

# REQUEST FOR PROPOSALS

## LIQUEFIED NATURAL GAS VEHICLE INFRASTRUCTURE IMPROVEMENT R&D



RFP #500-11-503  
[www.energy.state.ca.gov/contracts](http://www.energy.state.ca.gov/contracts)  
State of California  
California Energy Commission  
January 2012

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# I. Introduction

## BACKGROUND

Liquefied Natural Gas (LNG) is used as a heavy-duty vehicle fuel, primarily for trucks, buses, and off-highway equipment. This is an important natural gas vehicle (NGV) segment, because these vehicles provide significant public benefits such as reduced petroleum dependence and greenhouse gas (GHG) emissions. Despite the higher cost of natural gas engine technology, the lower cost of natural gas fuel helps offset the initial investment. Also, expanding domestic natural gas supplies provide a steady and secure source of transportation fuel.

The Energy Commission Public Interest Energy Research (PIER) Transportation Subject Area sponsored a comprehensive survey and analysis to identify and prioritize the research and development efforts needed to reduce or remove the barriers affecting NGV implementation. This resulted in the PIER Transportation NGV Research Roadmap (publication number CEC-500-2008-044-F), which examined compressed natural gas (CNG) and LNG vehicles and fueling infrastructure, involved input from a variety of stakeholders, and produced a list of research opportunities. A key research recommendation that emerged from this effort was to *develop improved handling, reliability, and durability of LNG dispensing*. This solicitation responds to that recommendation.

The technical feasibility of CNG and LNG alternative fuel vehicles (AFVs) is now well established. The market for heavy-duty natural gas engines and vehicles grew in the 1990s and into the 21st century based on air quality requirements for transit buses in urban areas and funding from federal, California, and local agencies. With California Air Resources Board 2010 ultra-low emission standards in place, petroleum dependence and GHG emission benefits are now at the forefront. This shift in priorities, coupled with the growing difference between the price of diesel and natural gas fuels, increases the economic benefits of natural gas trucks, especially for high-mileage vehicles that consume large quantities of fuel.

With the new development of higher performance natural gas engines suited for large trucks, there is a major opportunity to expand natural gas into new trucking market sectors. Today, there are approximately 35,000 NGVs in California, about 10,000 of which are high fuel-consuming heavy-duty NGVs<sup>1</sup>. Heavier NGVs using more fuel tend to choose the LNG option. However, the LNG fueling infrastructure is less mature and less widespread than the CNG fueling infrastructure. It is still limited primarily to early adopters and a few market segments.

Growth of the LNG vehicle market would be accelerated if certain technical and economic barriers (such as splash-back, freeze-up, and vapor loss problems with LNG dispensing, vapor venting during long-term storage of fuel, safety issues associated with the LNG dispensing system, overall cost of the systems) to expanding LNG fueling infrastructure were removed or reduced.<sup>2</sup> These barriers currently inhibit investment decisions by vehicle and equipment manufacturers as well as LNG truck purchase decisions. Removing these barriers would result in more heavy-duty NGVs on the road, reducing petroleum dependence and GHG emissions.

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<sup>1</sup> *Transportation Energy Forecasts and Analyses for the 2009 Integrated Energy Policy Report* (CEC-600-2009-012-SD)

<sup>2</sup> For a detailed list and description of the technical and economic barriers to improving the handling, reliability, and durability of the LNG fuel infrastructure, see pgs. 29-30 of the *Natural Gas Vehicle Research Roadmap* (CEC-500-2008-044-F), which can be found at: <http://www.energy.ca.gov/publications/index.php>.

## PURPOSE OF RFP

This solicitation aims to provide research and development that reduces or removes the barriers associated with expanding LNG vehicle fueling infrastructure. This solicitation seeks projects that address one or more of the following subjects:

- improving the handling of LNG dispensing;
- improving the reliability of LNG dispensing;
- improving the durability of LNG dispensing;
- minimizing the likelihood of vapor release; and/or
- improving station-vehicle interface issues that affect station design or operation.

## ELIGIBLE PROJECTS

Proposals must meet the project criteria identified below. **Proposals that do not meet all of the eligibility criteria specified below will be ineligible for funding.**

### Project Description Requirement

Eligible projects must involve LNG fuel infrastructure technology or process research and development activities that are likely to remove or reduce barriers currently affecting the expansion of LNG use as a transportation fuel. Proposals must:

1. Identify the barrier being addressed and explain why it is limiting LNG fuel use growth;
2. Describe the proposed LNG infrastructure-related technology or process and the proposed research and development project;
3. Present a compelling explanation of how the proposed project will enable increased use of LNG as a transportation fuel; and
4. Quantify proposed benefits (include metrics and methods of calculation). Benefits sought in this solicitation are cost reduction, GHG emission reduction, petroleum displacement, and reliability improvement. For example, if stating GHG emission reductions, quantify them in lbs/kg/tons of CO<sub>2</sub> equivalent saved, and show calculations and assumptions made.

### Project Funding, Demonstration Site, and Term Requirement:

5. Proposals must allocate at least 60% of PIER funds to CBEs (see Attachments 10 and 11).
6. Proposals must document how at least 60% of PIER funds will be spent in California.
7. All demonstration projects must be located in California.  
Demonstration sites and fueling stations must be in California Investor Owned Utility (IOU) service areas. Sites and stations in Publicly Owned Utility (POU) service areas are not eligible for funding under this solicitation. Demonstrations using natural gas funding must be in an IOU natural gas utility area, namely in a utility area serviced by Pacific Gas and Electric Company (PG&E), Southern California Gas Company (SoCalGas), Southern California Edison, and San Diego Gas & Electric (SDG&E).
8. Agreements must not extend beyond 3/31/2015, so that all funds can be invoiced by 6/30/2015.

Refer to the Administrative Section for a list of grounds for rejection.

## KEY ACTIVITIES AND DATES

Key activities including dates and times for this RFP are presented below. An addendum will be released if the dates change for the asterisked (\*) activities.

