**REQUEST FOR PROPOSALS**

**ADDENDUM 4**

**Clean Transportation Program**

**TECHNICAL ASSISTANCE FOR**

**MEDIUM- AND HEAVY-DUTY (MDHD)**

**ZERO-EMISSION VEHICLE (ZEV) INFRASTRUCTURE BLUEPRINT DEVELOPMENT**



RFP-24-601

<https://www.energy.ca.gov/funding-opportunities/solicitations>

State of California

California Energy Commission

 September 2024

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**Attachments**

1. Contractor Status Form
2. Darfur Contracting Act Form
3. DVBE Std. 843 Form
4. Bidder Declaration form GSPD-05-105
5. Contractor Certification Clauses
6. Client Reference Form(s)
7. Past Performance Reference Form
8. Budget Forms
9. Standard Agreement Example
10. Iran Contracting Act Form
11. California Civil Rights Laws Certification
12. Hypothetical Questions
13. GenAI Reporting & Factsheet Form
14. Standard Work Authorization Example

# I. Introduction

## Purpose of RFP

The purpose of this Request for Proposals (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. The intent of these planning documents is to accelerate the deployment of MDHD ZEVs and ZEV infrastructure with a holistic and futuristic view of transportation planning and ensure fleets are in a good position to implement ZEVs into their business.

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. These blueprint planning documents must identify the electric vehicle charging and/or hydrogen refueling requirements needed for the planned transition to or acquisition of MDHD ZEVs.

The contract awarded as a result of this RFP will be a technical support contract. The selected Bidder will be assigned work primarily via specific work authorizations and shall be the Prime Contractor. One “work authorization” will be developed for each blueprint project. The Prime Contractor shall make work assignments to team members based on their relative expertise, project workload, and CEC concurrence on final selections of the team member(s) for each work authorization.

Technical assistance is capped at $200,000 per blueprint project; this amount includes administrative expenses and expenses directly related to the work done for this contract. If an eligible MDHD Blueprint Applicant receiving services from the Prime Contractor desires services greater than those required by the CEC and above the cap, the MDHD Blueprint Applicant is responsible for payment to the Prime Contractor directly for the amount exceeding the cap. However, the Prime Contractor must, at a minimum, meet the requirements in the Scope of Work for each blueprint project in order to receive reimbursement. The CEC reserves the right to decrease or increase this cap as needed. The CEC makes no guarantee that any or all of the funds will be assigned in any given year or that any or all members of the team, including the Prime Contractor, will be assigned work.

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. Work authorizations for each MDHD Blueprint project will be created based on approval of an MDHD blueprint application submitted to and approved by the CEC’s Commission Agreement Manager (CAM) or CEC staff.

Additionally, at least 60 percent of all MDHD Blueprint Applicants that the Prime Contractor provides services to must be located in a disadvantaged community, low-income community, California Native American tribal land, and/or priority population.

* For the purposes of this RFP, disadvantaged communities are defined as communities scoring in the top 25th percentile according to the most recent California Communities Environmental Health Screening Tool: [CalEnviroScreen Version 4.0](https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40) (https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40)
* For the purposes of this RFP, priority populations include residents of (1) census tracts identified as disadvantaged by California Environmental Protection Agency per SB 535, (2) census tracts identified as low-income per AB 1550, or (3) a low-income household per AB 1550. The following web link provides [interactive maps to aid in determining geographic eligibility for disadvantaged and low-income communities](http://www.arb.ca.gov/cci-communityinvestments): www.arb.ca.gov/cci-communityinvestments.
* For the purposes of this RFP, tribal lands refer to lands located in the State of California that are tribally owned lands, buildings, or facilities.

The contract activities are intended to guide responsible ZEV infrastructure development to help California meet its future energy and greenhouse gas reduction goals. Many of the tasks, activities, and initiatives will be identified but there may be other unknown and unidentified activities, tasks, initiatives, and policy direction that the Prime Contractor will be asked to assist the CEC in the future.

## Key Activities and Dates

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

|  |  |
| --- | --- |
| **ACTIVITY** | **ACTION DATE** |
| RFP Release | July 17, 2024 |
| Deadline for Written Questions\* | August 7, 2024 |
| Pre-Bid Conference\* | August 7, 2024 |
| Distribute Questions/Answers and Addenda (if any) to RFP | Week of August 26, 2024 |
| **Deadline to Submit Proposals by 11:59 p.m. \*** | [~~September 27, 2024~~]**October 4, 2024** |
| Notice of Proposed Award  | [~~Week of November 4, 2024~~]**Week of November 11, 2024** |
| Commission Business Meeting | February 2025 |
| Contract Start Date | February 2025 |
| Contract Termination Date | June 30, 2028 |

## Available Funding and How Award is Determined

There is $5,000,000 available to fund the 3 year and five month contract resulting from this RFP. At the discretion of the CEC, one optional one (1)-year amendment may be used to extend the contract an additional year. Option years shall be on the same terms and conditions. This is an hourly rate plus cost reimbursement contract and the award will be made to the responsible Bidder receiving the highest points. The same rates shall apply to any option year extension.

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

## Eligible Bidders

This is an open solicitation for public and private entities. Eligible entities must be able to work throughout the State of California without jurisdiction limits. Eligible entities must have experience in the development and planning for the transition of MDHD fleets to ZEV and ZEV infrastructure technologies. Each agreement resulting from this solicitation includes terms and conditions that set forth the Contractor’s rights and responsibilities. Private sector entities must agree to use the attached standard terms and conditions (Attachment 9). The University of California, California State University or U.S. Department of Energy National Laboratories must use either the standard or the pre-negotiated terms and conditions located at: [DGS Lab Terms](https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/Contracts-with-the-Department-of-Energy-Laboratories)

 The CEC will not award agreements to non-complying entities. The CEC reserves the right to modify the terms and conditions prior to executing agreements.

All corporations, limited liability companies (LLCs), limited partnerships (LPs) and limited liability partnerships (LLPs) that conduct intrastate business in California are required to be registered and in good standing with the California Secretary of State prior to its project being recommended for approval at a CEC Business Meeting. If not currently registered with the California Secretary of State, bidders 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 at the [Secretary of State's Website](http://www.sos.ca.gov/)  Sole proprietors using a fictitious business name must be registered with the appropriate county and provide evidence of registration to the CEC prior to their project being recommended for approval at a CEC Business Meeting.

## Pre-Bid Conference

There will be one Pre-Bid Conference; participation in this meeting is optional but encouraged. The Pre-Bid Conference will be held at the date, time and location listed below. Please call (916) 654-4381 or refer to the CEC’s website at the [CEC Website](https://www.energy.ca.gov/funding-opportunities/solicitations) (https://www.energy.ca.gov/funding-opportunities/solicitations) to confirm the date and time.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

August 7, 2024

California Energy Commission

10 a.m. (Pacific Standard Time)

Via Zoom

## Participation Through Zoom

Zoom is the CEC's online meeting service. When attending remotely, presentations will appear on your computer/laptop/mobile device screen, and audio may be heard via the device or telephone. Please be aware that the Zoom meeting will be recorded.

**Zoom Instructions:**

To join this conference, go to Zoom at: <https://energy.zoom.us/j/84807651902?pwd=b6opQ178JrNuYoVAOAjnfEPxHvb8Ac.1>. You may also access the conference by going to the Zoom Webpage at https://join.zoom.us and enter the unique meeting ID and password below:

Meeting ID: **848 0765 1902**

Meeting Password: **867564**

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

**Telephone Access Only**:

Call (888) 853-5257 or (888) 475-4499 (toll-free). When prompted, enter the unique meeting ID number above. To comment over the telephone, dial \*9 to “raise your hand” and \*6 to mute/unmute your phone line.

**Access by Mobile Device:**

Download the application from the [Zoom Download Center](https://energy.zoom.us/download), <https://energy.zoom.us/download>.

**Technical Support:**

For assistance with problems or questions about joining or attending the meeting, please call Zoom technical support at (888) 799-9666 ext. 2, or you may contact the CEC’s Public Advisor’s Office at publicadvisor@energy.ca.gov, or (916) 957-7910.

[To determine whether your computer is compatible with Zoom, visit:](https://support.zoom.us/hc/en-us/articles/201362023-System-requirements-for-Windows-macOS-and-Linux)

[this website](https://support.zoom.us/hc/en-us/articles/201362023-System-requirements-for-Windows-macOS-and-Linux): <https://support.zoom.us/hc/en-us/articles/201362023-System-requirements-for-Windows-macOS-and-Linux>.

## Questions

For questions only related to submission of application in the new ECAMS system, please contact ECAMS.SalesforceSupport@energy.ca.gov. Through that email address applicants will be able to access a team of technical assistants who can answer questions about application submission. Please also see Section III for additional information about the ECAMS system.

During the RFP process, questions of clarification about this RFP must be directed to the Commission Agreement Officer listed in the following section. You may ask questions at the Pre-Bid Conference, and you may submit written questions via electronic mail. However, all questions must be received by 5:00 pm on the day of the Pre-Bid Conference.

The questions and answers will be posted on the [CEC's website](https://www.energy.ca.gov/funding-opportunities/solicitations) at https://www.energy.ca.gov/funding-opportunities/solicitations.

Any verbal communication with a CEC employee concerning this RFP is not binding on the State and shall in no way alter a specification, term, or condition of the RFP. Therefore, all communication should be directed in writing to the Commission Agreement Officer assigned to the RFP.

## Contact Information

Lisa Linares, Commission Agreement Officer

California Energy Commission

715 P Street, MS-18

Sacramento, California 95814

Telephone: (916) 805-7461

E-mail: Lisa.Linares@energy.ca.gov

## Responses to this RFP

Responses to this RFP shall be in the form of an Administrative, Technical, and Cost Proposal according to the format described in this RFP. The Administrative response shall include all required administrative documents. The Technical Proposal shall document the Bidder’s approach, experience, qualifications, and project organization to perform the tasks described in the Scope of Work, and the Cost Proposal shall detail the Bidder’s budget to perform such tasks.

