**Request for Qualifications**

**Delegate Chief Building Official Services Siting, Transmission and Environmental Protection (STEP) Division**

**INLAND EMPIRE ENERGY CENTER**

**(01-AFC-17C)**

**Compliance Office**



**RFQ-19-701**

www.energy.ca.gov/contracts/

State of California

California Energy Commission

**April 2019**

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# I. INTRODUCTION

## Background Summary

The California Energy Commission (Energy Commission) has exclusive jurisdiction to regulate the construction, operation, modification and closure of thermal power plants 50 megawatts or greater (Public Resources Code sections 25000 et. seq.). In its decision on an Applications for Certification (AFC) or a Petition to Amend (PTA), the Energy Commission adopts or amends conditions of certification (COCs) to ensure power plants and related facilities are constructed, modified, or closed in accordance with Energy Commission requirements and all applicable laws, ordinances, regulations and standards (LORS) including the California Building Standards Code (CBSC).

The CBSC is comprised of many code sections applicable to power plant construction, modification, or closure, including the California Building Code (CBC). The CBC authorizes and directs a Chief Building Official (CBO) to enforce all CBSC provisions (CBC § 104.1). The Energy Commission functions as the CBO for all jurisdictional power plants, and can designate a Delegate CBO (DCBO) to aid with its code compliance and monitoring responsibilities acting on behalf of the Energy Commission. Responsibilities of the DCBO can include:

* Review engineering plans and technical specifications, analyses and calculations;
* Preform field inspections for code and LORS compliance;
* Select and oversee a Safety Monitor responsible to provide independent safety monitoring and verify that the project owner’s Safety Supervisor implements all applicable safety requirements;
* Review, approve, and oversee any special inspectors;
* Enforce local building codes and CBSC;
* Monitor Facility Design, Geology and Transmission System Engineering COCs;
* Review the Storm Water Pollution Prevention Plan (SWPPP), Erosion Control Plan and the Drainage, Erosion, and Sediment Control Plan (DESCP);
* Monitor applicable project LORS to ensure public health and life safety; and
* Coordinate with the project owner’s resident engineer to set priorities for DCBO document review service, DCBO acceptance of test procedures/protocols for facility closure and decommissioning purposes, and minimize costs and project delays.

The DCBO has access to the site at all times and authority to stop work on any activities deemed unsafe or out of compliance.

The DCBO does not have the authority to alter or substitute any COCs. Although the project owner pays for all services provided by the DCBO, the DCBO represents and is solely accountable to the Energy Commission. The Energy Commission retains final authority to ensure the project is built, operated, modified or closed according to the decision, COC’s, and applicable LORS.

In cases where construction of new structures for the purpose of accessing existing structures is necessary in order to undertake or complete the facility closure, decommissioning, or demolition work, an engineering design review and field inspection may be needed. In these instances, it is the DCBO’s responsibility to ensure design document compliance is achieved by a thorough review of: engineered plans; project specifications; and the design document calculations provided by California-licensed plan review engineers. The DCBO’s lead plan reviewers must have verifiable knowledge and experience reviewing high voltage power generating facility construction and closure documents in California.

The DCBOs may also be delegated the authority to conduct project site field inspections. In this capacity, the DCBOs will inspect facilities, write corrections if applicable, and eventually approve and document all CBSC required inspections. This is achieved by providing high quality, certified lead building inspectors.

The work may require that qualified special inspectors be assigned to oversee work that requires special inspections by the applicable LORS. The DCBO will review and approve any potential proposed special inspector, and will oversee the special inspection work to ensure all requirements are met.

In addition, the COCs require that the project owner make payments to the DCBO for the services of a Safety Monitor. The Safety Monitor will be selected by, and report directly to, the DCBO and will be responsible for verifying that the Safety Supervisor, as required by other COCs, is implementing all Division of Occupational Safety and Health (DOSH), better known as Cal/OSHA, and Energy Commission-required safety requirements. The DCBO must provide a Safety Monitor certified from a recognized state, national or international organization as a Safety Professional. The Safety Monitor will be in addition to normal on-site inspection personnel.

Energy Commission staff recognize that power plant closure, decommissioning, or demolition can be complex, due in part to the fast-track, and the potential for worksite hazards. This complexity may also require the DCBOs to use their independent judgment to ensure compliance with a vast array of COCs and LORS. Thus, adequately qualified DCBO Firms require a team of uniquely experienced, licensed and certified professionals with highly technical qualifications specific to high voltage electricity infrastructure. The term “Firm”, “Contractor” or “DCBO” used in this Request for Qualification (RFQ) all refer to the company or entity submitting a Statement of Qualifications (SOQ).

## Project Background and Proposed Work

The IEEC is an existing natural gas-fired combined-cycle generating facility located in Riverside County, California. The IEEC was approved by the Energy Commission on December 17, 2003. The project is located on approximately 45.8 acres at 26226 Antelope Road, Menifee, CA 92585. The project site is located approximately six miles west of the City of Hemet, four miles east of the City of Perris, and 30-miles southeast of the City of Riverside.

The project occupies approximately 35 acres within the 45.8-acre project site. Approximately 24 fenced acres accommodate the power generation facility, switchyard, water treatment facility, storage tank areas, parking area, control/administration building and two stormwater detention basins. The remaining 11 acres are comprised of landscaped areas and access roads. Decommissioning laydown and parking areas will be located within the 45.8-acre project site.

The project consists of two GE S107H systems, each of which includes a combustion turbine generator'(CTG) equipped with dry, low oxides of nitrogen combustors and steam injection power augmentation, a heat recovery steam generator (HRSG) and a condensing steam turbine and a generator (STG). Each system has a single 195-foot exhaust stack. Additional project equipment includes a de-aerating surface condenser, 16-cell mechanical draft cooling tower, nominal 100,000 pound per hour auxiliary boiler, two diesel-fired emergency generators, and a 370-horsepower diesel fire pump.

The project supplies electricity to the California Independent System Operator (CAISO) on a merchant basis. The project sells both Local and System Resource Adequacy (RA) and bids daily into the merchant energy markets. The project has RA commitments through December 31, 2019. One of the two turbines at the project has been mothballed since March 2017 based on economic considerations, and IEEC has decided to cease operation of the entire project as of December 31, 2019.

Effective February 1, 2019, IEEC entered into an agreement to sell the project site and certain assets associated therewith, to a third party that intends to develop a battery energy storage system on the former project site. IEEC will continue to operate the one operational turbine to meet RA requirements through 2019. Upon approval of the Decommissioning Plan by the Energy Commission, IEEC anticipates beginning the decommissioning process, with an overall goal of transferring the project site to the battery energy storage system developer no later than January 1, 2021. IEEC will continue to hold the Energy Commission license and be responsible for implementation of the Decommissioning Plan until decommissioning is completed and the Energy Commission has released jurisdiction over the project site. Implementation of the

Decommissioning Plan is expected to take approximately six to eight months.

Certain project facilities and equipment will remain in place at the project site to support the proposed battery energy storage system. Certain other equipment will be decommissioned and placed into temporary storage, at either the project site or elsewhere. Some of the stored equipment may be used in connection with the proposed battery energy storage system, and some of it may be used for other purposes unrelated to the project site and the proposed battery energy storage system. The planned disposition of the current project facilities and equipment is as follows:

**Facilities to Remain in Place at Project Site**

* Control Room Building and all contents (furniture, personal protective equipment, office equipment, etc.);
* Warehouse (existing contents removed and replaced with specified equipment to be placed in temporary storage);
* Water Treatment Building and all contents;
* Any lower voltage connections (below 500kV) to SCE for standby or station service and associated equipment needed to serve the Control Room Building and Warehouse;
* Fire Water Storage Tank; and
* Potable Water Storage Tank.

**Equipment to Remain In-Place at Project Site**

* 500kV Generator Step Up Transformers;
* Unit Auxiliary Transformers;
* 500kV switchyard and all associated equipment and spares within the fenced switchyard area;
* Spare 500kV Generator Step Up Transformer to remain at its current location adjacent to (at the north end of) the fenced switchyard area;
* All site security equipment (cameras, fencing, controlled access gates, etc.); and
* Generator Circuit Breakers.