ACTIVITY	ACTION DATE
RFP Release	1/6/2012
Deadline for Written Questions*	1/25/2012
Pre-Bid Conference*	1/23/2012
Distribute Questions/Answers and Addenda (if any) to RFP	2/3/2012
<b>Deadline to Submit Proposals by 3:00 p.m.*</b>	2/17/2012
Clarification Interviews (If necessary)	3/7/2012
Notice of Proposed Award	5/2/2012
Commission Business Meeting	5/9/2012
Contract Start Date	June, 2012
Contract Termination Date	March, 2015

## AVAILABLE FUNDING AND HOW AWARD IS DETERMINED

There is \$3,000,000 available for the contract resulting from this RFP. This is an hourly rate plus cost reimbursement contract and the award will be made to the responsible Bidder receiving the highest points. The Energy Commission anticipates selecting multiple contracts resulting from this solicitation. No single proposal may request PIER funding of more than \$1,000,000. Organizations may submit multiple proposals; however, each proposal must be a distinct project and must be submitted separately adhering to all requirements contained in this solicitation.

The Commission reserves the right to reduce the contract amount to an amount deemed appropriate in the event the budgeted funds do not provide full funding of Commission contracts. In this event, the Contractor and Commission Contract Manager (CCM) shall meet and reach agreement on a reduced scope of work commensurate with the level of available funding.

## MATCH FUNDING

Match funding is not required for this solicitation. However, match funding will be taken into account when scoring the proposal. See the Evaluation Criteria Section, criterion #6: Project Budget (Cost Factor) -- General.

## ELIGIBLE BIDDERS

This solicitation is restricted to private entities, including non-profit organizations and private universities, and any public entity that can meet the requirements of this solicitation (e.g., Disabled Veteran Business Enterprise participation) and agree to the attached terms and conditions that will be included in the resulting agreement(s). Even if public entities cannot meet these requirements or agree to the terms, they can still participate as subcontractors. The reason for this distinction is that the Department of General Services, which has oversight of state contracting, no longer allows the Energy Commission to include different terms and conditions within the same solicitation. The Energy Commission used to do this because some public entities cannot agree to the same terms and conditions that apply to private entities. Every entity that bids under this solicitation must meet the solicitation's requirements and must agree to the terms and conditions included. The Energy Commission will not award contracts to non-complying entities.

**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.

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January 23, 2012, 1:30 – 4:00 p.m.  
California Energy Commission  
Hearing Room A  
1516 9th Street  
Sacramento, CA 95814  
Telephone: (916) 654-4392

**PARTICIPATION THROUGH WEBEX**

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

**COMPUTER LOGON**

- 1. Please go to <https://energy.webex.com> and enter the unique meeting number: 923 444 281
  - 2. When prompted, enter your information and the following meeting password: Mon@130pst
- NOTE: Access to WebEx meetings is now available from your mobile device. To learn more and access your app, please visit <http://www.webex.com/overview/mobile-meetings.html>

**TELECONFERENCE**

After logging in on the computer, an AUDIO CONFERENCE BOX will offer you the choice of phone connections:

- 1. TO HAVE WEBEX CALL YOU BACK: Type your area code and phone number and click "Call Me"
- 2. TO CALL INTO THE TELECONFERENCE: Use the drop-down box to select "I will call in" and follow the on-screen directions
- 3. INTERNATIONAL CALLERS: Click on the "Global call-in number" link in part (2) above
- 4. TO LISTEN OVER THE COMPUTER: If you have the needed equipment and your computer is configured, click on "Use Computer Headset" and then "Call Using Computer" to use VoIP (Internet phone)

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: 923 444 281. International callers can select their number from <https://energy.webex.com/energy/globalcallin.php>

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**TECHNICAL SUPPORT**

For help with problems or questions trying to join or attend the meeting, please call WebEx Technical Support at 1-866-229-3239. Please be aware that the meeting's WebEx audio and on-screen activity may be recorded.

System Requirements: To see if your computer is compatible, visit <http://support.webex.com/support/system-requirements.html> and refer to the WBS 27 section.

Meeting Preparation: The playback of UCF (Universal Communications Format) rich media files requires appropriate players. To view this type of rich media files in the meeting, please check whether you have the players installed on your computer by going to <https://energy.webex.com/energy/systemdiagnosis.php>.

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## 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 via mail, electronic mail, and by FAX. However, all questions must be received by 5:00 pm on the day of the Pre-Bid Conference.

Approximately two weeks 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 who attended the Pre-Bid conference and provided their contact information on the sign-in sheet. 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. Therefore, all communication should be directed in writing to the Energy Commission's Contract Officer assigned to the RFP.

## CONTACT INFORMATION

Michael Poe, Contracts Officer  
California Energy Commission  
1516 Ninth Street, MS-18  
Sacramento, California 95814  
Telephone: (916) 654-4809  
FAX: (916) 654-4423  
E-mail: [mpoe@energy.state.ca.us](mailto:mpoe@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:

Natural Gas Vehicle Research Roadmap (publication number CEC-500-2008-044-F)

State Alternative Fuel Plan (publication number CEC-600-2007-011-CMF)

These are available on the CEC website: <http://www.energy.ca.gov/publications/index.php>.

All above reference documents are on display and available for review in the Energy Commission's Library. Library hours are Monday - Friday from 8:30 a.m. to 4:30 p.m., closed for lunch 12:00-1:00p.m. The Library is located at: California Energy Commission, 1516 Ninth Street, First Floor, Sacramento, CA 95814, (916) 654-4292.

## **II. Scope of Work**

### **ABOUT THIS SECTION**

This section describes the types of projects that will be considered for funding. Bidders will complete the attached Scope of Work Template (Attachment 9) as part of their proposal response following the instructions provided. The administrative tasks are written for the Bidder but the Bidder must complete the technical tasks.

### **BACKGROUND**

LNG is being used successfully as a heavy-duty vehicle fuel in California. LNG displaces diesel fuel in these vehicles, which decreases the need for imported petroleum and reduces GHG emissions. Most of the LNG consumed as transportation fuel in California is produced at liquefaction plants supplied with intrastate or interstate pipeline gas. However, an increasing percentage of California LNG is produced by liquefying biogas (e.g., landfill gas). This LNG supply infrastructure strategy provides substantial fuel-cycle GHG reductions.

