qualifications of the key individuals assigned to this project. Offerors shall identify the persons who will perform the work described in this RFP and provide a detailed resume for each individual that describes the experience and 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. 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. The Commission must be notified of changes to the personnel assigned to work on this project(s).

In support of Task 1, each Offeror must provide a Key Personnel Resource Schedule which shows the level of effort by number of hours and position that the Offeror believes will be necessary to support its proposed work plan. This Key Personnel Resource Schedule will be evaluated to determine whether the Offeror fully understands the project and has allocated appropriate resources for this project.

#### **D.4.3 Work Plan (40 points)**

The Offeror shall present a proposed Work Plan that demonstrates its methodology for completion of Task 1. The Work Plan should include milestones, tasks, activities, events, deliverables, and timeframes that will facilitate completion of Task 1 on an annual basis.

Offerors will be evaluated based on, but not limited to: (a) the thoroughness, clarity and soundness of the proposed approach, (b) the method of communicating, both orally and in writing, with Commission staff and, and (c) a Work Plan that demonstrates Project Management expertise in (1), implementing this project and meeting the deadlines for the scheduled deliverables, (2) adjusting to changing circumstances, and (3), tracking the progress of the project. The Offeror's Resource Schedule described in section D.4.2 will also be reviewed as part of this factor.

#### **D.4.4 Price (20 points)**

The Commission desires a Fixed Price for Task 1 and Time and Materials for Task 2. To that end, Offerors are required to quote a lump sum fixed price for Task 1 and Hourly Rates with a not to exceed ceiling amount for Task 2, as indicated on Attachment C.

Price will initially be evaluated using an objective rating scale with the lowest price for Task 1 receiving the maximum point score and others receiving a proportionately lower score. Ultimately, the Commission will evaluate each Offeror's price against its technical proposal to determine which combination of price and technical merit is most advantageous to the Commission.

#### **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.

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

The Commission reserves the right 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 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 condition.

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: PROPOSAL ORGANIZATION AND SUBMISSION**

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

### **E.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-19-04: Independent Contractor's Review of PEPCO's Programs Related to Manhole Inspection, Maintenance, and Training**"

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

Submissions shall be delivered or mailed to:

Karen M/ Hester  
Contract Specialist  
Public Service Commission of the District of Columbia  
1325 G Street, N.W., 8<sup>th</sup> Floor  
Washington, D.C. 20005

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

**Submissions shall be received no later than 4:00 p.m., EST February 14, 2019.** Offerors assume the sole responsibility for timely delivery of their submission, regardless of the method of delivery.

### **E.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. The submission shall be organized as follows:

#### **E.4.1 Table of Contents**

The pages of the proposal must be numbered with index tabs included for each section.

#### **E.4.2 Disclosure Form**

Each Offeror shall submit a Disclosure Statement substantially in the form of **Attachment A**.

### **E.4.3 Executive Summary**

Each Offeror should provide a summary of no more than three pages of the information contained in the following sections.

#### **E.4.3.1 General Team Information and Firm(s) Data**

Each Offeror should provide the following information for the principal firm and any subconsultants or joint venture partner firms.

- A. Name(s), address(es), and role(s) of each firm (including all sub-consultants)
- B. Firm profile(s), including:
  - i. Age
  - ii. Firm history(ies)
  - iii. Firm size(s)
  - iv. Areas of specialty/concentration
  - v. Current firm workload(s) projected over the next six months
  - vi. Provide a list of any contracts held by the Offeror where the contract was terminated (either for default or convenience). This list should also identify any contracts that resulted in litigation or arbitration between the Owner and the Offeror. If the Offeror has multiple offices, only contracts held by the office submitting this proposal need be listed.
- C. **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.



#### **E.4.4 Experience and Past Performance**

List projects that the Offeror has completed in the last 5 years that are similar to this scope of work with descriptions that best illustrate the Offeror's experience and capabilities. In addition, identify any personnel who were assigned to those projects, who are proposed to provide services required under this RFP. Offeror shall provide at a minimum the following verifiable information:

1. Project name and location
2. Name, address, contact person, and telephone number of reference contact
3. Description of the work performed by the Offeror
4. Time period
5. Identification of Offeror's personnel involved who are proposed as key personnel for this RFP. Identification of whether key personnel are employees of prime contractor or subcontracted.
6. Offerors shall return a completed Past Performance Evaluation Form (**Attachment B**) for each project.