**Equipment to be Decommissioned and Stored for Possible Future Use**

* Diesel Fire Pump (Tag# 9FP-P-01A);
* Motor Driven Fire Pump (Tag # 9FP-P-02A);
* Jockey Pump (Tag # 9FP-P-03A);
* 2 x Gas Compressors (Tag #'s 9FG-C-01A/02A);
* Cooling Tower motors (4 x Quantity);
* Emergency Generators (2 x Quantity);
* Fuel Gas Knockout Drum, Filter Separators, & Drains Tanks (Tag #'s 9FG-F-01A, 9FG-F-02A/028, 9FG-T-01A/018/02A);
* Air Compressors, Dryers, and Receivers (Tag #'s 1IA-C-01A/018, 1IA-D-01A/018, 1 IA-D-02A/03A);
* Fin Fan Coolers (Tag #'s 9FG-A-01A/018/01 C); and
* GEMS HRSG PDC (2 x Quantity).

Above-grade facilities and equipment not identified above will be permanently removed from the project site.

Certain Project foundations and subsurface facilities will remain in place either because they will be utilized in connection with the proposed battery energy storage system, or because their removal is not practical, is unnecessary given the continued use of the project site for industrial/energy purposes, and/or would result in significantly greater environmental impacts than retaining in place.

**Foundations**

* Foundations for facilities and equipment to remain in place will remain in place.
* Power Block foundations will be removed to grade.
* It is currently anticipated that all other foundations for facilities and equipment to be decommissioned and removed from the Project Site or placed in temporary storage will be removed entirely.

**Subsurface Facilities**

* Cooling Tower basin will be removed down to 6 inches below grade and filled to grade level with clean fill and compacted as described under Backfilling and Finished Site Grade specifications below.
* Any pipes that are 0-12 feet below surface and are accessible (i.e., not located below foundations that are not removed) will be removed.
* Circulating water pipe that is not below foundations but underneath existing duct banks will be filled with flow fill and not excavated.
* With the possible exception of cabling that supports lower voltage station or standby service, all cabling from underground duct bank conduits will be removed, but duct banks will be left in place with empty conduit.
* Piping for water (fire, potable, service), sewer, gas and condensate, that does not impact the operations of utilities within the administration building, control room and warehouse, will be removed back to the project site boundary and secured with blanking plate or an existing valve if near the project site boundary.
* For piping left in place, service will be blanked off with ASME type weld-end/weld-on caps or flanges.
* The storm water drainage system will be left in place and operable.
* All other subsurface facilities that are not identified above and are located within 0-12 feet below surface will be removed.

At the conclusion of demolition and removal of specified equipment and facilities, site grade will be returned to specified elevations and sloped to existing storm water drains to prevent accumulation and ponding of rainwater. All areas excavated during demolition will be backfilled with existing site material, and if necessary to maintain the required site grade, imported clean engineered fill.

## Purpose Of This RFQ

The purpose of this RFQ is to initiate a competitive bid process to select a highly qualified DCBO for the IEEC’s closure and decommissioning process. With the DCBO’s assistance, the Compliance Office can ensure that the IEEC closure and decommissioning are completed on schedule and in accordance with all COCs, and applicable LORS.

The Energy Commission is seeking one Contractor who will be responsible for all contract administrative duties, project management, report preparation, direction of field inspectors, and participation in technical work assignments. The contractor must submit a Statement of Qualifications (SOQ) for purposes of this RFQ.

## Key Activities And Dates

For the definition of key words, please see Section VI, Administration.

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

| **Activities** | **Action Date** |
| --- | --- |
| RFQ Release | April 19, 2019 |
| Pre-Bid Conference\* | May 15, 2019 |
| Written Question Submittal Deadline by 5:00 p.m. | May 15, 2019 |
| Distribute Questions / Answers and Addenda (if any) | May 27, 2019 |
| **Deadline to submit SOQ by 5:00 p.m.\*** | June 10, 2019 |
| SOQ Discussions with Firms | July 11, 2019 |
| Notice of Selection | July 26, 209 |
| Cost Negotiations | Week of August 5, 2019 |
| Notice of Proposed Award | August 23, 2019 |
| Energy Commission Business Meeting | September 11, 2019 |
| Contract Start Date | January 1, 2020 |
| Contract End Date | December 31, 2021 |

## Contract amount

The contract amount between the Energy Commission and the selected DCBO Firm will be zero dollars. The DCBO Firm will be reimbursed through a separate agreement with the project owner. The Energy Commission will be an expressly named third-party beneficiary to the agreement between the DCBO Firm and the project owner.

## Firm Eligibility

This solicitation is restricted to public and private entities that can meet the requirements of this solicitation and agree to the attached terms and conditions that will be included in the resulting agreement. The Energy Commission reserves the right to modify the terms and conditions prior to executing the Agreement.

All corporations, limited liability companies (LLCs) and limited partnerships (LPs) are required to register and be in good standing with the California Secretary of State to enter into an agreement with the Energy Commission. If not currently registered with the California Secretary of State, applicants are encouraged to contact the Secretary of State’s Office as soon as possible to avoid potential delays in beginning the proposed project(s) (should the application be successful). For more information, contact the Secretary of State’s Office via its website at [www.sos.ca.gov.](http://www.sos.ca.gov/)

## 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 and timeand location listed below. Please call (916) 654-4381 or refer to the Energy Commission's website at [www.energy.ca.gov/contracts](http://www.energy.ca.gov/contracts) to confirm the date and time.

May 15, 2019

10:00 a.m.

California Energy Commission

Charles Imbrecht Hearing Room

1516 9th Street

Sacramento, CA 95814

Telephone: (916) 654-4651

### Participation By Webex

To participate in the meeting using the WebEx onscreen and audio functions, please go to the following URL in your web browser on the date and time of the meeting:

1. **To join the meeting on-line (now for mobile devices**):
2. Go to [https://energy.webex.com](https://energy.webex.com/)
3. Enter the unique meeting number: 929 433 332
4. After logging in on the computer, an **Audio Conference Box** will offer you the choice of phone connections:

* **To Call Into The Teleconference**: Use the drop-down box to select "I will call in" and follow the on-screen directions.
* **To join the audio conference only (no computer access)**: Call 1-866-469-3239 (toll-free in the U.S. and Canada) or 1-650-429-3300 (call-in number in the U.S. and Canada); when prompted enter the unique meeting number above.
* **To Have WebEx Call You Back**: Type your area code and phone number and click "Call Me".

1. **FOR TECHNICAL SUPPORT**:

WebEx Technical Support is available at **1-866-229-3239**.

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Questions

During the RFQ process, questions of clarification about this RFQ must be directed to the Commission Agreement Officer (CAO) listed in the following section. Potential Firms shall carefully examine the qualifications and specifications of this RFQ. You may submit written questions via mail, electronic mail, and by FAX. All questions must be received by 5:00 pm on the date indicated in the Key Activities and Dates section.

The questions and answers will be posted on the Energy Commission’s website at: <http://www.energy.ca.gov/contracts/index.html>.

Any verbal communication with an Energy Commission employee concerning this RFQ is not binding on the State and shall in no way alter a specification, term, or condition of the RFQ. Therefore, all communication should be directed in writing to the CAO listed below.

Contact Information

Phil Dyer

Commission Agreement Officer

California Energy Commission

1516 Ninth Street, MS-18

Sacramento, California 95814

E-mail: [Phil.Dyer@energy.ca.gov](mailto:Phil.Dyer@energy.ca.gov)

## Responses To This Rfq

Responses to this solicitation shall be in the form of a SOQ according to the format described in this RFQ. The SOQ shall detail the Firm’s qualifications to perform the tasks outlined in the Scope of Work.

## Project Specific DCBO Reference Documents

Firms responding to this RFQ must familiarize themselves with the IEEC, the Commission Decisions on the project and the applicable COCs, and provisions on the CBSC applicable to closure and demolition, and DCBO Best Management Practices.

The following documents should be reviewed prior to responding to this RFQ:

* Inland Empire Energy Center’s Final Staff Assessment’s (FSA’s) https://www.energy.ca.gov/sitingcases/inlandempire/documents/2003-05-23\_INLAND\_FSA.PDF
* Inland Empire Energy Center’s FSA Files <https://www.energy.ca.gov/sitingcases/inlandempire/documents/FSA_files/>
* Inland Empire Energy Center Errata to Staff Assessment Supplement <https://www.energy.ca.gov/sitingcases/inlandempire/documents/2003-07-28_ERRATA_SUPPLMNTL.PDF>
* Inland Empire Energy Center Final Commission Decision <http://docketpublic.energy.ca.gov/PublicDocuments/07-AFC-06C/TN205625_20150803T162317_Carlsbad_Amendments_Final_Commission_Decision.pdf>
* Inland Empire Energy Center Decommissioning Plan

To be provided by CAM when available.