LNG vehicle applications in California are concentrated primarily in geographic areas with available and convenient refueling infrastructures. Examples include trucks that haul containerized cargo from California's seaports and refuse collection trucks that return to a central terminal every day. The economics of using LNG in line-haul trucks is particularly attractive because these trucks consume large quantities of fuel and the cost of LNG is less than that of diesel fuel on an energy-equivalent basis. Even though these trucks don't return to a central refueling facility each day, LNG use in this application is increasing, and it can be accelerated if barriers (such as splash-back, freeze-up, and vapor loss problems with LNG dispensing, vapor venting during long-term storage of fuel, safety issues associated with the LNG dispensing system, overall cost of the systems) associated with the LNG fueling infrastructure can be removed or reduced.

Heavy-duty vehicle fleets require refueling that is safe, convenient, and economical. LNG presents some unique challenges in this regard, primarily because it is a cryogenic liquid. This solicitation seeks research and development that addresses these challenges, provides LNG fuel infrastructure technology improvements, and accelerates expanded use of LNG as a transportation fuel in California.

### **GOALS AND OBJECTIVES**

This is a competitive solicitation sponsored by the Energy Commission's PIER Program Transportation Subject Area to accelerate research and development of advanced LNG transportation fueling infrastructure technologies. The focus of this solicitation is on advancing LNG fueling infrastructure technologies with a high likelihood of enabling expanded use of LNG as a transportation fuel.

This solicitation is consistent with California's policy of promoting advanced technologies that address important energy-use, environmental, and economic goals. Actions taken by the California Government executive and legislative branches have established the State's leadership with regard to GHG emission reductions to mitigate global warming<sup>3</sup> and decreased reliance on imported petroleum<sup>4</sup>. Many of these forward-looking policies pertain to the transportation sector. Increased use of AFVs is a key part of the State's plans to address critical energy, environmental, and economic issues<sup>5</sup>.

This PIER Transportation Subject Area solicitation seeks to support research and development that reduces or removes the barriers associated with the LNG vehicle fueling infrastructure. LNG is used as a heavy-duty vehicle fuel, primarily for trucks, but also for buses and off-highway equipment. This is an important NGV segment, because these vehicles provide important petroleum and GHG benefits, and their relatively high consumption of lower-cost natural gas helps to offset higher new-technology equipment costs.

The LNG vehicle fuel infrastructure elements addressed by this solicitation include the components, design features, operating procedures, and permitting and installation processes associated with LNG fueling stations. The scope of this solicitation also includes these same elements for L/CNG fueling stations, i.e., stations that receive and store LNG, pressurize and vaporize it, and dispense CNG to refuel CNG vehicles.

This solicitation also addresses station-vehicle interface issues that affect the station design or operation. Examples include the refueling nozzle-receptacle coupling and the LNG fuel saturation pressure control strategy. LNG vehicle technology issues that are unrelated to the LNG fuel infrastructure are not within the scope of this solicitation.

LNG fuel distribution, delivery, and tank-truck-to-station transfer technologies and processes are within the scope of this solicitation. Natural gas liquefaction technologies, including gas pretreatment and/or post-treatment technologies, are within the scope of this solicitation if they facilitate the transportation fuel applications of LNG (e.g., benefit fuel composition). Natural gas sourcing and production technologies (e.g., biomethane production) are not within the scope of this solicitation. The intended solicitation scope is further clarified by the specific examples listed in the subsequent "Eligible Projects" section.

### **Examples of LNG Vehicle Fuel Infrastructure Issues and Technologies**

Below are examples of LNG vehicle fuel infrastructure issues and technologies that may be considered under this solicitation. Proposals are not limited to these specific example subject areas, but all proposals should address subjects within the scope described in the "Purpose of RFP" Section.

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<sup>3</sup> Assembly Bill 32 (Núñez, Chapter 488, Statutes of 2006), the Global Warming Solutions Act of 2006, establishes a cap on California GHG emissions at 1990 levels by no later than 2020. In addition, the Governor's Executive Order S-01-07 established the Low Carbon Fuel Standard, which is a GHG standard specifically for transportation fuels.

<sup>4</sup> AB 2076 (Shelley, Chapter 936, Statutes of 2000) required the California Energy Commission (CEC) and California Air Resources Board (CARB) to develop a California strategy to reduce petroleum dependence. This resulted in a joint agency report: *Reducing California's Petroleum Dependence* (P-600-03-005). Subsequently, AB 1007 (Pavley, Chapter 371, Statutes of 2005) required the CEC, in partnership with the CARB, to prepare a state plan to increase the use of alternative fuels in California. The resulting plan is documented in: *State Alternative Fuels Plan* (CEC-600-2007-011-CMF). More recently, AB 118 (Núñez, Chapter 750, Statutes of 2007) created the California Energy Commission's Alternative and Renewable Fuel and Vehicle Technology Program. Ongoing proceedings and rulemaking pursuant to AB 118 may be viewed at: <http://www.energy.ca.gov/altfuels/index.html>.

<sup>5</sup> As detailed in the CEC and CARB-adopted *State Alternative Fuels Plan* (CEC-600-2007-011-CMF)

- **Improved technologies for providing LNG at the different fuel pressures required by different types of heavy-duty natural gas engines are sought.** Currently, the most commonly used approach is to increase the saturation pressure of the LNG in the fueling station storage tank(s). After LNG is transferred from the LNG delivery truck (which is typically at a saturation pressure as low as 10 psi) to the station storage tank, heat is added to “condition” the fuel to a saturation pressure at least as high as the minimum fuel-supply pressure required by the LNG vehicles refueled at the station (which is often near 100 psi for spark-ignition natural gas engines). This approach requires extra capital-cost equipment (e.g., heat exchangers), reduces the station tank effective storage capacity, shortens the station storage tank hold time, and increases the likelihood of station storage tank vapor venting. This practice also results in non-optimum refueling of LNG vehicles with lower fuel pressure requirements. When these vehicles are refueled with LNG at a higher-than-necessary saturation pressure, their effective fuel capacity is reduced, the hold time of their fuel tank(s) is shortened, and vapor venting from the vehicle is more likely.