#### **E.4.5 Key Personnel**

The Offeror should submit information consistent with the requirements delineated in Section D.4.2.

#### **E.4.6 Work Plan and Technical Approach**

The Offeror should submit information consistent with the requirements delineated in Section D.4.3.

#### **E.4.7 Price**

The Offeror should submit **Attachment C**, Form of Offer Letter and Bid Form. In addition, the Offeror should submit cost information consistent with the requirements delineated in Section D.4.4.

#### **E.4.8 Tax Affidavit**

Each Offeror must submit a tax affidavit substantially in the form of **Attachment D**. In order to be eligible for this procurement, Offerors must be in full compliance with their tax obligations to the District of Columbia government.

## **SECTION F: GENERAL REQUIREMENTS**

### **F.1 Contact Person**

For information regarding this RFP, please contact:

Karen M. Hester.  
Contract Specialist  
Public Service Commission of the District of Columbia  
1325 G Street, N.W., 8<sup>th</sup> Floor  
Washington, D.C. 20005

### **F.2 Questions**

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

Karen M. Hester  
Contract Specialist  
Public Service Commission of the District of Columbia  
1325 G Street, N.W., 8<sup>th</sup> Floor  
Washington, D.C. 20005  
Email: [khester@psc.dc.gov](mailto:khester@psc.dc.gov)

All inquiries must be made in writing and submitted to the Commission on or **before January 30, 2019** to the attention of Karen M. Hester at the above-stated Commission's office or email address. RFP No. PSC-19-04, must be identified as the subject.

Answers to all written questions timely received will be issued by Addendum and posted on the Commission's Contracting and Procurement webpage, at [www.dcpso.org](http://www.dcpso.org) under RFP No. PSC-19-04.

### **F.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.

### **F.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;
1. 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
2. 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.

### **F.4 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.dcpssc.org](http://www.dcpssc.org) or click on:

<http://dcpssc.org/PSCDC/media/PDFFiles/Procurements/Chapter22.pdf> .

### **F.5 Time**

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

#### **F.6     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.

#### **F.7     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.

#### **F.8     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.

#### **F.9     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.

#### **F.10    Financial Capability**

The selected awardee may be required by the Commission to describe their financial capability to complete the work required and to sustain operations for the term of the contract. Acceptable evidence of financial capability may include, if requested, an audited financial statement within the past 12 months from a certified public accountant.

## **SECTION G: INSURANCE REQUIREMENTS**

### **G.1 Required Insurance**

The Contractor will be required to maintain the following types of insurance throughout the life of the contract.

**G.1.1** Commercial general public liability insurance (“Liability Insurance”) against liability for bodily injury and death and property damage, such Liability Insurance to be in an amount not less than One Million Dollars (\$1,000,000) for liability for bodily injury, death and property damage arising from any one occurrence and One Million Dollars (\$1,000,000) from the aggregate of all occurrences within each policy year. The policy should include completed operations coverage and must be maintained for a period of at least three (3) years after substantial completion occurs.

**G.1.2** Workers’ compensation and Employers Liability coverage providing statutory benefits for all persons employed by the Offeror, or its contractors and subcontractors at or in connection with the Work.

**G.1.3** Automobile Liability, including Hired and Non-Owned Auto Liability in the amount of at least One Million Dollars (\$1,000,000) for each occurrence for bodily injury and property damage.

### **G.1.4 Additional Insured**

Each insurance policy shall be issued in the name of the Contractor and shall name as additional insured parties the Department and the District of Columbia and shall not be cancelable or reduced without thirty (30) days prior written notice to the Commission.

### **G.2 Waiver of Subrogation**

All such insurance shall contain a waiver of subrogation against the Commission and the District of Columbia, and their respective agents.

### **G.3 Strength of Insurer**

All insurance shall be placed with insurers that are reasonably acceptable to the Commission and with an A.M. Best’s rating of not less than A- (Excellent) and a surplus size of not less than XV. All such insurers shall be licensed/approved to do business in the District of Columbia.