Additional information regarding the specific power generation equipment and linear facilities required for the IEEC can be found at the IEEC website:

* <https://www.energy.ca.gov/sitingcases/inlandempire/index.html>

Additionally, the DCBO Firm should be familiar with the following publications available on-line and at the Energy Commission Library:

* Warren‐Alquist State Energy Resources Conservation and Development Act, Public Resources Code Section 25000 et seq. available online at: <http://www.energy.ca.gov/2015publications/CEC-140-2015-002/>
* Rules of Practice and Procedure Power Plant Site Certification Regulations, California Energy Commission, Publication No. 800-00-006, August 2000 California Code of Regulations, Title 20, Public Utilities and Energy, Division 2, State Energy Resources Conservation and Development Commission available online at: <https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I6BD74060D44E11DEA95CA4428EC25FA0&originationContext=documenttoc&transitionType=Default&contextData=%28sc.Default%29>
* Delegate Chief Building Official Best Management Practices Guide. See **Attachment 12 (Exhibit H)** of this RFQ. This document is available at: <http://www.energy.ca.gov/siting/documents/2016_DCBO_BMP_GUIDE.pdf>

# II. SCOPE OF WORK

About This Section

In this section, the Energy Commission describes the tasks the DCBO Firm will be asked to perform under the direction of the Energy Commission’s CPM. This section also describes the work assignment process and deliverables.

## DCBO Work Requirements

The Energy Commission utilizes the California Code of Regulations, Title 24, Parts 1 through 12, herein referred to as the California Building Standards Code (CBSC) for jurisdictional power plants. Facility closure plan review, and closure compliance and filed inspections of all civil, structural, mechanical (except process piping), electrical, and fire prevention facilities must comply with the CBSC and other applicable engineering codes and standards, so these codes apply to all power plant closure and decommissioning. Energy Commission DCBOs are required to have total familiarity with them. The CBSC includes the following code parts relevant to power generation facilities and their commonly referenced names. Although these parts apply to construction work, and only some may apply to demolition work, nonetheless, staff requires the DCBO to have familiarity with all of these parts:

* Part 1 - California Building Standards Administrative Code
* Part 2 - California Building Code (Volumes 1 and 2)
* Part 3 - California Electrical Code
* Part 4 - California Mechanical Code
* Part 5 - California Plumbing Code
* Part 6 - California Energy Code
* Part 7 - no longer in use
* Part 8 - California Historical Building Code
* Part 9 - California Fire Code
* Part 10 - California Existing Building Code (formally - California Code for Building Conservation)
* Part 11 - California Green Building Code
* Part 12 - California Reference Standards Code

A properly designed, constructed or modified power plant will meet or exceed all applicable LORS. Some of the applicable LORS include, but are not limited to, the list below. Energy Commission DCBOs must have complete familiarity with all applicable LORS.

* American National Standards Institute (ANSI)
* American Petroleum Institute (API)
* American Society of Civil Engineers (ASCE)
* American Society of Mechanical Engineers (ASME)
* American Society for Testing and Materials (ASTM)
* Institute of Electrical and Electronics Engineers (IEEE)
* National Fire Protection Association (NFPA)
* Underwriters Laboratories (UL)
* American Welding Society (AWS)
* National Electrical Code (NEC)
* National Electrical Safety Code

Additional LORS of note include, but are not limited to, the California Professional Engineers Act (Business and Professions Code sections 6700-6799), California Professional Land Surveyors’ Act (Business and Professions Code sections 8700-8805) and California contractors’ license laws.

## DCBO Tasks And Work Performance

This section contains a generalized version of the roles, responsibilities, and varied tasks expected of a DCBO Firm. Please note that although the DCBO functions as the Energy Commission's delegate, the Energy Commission has the final authority and responsibility to ensure that each power generating facility certified is built, modified, or closed in accordance with the Energy Commission’s Decision and the applicable LORS.

As an Energy Commission delegate, the DCBO must abide by any interpretation of the CBSC, and any other applicable LORS, made by the Energy Commission. In addition, all DCBO team members must be approved by Energy Commission staff, including additions or replacement team members.

The DCBO will perform contract administration functions, complete a series of specific plan review, site-inspection, and facility closure monitoring and reporting tasks, and provide technical/interpretive support services when necessary. Required DCBO tasks include Tasks 1‑6, below:

### Task 1 – Project Team Management (DCBO Infrastructure) and Quality Control

The DCBO shall:

* Understand and become familiar with each Project’s COCs applicable to the project.
* Attend and participate in Energy Commission team meetings as requested by the CPM.
* Work with the CPM to ensure all pre-closure submittals, if applicable, are complete.
* Use a password-protected, project-specific website for the posting of the weekly reports and other project documents. The documents on the website must be posted in an MS Word- or Excel-compatible format, and applicable submittals must be converted to .pdf files for the Periodic Compliance Reports (PCRs).
* Provide document security and backup methods to the CPM for review and approval to ensure that the electronic submittal process is secure and data can be re-established if it is lost or damaged.
* Obtain and become familiar with the Compliance Matrix for closure, decommissioning, and/or demolition provided by the project owner with submittal deadlines.
  + Maintain a site presence during facility closure and decommissioning activities as directed by the CPM.
  + Issue as necessary correction notices and non-conformance reports to ensure COC and LORS compliance.
* Select a DCBO Lead Engineer or monitor as appropriate and as directed by the CPM, to oversee facility closure and decommissioning compliance.
* Include all the components listed below in a Periodic Compliance Report (PCR) with an easily-navigable format. Provide Periodic Compliance Reports (PCRs) and site inspection reports to the CPM via web posting, and include:
  + List of DCBO staff onsite and their duties;
  + Executive summary of current closure activities;
  + Updated compliance matrix;
  + Compliance issues with applicable LORS and COCs;
  + List of issued or potential non-conformance reports;
  + List and status of submitted plans;
  + List of field inspections performed this week (inspection reports shall be posted for CPM review no later than 3 days after inspection was done); and,
  + List of any job-related accidents whether Occupational Safety and Health Administration (OSHA) recordable or not.
* Maintain, via a Document Control Manager (DCM), a log of all email correspondence pertinent to all document submittals, and inspection activity issues.
* Provide and maintain an easily referenced and on-line copy of the invoices submitted to the project owner.

**Deliverables:**

The following deliverables shall be submitted through the DCBO’s Document Submittal and Tracking System (DSTS):

1. Periodic Compliance Reports (PCRs) on a schedule agreed to by the CPM and DCBO;
2. Updated Compliance Matrix for closure, decommissioning, and/or demolition; and,
3. Invoices submitted to the project owner.

### Task 2 – Project Coordination and Communication Protocols

Power plant closure, decommissioning, and demolition projects require well-organized processes to perform inspections, keep all parties informed, and ensure all DCBO comments are well documented.

The DCBO shall:

* Track and maintain
  + Any Drawings;
  + Notices of non-conformance;
  + Inspection comments, rejections, and approvals;
  + Special inspections; and,
  + Safety Inspections.
* Maintain all documents submitted to the DCBO for access by project staff and Energy Commission staff.
* Maintain the minimum types of project documents including but not limited to: closure drawings; supporting calculations; closure specifications; inspections; special inspections; worker safety records; and when applicable, environmental monitoring records.
  + Documents submitted to the DCBO must be in an Adobe Acrobat® .pdf, secure, electronic file format, and if an Engineer of Record (EOR) is associated with the submittal, it must include a digital signature.

### Task 2.1 – Kick Off and Coordination Meeting(s)

As directed by the CPM, the DCBO shall attend project-specific coordination meetings and be prepared to provide information regarding the timing, schedule, and issues for COC compliance and monitoring.

**Deliverables:**

Deliverables may include the following:

1. Any Drawings;
2. Notices of non-conformance;
3. Inspection comments, rejections, and approvals;
4. Special inspections; and
5. Safety Inspections.

### Task 3 –Facility Closure Compliance Assistance

The Decommissioning Plan must be approved before the Energy Commission can allow the project owner to proceed with site mobilization and commence facility closure activities. Although the Energy Commission retains the final authority over all matters relating to COC interpretation, the DCBO does provide certain preliminary document review and pre-closure COC compliance assistance.