## Reference Documents

Bidders responding to this RFP may want to familiarize themselves with the following documents:

* [Style Manual for Preparing Contract and Consultant Reports for the Energy Commission](http://www.energy.ca.gov/contracts/consultant_reports/index.html)

http://www.energy.ca.gov/contracts/consultant\_reports/index.htm

* [2023-2024 Investment Plan Update for the Clean Transportation Program (Publication Number: CEC-600-2023-029-CMF)](https://efiling.energy.ca.gov/GetDocument.aspx?tn=254963&DocumentContentId=90648)
https://efiling.energy.ca.gov/GetDocument.aspx?tn=254963&DocumentContentId=90648
* [ISO 15118-Ready Chargers – CEC Recommendation](https://efiling.energy.ca.gov/GetDocument.aspx?tn=241955)

https://efiling.energy.ca.gov/GetDocument.aspx?tn=241955

* [Executive Order N-79-20](https://www.gov.ca.gov/wp-content/uploads/2020/09/9.23.20-EO-N-79-20-Climate.pdf)
https://www.gov.ca.gov/wp-content/uploads/2020/09/9.23.20-EO-N-79-20-Climate.pdf
* [Assembly Bill 2127 EV Charging Infrastructure Assessment – 2023 Staff Report (Publication Number: CEC-600-2023-048)](https://efiling.energy.ca.gov/GetDocument.aspx?tn=251866&DocumentContentId=86859)
https://efiling.energy.ca.gov/GetDocument.aspx?tn=251866&DocumentContentId=86859
* [ISO 15118-Ready Chargers – CEC Recommendation](https://efiling.energy.ca.gov/GetDocument.aspx?tn=241955)

https://efiling.energy.ca.gov/GetDocument.aspx?tn=241955

* [Assembly Bill 2127 EV Charging Infrastructure Assessment](https://efiling.energy.ca.gov/GetDocument.aspx?tn=251866&DocumentContentId=86859) – 2021 Commission Report (Publication Number: CEC-600-2021-001-CMR)

https://efiling.energy.ca.gov/GetDocument.aspx?tn=251866&DocumentContentId=86859

* [Energy Infrastructure Incentives for Zero-Emission Commercial Vehicles (EnergIIZE) project](http://www.energiize.org/)

www.energiize.org

* [California Air Resources Board (CARB) Advanced Clean Truck Regulation Fact Sheet](https://ww2.arb.ca.gov/sites/default/files/2019-07/190521factsheet.pdf)

https://ww2.arb.ca.gov/sites/default/files/2019-07/190521factsheet.pdf

* [CARB Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP)](https://californiahvip.org/%22%20%5Ct%20%22_blank)

https://californiahvip.org

* [CARB Innovative Clean Transit (ICT) Regulation](https://ww2.arb.ca.gov/our-work/programs/innovative-clean-transit/ict-regulation%22%20%5Ct%20%22_blank)

https://ww2.arb.ca.gov/our-work/programs/innovative-clean-transit/ict-regulation

* [Senate Bill 643 Report – Staff Report](https://efiling.energy.ca.gov/GetDocument.aspx?tn=254100) (Publication Number: CEC-600-2023-053)

https://efiling.energy.ca.gov/GetDocument.aspx?tn=254100

# II. Scope of Work and Deliverables

## About This Section

This section describes the contract scope of work, deliverables and due dates under the direction of the CAM.

## Background

Assembly Bill (AB) 118 (Nuñez, Chapter 750, Statutes of 2007) created the Clean Transportation Program. The statute authorizes the CEC to develop and deploy alternative and renewable fuels and advanced transportation technologies to help attain the state’s climate change and clean air goals. AB 126 (Reyes, Chapter 319, Statutes of 2023) reauthorized funding for the program through July 1, 2035, focused the program on zero-emission transportation, and specified that the CEC allocate no less than 15% of the moneys appropriated by the Legislature each year to hydrogen refueling stations to support hydrogen vehicles until there is a sufficient network of stations, which includes all types available, until July 1, 2030.

The Clean Transportation Program has an annual budget of approximately $100 million and provides financial support for projects that:

* Develop and deploy zero-emission technology and fuels in the marketplace where feasible and near-zero-emission technology and fuels elsewhere.
* Produce sustainable alternative and renewable low-carbon fuels in California.
* Deploy zero-emission fuel infrastructure, fueling stations, and equipment where feasible and near-zero-emission fuel infrastructure, fueling stations, and equipment elsewhere.
* Establish workforce training programs and conduct public outreach on the benefits of alternative transportation fuels and vehicle technologies.

In 2020, the CEC released GFO-20-601, “Blueprints for Medium- and Heavy-Duty Zero-Emission Vehicle Infrastructure” to fund planning “blueprints” that will identify actions and milestones needed for implementation of MDHD ZEVs and the related charging and/or hydrogen refueling infrastructure. The purpose of GFO-20-601 was to accelerate the deployment of MDHD ZEVs and ZEV infrastructure with a holistic and futuristic view of transportation planning.

As a result of the solicitation, thirty-four (34) blueprint planning documents were completed or are in the process of completing. Blueprint project awardees that successfully completed a blueprint were then eligible to compete for funding to implement the ZEV charging and/or hydrogen refueling infrastructure projects developed and identified in the final blueprint planning documents, under GFO-23-603, “Implementation of Medium- and Heavy-Duty Zero-Emission Vehicle Infrastructure Blueprints.”

The purpose of this RFP is to build off of and expand on the success of the Clean Transportation Program’s blueprint planning solicitations. The intent of the RFP is to select a single and experienced Prime Contractor to lead a team of professional engineering, design, and environmental professionals, to develop multiple planning blueprints that are consistent and comprehensive in scope, implementable for the MDHD Blueprint Application, and replicable for other MDHD fleets.

The Contractor shall provide technical assistance for the following tasks, as directed by the CAM. The CEC will solicit and select Blueprint Applicants that the Contractor would work with. More information about the process to solicit and select blueprint applicants can be found in the Section II (Scope of Work and Deliverables).

**General Requirements**

**Work Authorizations**

The Agreement that results from this RFP shall be conducted as a “work authorization” Agreement. No work shall be undertaken for Tasks 3 and 4 unless authorized by the CAM through a specific written document called a “work authorization.” The Contractor will prepare and issue the written work authorizations that define the scope of work, budget, and schedule of deliverables for the work to be performed. Each work authorization shall contain one blueprint project that must be approved by California’s Department of General Services (DGS) before work can begin. For an example of a work authorization, please reference Attachment 14, “Standard Work Authorization Example”.

The Contractor shall make work assignments to team members based on their relative expertise, project workload, and CEC concurrence on final selection of the team member(s) for each work authorization. Technical assistance is capped at $200,000 per blueprint project. The CEC reserves the right to decrease or increase the cap as needed. If the MDHD Blueprint Applicant receiving services from the Prime Contractor desires services greater than the cap, the MDHD Blueprint Applicant is responsible for payment to the Contractor directly for the amount exceeding the cap.

**No Work Guarantee**

The CEC does not guarantee any minimum or maximum amount of work to the Contractor or any Subcontractor under the Agreement.

**Workshops & Hearings**

All workshops and hearings are 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.

**Ownership of Work Product**

All deliverables, reports, data, memoranda, and other supporting documents developed under this SOW, whether completed or not, shall become the property of the CEC.

TASK LIST

|  |  |
| --- | --- |
| **Task #**  | **Task Name**  |
| 1  | Agreement Management  |
| 2  | Outreach |
| 3 | Preliminary Site Assessment of Applicant Site Location |
| 4 | Blueprint |

**Tasks**

The Contractor, under the direction of CEC staff, will be required to perform contract management functions and provide technical support services to prepare and complete studies, reports, and analysis for the development of planning “blueprints” that will identify the actions and milestones needed for implementation of MDHD ZEVs and the related and necessary electric vehicle charging and/or hydrogen refueling infrastructure.

The following tasks (Tasks 1-4) coupled with the list of activities above, describe the general types of work the Contractor will be requested to perform under this agreement.

**TASK 1 - AGREEMENT MANAGEMENT**

The Contractor will be required to perform contract management and administrative duties to manage the Agreement. At the discretion of the CAM, meetings, briefings, and discussions may be held via conference call, MS Teams, Zoom, or other mutually agreed platform.

The Contractor’s responsibilities under this task include, but are not limited to, the following:

**Task 1.1 Attend Kick-off Meeting**

The goal of this task is to establish the lines of communication and procedures for implementing this Agreement.

**The Contractor shall:**

* Attend a “Kick-Off” meeting with the CAM, the Commission Agreement Officer, and a representative of the CEC Accounting Office. The Contractor shall include its Project Manager, Contracts Administrator, Accounting Officer, and others designated by the CAM in this meeting. The administrative and technical aspects of this Agreement will be discussed at the meeting.
* If necessary, prepare an updated Schedule of Deliverables based on the decisions made in the kick-off meeting.

**The CAM shall:**

* Arrange the meeting including scheduling the date and time.
* Provide an agenda to all potential meeting participants prior to the kick-off meeting.

**Deliverables:**

* An updated schedule of deliverables (if applicable)

**Task 1.2 Invoices**

**The Contractor shall:**

* Prepare invoices for all reimbursable expenses incurred performing work under this Agreement in compliance with the Terms and Conditions of the Agreement. Invoices shall be submitted with the same frequency as quarterly progress reports (Task 1.6).

**Contractor Deliverables:**

* Quarterly invoices

**Task 1.3 Management of Work Authorizations**

The goal of this task is to facilitate the preparation of Work Authorizations in accordance with the requirements of this Agreement for work to be performed under Technical Tasks 3 and 4. The goal of this task is to facilitate the preparation of Work Authorizations in accordance with the requirements of this Agreement for work to be performed under Technical Tasks 3 and 4.

**The Contractor shall:**

* At the direction of the CAM, assist the CEC in preparing the Work Authorizations, which define the scope of work, the schedule of deliverables, and the project budget for each blueprint project. Work authorizations will be created based on approval of a MDHD blueprint application submitted to and approved by CEC staff.
* All work assignments for Tasks 3 and 4 will be made through specific *Work Authorizations* and will identify the schedule of deliverables, the scope of work and the project budget.
* *Work Authorizations* must be approved by the California Department of General Services (DGS) prior to beginning work on MDHD blueprint projects.