Various alternatives to LNG “conditioning” at the station have been conceptualized, and some have been implemented, but technologies providing performance/cost improvements in this area could accelerate the adaptation of LNG as a transportation fuel and increase the effectiveness of limited LNG fueling sites.

- **Improved LNG refueling nozzle-receptacle coupling systems are needed.** While current coupling designs are functional, there may be problems with frost accumulation, nozzle-receptacle freeze-on, and occasional leaks. The lack of configuration commonality (i.e., without a special adapter, a truck with a “Brand A” receptacle cannot be refueled at a station with a “Brand B” nozzle) is sometimes problematic. Coupling designs with enhanced ergonomics may also be possible. A related technology issue pertains to one-line versus two-line LNG vehicle refueling strategies. Most current LNG fueling stations use one insulated hose and coupling for liquid transfer from the station to the vehicle and a separate (usually smaller) hose and coupling for as-necessary vapor transfer from the vehicle to the station.

Improved technologies involving LNG vehicle refueling liquid and vapor transfer systems and components that provide enhanced performance, configuration commonality, improved ergonomics, fewer leaks, less vapor return, and/or lower costs are sought.

- **Improved technologies and procedures to eliminate vapor venting at all stages of the LNG fuel infrastructure (fuel transfer from the tank truck to the station, LNG storage at the station, vehicle refueling, and vehicle operation) are sought.** As LNG vehicle use is increasing, vapor venting is becoming less tolerable. LNG vapor venting wastes fuel, and methane is a strong GHG. LNG vapor venting also results in enrichment or “weathering” (i.e., increased concentration of hydrocarbons heavier than methane) of the remaining LNG, which may be problematic in some cases. Vapor venting from LNG fueling stations can also occasionally provoke community safety concerns if it causes an atmospheric moisture condensation cloud.
- As an alternative approach for eliminating atmospheric venting of methane at LNG fueling stations, **technologies that economically and productively utilize any excess vapor are sought.** This excess vapor refers to vapor offloaded from vehicles or generated by storage tank heat leaks, for example, where the quantity of vapor would otherwise result in venting or a higher-than-desired storage tank saturation pressure. Approaches such as vapor reliquefaction and utilization for on-site electric power generation have been tried in the past, but these may not have been entirely successful.
- **Equipment and procedures to economically facilitate automatic and accurate LNG fuel metering and billing are sought.** Most current LNG fueling stations do not enable station users to pay for the fuel dispensed into their vehicle with a general or special credit

card. There are many reasons for this, including the following: most private fleets don't need this capability, LNG metering systems (especially systems that measure net fuel transfer when vapor is returned from vehicles) are expensive and may not always be accurate, card reader system expense is not regarded as justified if it is infrequently used, California Weights and Measures<sup>6</sup> certification of LNG dispensers is uncommon, and (because of the substantial density variation with saturation pressure) LNG is more appropriately sold on a mass basis than a volume (e.g., gallons) basis. However, if LNG use as a transportation fuel is to expand and displace diesel fuel use, these impediments must be surmounted so that dispensed LNG is accurately metered and conveniently billed.

- **Improved L/CNG station technologies and designs are sought in cases where such technologies and designs will support the increased use of natural gas as a transportation fuel.** L/CNG stations have been successfully designed, installed, and operated. The reasons for their success are quite diverse. The tradeoffs between L/CNG and conventional compressor-type CNG stations are subtle and highly situation dependent. Utilization of L/CNG technology may provide a cost-effective CNG dispensing capability addition to LNG fueling stations.
- Uniform agreement regarding the most appropriate natural gas vehicle fuel composition specification has been elusive. Composition requirements for LNG delivered to vehicle fueling stations is complicated by factors such as the diversity of heavy-duty natural gas engine fuel specifications, potential fuel enrichment in LNG storage tanks, inherent differences between LNG and pipeline natural gas compositions, and renewable natural gas (biogas) composition. **Technologies, tests, and/or analyses pertaining to LNG vehicle fuel composition issues are sought if a compelling case can be made that such technologies, tests, and/or analyses will facilitate agreement among affected parties (e.g., California Air Resources Board, California Public Utilities Commission, air quality management districts, natural gas utilities, LNG fuel providers, engine and vehicle manufacturers, fueling station owners, and vehicle fleet operators).** Proposers addressing this subject should be especially aware of prior activity in this area.
- **Technologies that will enhance the safety and/or expedite the permitting of LNG and L/CNG fueling stations are sought.** Strategies to accelerate the promulgation of applicable codes and standards, their adoption by regulatory agencies, and their use by authorities having jurisdiction (AHJ), are also needed. Permitting delays often cause LNG and L/CNG station schedule slippages. AHJ unfamiliarity with the relatively new technology is a frequently cited reason for these delays. Resources such as permitting guidebooks have been only partially helpful.

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<sup>6</sup> California Department of Food and Agriculture, Division of Measurement Standards

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

#### ABOUT THIS SECTION

This section contains the format requirements and instructions on 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 and tabs are encouraged. Binders are discouraged.

#### NUMBER OF COPIES

Bidders must submit the original and 6 copies of the proposal (Sections 1 and 2). Bidders must also submit electronic files of the proposal on [CD-ROM or USB memory stick](#) along with the paper submittal. Only one CD-ROM or USB memory stick is needed. Electronic files must be in Microsoft Word XP (.doc format) and Excel Office Suite formats. Completed Budget Forms, Attachment 7, must be in Excel format. Electronic files submitted via e-mail will not be accepted.

#### PACKAGING AND LABELING

The original and copies of the proposal must be labeled "Request for Proposal 500-11-503," and include the title of the proposal and the appropriate section number:

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	
FAX #	
	RFP #500-11-503
	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 **no later than 3:00 p.m.**, 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.