The DCBO shall assist, as directed by the CPM, with preliminary document review and COC compliance. The DCBO should communicate the amount of time required for these activities to the project owner during their contract negotiations.

### Task 4 – Facility Demolition-related Plan Review

Demolition activities might require new construction work. Construction of a new structure for the purpose of accessing an existing structure in order to undertake or complete demolition work may require engineering design review and field inspection. The DCBO shall perform this review and inspection.

**Deliverables:**

Deliverables may include:

1. Engineering design review records; and
2. Field inspection records.

### Task 5 – facility closure Compliance and Field Inspections

The DCBO’s responsibilities also include conducting field inspections and providing COC compliance oversight. In this role, the DCBO is responsible for the inspection of closure, decommissioning, and demolition activities to ensure compliance with reasonable closure, decommissioning, and demolition practices and safety requirements. These include, but are not limited to, compliance items identified below and within the project-specific COCs.

The DCBO shall:

1. Select a Certified Safety Monitor, financed by the project owner, who reports directly to the DCBO and the CPM. The Certified Safety Monitor must be certified from a recognized state, national, or international organization as a Safety Professional. The Certified Safety Monitor’s role will include, but is not limited to conducting on-site (including linear facilities) safety inspections to verify that the Safety Supervisor implements all appropriate Cal/OSHA and Energy Commission safety requirements.
   * Oversee the Safety Monitor, to ensure that the Safety Monitor completes the following:
     + Conduct on-site safety inspections during closure, decommissioning, and dismantling activities at intervals necessary to fulfill those responsibilities.
     + Have the authority to issue a stop work order for unsafe conditions found on the work site. The stop work order will be in writing and given to the Safety Supervisor with the necessary conditions to remedy the unsafe condition(s) before work can resume.
     + Ensure that the corrective actions have been properly taken by the Safety Supervisor before work can resume.
     + Maintain a log of and document all safety-related issues.
     + Provide an inspection notification process that includes independent feedback to the project owner’s project team and CPM when multiple or repeated inspection failures have occurred as described in the Best Management Practice Guide “Guide”, which is included as **Attachment 12** (**Exhibit H**) of this RFQ.

**Deliverables:**

Deliverables may include:

1. Inspection reports; and
2. Copy of stop work order, if applicable.

### Task 6 – Non-Compliance and Incident Reporting and Resolution

The primary responsibility of the DCBO is to ensure compliance with local building codes, the CBSC, Workers Safety, and other applicable LORS. As per Task 1 above, if a non-conformance report is issued, it must be reported to the CPM (on a per incident basis or in the next PCR or as directed by the CPM). The non-conformance report should only be issued after all other measures are exhausted (i.e. correction notices, discussion with CPM, etc.) to seek compliance.

The DCBO shall:

1. Communicate any LORS-related non-compliance concerns or issues about any safety-related incidents to the project owner’s representative and CPM.
2. Communicate any unresolved issues to the CPM for issue resolution process.
3. Take any action allowed by the California Code of Regulations, the CBSC and LORS to ensure that the Energy Commission’s interests are properly addressed and protected.
4. Notify the CPM prior to initiating a stop-work order. For emergency situations, the DCBO may initiate a stop-work prior to notifying the CPM or the Compliance Office Manager if the CPM is not available. For any action taken under emergency conditions, the CPM must be notified within 4 hours of the action.

**Deliverables:**

1. Notification to CPM of intention to initiate stop-work order, due 24 hours before initiation except as described in item 2 below;
2. Notification to CPM of emergency stop-work order, within 4 hours of action; and
3. Safety-related incidents reports.

## DCBO Work Performed Prior to Issuance of the Approved Decommissioning Plan

Any work undertaken by the DCBO prior to the issuance of the approved Decommissioning Plan shall be performed at the sole risk of the DCBO. Any compliance approvals by Energy Commission staff prior to the issuance of the approved Decommissioning Plan are subject to change, and staff compliance approvals provided before the issuance of the approved Decommissioning Plan does not imply that the Energy Commission will approve the plan for actual decommissioning.

# III. SOQ FORMAT, REQUIRED DOCUMENTS AND DELIVERY

## About This Section

This section contains the format requirements and instructions on how to submit an SOQ in response to this RFQ. The format is prescribed to assist the Firm in meeting State requirements and to enable the Energy Commission to evaluate each SOQ uniformly and fairly. Firms must follow all SOQ format instructions, answer all questions, and supply all requested data.

## Pricing/Rates Information

Do not submit any price quotes or bids in your SOQ since this will be negotiated with the top-rated firm.

## Required Format For An SOQ

All SOQs submitted under this RFQ must be typed or printed using a standard 12‑point font, singled-spaced and a blank line between paragraphs. SOQ Section 3 Technical Response must be no more than 30 pages (printed double-sided on 15 pieces of 8 1/2 x 11 paper). 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

* Firms must submit the original and 5 copies of the SOQ.
* Firms must also submit electronic files of all volumes on CD-ROM, DVD or USB memory stick along with the paper submittal. Only one CD-ROM, DVD or USB memory stick is needed.
* Electronic files must be in Microsoft Word XP (.doc format) and Excel Office Suite formats.
* Electronic files submitted via e-mail will not be accepted.

## Packaging And Labeling

The original and copies of the SOQ must be labeled "Request for Qualifications, **RFQ-19-701**," and include the title of SOQ and the appropriate volume number.

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

|  |  |
| --- | --- |
| Person’s Name, Phone #  Firm’s Name  Street Address  City, State, Zip Code  FAX # |  |
|  | **RFQ-19-701**  Contracts, Grants & Loans Office, MS-18  California Energy Commission  1516 Ninth Street, 1st Floor  Sacramento, California 95814 |

## Preferred Method For Delivery

A Firm may deliver an SOQ by:

* U.S. Mail, FedEx, UPS (or similar mail service);
* In person; or
* Messenger service.

SOQs must be delivered **no later than 5:00 p.m**., on **June 10, 2019** to the Energy Commission’s Contracts, Grants and Loans Office during normal business hours and prior to the deadline specified in this RFQ (Section I). Any SOQ received after the specified date and time are considered late and will not be accepted. Postmark dates of mailing, E-mail and facsimile (FAX) transmissions are not acceptable in whole or in part, under any circumstances.

## SOQ Organization

### Section 1: Administrative Response

Cover Letter

Table of Contents

Contractor Status Form Attachment 1

Darfur Contracting Act Form Attachment 2

DVBE Declarations Form Std 843 (if applicable) Attachment 3

Bidder Declaration Form GSPD-05-105 (if applicable) Attachment 4

Contractor Certification Clauses Attachment 5

Standard Agreement Example Attachment 6

Iran Contracting Act Form Attachment 9

Third-Party Beneficiary Language for Contract Between

Project Owner and Delegate Chief Building Official (DCBO) Attachment 10

California Civil Rights Laws Certification Attachment 13

### Section 2: Minimum Requirements

Certification Regarding Conflicts of Interest Attachment 8

Project Team Minimum Requirements Form Attachment 11

### Section 3: Technical Response

Project Team Management and Quality Control Experience

Project Team Organizational Structure

Project Team Relevant Experience and Qualifications

Approach to Tasks in Scope of Work

Analytical Tools

Client References Attachment 7

### Section 3: Technical Response

#### Minimum Requirements

In order for a Firm’s SOQ to be accepted and scored on the technical substance, the Firm must meet the Project Team Minimum Requirements. The Energy Commission will determine if the Firm meets the minimum requirements. Any Firm which does not meet these Minimum Requirements shall be eliminated and the SOQ will not be evaluated and scored.

##### Conflict of Interest Minimum Requirements[[1]](#footnote-2), [[2]](#footnote-3)

The Firm must meet the conflict of interest minimum requirements described in this section. First, the Firm must be Available to Work on the power plant project. Second, the Firm must certify that it has a team that is Available to Work that can cover every position listed on Table 1, Project Team Minimum Requirements. “Available to Work” is defined in each section below.