**Contractor Deliverables:**

* Work Authorizations

**Task 1.4 Manage Subcontractors**

The goal of this task is to ensure quality products, to enforce subcontractor Agreement provisions, and in the event of failure of the subcontractor(s) to satisfactorily perform services, recommend solutions to resolve the problem(s).

**The Contractor shall:**

* Manage and coordinate subcontractor activities. The Contractor is responsible for the quality of all subcontractor work and the CEC will assign all work to the Contractor. If the Contractor decides to add new subcontractors, they shall 1) comply with the terms and conditions of the Agreement, and 2) notify the CAM who will follow the CEC’s process for adding or replacing subcontractors.
* Respond within five business days to information requests or direction from the CEC’s CAM.
* Coordinate availability of subcontractors to meet needs of CEC staff.
* Require subcontractors, via a contract, to provide invoices that correctly identify personnel, actual hourly rates and direct expenses charged to each work authorization and provide back-up documentation for expenses. Provide *copies of contracts* with subcontractors to the CAM.
* Maintain a *Current Contract Spreadsheet* capable of tracking Contractor and subcontractor(s) work activity, Contractor and subcontractor(s) invoice activity, and the status of work authorizations. Provide to the CAM upon request.

**Contractor Deliverables**:

* Current Contract Spreadsheet of work activities, as requested
* Copies of contracts with subcontractors

**Task 1.5 Monthly Calls**

The goal of this task is to have calls at least monthly between CAM and the Contractor to verify that satisfactory and continued progress is made towards achieving the objectives of this Agreement on time and within budget.

The objectives of this task are to verbally summarize activities performed during the reporting period, to identify activities planned for the next reporting period, to identify issues that may affect performance and expenditures to form the basis for determining whether invoices are consistent with work performed, and to answer any other questions from the CAM. Monthly calls might not be held on those months when a quarterly progress report is submitted, or the CAM determines that a monthly call is unnecessary.

**The CAM shall:**

* Schedule monthly calls.
* Provide questions to the Recipient prior to the monthly call.
* Provide call summary notes to Recipient of items discussed during call.

**The Contractor shall:**

* Review the questions provided by CAM prior to the monthly call
* Provide verbal answers to the CAM during the call.

**Product:**

* Email to CAM concurring with call summary notes.

**Task 1.6 Quarterly Progress Reports**

The goal of this task is to periodically verify that satisfactory and continued progress is made towards achieving the objectives of this Agreement on time and within budget.

The objectives of this task are to summarize activities performed during the reporting period, to identify activities planned for the next reporting period, to identify issues that may affect performance and expenditures, and to form the basis for determining whether invoices are consistent with work performed.

**The Contractor shall:**

* Prepare a *Quarterly Progress Report* which summarizes all Agreement activities conducted by the Prime Contractor for the reporting period, including an assessment of the ability to complete the Agreement within the current budget and any anticipated cost overruns. Progress reports are due to the CAM the 10th day of each January, April, July, and October. The Quarterly Progress Report template can be found on the ECAMS Resources webpage available at <https://www.energy.ca.gov/media/4691>.

**Contractor Deliverables**:

* Quarterly Progress Reports

**Task 1.7 Final Report**

The goal of the Final Report is to assess the project’s success in achieving the Agreement’s goals and objectives, advancing science and technology, and providing energy-related and other benefits to California.

The objectives of the Final Report are to clearly and completely describe the project’s purpose, approach, activities performed, results, and advancements in science and technology; to present a public assessment of the success of the project as measured by the degree to which goals and objectives were achieved; to make insightful observations based on results obtained; to draw conclusions; and to make recommendations for further projects and improvements to the CEC Fuels and Transportation Division’s project management processes.

The Final Report shall be a public document and is limited to 25-pages. The Consultant Report Template can be found on the [CEC’s website](https://www.energy.ca.gov/media/2216) at https://www.energy.ca.gov/media/2216.

In addition to any other applicable requirements, the Final Report must comply with the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12101 et seq.), which prohibits discrimination on the basis of disability; all applicable regulations and guidelines issued pursuant to the ADA; Cal. Gov. Code sects. 7405 and 11135; and Web Content Accessibility Guidelines 2.0, or a subsequent version, as published by the Web Accessibility Initiative of the World Wide Web Consortium at a minimum Level AA success criteria. The Final Report should, at a minimum, include the following:

* Purpose of this project
* Approach towards this project
* Summary of work authorizations for this project
* Industries studied
* Assessment of the success of the project as measured by the degree to which goals and objectives were achieved
* Activities performed for the development of each blueprint
* Number and type of blueprints developed
* Brief summary of each blueprint developed
* Results of this technical assistance project
* Recommendations for further projects and improvements to the CEC Fuels and Transportation Division’s contract management process

The Final Report must be completed before the termination date of the Agreement in accordance with the Schedule of Deliverables.

**The Contractor shall:**

* Prepare an *Outline of the Final Report* and submit to the CAM.
* Prepare a *Draft Final Report* complying with ADA requirements and following the latest version of the Final Report guidelines which will be provided by the CAM. The CAM shall provide written comments on the Draft Final Report within fifteen (15) working days of receipt. The Final Report must be completed at least 60 days before the end of the Agreement Term.
* Submit *Final Report* in Microsoft Word format or similar electronic format as approved by the CAM.

**Contractor Deliverables**:

* Outline of the Final Report
* Draft Final Report
* Final Report

**Task 1.8 Final Meeting**

The goal of this task is to discuss closeout of this Agreement.

**The Contractor shall:**

* Meet with CEC staff to present the findings, conclusions, and recommendations. The final meeting must be completed during the closeout of this Agreement.

This meeting will be attended by, at a minimum, the Prime Contractor and the CAM. The technical and administrative aspects of Agreement closeout will be discussed at the meeting, which may be two separate meetings at the discretion of the CAM.

The technical portion of the meeting shall present an assessment of the degree to which project and task goals and objectives were achieved, findings, conclusions, recommended next steps (if any) for the Agreement, and recommendations for improvements. The CAM will determine the appropriate meeting participants.

The administrative portion of the meeting shall be a discussion with the CAM about the following Agreement closeout items:

* What to do with any equipment purchased with CEC funds (Options), if applicable
* CEC request for specific “generated” data (not already provided in Agreement deliverables)
* Need to document Prime Contractor’s disclosure of “subject inventions” developed under the Agreement, if applicable
* “Surviving” Agreement provisions
* Final invoicing and release of retention
* Prepare a schedule for completing the closeout activities for this Agreement.

**Contractor Deliverables:**

* Written documentation of meeting agreements
* Schedule for completing closeout activities

**TECHNICAL TASKS**

**Task 2 – OUTREACH**

The goal of this task is to conduct outreach to public or private entities that are interested in transitioning their MDHD fleets to zero-emission.

**The Contractor shall:**

* Develop an *Outreach Plan* that details the strategy to conduct outreach to solicit MDHD blueprint applicants.
* Coordinate and hold public workshops, in coordination with CEC staff, about MDHD blueprint development opportunities.
* Provide the CAM the *Education and Outreach Materials* used at the workshops.
* Develop a *Preliminary Site Assessment Template* that can be utilized for all approved work authorizations. This template should be developed and submitted to the CAM for approval prior to approval of the first work authorization and should include the activities listed below in Task 3.
* Develop a *Blueprint Template* that can be utilized for all approved work authorizations. This template shall be developed and submitted to the CAM for approval prior to approval of the first work authorization and should include sections/chapters including, but not limited to, the items listed below in Task 4.

**The CAM shall:**

* Develop and post workshop notices, provide Zoom links, and publish *Workshop Recordings.*
* Independently solicit and collect Blueprint Applications. Based on criteria solely developed by the CEC, CEC staff will evaluate applications. On the CEC website, post list of selected Blueprint Applicants and update as needed.

**Contractor Deliverables**:

* Outreach Plan
* Education and Outreach Materials
* Preliminary Site Assessment Template
* Blueprint Template

**Task 3 – PRELIMINARY Site ASSESSMENT OF BLUEPRINT APPLICANT SITE LOCATION**

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. The intent of the Preliminary Site Assessment is to avoid duplicative efforts and to identify gaps in knowledge and sources for data that can be used in developing the Final Blueprint for the blueprint project.

**The Contractor shall:**

* Conduct a *Preliminary Site Assessment.* Site Assessment activities shall include, but are not limited to:
	+ Compiling a list of prior work completed for the Blueprint Applicant’s site location
	+ Interviewing site personnel regarding operational needs of fleet vehicles
	+ Reviewing the site location’s latest utility data and other operating data
	+ Conducting a walk-through survey of the site location (either virtual or on-site) being planned for ZEV infrastructure installation
* Provide a copy of the *Preliminary Site Assessment* for each CEC-approved blueprint project site to the CAM.

**Contractor Deliverables**:

* Preliminary Site Assessment (for each CEC-approved blueprint project site)

**Task 4 – BLUEPRINT**

The goal of this task is for the Contractor to develop planning “blueprint” documents for each CEC-approved Blueprint Applicant that will provide a detailed outline and plan for the MDHD Blueprint Applicant’s fleet transition to ZEV technology.

