# **RFP-24-601**

# **August 30, 2024**

# **QUESTIONS AND ANSWERS**

# **Technical Assistance for Medium- and Heavy-Duty (MDHD) Zero-Emission Vehicle (ZEV) Infrastructure Blueprint Development**

The following answers are based on California Energy Commission (CEC) staff’s interpretation of the questions received. It is the Bidder’s responsibility to review the solicitation and to determine whether their proposed project is eligible for funding by reviewing the Eligibility Requirements within the solicitation. The CEC cannot give advice as to whether a particular project is eligible for funding, because not all proposal details are known.

Unless indicated otherwise, all section numbers identified below are from the solicitation manual (for example, “Section II.B” refers to Section II.B of the solicitation manual).

***Eligible Bidders***

**Q1: Is there any connection between this Request for Proposals (RFP-24-601) and the ARCHES Hydrogen Hub?**

A1: No. RFP-24-601 and the ARCHES Hydrogen Hub are separate and distinct from one another.

**Q2: Will there be a conflict of interest if a Bidder for this RFP also bids for hydrogen fueling stations for the ARCHES2 Hub?**

A2: During the term of the contract, individuals performing Scope of Work Task 1.3 work under the contract will have restrictions on outside work with individuals or entities that have or are likely to have a financial interests in medium- and heavy-duty zero-emission vehicle blueprints for charging or hydrogen refueling infrastructure under the Clean Transportation Program. (See RFP-24-601, Attachment 9, Exhibit E). Additionally, those individuals are subject to restrictions of the Political Reform Act on post-governmental activity. Please see Attachment 9, Exhibit E for more details on the conflict-of-interest provisions that will be included in the resulting contract.

**Q3: Can you confirm that this work will not conflict potential contractors from working with regulated California utilities?**

A3: During the term of the contract, individuals performing Scope of Work Task 1.3 work under the contract will have restrictions on outside work with individuals or entities that have or are likely to have a financial interest in medium- and heavy-duty zero-emission vehicle blueprints for charging or hydrogen refueling infrastructure including but not limited to the development or operation of charging and fueling stations under the Clean Transportation Program. It is possible that a regulated California utility could apply to the CEC and be selected as one of the Blueprint Applicants. Individuals working as a contractor under this solicitation may be restricted from working for such a utility on work related to the blueprint during the term of the contract with the CEC. However, individuals working as a contractor under this solicitation might be able to work with a utility on work unrelated to the utility’s participation as a Blueprint Applicant. Pursuant to Attachment 9, Exhibit E, the contractor should avoid any appearance of conflicts of interest and should consult with the CEC in the event that such an appearance exists.

**Q4: We are a software company. Certain tasks require identifying possible software and IT solutions for the Blueprint. Would we then be conflicted from providing our software to the Blueprint recipients?**

A4: Depending on whether the company is the prime contractor, subcontractor or vendor and depending on whether the software is part of the RFP application and would be part of the services that would be evaluated, the CEC would have to ensure that situation does not run afoul of Government Code section 1090 or raise issues of self-dealing.

**Q5: If the awarded firm develops Blueprints for a fleet, can the same firm then compete for the implementation funding from the CEC?**

A5: It depends on whether there will be a grant solicitation from the CEC in the future and what the requirements of the solicitation will be. At this time, we do not know whether there will be a future implementation funding solicitation.

**Q6: What are the Small Business Enterprise (SBE) requirements for this proposal?**

A6: The RFP does not require a Bidder to be a Small Business Enterprise. However, a certified small business or microbusiness is entitled to claim a 5% preference in bidding on State contracts as explained in State Contracting Manual (SCM), Vol. 1, section 8.21. [For general small business requirements, please refer to the SCM](https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/State-Contracting) (https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/State-Contracting). More information about how to become a certified small business is available at https://www.dgs.ca.gov/PD-OSDS.

**Q7: Why is Disabled Veteran Business Enterprise (DVBE) a mandatory requirement, but not Small Business (SB)?**

A7: California law requires that state agencies take all practical actions necessary to meet or exceed a Disabled Veterans Business Enterprise participation goal of 3% of the agency’s overall contract dollars. (See Mil. & Vet. Code § 999; Public Contract Code § 10115; 2 CCR § 1896.60; State Contracting Manual V1, Chapter 8). This RFP includes the DVBE requirement.