Minimum Requirements for the Firm

The Firm must be Available to Work on the power plant project. A Firm is Available to Work on the power plant project if:

* The Firm has not worked on behalf of the project owner on the preparation of the power plant Facility Closure Plan that is the subject of this RFQ, and has not received income from the power plant project owner within the twelve months prior to the start of work for the Energy Commission under the agreement resulting from this RFQ, except income received from the project owner pursuant to a Memorandum of Understanding between the Energy Commission and the Firm for work as the Energy Commission’s DCBO.
* The Firm’s subcontractors have not worked on behalf of the project owner on preparation of the power plant Facility Closure Plan, the subject of this RFQ, and have not received income from the power plant project owner within the twelve months prior to the start of work for the Energy Commission under the agreement resulting from this RFQ, except income received from the project owner pursuant to a Memorandum of Understanding between the Energy Commission and the Firm for work as the Energy Commission’s DCBO.

Minimum Requirements for the Firm’s Team

The Firm must certify that it has a team that is available to work that can cover every position listed on Table 1, Project Team Minimum Requirements. To cover every position, the Firm must certify that it has at least one team member for each position that is available to work on the power plant project. “Available to Work” means that the team member has no conflicts of interest associated with the power plant project. A team member is available to work on the power plant project if:

* The person has not previously worked on behalf of the project owner on the preparation of the power plant Decommissioning Plan, the subject of this RFQ.
* The person has no financial interest in the project owners and project entities identified below, except for income received for performing work as DCBO on behalf of the Energy Commission.

Please use **Attachment 8**, *Certification Regarding Conflicts of Interest*, to help determine whether a team member is Available to Work. Please use the Power Plant Project Owner and Project Entities List below for your answers to **Section 3 of Attachment 8.**

**Power Plant Project Owner and Project Entities List**

**Name of Power Plant Project**: Inland Empire Energy Center

**Project Owner(s)**:

* Inland Empire Energy Center, LLC

**Project Entities**:

* GE Power
* Inland Empire Energy Center, LLC (indirectly wholly-owned subsidiary of General Electric Company)

**Project Engineering, Procurement, and Construction (EPC) contractor**:

* TBD at a later date

##### Project Team Minimum Requirements Form (Attachment 11):

For each expertise/position listed in Table 1, the Firm must submit the name of the team member, a short description of the person’s qualifications, experience, and education/license/certification, and a copy of those licenses and certifications.

* The Firm must have at least one team member for each of the delegated positions with at least the minimum qualifications, experience, and education as identified in Table 1. The firm must identify at least one name for each position in Attachment 11. If the Firm fails to satisfy all of the Project Team Minimum Requirements at the time of SOQ submission, the Firm shall be eliminated and the SOQ will not be evaluated and scored. The successful Firm must continue to satisfy all of the Project Team Minimum Requirements throughout the term of the contract resulting from this RFQ. One person may fulfill multiple positions as long as that person meets the minimum requirements for each position.

**Table 1: Project Team Minimum Requirements**

| **Delegated**  **Position** | **Qualifications\*** | **Experience** | **Education/ License/ Certification Requirements** |
| --- | --- | --- | --- |
| Chief Building Official (CBO) | Verifiable experience as a CBO on complex industrial facilities in California | Minimum 2 years as a CBO on a power generating facility | Minimum Combination Building Inspector, from a recognized state, national or international organization |
| Deputy Chief Building Official (DCBO) | Verifiable experience as a DCBO on complex industrial facilities in California | Minimum 2 years as a DCBO for complex industrial facilities | Minimum Building Inspector, but desired Combination Inspector, from a recognized state, national or international organization |
| Fire Marshall | Certified California Fire Plan reviewer and certified California fire inspector with verifiable experience as a Fire Marshall on complex industrial facilities in California | Minimum 2 years reviewing Fire Plans for complex industrial facilities | Minimum Fire Marshall and Fire Plans Reviewer from a recognized state, national or international organization |
| Lead Structural Plan Review Engineer | California licensed structural engineer or California licensed civil engineer with verifiable knowledge and experience in structural engineering, and is fully competent and proficient in reviewing facility closure plan documents (plans, calculations and specifications) of complex industrial facilities and power generating facilities structures and equipment supports in California | Minimum 2 years reviewing plans for complex industrial facilities | Engineering degree that is licensed and in good standing with the California Department of Consumer Affairs, Board for Professional Engineers, Land Surveyors and Geologists for the discipline to be reviewed |
| Lead Electrical Plan Review Engineer | California licensed electrical engineer with verifiable knowledge and experience in electrical engineering, and is fully competent and proficient in reviewing facility closure plan documents (plans, calculations and specifications) of complex industrial facilities and power generating facilities’ electrical systems that include low, medium and high voltages | Minimum 2 years reviewing plans for complex industrial facilities | Engineering degree that is licensed and in good standing with the California Department of Consumer Affairs, Board for Professional Engineers, Land Surveyors and Geologists for the discipline to be reviewed |
| Lead Mechanical Plan Review Engineer | California licensed mechanical engineer with verifiable knowledge and experience in mechanical engineering, and is fully competent and proficient in reviewing facility closure plan documents (plans, calculations and specifications) of complex industrial facilities’ mechanical systems that include but are not limited to: chemical conveying systems; potable water; fire protection; pressure vessels; steam piping; and high pressure gas lines | Minimum 2 year reviewing plans for complex industrial facilities | Engineering degree that is licensed and in good standing with the California Department of Consumer Affairs, Board for Professional Engineers, Land Surveyors and Geologists for the discipline to be reviewed |
| Lead Civil/Geology Plan Review Engineer | California licensed civil engineer with verifiable knowledge and experience in civil engineering, and is fully competent and proficient in reviewing facility closure plan documents (plans, calculations and specifications) of complex industrial facilities that include but are not limited to: foundation investigations; geotechnical/ soils reports; site preparation; excavation; compaction; secondary containment; foundations; erosion and sedimentation control structures; drainage facilities; underground utilities; culverts; site access roads and sanitary sewer systems | Minimum 2 years reviewing Civil Plans for complex industrial facilities | Engineering degree that is licensed and in good standing with the California Department of Consumer Affairs, Board for Professional Engineers, Land Surveyors and Geologists for the discipline to be reviewed |
| Lead Building (Life/Safety) Plan Reviewer | Certified commercial building plan reviewer with verifiable knowledge and experience reviewing plans for life/safety compliance on complex industrial facilities in California. Experience should include but not be limited to reviewing: Occupancy classification; type of facility closure plan; allowable square footage; fire separations; elevators; ADA; building egress; and Green Building, including planning and design, energy efficiency, water efficiency, resource efficiency and environmental quality | Minimum 2 years reviewing Life/Safety Plans for complex industrial facilities | Certification from a recognized state, national or international organization as a commercial plan reviewer |
| Mechanical Plan Review Engineer | Mechanical engineer with verifiable experience and knowledge, that with supervision from the lead mechanical plan review engineer, is fully competent and proficient in reviewing facility closure plan documents (plans, calculations and specifications) of complex industrial facilities mechanical systems that include but are not limited to; chemical conveying systems; potable water; fire protection; pressure vessels; steam piping; and high pressure gas lines | 1 year reviewing plans for complex industrial facilities | Engineering Degree |
| Electrical Plan Review Engineer | Electrical engineer with verifiable experience and knowledge, that with supervision from the lead electrical engineer is fully competent and proficient in reviewing facility closure plan documents (plans, calculations and specifications) of complex industrial facilities and power generating facilities electrical systems that include low, medium and high voltages | 1 year reviewing plans for complex industrial facilities | Engineering Degree |
| Structural Plan Review Engineer | Structural engineer or civil engineer with verifiable experience and knowledge, that with supervision from the lead structural plan review engineer is fully competent and proficient in reviewing facility closure plan documents (plans, calculations and specifications) of complex industrial facilities and power generating facilities, structures and equipment supports in California | 1 year reviewing plans for complex industrial facilities | Engineering Degree |
| Lead Onsite Inspector | Certification from a recognized state, national or international organization as a combination Building Inspector with verifiable experience as a lead inspector on complex industrial facilities in California | Minimum 2 years as a Lead Inspector on complex industrial facilities in California | Certification from a recognized state, national or international organization as a Building (Life/Safety), Electrical, Mechanical and Plumbing inspector |
| Onsite Inspector | Certification from a recognized state, national or international organization as a combination Building Inspector with verifiable knowledge and experience as an inspector on complex industrial facilities in California | 1 year as an inspector on complex industrial facilities in California | Certification from a recognized state, national or international organization as a Building (Life/Safety), Electrical, Mechanical and Plumbing inspector |
| Worker Safety Monitor | Verifiable experience as a safety representative on complex industrial facilities | 2 years as a Safety Professional on complex industrial facilities | Certification from a recognized state, national or international organization as a Safety Professional |
| Document  Control | Verifiable experience to include but not be limited to; collecting, maintaining and distribution of all documents necessary for successful project delivery; management, tracking and distribution of engineering documents; tracking of review deadlines; distribution of tasks including inspection requests, engineering document review requests and other miscellaneous project requirement due dates; compilation of project documents; and review and editing of inspection reports, engineering letters, etc. | Minimum 1 year |  |
| Project  Assistant | Verifiable experience to include but not be limited to; assisting field and office staff with the creation of project deliverables; coordinate office and field supply requirements for specific assignments; perform clerical duties to generate and revise documents as necessary; performing technical writing duties as assigned; and website maintenance (upload/download documentation) as necessary. Should be proficient in the following: Microsoft Word, Excel, PowerPoint; presentation development; technical writing; editing; process implementation; and must have excellent communication skills with attention to detail | Minimum 1 year |  |

\*Complex industrial experience is defined as having similar systems as a high-voltage power generating facility that include but are not limited to: high pressure gas system; high pressure steam, chemical carrying pipeline systems, etc.