**The Contractor shall:**

* Develop a *Blueprint* that is 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 ZEVs on site. The blueprint planning document shall also include information learned from the *Preliminary Site Assessment* of the Blueprint Applicant’s site location(s).
* The *Blueprint* shall include, but is not limited to:
* Actions and milestones needed for implementation of MDHD ZEVs and zero-emission charging or refueling infrastructure, as follows:
	+ Quantitative goals and specific, realistic timelines for installation and implementation of MDHD electric vehicle charging and/or hydrogen refueling infrastructure within the project.
	+ Sites, maps, and accessibility to travel routes identified for proposed MDHD charging and/or refueling.
	+ How the risks and uncertainties surrounding the design, permitting, planning, and financing of the ZEV infrastructure network can be reduced.
* Summary of engagement with stakeholders, including, but not limited to utilities, local jurisdictions, regional workplaces, business owners, operators in the planning process, community-based organizations, community leaders, California Native American Tribes, and potentially affected local residents.
* Summary of the MDHD electric vehicle charging and/or hydrogen refueling options that were analyzed for the blueprint.
* Projections of energy demand requirements and infrastructure requirements at the site location.
* Projections of emission reductions, including greenhouse gas (GHG) emissions, criteria air pollutants, and toxic air contaminants, that would result from deployment of ZEV infrastructure at the site location.
* If MDHD electric vehicle charging infrastructure is chosen for this blueprint, the blueprint shall:
	+ Include appropriate Vehicle-Grid Integration (VGI) standards and open standards-based network communications.
	+ Include the ability to support emerging connectors and/or interfaces for heavy-duty vehicles, open standards-based network communications, the inclusion of appropriate VGI standards, and/or other methods for enhancing grid-reliability by providing data to utilities to predict charging behavior and associated impacts on the grid.
	+ Include how the project integrates energy storage for the electricity grid or uses curtailed or dedicated renewable energy as a source for renewable hydrogen.
	+ Include the use of interoperable MDHD charging connectors and/or charging interfaces compatible with MDHD vehicles sold by multiple original automotive equipment manufacturers for widespread use across California and North America.
	+ Include other methods for enhancing grid-reliability by providing data to utilities to predict charging behavior and associated impacts on the grid.
* Analysis of the combination of technologies and systems that offer the best mix of economic, environmental, and technical performance specific to the project.
* Documentation of actions or steps already adopted by the local jurisdiction and the impact of those actions or steps on the development of MDHD ZEV infrastructure.
* Identification of steps already taken or that will need to be taken in order to ensure a safety plan is in place for needed hydrogen refueling infrastructure.
* Identification of analytical tools, software applications, and data needed to improve future MDHD ZEV infrastructure planning activities.
* Identification of new skills and knowledge that will be necessary for the MDHD Blueprint Applicant team to support MDHD ZEV infrastructure.
* Summary of outreach to community colleges, community-based organizations, and community leaders to develop workforce development strategies that will enable training, education, and readiness for the local community workforce to obtain the requisite knowledge, skills, and ability to develop, support, and maintain the MDHD ZEV fleets.
* Summary of the types of jobs that will be created for the local community.
* Benefits that would accrue to disadvantaged communities, low-income communities, priority populations, and/or tribal lands to the maximum extent possible. Address health and safety, access and education, financial benefits, economic development, and consumer protection.
* For the purposes of this RFP, disadvantaged communities are defined as communities scoring in the top 25th percentile according to the most recent California Communities Environmental Health Screening Tool: [CalEnviroScreen Version 4.0](https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40) (https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40)
* For the purposes of this RFP, priority populations include residents of (1) census tracts identified as disadvantaged by California Environmental Protection Agency per SB 535, (2) census tracts identified as low-income per AB 1550, or (3) a low-income household per AB 1550. The following [web link](http://www.arb.ca.gov/cci-communityinvestments) provides interactive maps to aid in determining geographic eligibility for disadvantaged and low-income communities: www.arb.ca.gov/cci-communityinvestments.
* For the purposes of this RFP, tribal lands refer to lands located in the State of California that are tribally owned lands, buildings, or facilities.
* Provide a copy of the *Draft Blueprint* to the CAM and the MDHD Blueprint Applicant for edits and feedback.
* Complete edits and feedback from the CAM and the MDHD Blueprint Applicant.
* Provide a copy of the *Final Blueprint* to the CAM and the MDHD Blueprint Applicant for feedback. The CAM and MDHD Blueprint Applicant will review the *Final Blueprint*, and the CAM and the Contractor will make requested revisions until the CAM approves the *Final Blueprint*.
* The Contractor shall provide to the CAM electronic copies (in PDF and/or MS Word formats) of the draft and final versions of the blueprints. The Final Blueprint must comply with the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12101 et seq.), which prohibits discrimination on the basis of disability; all applicable regulations and guidelines issued pursuant to the ADA; Cal. Gov. Code sects. 7405 and 11135; and Web Content Accessibility Guidelines 2.0, or a subsequent version, as published by the Web Accessibility Initiative of the World Wide Web Consortium at a minimum Level AA success criteria.

 **Contractor Deliverables**:

* Draft Blueprint for each CEC-approved Blueprint Applicant
* Final Blueprint for each CEC-approved Blueprint Applicant

**Agreement Deliverables – Schedule of Deliverables and Due Dates**

The following deliverables chart does not represent all deliverables necessary to complete the goals and objectives of this Agreement. Additional deliverables will be outlined in Work Authorizations. For deliverables listed, the completed and approved Work Authorizations will specify due dates.

|  |  |  |
| --- | --- | --- |
| **Task #**  | **DELIVERABLES**  | **TENTATIVE DUE DATES**  |
| **1.1**  | **Kick-Off Meeting**  |   |
|   | An updated schedule of deliverables (if applicable)  | February 2025  |
| **1.2**  | **Invoices**  |   |
|   | Quarterly Invoices  | Quarterly |
| **1.3**  | **Management of Work Authorizations**  |  |
|   | Work Authorizations  | Ongoing through December 2027 |
| **1.4**  | **Manage Subcontractors**  |   |
|   | Current contract spreadsheet of work activities, as requested  | Ongoing  |
|   | Copies of contracts with Subcontractors  | February 2025 |
| **1.5** | **Monthly Calls** |  |
|  | Email to CAM concurring with call summary notes.  | Within 5 days of receipt |
| **1.6** | **Quarterly Progress Reports**  |   |
|   | Quarterly progress reports  | 10th calendar day of each January, April, July, and October during the approved term of this agreement  |
| **1.7** | **Final Report**  |   |
|   | Outline of the Final Report  | November 2027 |
|   | Draft Final Report  | January 2028 |
|   | Final Report  | February 2028 |
| **1.8**  | **Final Meeting**  |   |
|   | Written documentation of meeting agreements   | February 2028 |
|   | Schedule for completing closeout activities  |  February 2028 |
| **2**  | **Outreach**  |   |
|  | Outreach Plan | March 2025 and updated quarterly |
|   | Education and Outreach Materials  | Ongoing |
|  | List of Blueprint Applicants | Ongoing, and provided within 14 days of a workshop |
|  | Preliminary Site Assessment Template  | April 2025 |
|  | Blueprint Template | May 2025 |
| **3**  | **Preliminary Site Assessment of Applicant Site Location**  |   |
|   | Preliminary Site Assessment (for each CEC-approved blueprint project site)  | Ongoing |
| **4** | **Blueprint**  |   |
|   | Draft Blueprint for each CEC-approved Blueprint Applicant | Ongoing |
|   | Final Blueprint for each CEC-approved Blueprint Applicant  | Ongoing |

# III. Proposal Format, Required Documents, and Delivery

## About This Section

This section contains the format requirements and instructions on how to submit a proposal. The format is prescribed to assist the Bidder in meeting State bidding requirements and to enable the CEC to evaluate each proposal uniformly and fairly. Bidders must follow all Proposal format instructions, answer all questions, and supply all requested data.

## Required Format for a Proposal

All proposals submitted under this RFP must be typed or printed using a standard 11‑point font, singled-spaced and a blank line between paragraphs. Pages must be numbered and sections titled.

## Method for Delivery

The only method of submitting applications to this solicitation is Energy Commission Agreement Management System (ECAMS), available at: https://ecams.energy.ca.gov.

The CEC is providing a team of technical assistants to support applicants with this new process. Please email ECAMS.SalesforceSupport@energy.ca.gov for support.

ECAMS allows applicants to complete and submit their application to the CEC prior to the date and time specified in this solicitation. Files uploaded to the system must be in Microsoft Word XP (.doc format) or newer and Excel Office Suite formats unless originally provided in the solicitation in another format. Attachments requiring signatures, such as match funding commitment letters, may be scanned and submitted in PDF format. Completed Budget Forms, Attachment, must be in Excel format.

The deadline to submit applications through ECAMS system is 11:59 p.m. on the Deadline to Submit Applications date shown in the Key Activities Schedule. ECAMS automatically closes at 11:59 pm. If the full submittal process has not been completed before 11:59 p.m., your application will not be considered.

The CEC strongly encourages Applicants to upload and submit all applications by 5:00 p.m. because CEC staff will not be available after 5:00 p.m. or on weekends to assist with the upload process. And please note that while we endeavor to assist all would-be applicants, we can’t guarantee staff will be available for in-person consultation on the due date, so please plan accordingly.

Please give yourself ample time to complete all steps of the submission process: do not wait until right before the deadline to begin the process. Due to factors outside the CEC’s control and unrelated to ECAMS, upload times may be much longer than expected. For example, unexpected issues could occur, causing long delays that prevent timely submission. Please plan accordingly. For instructions on how to apply using the ECAMS system, please see the [How to Apply document](https://www.energy.ca.gov/funding-opportunities/funding-resources) available on the CEC website at: https://www.energy.ca.gov/funding-opportunities/funding-resources, under General Funding Information, Energy Commission Agreement Management System (ECAMS).

First time users must register as a new user to access the system. There will be two types of user accounts to establish: 1) An organizational account, for the entity applying to the solicitation; and 2) user accounts for individuals who will be submitting the application on behalf of the organization.

Applicants will be required to upload all attachments marked “required” in the system in order for the application to be submitted.

## Page Limitations

The number of pages for each proposal is limited to 25 pages, including four pages for the responses to the Hypothetical Questions (Attachment 12). The Cover Letter, Table of Contents, Contractor Status Form, Darfur Contracting Act Form, Small Business Certification, Completed Disabled Veteran Business Enterprise form, Bidder Declaration from GSPD-05-105, Contractor Certification Clauses, Target Area Contract Preference Act (TACPA) Forms, Iran Contracting Act Form, CA Civil Rights Laws Certification, Budget Forms, Past Performance Reference Forms, and resumes do not count towards this page limitation.