## ORGANIZE YOUR PROPOSAL AS FOLLOWS

### SECTION 1, Administrative Response

Cover Letter

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Contractor Status Form

Attachment 1

Darfur Contracting Act Form

Attachment 2

Small Business Certification

If applicable

Completed Disabled Veteran Business Enterprise form

Attachment 3.2

Bidder Declaration form GSPD-05-105

Attachment 3.3

Contractor Certification Clauses

Attachment 4

TACPA/EZA/LAMBRA Forms

If applicable

### SECTION 2, Technical and Cost Proposal

A. Technical Merits and Approach – Project Goals and Scope of Work

B. Project Need – Advances Science or Technology not Adequately Addressed by Competitive or Regulated Markets

C. Team Organizational Structure

D. Project Team Experience and Qualifications

E. Labor Hours by Personnel and Task

F. Client References

Attachment 5

G. Budget Forms

Attachment 7. See also G below.

#### **A. Technical Merits and Approach – Project Goals and Scope of Work**

Complete the Scope of Work Attachment (Attachment 9).

#### **B. Project Need – Advance Science or Technology not Adequately Addressed by Competitive or Regulated Markets**

#### **C. Team Organizational Structure**

1. Describe the organizational structure of the Bidder, including providing an organizational chart of the entire contract team.

2. Provide a short description of each firm and key members on the team. Describe the relationship between the Contractor and subcontractors on your team.

3. Identify the location of the Bidder's and Subcontractor's headquarters and satellite office(s) and proposed methods of minimizing costs to the State.
4. Describe Bidder's 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.

**D. Project Team Experience and Qualifications**

1. Document the project team's qualifications as they apply to performing the tasks described in the Scope of Work. Describe recently completed work as it relates to this 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. Provide a current resume for all team members listed, including job classification and description, relevant experience, education, academic degrees and professional licenses.
4. Identify the percentage of time each team member will be available throughout the contract.
5. Identify the barrier being addressed and explain why it is limiting LNG fuel use growth;
6. Describe the proposed LNG infrastructure-related technology or process and the proposed research and development project.
7. Present a compelling explanation of how the proposed project will enable increased use of LNG as a transportation fuel.
8. Quantify proposed benefits (include metrics and methods of calculation). Benefits sought in this solicitation are cost reduction, GHG emission reduction, petroleum displacement, and reliability improvement. For example, if stating GHG emission reductions, quantify them in lbs/kg/tons of CO2 equivalent saved, and show calculations and assumptions made.
9. Proposals must allocate at least 60% of PIER funds to CBEs in order to be considered for an award under this solicitation.
10. Demonstration sites and fueling stations must be in Investor Owned Utility (IOU) service areas. Sites and stations in Publicly Owned Utility (POU) are not eligible for funding under this solicitation. Demonstrations using natural gas funding must be in an IOU natural gas utility area, namely in a utility area serviced by Pacific Gas and Electric Company (PG&E), Southern California Gas Company (SoCalGas), Southern California Edison, and San Diego Gas & Electric (SDG&E).
11. All demonstration projects must be in California.
12. All agreements must not extend beyond 3/31/2015, so that all funds can be invoiced by 6/30/2015.

**E. Labor Hours by Personnel and Task**

Provide the title or classification of each person and their level of effort (hours) for each task, including subcontractor hours.

**F. Client References**

Each bidder shall complete Client Reference Forms. Three client references are required for the Contractor and two for each subcontractor.

## **G. Budget Forms**

Task Summary	Attachment 7, Attachment B-1
Category Summary	Attachment 7, Attachment B-2
Prime Labor Rates	Attachment 7, Attachment B-3
Labor Rates for each Subcontractor	Attachment 7, Attachment B-3a-z
Prime Non-Labor Rates	Attachment 7, Attachment B-4
Non-Labor Rates for each Subcontractor	Attachment 7, Attachment B-4a-z
Direct Operating Expenses	Attachment 7, Attachment B-5
Match Funding	Attachment 7, Attachment B-6
Loaded Hourly Rate Calculation	Attachment 7, Attachment B-7

The Contractor must submit information on **all** of the attached budget forms, B-1 through B-5, and this will be deemed the equivalent of a formal Cost Proposal.

Detailed instructions for completing these forms are included at the beginning of Attachment 7.

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 agreement. The entire term of the agreement 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 benefits, overheads, general & administrative (G&A) or profit).

All budget forms are required because they will be used for the contract prepared with the winning Bidder.

**NOTE:** The information provided in these forms will **not** be kept confidential.

### ***Attachment B-7: Loaded Hourly Rate Calculation***

This attachment will be used for the purposes of calculating the average hourly rate score under cost criterion 7, located in the Evaluation Criteria Worksheet. The loaded hourly rate is defined as direct labor, fringe benefits, non-labor rates (overhead, general and administrative, etc., as applicable), and profit (if applicable).

1. Use one form for the Bidder (Prime Contractor) and one for each subcontractor. Insert your company or organization name at the top of the form.
2. For each staff person from this company or organization that will be directly billed to this Agreement:
  - Provide the job classifications or title.
  - Insert the unloaded hourly rates in the direct labor column. You must use the rates provided on Forms B-3 and B-4 for your company or organization when calculating the loaded hourly rates. Follow the instructions provided on the form, Attachment B-7, Loaded Hourly Rate Calculation.

## **IV. 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 solicitation.

Under this solicitation, the Energy Commission makes awards based upon high score. California Public Contract Code Section 10344(c) authorizes this method. The State Contract Manual refers to this as the "secondary" RFP method as opposed to the "primary" method, which makes awards based upon low bid.

This section explains the overall evaluation process and the technical and policy evaluation criteria. It also describes how the proposals will be screened for administrative requirements, completeness, technical eligibility, and fundamental scientific feasibility. It also describes the evaluation stages, preference points, and scoring of all proposals. The entire evaluation process from receipt of proposals to the posting of the Notice of Proposed Award is confidential.