California law only provides for a small business preference program. If you have further small business questions, you may want to reach out to CEC's SB/DVBE advocate: [Small Business / DVBE Information](https://www.energy.ca.gov/funding-opportunities/funding-resources/small-business-dvbe-information) (https://www.energy.ca.gov/funding-opportunities/funding-resources/small-business-dvbe-information)

**Q8: Which certifying database do DVBEs need to be in to count towards the 3% requirement?**

A8: All certified DVBEs can be found in the Department of General Services, Procurement Division (DGS-PD), online certified firm database, which is at [The State of California Certifications Webpage](https://www.caleprocure.ca.gov/pages/PublicSearch/supplier-search.aspx) (https://www.caleprocure.ca.gov/pages/PublicSearch/supplier-search.aspx) Search by “Keywords” or “United Nations Standard Products and Services Codes” (UNSPSC) that apply to the elements of work you want to subcontract to a DVBE. Check for Subcontractor ads that may be placed on the California State Contracts Register (CSCR) for this solicitation prior to the closing date. You may access the CSCR at [California State Contracts Register Webpage](https://www.caleprocure.ca.gov/pages/Events-BS3/event-search.aspx) (https://www.caleprocure.ca.gov/pages/Events-BS3/event-search.aspx). For questions regarding the online certified firm database and the CSCR, please call the Office of Small Business and Disabled Veteran Business Enterprise Services at (916) 375-4940 or send an email to: OSDCHelp@dgs.ca.gov.

**Q9: Will CEC be selecting one or more than one Prime Contractor?**

A9: The CEC will select one Prime Contractor.

***Scope of Work and Deliverables***

**Q10: How many Blueprints are anticipated?**

A10: We do not anticipate a specific number of blueprints. It will be up to each Bidder to determine how many blueprints they can complete with a $5 million budget. The maximum amount per blueprint is $200,000.

**Q11: Task 1.2, Invoices of the Scope of Work currently stipulates quarterly invoices. Would CEC consider monthly invoices?**

A11: The Scope of Work calls for quarterly invoices and submitting invoices quarterly is recommended. The CEC would be open to receipt of invoices submitted at a greater frequency if requested.

**Q12: What percentage of fueling sites within a Blueprint are to be hydrogen? Is there a minimum fueling dispenser quantity per site?**

A12:There are no percentages for any fuel and no minimum fueling dispenser quantity requirements for this Request for Proposals (RFP). Fueling infrastructure development is not the purpose of this RFP. Instead, per Section I of the manual (Purpose of RFP, page 1), the purpose of this RFP is to select a single and experienced Prime Contractor to lead a team of professional engineering, design, and environmental professionals, who are either employees of the Prime Contractor or who are subcontractors to the Prime Contractor, to support the CEC’s Clean Transportation Program to provide technical support for and to develop planning “blueprint” documents. These planning documents will identify the actions and milestones needed for implementation of medium- and heavy-duty (MDHD) zero-emission vehicles (ZEVs) and the related and necessary electric vehicle charging and/or hydrogen refueling infrastructure.

**Q13: Are there any previous "Blueprint" document examples?**

A13: Yes. The following are examples of completed blueprints:
[A Roadmap to Fleet Electrification: California School District’s Transition to an All-Electric Fleet](https://www.engieimpact.com/insights/fleet-electrification-roadmap) (https://www.engieimpact.com/insights/fleet-electrification-roadmap)

[Blueprint for Zero Emission Concrete Logistics](https://files.vulcanmaterials.com/central-concrete/Blueprint-ZEV-Concrete-Logistics.pdf) (https://files.vulcanmaterials.com/central-concrete/Blueprint-ZEV-Concrete-Logistics.pdf)

Interested parties can also request copies of previously completed blueprints from the Commission Agreement Officer, Lisa Linares (Lisa.Linares@energy.ca.gov).

**Q14: The RFP states that “An eligible MDHD Blueprint Applicant is an entity that has a role in the development, planning, permitting, or oversight of the planned MDHD ZEVs and/or ZEV infrastructure.” Who are the Blueprint Applicants? Are they going to be open to public or (local/regional) agencies? Or commercial fleets?**

A14: The work of this contract will focus on developing blueprint planning documents for fleets and/or businesses located in and doing business in California that will be comprehensive and implementable to assist fleets in the complete transition to MDHD ZEVs and infrastructure in regions specific to California. Blueprint Applicants may be public or private entities and may include local/regional agencies or commercial fleets.

**Q15: How does the CEC envision this RFP to be different from the previous MDHD Blueprints that CEC has funded (under GFO-20-601)?**

A15: The main difference between this RFP (RFP-24-601) and GFO-20-601, “Blueprints for Medium- and Heavy-Duty Zero-Emission Vehicle Infrastructure” is that this RFP is to seek a Contractor that will develop planning blueprint documents for Blueprint Applicants. In contrast, GFO-20-601 awarded grant funds directly to Blueprint Applicants allowing them to develop their own blueprint or hire their own contractor.