## Organize Your Proposal As Follows

### SECTION 1, Administrative Response

Cover Letter

Table of Contents

Contractor Status Form Attachment 1

Darfur Contracting Act Form Attachment 2

Small Business Certification If applicable

Completed Disabled Veteran Business Enterprise form Attachment 3

Bidder Declaration form GSPD-05-105 Attachment 4

Contractor Certification Clauses Attachment 5

TACPA Forms If applicable

Iran Contracting Act Form Attachment 10

CA Civil Rights Laws Certification Attachment 11

GenAI Reporting & Factsheet Form Attachment 13

### SECTION 2, Technical Response and Cost Proposal

Approach to Tasks in Scope of Work

Organizational Structure

Relevant Experience and Qualifications

Labor Hours by Personnel and Task

Narrative Budget Questions

Client Reference Forms Attachment 6

Past Performance Reference Form Attachment 7

Budget Forms Attachment 8. See also H below.
Hypothetical Questions Attachment 12

1. **Approach to tasks in Scope of Work**

Describe the Bidder’s approach to providing services listed in the Scope of Work, highlighting any outstanding features, qualifications and experience.

1. **Organizational Structure**
2. Describe the organizational structure of the Bidder, including providing an organizational chart of the entire contract team.
3. Provide a short description of Bidder, Subcontractors and key members on the team. Describe the relationship between the Contractor and Subcontractors on your team. Indicate any significant history of a working relationship between the team members.
4. Identify the location of the Bidder’s and Subcontractor’s headquarters and satellite office(s) and proposed methods of minimizing travel costs to the State.
5. Describe Bidder’s professional awards.
6. Describe the organization, composition, and functions to be performed by staff members of the Bidder and any Subcontractors and how the staff pertains to this contract.
7. Describe the ability of the Bidder to effectively and efficiently recruit additional Subcontractors in response to workload and/or CEC direction.
8. Describe the ability of the Bidder to pay Subcontractors on a timely basis (ahead of receiving payment from the state).
9. Describe how the Bidder will clearly differentiate the work and deliverables for this contract from other similar ZEV infrastructure planning projects the Bidder is developing with other entities.
10. **Relevant Experience and Qualifications**
	* + 1. Document the project team’s qualifications as they apply to performing the tasks described in the Scope of Work. Describe recently completed work as it relates to this Scope of Work.
			2. Describe the planned approach to effectively provide direction, motivation and vision to the project team; to provide quality assurance for each team member’s performance; and to minimize turnover and provide a stable professional team, including the ability to quickly add and train new team members as needed.
			3. Describe the ability to organize and manage a team to effectively complete statement of work tasks and deliverables in a timely manner.
			4. Describe how the team will handle the effective completion of multiple blueprint planning documents.
			5. Identify and list all Bidder staff and Subcontractors (all team members) who will be committed to the tasks and describe their roles. Identify lead personnel and the project coordinator.
			6. Provide a current resume for all team members listed, including job classification and description, relevant experience, education, academic degrees and professional licenses.
			7. Identify the percentage of time each team member will be available throughout the contract.
			8. Describe each team member’s familiarity with the technical expertise in performing pertinent tasks identified in the Scope of Work.
11. **Labor Hours by Personnel and Task**

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

1. **Narrative Budget Questions**
	1. Describe the types and amounts of administrative costs to be incurred, including the team’s approach and ability to control and minimize administrative costs while ensuring effective and successful project implementation. Administrative costs, including Task 1 work, are indirect costs incurred by the Prime Contractor and subcontractors in support of the day-to-day operations of their organizations. These indirect costs are expenses that are not directly tied to each specific blueprint project’s purpose and are incurred for common or joint purposes, benefitting more than one project or activity, and not easily assignable to the projects and activities. Indirect, Overhead, General and Administration (G&A), Facilities and Administrative (F&A) are all terms for indirect costs. Typical examples of Indirect Costs may include depreciation on buildings and equipment, the costs associated with operating and maintaining facilities and equipment, and general administration and expenses, such as salaries and expenses of executive officers, personnel administration and accounting. This category typically covers other general business expenses such as printer paper, printer toner, pencils, rent, and utilities.
	2. Describe cost-savings strategies, known or expected risks or budget contingencies and how those will be addressed.
	3. Describe any match committed in-kind or cash support from the project team or other organizations, if applicable.
	4. Describe how many blueprints the Bidder can develop with a budget of $5 million.
2. **Client Reference Forms**

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

1. **Hypothetical Questions**

The Bidder shall provide a full response to each Hypothetical Question based on the scenario proposed and the instructions provided with that question. The Bidder’s response must be typed using a standard 11-point font, no longer than four pages, with a blank line between paragraphs.

* A subcontractor to the agreement drafted a technical report based on a preliminary site assessment completed for the City of Fresno. CEC staff reviewing the technical report have concerns about the accuracy of the analysis. There are project recommendations that would not meet state goals if implemented and project recommendations that do not align with the current fleet size or planning for an increased fleet size. CEC staff have asked that the subcontractor revise the technical analysis. However, the subcontractor does not agree with CEC staff concerns. As the prime contractor, how would you handle this situation?
* There are a number of factors that should be considered when performing an assessment for a fleet’s transition to ZEVs and ZEV infrastructure. Provide four essential factors you regard as critical and the rationale for each to prepare a technically sound analysis in determining what technology would best benefit a fleet.
* After a year of performing technical support work for the CEC, your organization has been informed that the CEC’s new outreach goals to local governments and school districts may result in an increased workload for the program. It is anticipated that in a couple of months, work authorizations for four MDHD blueprint projects will increase to eight MDHD blueprint projects per month to be completed within a span of six months. What process(es) does the organization have in place to handle the increased workload without compromising the quality of the blueprint development and timely delivery?
* How would the team conduct outreach to stakeholders for the blueprint planning documents and how would it ensure that such outreach is inclusive of disadvantaged communities, low-income communities, California Native American tribes, community leaders, community-based organizations, and potentially affected individuals?
1. **Budget Forms (Attachment 8)**
* Category Budget
* Direct Labor
* Fringe Benefits
* Travel
* Equipment
* Materials & Miscellaneous
* Subcontracts
* Indirect Costs and Profit

The Bidder must submit information on all of the attached budget forms and this will be deemed the equivalent of a formal Cost Proposal.

Detailed instructions for completing these forms are included at the beginning of Attachment 8.

Rates and personnel shown must reflect rates and personnel you would charge if you were chosen as the Contractor for this RFP. Bidder must include all people anticipated who will provide service on the Agreement. The CEC may consider adding a person that the Bidder did not include in its Proposal. However, because the additional person might affect the Bidder's score or take additional time that the CEC does not have or does not want to spend, the CEC reserves the right to do any of the following, along with any other existing rights:

* Assess how the new person might affect the Bidder’s score, including possibly rescoring the Proposal
* Refuse to add the new person
* Add the new person.

Bidders are cautioned that they should include all team members in their Proposal. The CEC does not want to be in the position of assessing additional persons after the Notice of Proposed Award.

The salaries, rates, and other costs entered on these forms become a part of the final agreement. The entire term of the agreement and projected rate increases must be considered when preparing the budget. The rates bid are considered capped and shall not change during the term of the contract. The Contractor shall only be reimbursed for their actual rates up to these rate caps. The labor rates shall be unloaded (before fringe benefits, overheads, general & administrative (G&A) or profit).

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

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

# IV. Evaluation Process and Criteria

## About This Section

This section explains how the proposals will be evaluated. It describes the evaluation stages, preference points, and scoring of all proposals.

## Proposal Evaluation

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

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

The Proposals will be evaluated in two stages:

### Stage One: Administrative and Completeness Screening

The CEC’s Contracts Office will review Proposals for compliance with administrative requirements and completeness. Proposals that fail Stage One shall be disqualified and eliminated from further evaluation.

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

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

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

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

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

## Scoring Scale

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

|  |  |  |
| --- | --- | --- |
| **% 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 Bidder’s response or proposed solution. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable. |
| 90% | Excellent | Response fully addresses the requirements being scored with a high degree of confidence in the Bidder’s response or proposed solution. Bidder offers one or more enhancing features, methods or approaches exceeding basic expectations. |
| 100% | Exceptional | All requirements are addressed with the highest degree of confidence in the Bidder’s response or proposed solution. The response exceeds the requirements in providing multiple enhancing features, a creative approach, or an exceptional solution. |

## Notice of Proposed Award

The CEC will post a Notice of Proposed Award (NOPA) on the CEC’s website, and will email the NOPA to all parties that submitted a proposal.

|  |  |
| --- | --- |
| **Evaluation Criteria**  | **Possible Points**  |
| 1. **Approach to Tasks in Scope of Work**
 | **15**  |
| The degree to which the Proposal:  * Demonstrates the Bidder’s general and specific proposed approaches to providing the following services listed in the Scope of Work, highlighting outstanding features, qualifications, and experience of each team member:
* Kick-Off Meeting
* Invoices
* Management of Work Authorizations
* Manage Subcontractors
* Monthly Calls
* Quarterly Progress Reports
* Final Report
* Final Meeting
* Conduct Outreach
* Preliminary Assessment of Blueprint Applicant Site Location
* Blueprint Development
 |  |
| 1. **Organizational Structure**
 |  **15** |
| * The degree to which the Proposal:
* Provides a comprehensive overview of the organizational structure of the Bidder, including, but not limited to providing an organizational chart of the entire contract team.
* Demonstrates a strong working relationship between each Subcontractor and key members of the Bidder’s team.
* Demonstrates strong working relationship between team members.
* Minimizes travel costs to the state.
* Demonstrates that the Bidder has received professional awards relevant to this RFP.
* Shows how the organization, composition, and functions to be performed by the Bidder and Subcontractors pertains to this contract.
* Describes ability to effectively and efficiently recruit additional Subcontractors in response to workload and CEC direction.
* Describes the ability of the Bidder to pay Subcontractors on a timely basis (ahead of receiving payment from the state).
* Describes how the Bidder will clearly differentiate the work and deliverables for this contract from other similar ZEV infrastructure planning projects being developed with other entities.
 |  |
| 1. **Relevant Experience and Qualifications**
 | **30** |
| * The degree to which the Proposal:
* Bidder Only:
* Demonstrates that the project team is qualified for the tasks described in the Scope of Work.
* Demonstrates that the Bidder has an effective plan to effectively provide direction, motivation, and vision to the team.
* Demonstrates that the Bidder will provide quality assurance for each team member’s performance.
* Demonstrates that the Bidder will minimize turnover and provide a stable professional team during the term of the contract.
* Demonstrates that the Bidder will effectively complete multiple blueprint planning documents at a given time.
* Shows effective approaches to the contract management and administration of this contract.
* Describes the ability to organize and manage a team of technical experts to effectively complete Scope of Work tasks and deliverables in a timely manner.