### **PROPOSAL EVALUATION**

A Bidder's proposal will be evaluated and scored based on its response to the information requested in this RFP. The entire evaluation process from receipt of proposals to posting of the Notice of Proposed Award is confidential.

To evaluate all Proposals, the Energy Commission will organize an Evaluation Committee. The Evaluation Committee may consist of Energy Commission staff or staff of other California state entities.

The Proposals will be evaluated in two 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 shall be disqualified and eliminated from further evaluation.

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

Proposals passing Stage One will be submitted to the Evaluation Committee to review and score based on the Evaluation Criteria in this solicitation.

During the evaluation and selection process, the Evaluation Committee may schedule a clarification interview with a Bidder that will either be held 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 change or add to the contents of the original Proposal.

The total score for each Proposal will be the average of the combined scores of all Evaluation Committee members.

After scoring is completed, Proposals not attaining a score of 70 percent of the total possible points will be eliminated from further competition.

All applicable Preferences will be applied to all Proposals attaining a minimum of 70 percent of the total possible points. The agreement shall be awarded to the responsible Bidder meeting the requirements outlined above, who achieves the highest score after application of Preferences.

## SCORING SCALE

Using this Scoring Scale, the Evaluation Committee will give a score for each criterion described in the Evaluation Criteria Worksheet.

<b>% of Possible Points</b>	<b>Interpretation</b>	<b>Explanation for Percentage Points</b>
0%	Not Responsive	Response does not include or fails to address the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
25%	Minimally Responsive	Response minimally addresses the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
50%	Inadequate	Response addresses the requirements being scored, but there are one or more omissions, flaws, or defects or the requirements are addressed in such a limited way that it results in a low degree of confidence in the proposed solution.
70%	Adequate	Response adequately addresses the requirements being scored. Any omission(s), flaw(s), or defect(s) are inconsequential and acceptable.
80%	Good	Response fully addresses the requirements being scored with a good degree of confidence in the Bidder's response or proposed solution. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable.
90%	Excellent	Response fully addresses the requirements being scored with a high degree of confidence in the Bidder's response or proposed solution. Bidder offers one or more enhancing features, methods or approaches exceeding basic expectations.
100%	Exceptional	All requirements are addressed with the highest degree of confidence in the Bidder's response or proposed solution. The response exceeds the requirements in providing multiple enhancing features, a creative approach, or an exceptional solution.

## EVALUATION CRITERIA WORKSHEET

Evaluation Criteria	Possible Points
<p>1. <b><u>Technical Merits and Approach – Project Goals and Scope of Work:</u></b></p> <ul style="list-style-type: none"> <li>• The project goals and objectives are clearly stated and responsive to the <i>Goals and Objectives</i> of this solicitation.</li> <li>• The proposal describes the quantitative/measurable technical and economic performance goals.</li> <li>• The proposal clearly addresses significant barriers to and proposes solutions for improvement of the LNG vehicle fueling infrastructure.</li> <li>• The proposal clearly describes the proposed technical approach. RD&amp;D methodology is based on valid scientific and engineering principles.</li> <li>• The Scope of Work follows the instructions provided in Attachment 8. The technical tasks are clearly and logically presented, with appropriate objectives, discrete tasks and subtasks, sequence of activities, and deliverables.</li> <li>• The work schedule contains appropriately allocated time, labor, equipment, facilities, and budget.</li> <li>• The proposal contains a logical and well-defined set of intermediate and final products and deliverables.</li> <li>• The proposal includes a clear and methodical plan by which the Applicant's Project Manager will provide regular monthly progress reports to the Commission Project Manager and coordinate the reporting of information to all project team members.</li> <li>• The proposal systematically identifies and assesses project risks (e.g. plans for completing the project successfully if proposed match funds are significantly reduced or lost) and includes plans for mitigating these risks.</li> <li>• The proposal answers the following:               <ol style="list-style-type: none"> <li>1. What criteria will be used to determine project successes and failures?</li> <li>2. How will necessary improvements be implemented?</li> </ol> </li> </ul>	13
<p>2. <b><u>Project Need – Advances Science or Technology not Adequately Addressed by Competitive or Regulated Markets:</u></b></p> <ul style="list-style-type: none"> <li>• The proposal identifies the current status (state-of-the-art) of the subject technology/innovation as has been developed by the research and industrial community at large.</li> <li>• The proposal identifies related and available current technologies and explains why the proposed technology is different and how this project will improve, supplement, and/or replace currently available technology.</li> <li>• The proposal describes research that has been or is currently being performed on this topic, how the proposed project will leverage results from previous work, and why the project is critically needed and is not duplicative</li> </ul>	13

<p>of other efforts.</p> <ul style="list-style-type: none"> <li>• The proposal describes why there is a need for RD&amp;D of the technology/product(s). <b><u>Quantitative information</u></b> and all assumptions behind this information are provided to support this argument.</li> <li>• The proposal explains why the proposed project objective(s) is/are not adequately addressed by the competitive or regulated markets and why there is a need for PIER funding. Consequences if funding is not provided are explained.</li> <li>• The proposal depicts existing and planned funding and support by utilities, industry participants, and others, and the extent to which existing and planned funding reasonably maintains technological advancement.</li> </ul>	
<p><b>3. <u>LNG Fuel Infrastructure Market Connectedness:</u></b></p> <ul style="list-style-type: none"> <li>• The proposed LNG technology meets a well-defined market need applicable to California industries. The proposal should discuss the intended market, market size, market needs and barriers.</li> <li>• The proposal describes how the technology will address the market needs, as evidenced by specific market research, surveys, and the Applicant’s assessment of market drivers.</li> <li>• The proposal explains how efficiently the project team can replicate and scale the proposed technology.</li> <li>• There is an adequate discussion of a reasonable path and strategy for commercialization of the proposed LNG technology.</li> <li>• There is an adequate discussion of how the project will accelerate the beneficial market deployment of LNG.</li> <li>• There is an adequate discussion describing experience, ability, past successes, and approach to market development for improved LNG infrastructure.</li> <li>• There is discussion and analysis of the potential for the prospective technology to improve cost competitiveness over current baseline products.</li> <li>• The proposal includes a sound plan for the communication of project results to the market.</li> <li>• The project includes appropriate plans to initiate and sustain transfer of the technology results into the marketplace. This market outreach plan should achieve commercialization within 2-3 years after the project ends.</li> <li>• The project team has the experience, skills, and connections to the marketplace to help ensure market transfer of the technology, product(s), and knowledge the result from the proposed project.</li> <li>• The proposal includes one or more letters of support from the LNG infrastructure industry.</li> </ul>	13
<p><b>4. <u>Team – Organization, Experience, and Qualifications:</u></b></p> <ul style="list-style-type: none"> <li>• The Project Manager has specific organizational, administrative, and team lead skills and a proven track record for managing technology RD&amp;D</li> </ul>	13