#### Technical Response

##### Project Team Management and Quality Control Experience

* Describe how the Firm would initiate, schedule, and manage the project team for complex facility closure projects, including a narrative of the team’s communication protocol among the Firm’s team members (including subcontractors), the project owner’s team members, and the CAM.
* Describe the Firm’s approach to the contract management and administration of this agreement. Identify the contract management team members.
* Describe the Firm’s code interpretation and conflict resolution processes with contractors, local jurisdictions, and the public.
* Describe the Firm’s approach to provide quality assurance for each team member’s performance, and to identify and resolve performance problems effectively.
* Describe the Firm’s approach to minimize turnover and provide a stable professional team for the duration of the agreement, including the ability to effectively and efficiently add and train new team members as needed.

##### Project Team Organizational Structure

* Describe the composition and organizational structure of the Firm, including providing an organizational chart of the entire team. In addition, provide the following:
  + Identify all responsible engineering team members and supervisorial/senior monitoring team members, with photo identification;
  + Identify senior team members familiar with the facility types specific to the Energy Commission’s jurisdiction; and
  + Provide the number of employees in the Firm and the number of years the Firm has been in business.
* Describe the composition and organizational structure of each subcontractor, including providing an organizational chart for each subcontractor. In addition, provide the following:
  + The number of employees;
  + The number of years in business; and
  + Key team members.
* Identify the primary contact person for the Firm and each subcontractor. The Evaluation Committee will invite the primary contact person for the Firm to attend the discussion session described in Section IV. Additionally, at least one individual representing the team’s expertise in each of the technical areas of your SOQ is encouraged to attend the discussion session.
* Identify the locations of the Firm’s and each subcontractor’s headquarters and/or satellite office(s).
* Provide a short description of each subcontractor and key members of the team. Describe the relationship between the Firm and the subcontractors on your team. Indicate any history of a working relationship between the team members noting any significant success stories.
* Describe the Firm’s ability to pay subcontractors on a timely basis.

##### Project Team Relevant Experience and Qualifications

* Identify and list all of the Firm’s staff and subcontractors (all team members) who will be committed to the tasks. Describe their roles and familiarity with the technical areas pertinent to the tasks identified in the Scope of Work. Include job classifications, relevant experience, education level, and academic degrees (as applicable).
* Identify which, if any, of the Firm’s project team is a subcontractor and what their tasks will be.
* Provide a brief description of the Firm’s familiarity with the Energy Commission’s AFC/PTA processes and COCs, in conjunction with the scope of the DCBO’s duties and responsibilities.
* Identify the percentage of time each team member will be available throughout the contract term.
* Describe any professional awards of the Firm and each subcontractor.
* Highlight any awards, specialized facility compliance experience, or current certifications of the project team that are applicable to the tasks in the Scope of Work.
* Provide a description of the project team’s experience evaluating code compliance for projects with a significantly large and varied array of conditions for approval.
* Provide a description of the project team’s experience on past power plant projects under the Energy Commission’s jurisdiction.
* Identify the project team’s qualified experts in plan review and in facility closure inspection and monitoring.
* Include a current set of qualifications for all project team members expected to conduct plan review services.
* Provide a current resume for all team members listed:
  + Include relevant documentation, qualifications, and technical certifications; and
  + Include all third party plan review service providers, and the relevant documentation, qualifications, and technical certifications for the subcontractors.
* Provide a list of projects completed in the last five years by the project team that demonstrate familiarity with these elements of energy facility compliance plans:
  + Energy Commission COCs (including Facility Design, Hazardous Materials, Worker Safety, Fire Protection, Soil and Water, and Transmission Safety Engineering);
  + Facility closure and operational safety and health programs;
  + Injury and illness prevention programs; and
  + Emergency action and fire prevention plans.
* Provide a list of projects completed by the project team in the last five years that demonstrate engineering plan-review experience with the following:
  + Facility design review (i.e., civil and structural, electrical, and mechanical engineering);
  + Demolition experience;
  + Pipeline safety;
  + Storm water management;
  + Transmission system engineering;
  + Geology and seismic safety experience; and
  + Geothermal or solar technology experience (as applicable).
* Identify any work done in the last five years with any thermal power plant developer or owners that have projects in California.
  + Include relevant documentation, qualifications, and technical certifications; and
  + Include all third party plan review service providers, and the relevant documentation, qualifications, and technical certifications for the subcontractors.

##### Approaches to Tasks in Scope of Work

Describe the Firm’s general and specific proposed approaches to providing the services listed in the Scope of Work, highlighting outstanding features, qualifications, and experience of the team.

* TASK 1 – Project Team Management (DCBO Infrastructure) and Quality Control
* TASK 2 – Project Coordination and Communication Protocols
  + Task 2.1. Kick Off and Coordination Meeting(s)
* TASK 3 –Facility Closure Compliance Assistance
* TASK 4 – Facility Closure Plan Review
* TASK 5 –Facility Closure Compliance and Field Inspections
* TASK 6 – Non-Compliance and Incident Reporting and Resolution

##### Analytical Tools

* Describe capability to use computers and/or analytical tools to accomplish the tasks listed in the Scope of Work and what types of computers and/or analytical tools will be used.
* Describe any technical capabilities that would facilitate communication with the Energy Commission.

##### Client References

The Firm and each subcontractor shall complete a Client Reference Form **(Attachment 7).** Three client references are required for the Firm and three client references are required for each subcontractor.

# IV. EVALUATION Criteria and SelEction Process

## Selection Process Steps

This section contains the Energy Commission’s evaluation and selection process. After passing an initial screening the Energy Commission will organize a committee (the Evaluation Committee) whose members have expertise in the evaluation of architectural and engineering services. The Evaluation Committee will evaluate, score, and rank the SOQs, and ultimately select the highest ranked Firm.

## Administrative And Completeness Screening Criteria (Mandatory)

Each SOQ will be screened for compliance with the Administrative Screening Criteria below. The Energy Commission will evaluate each SOQ to determine its responsiveness to these requirements. SOQs that fail or do not fully comply with any of the Administrative and Completeness Screening Criteria shall be disqualified and eliminated from further evaluation.

* The SOQ must be received no later than time and date set for receipt of SOQs.
* The SOQ must include properly executed Contractor Certification Clauses.
* The SOQ must include a properly executed Darfur Contracting Act Form.
* The SOQ must include a properly executed Iran Contracting Act Form.
* The SOQ must include a properly executed Civil Rights Laws Certification Form.
* The SOQ must not contain false or intentionally misleading statements or references that do not support an attribute or condition contended by the Firm.
* The SOQ must not be intended to erroneously and fallaciously mislead the State in its evaluation of the SOQ and the attribute, condition, or capability is a requirement of this RFQ.
* The SOQ must demonstrate there is no conflict of interest as stated in this RFQ.
* The SOQ must not contain confidential information or contain any portion marked confidential.
* The Firm must agree to the terms and conditions as attached to the solicitation. Firm must sign the Contractor Status Form indicating acceptance with the terms and conditions. Firm must not state anywhere in the SOQ that acceptance is based on modifications to those terms and conditions or separate terms and conditions.