Team Members including Bidder: * Demonstrates how the qualifications, expertise, and experience of the project team are applicable to the tasks described in the Scope of Work.
 |  |
| 1. **Narrative Budget Questions**
 | **15** |
| * The degree to which the Proposal:
* Describes the types and amounts of administrative costs to be incurred, including the team’s approach and ability to control and minimize administrative costs while ensuring effective and successful project implementation.
* Describes cost-savings strategies, known or expected risks or budget contingencies and how those will be addressed.
* Describes any match committed in-kind or cash support from the project team or other organizations, if applicable
* 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.
 |  |
| 1. **Client Reference Form(s)**
 | **10** |
| * The degree to which the Proposal provides favorable client references. Three client references are required for the Contractor and one for each subcontractor.
 |  |
| 1. **Hypothetical Questions**
 | **20** |
| The degree to which: * Full and comprehensive responses are provided to each Hypothetical Question.
* The response:
* Describes a constructive method for addressing concerns and resolving disagreements.
* Demonstrates the Bidder’s willingness to negotiate and find an acceptable solution.
* Demonstrates alignment with the state’s goals.
* Identifies and describes four factors to be considered to determine technological feasibility for ZEVs and ZEV infrastructure specific to MDHD fleets – and provides sound rationale for each factor.
* Describes a clear plan for scaling up operations to accommodate an increased workload.
* Describes how quality of work will be maintained as workload increases.
* Describes strategies to ensure timely completion of projects within a specific timeframe.
* Proposes strategies to engage with a diverse group of stakeholders to support MDHD fleet transitions to zero-emission technology.
* Describes a plan to tailor outreach to specific stakeholder groups, including accessible formats and venues, to ensure participation from all relevant stakeholder groups and communities.
 |  |
| 1. **Cost Points**
	1. **Total Expected Labor Cost**
 | **30** |
| * The score for this criterion will be derived from the mathematical cost formula set forth below under Cost Criteria.
 |  |
| * 1. **Ratio of Direct Labor and Fringe Benefit Rates to Loaded Labor Rates**
* The score for this criterion will be derived from the Budget Form-Rates Summary (Attachment 8a), which compares the cumulative direct labor and fringe benefits rates to the loaded rates. This ratio, as a percentage, is multiplied by the possible points for this criterion.
 | **15** |
| **EVALUATION CRITERIA:**  | **Total**  |
| **Evaluation of Proposal *(Maximum Possible Points)***  | **150** |
| **Total Possible Points**   | **150** |
| **Minimum Passing Score (70%)**  | **105** |
| **Bidder’s Score**  |   |
| **Disabled Veteran Business Enterprise Incentive and other Preference Points:**  |   |
| **Final Adjusted Score**  |   |

**Cost Criteria**

Total Expected Labor Costs (30/45 Cost Points)

Step 1

Calculate each *Individual’s Loaded Hourly Rate* = DL + FB + Indirect + Profit ([~~Separately ]~~for the Prime [~~and each Subcontractor]~~).  This is documented on Attachment 8a in each workbook.

Step 2

The Bidder (Prime Contractor) will complete the Attachment 8b of the budget workbook.  This form will calculate the Total Expected Labor Costs portion of the cost criteria. **This form is to be used to calculate the Total Expected Labor Cost for the entirety of the contract.**

Total Expected Labor Cost Points:

Lowest Proposal Total Expected Labor Cost = 100% of total possible points for this criteria

All other proposals get a lower percentage of the possible points based on how close their proposal Total Expected Labor Cost is to the lowest proposal Total Expected Labor Cost as follows:

Lowest Proposal Total Expected Labor Cost / Other Proposal Total Expected Labor Cost = Other Proposal % of Possible Points

Example:

Proposal A Total Expected Labor Cost: $85,347; Proposal B Total Expected Labor Cost: $90,242; Proposal C Total Expected Labor Cost: $87,249.

Proposal A: Lowest Proposal Total Expected Labor Cost = 100% possible points

Proposal B: $85,347/$90,242 = 94.57% possible points

Proposal C: $85,347/$87,249= 97.82% possible points

Points Allocation (30 possible points):

Proposal A: 100% possible points = 30 points

Proposal B: 94.57% possible points = 28.37 points

Proposal C: 97.82% possible points = 29.35 points

# V. Business Participation Programs (Preferences/Incentives)

A Bidder may qualify for preferences/incentives as described below. Each Bidder passing Stage One screening will receive the applicable preference/incentive.

This section describes the following business participation programs:

* DVBE Participation Compliance Requirements
* DVBE Incentive
* Small Business/Microbusiness Preference
* Non-Small Business Preference
* Target Area Contract Act Preference

## Disabled Veteran Business Enterprise (DVBE)

**Compliance Requirements**

***DVBE Participation Required***

This RFP is subject to a mandatory certified DVBE participation of at least three percent (3%).

***Bidder or Subcontractor Suspension***

The CEC shall reject a Proposal and shall not enter into a Contract if a Bidder or Subcontractor used by Bidder is currently suspended for violating DVBE law.

***Two Methods to Meet DVBE Participation Requirement***

* If Bidder is a DVBE, then Bidder has satisfied the participation requirements if it commits to performing at least 3% of the contract with the Bidder’s firm, or in combination with other DVBE(s).
* If Bidder is not a DVBE, Bidder can satisfy the requirement by committing to use certified DVBE Subcontractors for at least 3% of the contract.

***Required Forms***

Bidders must complete Attachments 1, 3 and 4 to document DVBE participation. If Bidder does not include these forms, the Bid is considered non-responsive and shall be rejected.

* Contractor Status Form (Attachment 1).

Under the paragraph entitled: “Disabled Veteran Business Enterprise Participation Acknowledgement”, make sure to check the “yes” “DVBE Participation” box.

* DVBE Declarations Std. Form 843 (Attachment 3)
* Bidder Declaration Form GSPD-05-105 (Attachment 4)

***DVBE Definition***

For DVBE certification purposes, per Military & Veterans Code section 999(b)(6), a "disabled veteran" is:

* A veteran of the U.S. military, naval, or air service of the United States, including but not limited to, the Philippine Commonwealth Army, the Regular Scouts (“Old Scouts”), and the Special Philippine Scouts (“New Scouts”);
* The veteran must have a service-connected disability of at least 10% or more; and
* The veteran must be domiciled in California.

***DVBE Certification and Eligibility***

* To be certified as a DVBE, your firm must meet the following requirements in Military & Veterans Code section 999(b)(7):

(i) It is a sole proprietorship at least 51 percent owned by one or more disabled veterans or, in the case of a publicly owned business, at least 51 percent of its stock is unconditionally owned by one or more disabled veterans; a subsidiary that is wholly owned by a parent corporation, but only if at least 51 percent of the voting stock of the parent corporation is unconditionally owned by one or more disabled veterans; or a joint venture in which at least 51 percent of the joint venture’s management, control, and earnings are held by one or more disabled veterans.

(ii) The management and control of the daily business operations are by one or more disabled veterans. The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business.

(iii) It is a sole proprietorship, corporation, or partnership with its home office located in the United States, which is not a branch or subsidiary of a foreign corporation, foreign firm, or other foreign-based business.

* DVBE limited liability companies must be wholly owned by one or more disabled veterans. Public Contract Code section 10115.9.
* Each DVBE firm listed on the DVBE Declarations Std. form 843 (Attachment 3) and on the Bidder Declaration form GSPD-05-105 (Attachment 4) must be formally certified as a DVBE by the Office of Small Business and DVBE Services (OSDS). The DVBE program is not a self-certification program. Bidder must have submitted application to OSDS for DVBE certification by the Bid due date to be counted in meeting participation requirements.

***Printing / Copying Services Not Eligible***

DVBE Subcontractors cannot provide printing/copying services. For more information, see section VI Administration, which states that printing services are not allowed in proposals.

***To Find Certified DVBEs***

Access the list of all certified DVBEs by using the Department of General Services, Procurement Division (DGS-PD), online certified firm database at [The State of California Certifications Webpage](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). For questions regarding the online certified firm database and the CSCR, please call the OSDS at (916) 375-4940 or send an email to: OSDCHelp@dgs.ca.gov.

***Commercially Useful Function***

DVBEs must perform a commercially useful function relevant to this solicitation, in order to satisfy the DVBE program requirements. California Code of Regulations, Title 2, Section 1896.71 provides:

“(a) A DVBE contractor, subcontractor or supplier of goods and/or services that contributes to the fulfillment of the contract requirements, shall perform a Commercially Useful Function (CUF) for each contract.

(b) A DVBE contractor, subcontractor, or a supplier of goods and/or of services is deemed to perform a CUF if the business does all of the following:

(1) Is responsible for the execution of a distinct element of work of the contract (including the supplying of services and goods);

(2) Carries out its obligation by actually performing, managing, or supervising the work involved;

(3) Performs work that is normal for its business services and functions;

(4) Is responsible, with respect to products, inventories, materials, and supplies required for the contract, for negotiating price, determining quality and quantity, ordering, installing, if applicable, and making payment;

(5) Is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices.

(c) A contractor, subcontractor or supplier will not be considered to perform a commercially useful function if its role is limited to that of an extra participant in the transaction, contract or project through which funds are passed in order to obtain the appearance of DVBE participation.