<p>projects successfully. These include the capability of administering the agreement to control costs, maintaining the project schedule and budget, providing quality control of the products produced by the team, and effectively communicating project results.</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• The team has technical experience and proven skills appropriate for the proposed technology RD&amp;D.</li> <li>• The project team has past success in taking RD&amp;D technology products to market, as well as the experience, skills, and market connections to help ensure market transfer of the products. The proposal describes past and current work related to the proposed technology/innovation performed by the project team, including successes and failures.</li> <li>• The project team includes involvement by various stakeholders and/or beneficiaries who can help overcome barriers to market acceptance of the technology.</li> <li>• The proposal expresses commitment from the applicant and project partners as evidenced by letters of commitment or support.</li> </ul>	
<p><b>5. <u>California Ratepayer Benefits:</u></b></p> <ul style="list-style-type: none"> <li>• The proposed project will provide tangible benefits to California’s natural gas ratepayers and industrial customers. The proposal <b><u>states and quantifies</u></b> the specific ratepayer benefits, such as cost reduction, GHG emission reductions, petroleum displacement, or reliability improvement that the proposed project will provide to natural gas ratepayers. For example, if claiming GHG emission reductions, quantify them in lbs/kg/tons of CO2 equivalent saved. <b>Calculations, as well as assumptions made, must be shown in detail to support quantified benefits.</b></li> <li>• The proposal identifies the market for the technology being developed and <b><u>quantifies</u></b> the size of this market in terms of natural gas. The proposal <b><u>quantifies</u></b> the expected impact on this market if the technology RD&amp;D is successful – in terms of natural gas, other environmental benefits or increases in productivity. (Productivity is defined as the amount of output per unit of input.) The proposal quantifies the anticipated percentage of penetration into the marketplace within 2 to 5 years after project completion. The proposal justifies the reasonableness of the assumptions used to determine these impacts.</li> <li>• The proposal describes the estimated economics of the technology if successful and calculates the projected life cycle cost and savings, including all assumptions on equipment life, operation and maintenance and other expenses, and annual energy cost savings and other benefits. The proposal provides an estimate of these costs and benefits versus the standard technology and standard fuel and provides justification for all assumptions used to determine the estimated economics.</li> </ul>	13

<ul style="list-style-type: none"> <li>The proposal addresses California's energy policies relevant to this solicitation, including AB 32, the State Alternative Fuels Plan, and the Natural Gas Vehicle Research Roadmap.</li> </ul>	
<p><b>6. <u>Project Budget (Cost Factor) – General:</u></b></p> <ul style="list-style-type: none"> <li>The PIER funds requested are reasonable relative to the goals and objectives of the project.</li> <li>There is a compelling case that the project requires PIER funding at the amount requested rather than being funded internally or by competitive or regulated markets.</li> <li>The budget is consistent with the Scope of Work. Also, the budget itemizes reasonable costs for personnel, indirect costs, subcontractors, equipment, operating expenses, fees, and total expenditures, in sufficient detail to justify the expenditures by task.</li> <li>The budget shows that key personnel and subcontractors will be committed to the project for the appropriate number of hours and functions to accomplish the activities described in the work statement.</li> <li>Match funding: <ol style="list-style-type: none"> <li>Is there match funding? Match funding is not required but proposals can receive between 0 and 2 points for match funding in this scoring criterion, which is worth 5 points.</li> <li>Is the portion of the budget provided by match funding representative of the ratio of private benefit to public benefit that the project results will provide? In general, the greater the private benefits are anticipated and expected to be, the greater the match share percentage should be that is contributed towards the project.</li> <li>Are the proposed match funds secure based on the Applicant's organization history and/or letter(s) of commitment by contributing entities? Does the proposal describe a strategy for replacing match funding if the proposed match funds are significantly reduced or lost?</li> </ol> </li> </ul>	5
<p><b>7. <u>Project Budget (Cost Factor) – Rates and Overhead:</u></b></p> <p>The portions of the budget dedicated to research, development, and demonstration and market transfer actions are significantly greater than the costs for overhead, including general &amp; administrative. The budget must include project overhead, fringe benefits, and general &amp; administrative costs along with a detailed justification for them, such as number of hours and functions for key personnel and subcontractors. The budget must include the average loaded rate (ALR) calculated in Attachment B-7. The proposal will be scored according to the following formula:</p> <p>Point Score = 13 – (.06 x ALR), for a maximum score of 10 points and a minimum score of 1 point.</p>	10
<p><b>8. <u>Project Budget (Cost Factor) – Economic Investment in California:</u></b></p> <p>A minimum of 60% of PIER funds must be spent in California in order to be considered for an award under this solicitation. This solicitation is designed to maximize economic investment in California by giving preference to California Based Entities (CBEs, see Attachment 10 for definition and required paperwork</p>	20

on CBEs) and for the spending of PIER funds in California. To earn points in this category, the proposal must document how the project will spend PIER funds in California. The scoring for this criterion is as follows:

<b>Percentage of PIER funds spent in California</b>	<b>Points</b>	
60% to 64%	1 point	
≥ 64% to 68%	2 points	
≥ 68% to 72%	3 points	
≥ 72%, to 76%	4 points	
≥ 76%, to 80%	5 points	
≥ 80%, to 84%	6 points	
≥ 84%, to 88%	7 points	
≥ 88% to 92%	8 points	
≥ 92% to 96%	9 points	
≥ 96% to 100%	10 points	
<b>Total Possible Points</b>		<b>100</b>
<b>Minimum Passing Score (70%)</b>		<b>70</b>
Disabled Veteran Business Enterprise Incentive		
Small/Micro Business Preference		
Non-Small Business Preference		
TACPA/EZA/LAMBRA Preference		
<b>BIDDER'S FINAL SCORE</b>		

## PREFERENCE POINTS

A Bidder may qualify for non-technical preference points described below. Each qualifying Bidder passing the minimum technical evaluation will receive the applicable preference points.