**Q16: The RFP states that “The goal of this task is to conduct a Preliminary Site Assessment for each approved blueprint project to understand any prior work completed for the site location, as well as the current operations and operational needs of the site location.”

Can you clarify the definition of a site? Does a Blueprint contain one single site per applicant or a group of sites per applicant? How many site locations will be included for each project? Will Blueprint Applicants only receive the site assessment (Task 3) and blueprint (Task 4) for one site? Will the site be pre-determined by the Blueprint Applicant or are the contractors expected to help them determine the site(s)?**

A16: The site(s) is/are the location(s) in which the Blueprint Applicant would like the zero-emission vehicle charging and/or refueling infrastructure to be located. The number of sites depends on the Blueprint Applicant’s needs. While there could be more than one site, only one site assessment deliverable is required and only one blueprint deliverable is required for each Blueprint Applicant. Both the blueprint and site assessment should cover all sites.

In some instances, the Blueprint Applicant may need assistance in determining the site(s) for locating zero-emission vehicle charging and/or refueling infrastructure. The Contractor may assist the Blueprint Applicant, as part of the site assessment (Task 3) and blueprint (Task 4) work authorizations. The Contractor will work with the Commission Agreement Manager to prepare the work authorization to define the scope of work, budget, and schedule of deliverables for each blueprint.

**Q17: “Sites, maps, and accessibility to travel routes identified for proposed MDHD charging and/or refueling.” Could the CEC expand into what exactly this entails? Is the focus solely on the location of charging sites? Does it also include site engineering designs (layout, diagram)? Or is it going to be customized based on what the Blueprint Applicant needs?**

A17: Sites refer to the location(s) that the Blueprint Applicant plans to locate zero-emission vehicle charging and/or refueling infrastructure. The Bidder should work with the Blueprint Applicant to create maps of the project site. Accessibility to travel routes would discuss how accessible travel routes are to the site(s) of zero-emission vehicle charging and/or refueling infrastructure. The maps, sites, and accessibility would depend on what the Blueprint Applicant needs, and the blueprint would be customized based on their needs.

**Q18: Does the Bidder initiate outreach in a market defined by the Bidder? Is the Contractor only expected to develop an outreach plan? Is the contractor expected to recruit Blueprint Applicants as well? Then, does the awarded Bidder notify CEC and then obtain a work order?**

A18: Under Task 2 of the Scope of Work, the Contractor will develop an Outreach Plan that details the strategy to conduct outreach to solicit MDHD Blueprint Applicants. Then, in coordination with CEC staff, the Contractor will hold public workshops about MDHD blueprint development opportunities. All workshops and hearings will be led, organized, and facilitated by the Contractor. CEC staff will develop and post workshop notices, provide the Zoom links for the workshops and answer questions directed to the CEC, as well as publish recordings of the workshops, but the Contractor will be responsible for any labor costs associated with the development of workshop or hearing material to be presented, outreach to solicit workshop participation, and facilitation of the workshop or hearing.

The Contractor is not expected to recruit Blueprint Applicants. The CEC will collect Blueprint Applications and select and approve Blueprint Applicants.

**Q19: What level of design drawings (e.g., 5%, 30%) are expected as an output of a Blueprint?**

A19: The level of design drawings depends on the Blueprint Applicant’s needs. It would be determined by the Blueprint Applicant and the Contractor.

**Q20: Are there percentages of public fleets vs. private fleets CEC is looking to target?**

A20: No, the CEC does not have percentage targets for public fleets or private fleets.

**Q21: Regarding outreach, one of the blueprint requirements is a "summary of outreach to community colleges, community-based organizations (CBOs), and community leaders to develop workforce development strategies." To clarify, the contractor should report whether any outreach has taken place or is planned? Or is conducting this outreach a part of the Contractor's blueprint development?**

A21: As part of the work for Task 4 of the Scope of Work (see Section II. Scope of Work and Deliverables, page 18 of the manual), the Contractor will conduct outreach to community colleges, CBOs, and community leaders to develop workforce development strategies for the blueprint. The final blueprint will summarize the outreach (for Task 4) performed by the Contractor.

**Q22: How much fleet transition work is expected to be included in the blueprint? Is this solicitation meant exclusively for infrastructure planning, or will Blueprint Applicants also expect to receive services around fleet transition?**

A22: Blueprints shall be comprehensive and implementable to assist the MDHD Blueprint Applicant and the fleet in the complete transition of the identified site to zero-emission and ensure capability of charging and/or hydrogen refueling for the current or planned number of zero-emission vehicles on site. The Blueprint should analyze the combination of technologies and systems that offer the best mix of economic, environmental, and technical performance specific to the project. The Contractor will work with the Blueprint Applicant to assess Blueprint needs.