(d) Contracting/procurement officials of the awarding department must:

(1) Evaluate if a DVBE awarded a contract meets the CUF requirement as defined in subdivision (b), and

(2) During the duration of the contract, monitor for CUF compliance (See State Contracting Manual Volume 1 Chapter 8 and Volumes 2 and 3, Chapter 3).

(e) If a CUF evaluation identifies potential program violations, awarding departments shall investigate and report findings to OSDS, referring to §§ 1896.88, 1896.91 and the State Contracting Manual.”

***Compliance with Law; Information Verified***

Bidder shall comply with all rules, regulations, ordinances, and statutes that apply to the DVBE program as defined in Military & Veterans Code sections 999 and 999.5(d). Information submitted by the Bidder to comply with this solicitation’s DVBE requirements will be verified. If evidence of an alleged violation is found during the verification process, the State shall initiate an investigation, in accordance with the requirements of Public Contract Code Section 10115, et seq., and Military & Veterans Code Section 999 et seq., and follow the investigatory procedures required by California Code of Regulations Title 2, Section 1896.90 et. seq. Contractors found to be in violation of certain provisions may be subject to loss of certification, penalties, sanctions, civil actions and/or contract termination.

***DVBE Report***

Upon completion of the contract for which a commitment to achieve DVBE participation was made, the Contractor that entered into a subcontract with a DVBE must certify in a report to the Energy Commission: 1) the total amount the prime Contractor received under the contract; 2) the name and address of the DVBE(s) that participated in the performance of the contract and the contract number; 3) the amount and percentage of work the Contractor committed to provide to one or more DVBEs under the requirements of the Contract and the amount each DVBE received from the Contractor.; 4) that all payments under the contract have been made to the DVBE(s) (Energy Commission may require proof that payment was made); and 5) the actual percentage of DVBE participation that was achieved. If the Energy Commission does not receive the report, the Commission shall provide notice to the Contractor and if still not received, shall withhold $10,000 (or full payment if less than $10,000) from Contractor’s final payment. (For more details about the $10,000 withholding, see specific Agreement language in the Sample Agreement Example, Exhibit D, paragraph 4.) A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. Military & Veterans Code Section 999.5(d).

***The Office of Small Business and DVBE Services (OSDS)***

OSDS offers program information and may be reached at:

Department of General Services

Office of Small Business and DVBE Services

707 3rd Street, 1st Floor, Room 400

West Sacramento, CA 95605

[DGS Website](https://www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/How-to-do-business-with-the-state-of-California)

Phone: (916) 375-4940

E-mail: OSDSHelp@dgs.ca.gov

***DVBE Law***

* Public Contract Code Section 10115 et seq.
* Military & Veterans Code Section 999 et. seq.
* California Code of Regulations Title 2, Section 1896.60 et. seq.

##

## DVBE Incentive

The information below explains how the incentive is applied and how much of an incentive will be given.

**How the Incentive is Applied:**

The DVBE incentive is applied during the evaluation process and only to responsive Proposals/Bids from responsible Bidders. The incentive will vary in conjunction with the percentage of DVBE participation.

The Incentive is applied by adding the incentive to the Proposal/Bid for Bidders that include more than the minimum required 3.00% DVBE participation. In other words, if a Bidder includes 3.01% DVBE participation or greater, it will receive the DVBE incentive. If you include 3% DVBE participation, you will not receive the incentive. You will only receive the incentive if you include 3.01% or greater DVBE participation.

The DVBE Incentive Program may be used in conjunction with the Small Business preference which gives a 5% preference to small business Bidders or 5% to non-small business Bidders committed to subcontracting 25% of the overall Bid with small businesses.

**How Incentive Amount is Calculated:**

Incentive points are included in the sum of non-cost points. The percentage is based on the total possible available points not including preference points for small/micro business, non-small business or TACPA. Incentive points cannot be used to achieve any applicable minimum point requirements.

|  |  |
| --- | --- |
| DVBEParticipation Level | DVBE IncentivePoints |
| 3.01% - 3.99% | 1 |
| 4.00% - 4.99% | 2  |
| 5.00% - 5.99% | 3  |
| 6.00% - 6.99% | 4  |
| 7.00% or over |  5  |

***Required Forms***:

* Contractor Status Form (Attachment 1)
* DVBE Declarations Std. Form 843 (Attachment 3)
* Bidder Declaration Form GSPD-05-105 (Attachment 4)

### *DVBE Incentive Law*

* Military & Veterans Code Section 999.5(a)
* California Code of Regulations Title 2, Section 1896.99.100 et.seq.

## Small Business / Microbusiness / Non-Small Business

### *Preference*

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

***Required Forms***

* Submit a copy of your Small Business Certification
* Contractor Status Form (Attachment 1)

Complete the “Small Business Preference Claim” section

* Bidder Declaration Form GSPD-05-105 (Attachment 4)

### *Certification*

A business must be formally certified by the Department of General Services, Office of Small Business and DVBE Services (OSDS), in order to receive the small/microbusiness preference.

***Non Profit Veteran Service Agency***

Bidders that qualify as a Non Profit Veteran Service Agency can be certified as a small business and are entitled to the same benefits as a small business.

***Definitions***

* *Small business* means a business certified by the Office of Small Business Disabled Veteran Services (OSDS) in which:

(1) It is independently owned and operated; and

(2) The principal office is located in California; and

(3) The officers of the business in the case of a corporation; officers and/or managers, or in the absence of officers and/or managers, all members in the case of a limited liability company; or the owner(s) in all other cases, are domiciled in California; and

(4) It is not dominant in its field of operation(s), and

(5) It is either:

(A) A business that, together with all affiliates, has 100 or fewer employees, and annual gross receipts of fourteen million dollars ($14,000,000) or less as averaged for the previous three tax years, as adjusted by the Department pursuant to Government Code § 14837(d)(3); or

(B) A manufacturer as defined herein that, together with all affiliates, has 100 or fewer employees.

* *Microbusiness* means a small business certified by OSDS, which meets all of the qualifying criteria as a small business, and is:

(1) A business that, together with all affiliates, has annual gross receipts of three million, five hundred thousand dollars ($3,500,000) or less as averaged for the previous three tax years, as adjusted by the Department pursuant to Government Code §14837(d)(3); or

(2) A manufacturer as defined herein that, together with all affiliates, has 25 or fewer employees.

* *Non Profit Veteran Service Agency* means an entity that:
1. Is a community-based organization,
2. Is a nonprofit corporation (under Section 501(c)(3) of the [Internal Revenue Code](http://www.irs.gov/charities/charitable/article/0%2C%2Cid%3D96099%2C00.html)), and
3. Provides housing, substance abuse, case management, and employment training services (as its principal purpose) for:
	* low income veterans,
	* disabled veterans, or
	* homeless veterans
	* and their families

***Commercially Useful Function***

A certified small business or microbusiness shall provide goods or services that contribute to the fulfillment of the contract requirements by performing a “commercially useful function” defined as follows:

(1) The Contractor or Subcontractor is responsible for the execution of a distinct element of the work of the contract; carrying out its obligation by actually performing, managing or supervising the work involved; and performing work that is normal for its business services and functions;

(2) The Contractor or Subcontractor is not further subcontracting a greater portion of the work than would be expected by normal industry practices;

(3) The Contractor or Subcontractor is responsible, with respect to materials and supplies provided on the subcontract, for negotiating price, determining quality and quantity, ordering the material, installing (when applicable), and paying for the material itself;

(4) A Contractor or Subcontractor will not be considered as performing a commercially useful function if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to achieve the appearance of small business participation.

***Late Payment of Invoices***

Certified small/microbusinesses are entitled to greater interest penalties paid by the state for late payment of invoices than for non-certified small business/microbusiness.

***Small Business / Microbusiness Law***

* Government Code section 14835 et. seq.
* California Code of Regulations, Title 2 Section 1896 et. seq.

### Non-Small Business

***Preference***

The preference to a non-small business Bidder that commits to small business or microbusiness Subcontractor participation of twenty-five percent (25%) of its net Bid price will receive five percent (5%) preference points based on the highest responsible bidder's total score, if the highest scored proposal is submitted by a business other than a certified small business. A non-small business that qualifies for this preference may not take an award away from a certified small business.

***Required Forms***

* Submit a copy of the Subcontractor’s Small Business Certification
* Contractor Status Form (Attachment 1)

Complete the “Small Business/Non-Small Business Preference Claim” section

* Bidder Declaration Form GSPD-05-105 (Attachment 4)

### *Certification*

A Subcontractor business must be formally certified by the Department of General Services, Office of Small Business and DVBE Services (OSDS), in order to receive the Non-Small Business Preference.

***Non-Small Business Law***

* Government Code section 14838 (b)
* California Code of Regulations, Title 2 Section 1896 et. seq.

## Target Area Contract Preference Act

**Note on TACPA:**

The following preference will be granted for this RFP. Bidders wishing to take advantage of this preference will need to review the website stated below and submit the appropriate response with their Bid.

The TACPA program was established to stimulate economic growth and employment opportunities in designated Areas throughout the state of California. (GC4530)

The Department of General Services (DGS), Procurement Division (PD), Dispute Resolution Unit (DRU) oversees the TACPA program and evaluates all TACPA applications.

This solicitation contains (TACPA) preference request forms. Please carefully review the forms and requirements. Bidders are not required to apply for these preferences. Denial of the TACPA preference request is not a basis for rejection of the bid.

The State as part of its evaluation process reserves the right to verify, validate, and clarify all information contained in the bid. This may include, but is not limited to, information from bidders, Subcontractors and any other sources available at the time of the bid evaluation. Bidder refusal to agree to and/or comply with these terms, or failure to provide additional supporting information at the State's request may result in denial of preference requested.

Contracts awarded with applied preferences will be monitored throughout the life of the contract for compliance with statutory, regulatory, and contractual requirements. The State will take appropriate corrective action and apply sanctions as necessary to enforce preference programs.

Any questions regarding the TACPA preference should be directed to the Department of General Services, Procurement Division at (916) 375-4609.