### Disabled Veteran Business Enterprise Incentive

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 in Attachment 3.1 explains how the incentive is applied and how much of an incentive will be given.

### Small / Microbusiness

Bidders who qualify as a State of California certified small business will receive five percent (5%) preference points based on the highest responsible bidder's total score, if the highest scored proposal is submitted by a business other than a certified small business. Bidders qualifying for this preference must submit a copy of their Small Business Certification and document their status in Attachment 1, Contractor Status Form.

## **Non-Small Business**

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 (RFP secondary). A non-small business, which qualifies for this preference, may not take an award away from a certified small business. Bidders qualifying for this preference must document the small business status of all subcontractors on Attachment 3.4 and submit all applicable Small Business Certifications.

## **Target Area Contract Preference Act/ Enterprise Zone Act/ Local Agency Military Base Recovery Act**

The following preferences will be granted for this solicitation. Bidders wishing to take advantage of these preferences will need to review the websites stated below and submit the appropriate response with their Bid.

### **Target Area Contract Preference Act (TACPA)**

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 review the information located at <http://www.documents.dgs.ca.gov/pd/poliproc/tacpage.pdf> to determine if they qualify for this preference.

### **Enterprise Zone Act (EZA)**

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 the information located at <http://www.documents.dgs.ca.gov/pd/poliproc/ezapage.pdf> to determine if they qualify for this incentive.

### **Local Agency Military Base Recovery Act (LAMBRA)**

The Local Agency Military Base Recovery Act (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 the information located at <http://www.documents.dgs.ca.gov/pd/poliproc/lambrapage.pdf> to determine if they qualify for this preference.

The TACPA, EZA, and LAMBRA preferences only apply to California based firms that demonstrate and certify under penalty of perjury that at least 50% of the total labor hours for manufactured goods or 90% of the total labor hours for services will be performed in distressed areas. The maximum preference that can be given for any bid may not exceed 9% up to \$50,000.00.

Bidders wishing to take advantage of these preferences are required to submit the following applications/forms available on the above websites with their Bid:

- TACPA (Std. 830) and/or EZA (Std. 831) and or LAMBRA (Std. 832)
- Bidder's Summary of Contract Activities and Labor Hours (DGS/PD 526)

If you have further questions or need additional information on this matter, please contact TACPA/EZA/LAMBRA Preference Program Group at (916) 375-4609.

## **NOTICE OF PROPOSED AWARD**

The Commission will post a Notice of Proposed Award (NOPA) at the Commission's headquarters in Sacramento, on the Commission's Web Site, and will mail the NOPA to all parties that submitted a proposal.

## 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

### COST OF DEVELOPING PROPOSAL

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

### SOFTWARE APPLICATION DEVELOPMENT

If this scope of work includes any software application development, including but not limited to databases, websites, models, or modeling tools, contractor shall utilize the following standard Application Architecture components in compatible versions:

- Microsoft ASP.NET framework (version 3.5 and up) Recommend 4.0
- Microsoft Internet Information Services (IIS), (version 6 and up) Recommend 7.5
- Visual Studio.NET (version 2008 and up) Recommend 2010
- C# Programming Language with Presentation (UI), Business Object and Data Layers
- SQL (Structured Query Language)
- Microsoft SQL Server 2008, Stored Procedures Recommend 2008 R2
- Microsoft SQL Reporting Services Recommend 2008 R2
- XML (external interfaces)

Any exceptions to the Electronic File Format requirements above must be approved in writing by the Energy Commission Information Technology Services Branch.

## **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**

The Commission will not accept or retain any Proposals that are marked confidential in their entirety and Bidders are strongly discouraged from requesting confidential treatment for any of the information contained in a submittal.

## **DARFUR CONTRACTING ACT OF 2008**

Effective January 1, 2009, all solicitations 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)).

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 2)

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 2)

## **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 mandatory 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 regarding DVBE and Small Business is located in Attachments 3.1 and 3.2.

## **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 [http://www.bidsync.com/DPX?ac=powersearch&srchoid\\_override=307818](http://www.bidsync.com/DPX?ac=powersearch&srchoid_override=307818).

## **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.

## **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 firm quotation 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.

## **GROUNDINGS 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 Form.
- 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 contained in Public Contract Code Sections 10410-10412 and/or 10365.5.
- It contains confidential information.
- Bidder will perform all or part of the work in California and is a corporation but not found on the Secretary of State website to be currently qualified to do business in California in accordance with the Contractor Certification Clauses.
- The Bidder does not agree to the terms and conditions as attached to the solicitation either by not signing the Contractor Status Form or by stating anywhere in the bid that acceptance is based on modifications to those terms and conditions or separate terms and conditions.
- The demonstration project is not located in California.
- The demonstration site or fueling station is not located in a California IOU service area.
- The proposal does not allocate at least 60% of funds to CBEs.
- The proposal does not document how at least 60% of PIER funds will be spent in California.
- The proposed project extends beyond March 31, 2015.

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

- It is not prepared in the mandatory format described.
- It is unsigned.
- The firm or individual has submitted multiple proposals for each task.
- 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.
- The bidder has previously completed a PIER agreement, received the PIER Royalty Review letter (which the Commission annually sends out to remind past recipients of their obligations to pay royalties), and has not responded to the letter or is otherwise not in compliance with repaying royalties.
- The budget forms are not filled out completely.

## **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.
- 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 **calendar** 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.
- 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 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.