***Evaluation Process and Criteria***

**Q23: Can you please summarize "solicitation requirements" related to qualifications and experience of respondents.**

A23: Proposals will be evaluated on the degree to which proposals respond to the “Relevant Experience and Qualifications” criteria listed in the RFP manual. Please see Section III.C., Relevant Experience and Qualifications of the manual (pages 24-25) for the information about the project team’s qualifications and experience that needs to be included in the Bidder’s application.

**Q24: Can the CEC describe how it will evaluate the cost-per-plan vs. quality per plan vs number of plans for the $5M budget?**

A24: Per Section IV. Evaluation Process and Criteria, Evaluation Criteria #4, Narrative Budget Questions (page 32) of the manual, the CEC will evaluate the degree to which the Proposal “Describes how many blueprints the Bidder can develop with a budget of $5 million and demonstrates ability to cost effectively complete blueprints that satisfy all the blueprint requirements.”

***Budget***

**Q25: What is the estimated number of stations to be built within the $5M budget? 25?**

A25: No stations will be built for this RFP. Per Section I (page 1) of the manual, this RFP is to select a single and experienced Prime Contractor to lead a team of professional engineering, design, and environmental professionals, who are either employees of the Prime Contractor or who are subcontractors to the Prime Contractor, to support the CEC’s Clean Transportation Program to provide technical support for and to develop planning Blueprint documents.

**Q26: The RFP states that “The labor rates shall be unloaded (before fringe benefits, overhead, 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.”**

**We consider employee direct labor rates, fringe benefits, overhead, G&A, and profit as confidential and proprietary. As stated within the RFP, confidential information will not be protected from public disclosure.**

**Given the circumstance, would we be able to submit fully burdened rates to protect data we deem confidential?**

A26: No. No confidential information will be accepted under the RFP.

**Q27: The Cost Criteria Step 1 and Step 2 in the RFP refer to Attachment 8a and Attachment 8b, respectively. However, Attachment 8 only includes worksheets for Attachment 7a and Attachment 7b. Could you clarify whether these worksheets should be Attachment 8a and Attachment 8b?**

A27: Thank you for your feedback. We will update the budget spreadsheet so that the worksheet tabs are labeled as 8a and 8b. Please see Addendum #1.

**Q28: Regarding Attachment 8a, could you clarify if the profit should apply to the Fringe Benefits, Indirect Costs, and G&A? The Loaded Hourly Rate column seems to apply profit to Direct Labor and the formula seems to be adding the calculated fee from a different row.**

A28: The Bidders’ Profit Base can be any combination of the budget categories except Travel and Subcontractors.. Profit applies to all labor related expenses (Direct Labor, Fringe Benefits, Indirect Costs, and G&A).

Attachment 8a of the Budget Forms has been corrected and is a part of Addendum #1.

**Q29: Item 1 of the instructions for Attachment 8b states that the Expected Total Hours for Task have been identified, but the hours seem to be missing. Please clarify as item 3 of the instructions states that the total of all classifications for each task must equal the Expected Total Hours for Task identified in the second column.**

A29: The Bidder will fill in the number of hours that they believe each classification would spend on each of the tasks during the life of the contract. As the instructions mention, “The Bidder will identify the number of hours for each classification”.

The total hours of all classifications for each task must equal the Expected Total Hours for Task identified in the second column.

**Q30: Will the maximum rates in Attachment 8b be used as part of the contract or just for evaluation purposes? If these maximum rates will be in the contract, please confirm if the maximum rates will apply to all firms?**

A30: The rates in Attachment 8b will be used for both evaluation and as part of the contract. Per Section III of the manual (see pages 26-27), rates and personnel shown must reflect rates and personnel you would charge if you were chosen as the Contractor for this RFP. Moreover, 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 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 labor rates shall be unloaded (before fringe benefits, overheads, general & administrative (G&A) or profit).

**Q31: Item 1 of the General Budget Worksheet Instructions state that all firms must submit a separate set of complete budget forms except for Attachment 8b. However, the Category Budget worksheet doesn’t automatically populate the shaded cells. Please provide guidance on the best way calculate the Direct Labor field.**

A31: The cells in the Category Budget will automatically populate based on the amounts entered in the other tabs (i.e. Direct Labor, Fringe Benefits, Subcontractors, etc.). Bidders should not manually enter amounts into the Category Budget tab.