## Grounds To Reject A SOQ

In addition to the Administrative Screening Criteria identified above, the Energy Commission reserves the right to reject an SOQ if:

* The SOQ is unsigned.
* The SOQ is not prepared in the format described.
* The Firm has submitted multiple SOQ’s.
* The Firm does not meet the minimum qualifications found in Table 1.
* The SOQ does not literally comply or contains caveats that conflict with the RFQ and the variation or deviation is material, or it is otherwise non-responsive.
* The Firm has previously completed a PIER agreement, received the PIER Royalty Review letter, which the Energy 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 Firm must meet the Conflict of Interest requirements.

## Evaluation Criteria and Scoring Process

The Evaluation Committee will review and score all remaining SOQs based on the Evaluation Criteria in this RFQ. The preliminary technical score for each SOQ will be the average of the combined scores of all Evaluation Committee members.

## Evaluation Criteria Worksheet and Scoring Scale

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

## Scoring Scale

|  |  |  |
| --- | --- | --- |
| **% of Possible Points** | **Interpretation** | **Explanation for Percentage Points** |
| 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. |
| 10-30% | Minimally Responsive | Response minimally addresses the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable. |
| 40-60% | 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 Firm’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 Firm’s response or proposed solution. Firm 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 Firm’s response or proposed solution. The response exceeds the requirements in providing multiple enhancing features, a creative approach, or an exceptional solution. |

### 

### SOQ Evaluation Scoring Worksheet

| **Evaluation of Statement of Qualifications - Criteria** | **Points Possible** |
| --- | --- |
| **WRITTEN EVALUATION CRITERIA** | |
| 1. **Project Team Management and Quality Control Experience** |  |
| * 1. Ability of the Firm to initiate, schedule, and manage the project team for a complex facility closure projects, and effectiveness of communication protocol among the Firm’s team members (including subcontractors), the project owner’s team members, and the CAM. | 75 |
| * 1. Ability of the Firm to perform its prime contract management and administration duties. | 20 |
| * 1. Effectiveness of the Firm’s code interpretation and conflict resolution processes. | 60 |
| * 1. Ability of the Firm to provide quality assurance for each team member’s performance, and to identify and resolve performance problems effectively. | 80 |
| * 1. Ability of the Firm to minimize turnover and effectively and efficiently recruit and train new team members as needed. | 20 |
| 1. **Project Team Organizational Structure** |  |
| * 1. Effectiveness of project team organization. | 25 |
| * 1. Depth of knowledge of senior team members with the facility types specific to Energy Commission jurisdiction. | 80 |
| * 1. Ability of the Firm to create and maintain a positive working relationship with subcontractors. | 20 |
| * 1. Ability of the Firm to pay subcontractors on a timely basis. | 20 |
| 1. **Project Team Relevant Experience and Qualifications** |  |
| * 1. Depth of experience of team members, including awards, specialized experience, current certifications, and overall team qualifications. | 50 |
| * 1. Team members’ familiarity with Energy Commission’s AFC/PTA processes and COCs. | 20 |
| * 1. Depth of team members’ code compliance experience for projects with a significantly large and a varied array of conditions for approval.      1. Expertise in plan review and facility closure inspection and monitoring.      2. Experience on past power plant projects under the Energy Commission’s jurisdiction. | 100 |
| * 1. Knowledge of the following elements of energy facility compliance plans:      1. Energy Commission COCs (including Facility Design, Hazardous Materials, Worker Safety, Fire Protection, Soil and Water, and Transmission Safety Engineering);      2. Facility closure and operational safety and health programs;      3. Injury and illness prevention programs; and      4. Emergency action and fire prevention plans. | 55 |
| * 1. Demonstrates engineering plan-review experience with the following:      1. Facility design review (i.e., civil and structural, electrical, and mechanical engineering);      2. Pipeline safety;      3. Storm water management;      4. Transmission system engineering;      5. Geology and seismic safety experience. | 100 |
| 1. **Approach to Tasks in Scope of Work** |  |
| Describes the Firm’s general and specific proposed approaches to providing the services listed in the Scope of Work, highlighting outstanding features, qualifications, and experience of the team. |  |
| a. Task 1 – Project Team Management and Quality Control | 25 |
| b. Task 2 – Project Coordination and Communication Protocols | 25 |
| c. Task 3 – Facility Closure Compliance Assistance | 20 |
| d. Task 4 – Co Facility Closure Plan Review | 25 |
| e. Task 5 – Facility Closure Compliance and Field Inspections | 25 |
| f. Task 6 – Non-Compliance and Incident Reporting and Resolution | 25 |
| 1. **Analytical Tools** |  |
| * 1. Ability of Firm to use computers and/or analytical tools to accomplish the tasks listed in the Scope of Work and what types of computers and/or analytical tools will be used.   2. Technical capabilities of Firm that would facilitate communication with the Energy Commission. | 20 |
| 1. **Client References** |  |
| Quality of the Client References for the Firm and each sub-contractor. | 10 |
| **Written Evaluation Maximum Points Possible** | **900** |
| *Written SOQ Evaluation Minimum Passing Score (75%) \** | *675* |
| **Discussion Evaluation Criteria** | **Points Possible** |
| 1. **Discussion** |  |
| * 1. Quality of presentation. | 25 |
| * 1. Clean and concise responses to questions. | 25 |
| * 1. Demonstrated knowledge of the subject/issues. | 25 |
| * 1. Demonstrated ability to anticipate and resolve problems. | 25 |
| **Discussion Evaluation Maximum Points Possible** | **100** |
| **Maximum Points (Written SOQ and Discussion)** | **1000** |

\*Firms that do not pass the minimum passing score will not be invited for a discussion with the Energy Commission.

### Ranking an SOQ

After each SOQ is scored, it will be placed on a list, in rank order, with the highest scoring SOQ placed first and the remainder in descending order based on score.

## Firm Selection and Noticing Process

### Notice Of Firms Selected For Discussions

Approximately 5 business days before the time scheduled for discussions, the Energy Commission will notify all Firms indicating whether they will be invited to participate in the discussions.

### Discussions

The Evaluation Committee shall conduct discussions during the Evaluation Process with no less than three Firms (unless less than three Firms have submitted a passing SOQ) regarding qualifications and methods for furnishing the required services. Firms invited to participate in the Discussion will be scored by the Evaluation Committee on their response. The Evaluation Committee may use patterned questions and/or questions specific to an SOQ to conduct these discussions. The Evaluation Committee may provide the Firms with a copy of the questions and/or issues to be addressed and a format for structured discussions.

Firms should anticipate travel to the Energy Commission Headquarters for the discussions. The Firm is responsible for any travel costs associated with participating in discussions. At the discretion of the CPM, discussions may be held via conference call or web-ex. The project lead and at least one person from each technical area is encouraged to participate in the discussion.

Upon completion of the discussions the Evaluation Committee may make adjustments to the preliminary scores and re-rank the Firms. From the Firms with which discussions are held, the Evaluation Committee shall select no less than three (unless less than three Firms have submitted a passing SOQ), in order of preference, based upon the established criteria, who are deemed to be the most highly qualified to provide the required services.

### Notice of Selection

Subsequent to the SOQ evaluations and the discussions with Firms, the Energy Commission will post a “Notice of Selection” of the top-scoring Firm at the Energy Commission’s headquarters in Sacramento, and on the Energy Commission’s website at [www.energy.ca.gov](http://www.energy.ca.gov).

## Negotiations

Pursuant to Title 20, California Code of Regulations (CCR), section 2565 and Public Contract Code (PCC) 6106, within 14 days after posting the Notice of Selection, the Energy Commission will begin negotiations with the top ranked Firm for an acceptable fee.

The top ranked Firm will be required to submit:

1. Proposed percentage that the Firm will markup on any direct costs incurred, if any. Direct cost items, such as equipment purchase or rental, copying, etc. must be charged to the project owner at the same actual cost that the Firm is charged by outside vendors or subcontractors, or the same cost the Firm charges other customers. The Energy Commission will negotiate with the Firm on any markup that the Firm proposes to charge, if any, on top of the actual cost of the item.
2. A list of rates for people listed in the SOQ, after written notification of selection.  The Energy Commission may consider negotiating rates for a person that the Firm did not include in the SOQ. However, because the additional person might affect the Firm’s score or take additional time that the Energy Commission does not have or does not want to spend, the Energy Commission reserves the right to do any of the following, along with any other existing rights:

* Assess how the new person might affect the Firm’s score, including possibly rescoring its SOQ;
* Refuse to add the new person;
* Add the new person.