TACPA Preference Request (STD 830):

[STD 830 Document](https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std830.pdf)

Bidder’s Summary of Contract Activities and Labor Hours:

[Bidder's Summary Document](https://www.documents.dgs.ca.gov/dgs/fmc/gs/pd/gspd0526.pdf)

# VI. Administration

## RFP Defined

The competitive method used for this procurement of services is a Request for Proposal (RFP). A Proposal submitted in response to this RFP will be scored and ranked based on the Evaluation Criteria. Every Proposal must establish in writing the Bidder’s ability to perform the RFP tasks.

## Definition of Key Words

Important definitions for this RFP are presented below:

**Word/Term Definition**

Bidder- Respondent to this RFP

CAM- Commission Agreement Manager

DGS- Department of General Services

DVBE- Disabled Veteran Business Enterprises

CEC- California Energy Commission

Proposal- Formal written response to this document from Bidder

RFP- Request for Proposal, this entire document

State- State of California

## Cost of Developing Proposal

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

## Software Application Development

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

* Microsoft ASP.NET framework version 4.6 or above
* Microsoft ASP.NET MVC 5.0 or above
* Microsoft ASP.Net Core 6.0 or above
* Microsoft Entity Framework 6.0 or above
* Microsoft Internet Information Services IIS 10.0 or above
* Microsoft SQL Server 2016 or above
* Microsoft SQL Reporting Services 2016 or above
* Visual Studio.NET 2019 or above
* Python, C# Programming Language with layered architectures (Presentation, Business logic, Data Access).
* MSSQL (Structured Query Language).
* Bootstrap 5.0 or above
* XML and JSON.
* Telerik, Redgate, and Postman
* AWS, Snowflake and Salesforce

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

## Printing Services

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

## Confidential Information

The Applicant shall not submit any confidential information as part of its application. All information submitted in an application will be considered and treated as non-confidential information that is subject to disclosure under the Public Records Act (Gov. Code § 7920.000 et seq.).

## Darfur Contracting Act of 2008

Effective January 1, 2009, all solicitations must address the requirements of the Darfur Contracting Act of 2008 (Act). (Public Contract Code sections 10475, *et* *seq*.; Stats. 2008, Ch. 272). The Act was passed by the California Legislature and signed into law by the Governor to preclude State agencies generally from contracting with “scrutinized” companies that do business in the African nation of Sudan (of which the Darfur region is a part), for the reasons described in Public Contract Code section 10475.

A scrutinized company is a company doing business in Sudan as defined in Public Contract Code section 10476. Scrutinized companies are ineligible to, and cannot, bid on or submit a proposal for a contract with a State agency for goods or services. (Public Contract Code section 10477(a)).

Therefore, Public Contract Code section 10478 (a) requires a company that currently has (or within the previous three years has had) business activities or other operations outside of the United States to certify that it is not a “scrutinized” company when it submits a bid or proposal to a State agency. (See # 1 on Attachment 2)

A scrutinized company may still, however, submit a bid or proposal for a contract with a State agency for goods or services if the company first obtains permission from the Department of General Services (DGS) according to the criteria set forth in Public Contract Code section 10477(b). (See # 2 on Attachment 2)

## 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 10)

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 10)

## Executive Order N-6-22 – Russia Sanctions

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. “Economic Sanctions” refers to sanctions imposed by the U.S. government in response to Russia’s actions in Ukraine, as well as any sanctions imposed under state law. By submitting a bid or proposal, Contractor represents that it is not a target of Economic Sanctions. Should the State determine Contractor is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for rejection of the Contractor’s bid/proposal any time prior to contract execution, or, if determined after contract execution, shall be grounds for termination by the State.

## 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 11.

**Generative Artificial Intelligence**

The State of California seeks to realize the potential benefits of GenAI, through the development and deployment of GenAI tools, while balancing the risks of these new technologies. Bidder/Offeror/Contractor must notify the State in writing if their solution or service includes, or makes available, any GenAI including, GenAI from third parties or subcontractors. The State has developed a GenAI Reporting and Factsheet (STD 1000) to be completed by the Bidder/Offeror/Contractor. Failure to submit the GenAI Reporting and Factsheet (STD 1000) will result in disqualification of the Bidder/Offeror/Contractor. Failure to report GenAI to the State may void any resulting contract. The State reserves its right to seek any and all relief to which it may be entitled to as a result of such nondisclosure. Upon receipt of a Bidder/Offeror/Contractor GenAI Reporting and Factsheet (STD 1000), the state reserves the right to incorporate GenAI Special Provisions into the final contract or reject bids/offers that present an unacceptable level of risk to the State.

## RFP Cancellation and Amendments

If it is in the State’s best interest, the CEC reserves the right to do any of the following:

* Cancel this RFP;
* Amend this RFP as needed; or
* Reject any or all Proposals received in response to this RFP

If the RFP is amended, the CEC will send an addendum to all parties who requested the RFP and will also post it on the CEC’s Web Site ([CEC Website](http://www.energy.ca.gov/)) and Department of General Services’ Web Site([DGS Website](https://www.caleprocure.ca.gov/pages/index.aspx)).

## Errors

If a Bidder discovers any ambiguity, conflict, discrepancy, omission, or other error in the RFP, the Bidder shall immediately notify the CEC of such error in writing and request modification or clarification of the document. Modifications or clarifications will be given by written notice of all parties who requested the RFP, without divulging the source of the request for clarification. The CEC shall not be responsible for failure to correct errors.

## Modifying or Withdrawal of Proposal

A Bidder may, by letter to the Contact Person at the CEC, withdraw or modify a submitted Proposal before the deadline to submit proposals. Proposals cannot be changed after that date and time. A Proposal cannot be “timed” to expire on a specific date. For example, a statement such as the following is non-responsive to the RFP: “This proposal and the cost estimate are valid for 60 days.”

## Immaterial Defect

The CEC may waive any immaterial defect or deviation contained in a Bidder’s proposal. The CEC’s waiver shall in no way modify the proposal or excuse the successful Bidder from full compliance.

## Disposition of Bidder’s Documents

On the Notice of Proposed Award posting date all proposals and related material submitted in response to this RFP become a part of the property of the State and public record. Bidders who want any work examples they submitted with their proposals returned to them shall make this request and provide either sufficient postage, or a Courier Charge Code to fund the cost of returning the examples.

## Bidders’ Admonishment

This RFP contains the instructions governing the requirements for a firm quotation to be submitted by interested Bidders, the format in which the technical information is to be submitted, the material to be included, the requirements which must be met to be eligible for consideration, and Bidder responsibilities. Bidders must take the responsibility to carefully read the entire RFP, ask appropriate questions in a timely manner, submit all required responses in a complete manner by the required date and time, make sure that all procedures and requirements of the RFP are followed and appropriately addressed, and carefully reread the entire RFP before submitting a proposal.

## Grounds to Reject a Proposal

**A Proposal shall be rejected if:**

* It is received after the exact time and date set for receipt of Proposal’s pursuant to Public Contract Code, Section 10344.
* It is considered non-responsive to the California Disabled Veteran Business Enterprise (DVBE) participation requirements.
* Bidder is currently suspended for violating DVBE law or Proposal includes a subcontractor currently suspended for violating DVBE law. Military & Veterans Code Section 999.9(g)
* It is lacking a properly executed Certification Clauses.
* It is lacking a properly executed Darfur Contracting Act Form.
* It is lacking a properly executed Iran Contracting Act Form.
* It is lacking a properly executed California Civil Rights Law Certification Form.
* It is lacking a properly executed GenAI Reporting & Factsheet Form
* The Proposal includes Generative Artificial Intelligence, but Bidder fails to disclose this.
* It contains false or intentionally misleading statements or references which do not support an attribute or condition contended by the Bidder.
* The Proposal is intended to erroneously and fallaciously mislead the State in its evaluation of the Proposal and the attribute, condition, or capability is a requirement of this RFP.
* There is a conflict of interest as contained in Public Contract Code Sections 10410-10412 and/or 10365.5.
* It contains confidential information, or it contains any portion marked confidential.
* The Bidder does not agree to the terms and conditions as attached to the solicitation either by not signing the Contractor Status Form or by stating anywhere in the bid that acceptance is based on modifications to those terms and conditions or separate terms and conditions.

**A Proposal may be rejected if:**

* It is not prepared in the mandatory format described.
* It is unsigned.
* The firm or individual has submitted multiple proposals for each task.
* It does not literally comply or contains caveats that conflict with the RFP and the variation or deviation is not material, or it is otherwise non-responsive.
* The bidder has previously completed a PIER or EPIC agreement, received the PIER or EPIC Royalty Review letter, which the CEC annually sends out to remind past recipients of their obligations to pay royalties, and has not responded to the letter or is otherwise not in compliance with repaying royalties.
* The budget forms are not filled out completely.
* The Proposal includes use of Generative Artificial Intelligence that presents an unacceptable level of risk to the State, as determined by the Energy Commission.

## Protest Procedures

A Bidder may file a protest against the proposed awarding of a contract. Once a protest has been filed, contracts will not be awarded until either the protest is withdrawn, or the CEC cancels the RFP, or the Department of General Services decides the matter.

Please note the following:

* Protests are limited to the grounds contained in the California Public Contract Code Section 10345.
* During the five **working** days that the Notice of Proposed Award (NOPA) is posted, protests must be filed with the [DGS Legal Office](https://www.dgs.ca.gov/OLS) and the Commission Contracts Office.
* Within five **calendar** days after filing the protest, the protesting Bidder must file with the [DGS Legal Office](https://www.dgs.ca.gov/OLS) and the CEC’s Contracts Office a full and complete written statement specifying the grounds for the protest.
* If the protest is not withdrawn or the solicitation is not canceled, DGS will decide the matter. There may be a formal hearing conducted by a DGS hearing officer or there may be briefs prepared by the Bidder and the CEC for the DGS hearing officer consideration.

## Agreement Requirements

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

### No Contract Until Signed & Approved

No agreement between the CEC and the successful Bidder is in effect until the contract is signed by the Contractor, approved at a CEC Business Meeting, and approved by the Department of General Services, if required.

### Contract Amendment

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