**Q32: The manual states, “This is an hourly rate plus cost reimbursement contract and the award will be made to the responsible Bidder receiving the highest points.” Can the CEC clarify this point? Will a scope and budget be required for each “work authorization”?**

A32: This contract would require hourly (rather than monthly salary) rates to be used in the budget and for invoicing. There would also be reimbursement for other allowable expenses, such as materials and subcontractor expenses. Please refer to Section IV of the Solicitation Manual for clarification on how the award will be made based on highest points.

Each work authorization would need to include the schedule of deliverables, project budget, and the scope of work.

**Q33: Are there Buy America or California requirements, i.e., can work be done outside of California and outside of the US? Also, are there restrictions that in-house engineering to be located in California only?**

A33: There are no Buy America requirements for this contract. The resulting contract will be funded with state funds, not federal funds. The Contractor must be based in California and be registered with the California Secretary of State’s Office and the contract must benefit California. Any subcontractors or vendors that are corporations, LLC, LPs and LLPs that conduct intrastate business in California are also required to be registered with the California Secretary of State.

**Q34: Is there a minimum California-content requirement for labor?**

A34: No, there is no minimum California-content requirement for labor. However, the Contractor must be based in California and be registered with the California Secretary of State’s Office and the contract must benefit California.

**Q35: Can the CEC provide more information about the labor classifications? Are these the only type of staff required or evaluated for the bid? Can we add others and remove the ones prepopulated across the Budget Worksheet?**

A35: The classifications prepopulated on the General Classifications tab are examples. The Bidder may remove these prepopulated classifications and replace them with classifications that they feel are appropriate for this contract.

**Q36: For the budget, are we to provide the cost estimate for one Blueprint or for 25 plans ($5M total / $200k per Blueprint)?**

A36: The budget should be for all of the costs that the Bidder anticipates incurring throughout the term of the contract including work under Tasks 1 and 2. This includes costs for Blueprint development and any other allowable expenses.

**Q37: Please provide the minimum insurance requirements as it was not included in the Standard Agreement Sample.**

A37: There are no minimum insurance requirements for this RFP. However, Attachment 5 includes certification of compliance of workers’ compensation required under state law.

**Q38: May the awarded prime contractor add to its roster of subcontractors after award, especially if additional sites in different geographic areas require additional subcontractor coverage?**

A38: It may be possible to replace existing subcontractors subject to certain requirements, including that, personnel of a new subcontractor must fit within an existing classification and rates must be equal to or less than existing subcontractor personnel rates listed in the budget. See Attachment 9, Standard Agreement Example, Exhibit D, section 3.I for more details. If the contract involves a DVBE subcontractor, substitution of a DVBE subcontractor requires a formal amendment and approval by CEC and California’s Department of General Services as described in Attachment 9, Standard Agreement Example, Exhibit D, section 4.

**Q39: Is the contractor (and their team) expected to provide personnel with professional engineer (PE) licenses to sign off on technical documents?**

A39: There are no requirements within the solicitation that would require the Contractor and/or their team to provide personnel with professional engineer (PE) licenses to sign off on technical documents.

**Q40:** **Is there a profit cap we should consider when putting together our RFP response? Is that profit cap related to subcontractors or the prime contractor?**

A40: The profit cap is 10% and it applies to both the Prime Contractor and subcontractors (see Attachment 8 Budget Forms, Indirect Cost & Profit tab).

***Work Authorizations***

**Q41: Can you describe the Work Authorization process?**

A41: Per Section II of the manual (page 10), the Contractor will work with the Commission Agreement Manager to prepare the written work authorizations that define the scope of work, budget, and schedule of deliverables for each blueprint. Work authorizations must be approved by California’s Department of General Services before work can begin. For an example of a work authorization, please reference Attachment 14, “Standard Work Authorization Example”. Work authorizations are required for the work to be done by the Contractor in Tasks 3 and 4.

**Q42: Would you please outline the respective roles of CEC and DGS in oversight of this work?**

A42: The CEC has the primary role in managing the resulting contract and providing oversight of the Contractor’s work. CEC will review and approve invoices and deliverables and ensure that the contractor fulfills the requirements of the contract. Before the contract and work authorizations are effective, DGS must approve them. Any amendments would also need to DGS approval before they are effective.

***Miscellaneous***

**Q43: Will the pre-bid conference attendee list be posted?**

A43: The attendee list, presentation slides, and a Zoom recording of the Pre-Bid Conference have been posted on the Pre-Bid Conference event webpage on the CEC’s website (https://www.energy.ca.gov/solicitations/2024-07/rfp-24-601-technical-assistance-medium-and-heavy-duty-mdhd-zero-emission?utm\_medium=email&utm\_source=govdelivery).