If the Energy Commission determines that it will not accept a new person or hourly rate that the Firm proposes for a particular person, the Energy Commission will stop rate negotiations for that person, and proceed with negotiations for the remainder of the people. Firms are cautioned that they should include all team members in their SOQ. The Energy Commission does not want to be in the position of assessing additional persons during rate negotiations.

If negotiations with the top ranked Firm fail, the Energy Commission will enter into negotiations with the next highest scoring Firm, and so on.

## Notice of Proposed Award

Subsequent to the negotiations, the Energy Commission will post a “Notice of Proposed Award” at the Energy Commission’s headquarters in Sacramento, and on the Energy Commission’s website.

California Energy Commission

Contracts Office, MS-18

1516 Ninth Street

Sacramento, CA 95814

The Evaluation Committee may reject all Firms and SOQs if none are considered to be in the best interest of the Energy Commission.

# V. Business Participation Programs

## No DVBE Participation Compliance or Business Participation Programs Requirement

* This RFQ is not subject to any Business Participations Programs including the mandatory certified DVBE participation program. Firms are not required to include DVBEs as part of the contract team; however, Attachment 3 and Attachment 4 are still included in this RFQ to allow the Firm to disclose DVBE participation voluntarily.

# VI. ADMINISTRATION

## RFQ Defined

The competitive method used for this procurement of services is an RFQ. An SOQ submitted in response will be scored and ranked based on the criteria in this RFQ. Every SOQ must establish in writing the Firm’s ability to perform the RFQ’s tasks. The Energy Commission shall conduct discussions and then select the most qualified Firm. The Energy Commission will negotiate an Agreement with the selected Firm for compensation that the Energy Commission determines to be fair and reasonable.

## Definition of Key Words

Important definitions for this RFQ are presented below:

|  |  |
| --- | --- |
| **Word/Term** | **Definition** |
| AFC | Application for Certification |
| State | State of California |
| CAM | Commission Agreement Manager |
| CAO | Commission Agreement Office |
| CBC | California Building Code |
| CBO | Chief Building Official |
| CBSC | California Building Standards Code |
| CPM | Compliance Project Manager |
| COCs | Conditions of Certification |
| CSCR | California State Contracts Register |
| DCBO | Delegate Chief Building Official |
| DCM | Document Control Manager |
| Decision | Original or Amended Energy Commission Final Decision |
| DESCP | Drainage, Erosion, and Sediment Control Plan |
| DGS | Department of General Services |
| DSTS | Document Submittal and Tracking System |
| DVBE | Disabled Veteran Business Enterprises |
| EOR | Engineer of Record |
| Energy Commission | California Energy Commission |
| Firm | Respondent to this RFQ |
| LORS | Laws, Ordinances, Regulations and Standards |
| OSDS | Office of Small Business and DVBE Services |
| PMPD | Presiding Members Proposed Decision |
| PTA | Petition to Amend |
| QA/QC | Quality assurance/Quality control (QA/QC) |
| RE | Resident Engineer |
| RFQ | Request for Qualifications, this entire document |
| SOQ | Statement of Qualifications, formal written response to this document from Firm |
| STEP | Siting, Transmission and Environmental Protection Division |
| SWPPP | Storm Water Pollution Prevention Plan and Erosion Control Plan |

## SOQ Production Requirements

### SOQ Development Costs

The Firm is responsible for the cost of developing an SOQ and this cost cannot be charged to the State. The Firm is also responsible for any travel costs associated with participating in this RFQ.

### Printing Services

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

### Confidential Information

The Energy Commission will not accept or retain any SOQs that contain confidential information or have any portion marked confidential.

## 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 an SOQ 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 SOQ to a State agency. **(See # 1 on Attachment 2)**

A scrutinized company may still, however, submit a bid or SOQ 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)**

## Iran Contracting Act of 2010

Prior to bidding on, submitting a proposal or executing a contract or renewal for a State of California contract for goods or services of $1,000,000 or more, a vendor must either:

a) certify it is **not** on the current list of persons engaged in investment activities in Iran created by the California Department of General Services (“DGS”) pursuant to Public Contract Code section 2203(b) and is not a financial institution extending twenty million dollars ($20,000,000) or more in credit to another person, for 45 days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS; **(See Option #1 on Attachment 9)**

b) demonstrate it has been exempted from the certification requirement for that solicitation or contract pursuant to Public Contract Code section 2203(c) or (d). **(See Option #2 on Attachment 9)**

## California Civil Rights Laws

Prior to bidding on, submitting a proposal or executing a contract or renewal for a State of California contract for goods or services of $100,000 or more, a bidder or proposer must certify that it is in compliance with the Unruh Civil Rights Act (Section 51 of the Civil Code) and the Fair Employment and Housing Act (Section 12960 of the Government Code). Additionally, if a vendor has an internal policy against a sovereign nation or peoples recognized by the United States government, the Contractor must certify that such policies are not used in violation of the Unruh Civil Rights Act (Section 51 of the Civil Code) or the Fair Employment and Housing Act (Section 12960 of the Government Code). See Attachment 13.

## RFQ Cancellation and Amendments

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

* Cancel this RFQ,
* Amend this RFQ as needed, or
* Reject any or all SOQs received in response to this RFQ

If the RFQ is amended, the Energy Commission will send an addendum to all parties who requested the RFQ and will also post it on the Energy Commission’s website: <http://www.energy.ca.gov/contracts/index.html> and Department of General Services’ website: <https://caleprocure.ca.gov/pages/LPASearch/lpa-search.aspx>.

### Errors

If a Firm discovers any ambiguity, conflict, discrepancy, omission, or other error in the RFQ, the Firm shall immediately notify the Energy Commission of such error in writing and request modification or clarification of the document. Modifications or clarifications resulting from this notice will be posted on the Energy Commission’s website without divulging the source of the request for clarification. The Energy Commission shall not be responsible for failure to correct errors.

### Modifying or Withdrawal of SOQ

A Firm may, by letter to the Contact Person at the Energy Commission, withdraw or modify a submitted SOQ before the deadline to submit an SOQ. An SOQ cannot be modified after that date and time, but an SOQ may still be withdrawn. An SOQ cannot be “timed” to expire on a specific date. For example, a statement such as the following is non-responsive to the RFQ: “This SOQ is valid for 60 days.”

### Immaterial Defect

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

## Firm Documentation and Responsibilities

### Disposition of Firm’s Documents

On the submission date, all SOQs and related material submitted in response to this RFQ become the property of the State. After the Notice of Proposed Award is posted, all SOQs and related materials become public records. In addition, all evaluation and scoring sheets become public records after the Notice of Proposed Award is posted.

### Firms’ Admonishment

This RFQ contains the instructions governing the requirements for an SOQ to be submitted by interested Firms, the format in which the information is to be submitted, the material to be included, the requirements that must be met to be eligible for consideration, and Firm responsibilities. Firms must take the responsibility to carefully read the entire RFQ, 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 RFQ are followed and appropriately addressed, and carefully reread the entire RFQ before submitting an SOQ.

### Agreement Requirements

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

### No Contract Until Signed & Approved

No agreement between the Energy Commission and the successful Firm is in effect until the contract is signed by the Contractor, approved at an Energy Commission Business Meeting, and signed by the Energy Commission Contracts Office Manager.

### Contract Amendment

The contract executed as a result of this RFQ will be able to be amended by mutual consent of the Energy 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.

### Conflict of Interest

Any Energy Commission employee who participates in the selection process and any Firm seeking a contract under this RFQ are prohibited from offering, soliciting, or accepting gifts, services, goods, loans, rebates or payments of any kind (such as kickbacks) to or from one another. Except as provided by the terms of the contract, this prohibition extends both to any Energy Commission employee who manages a contract awarded under this RFQ or reviews or approves contractor work products under the contract, and to the Contractor.

1. [The Political Reform Act, Government Code Sections 81000, et seq](file:///\\CECFS127\Siting\Compliance\PROJECTS\KING%20CITY%20PEAKER%20(01-EP-6C)\Closure%20Plan\RFQ\The%20Political%20Reform%20Act,%20Government%20Code%20Sections%2081000,%20et%20seq). [↑](#footnote-ref-2)
2. [Government Code Section 1090 et seq](file:///C:\Users\agali\AppData\Local\Microsoft\Windows\Temporary%20Internet%20Files\Content.Outlook\V8TGGAHL\Draft%20RFQ-King%20City%20Peaker%20drd%20edits%20&%20AA_01-03-18.docx). [↑](#footnote-ref-3)