**REQUEST FOR PROPOSALS**

**Distributed Energy and Electrification Analysis**



RFP-24-801

www.energy.ca.gov/contracts/

State of California

California Energy Commission

October 2024

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**Attachments**

1. Contractor Status Form
2. Darfur Contracting Act
3. DVBE Std. 843
4. Bidder Declaration form GSPD-05-105
5. Contractor Certification Clauses
6. Client References
7. Budget Forms
8. Sample Standard Agreement
9. Iran Contracting Act Form
10. California Civil Rights Laws Certification
11. GenAI Reporting & Factsheet Form (STD 1000)

# I. Introduction

## Purpose of RFP

CEC is seeking specialized expertise in a buildout of the state’s electric distribution grid model to support the CEC in assessing various electrification and distributed energy resource (DER) adoption scenarios. This project must use open-source software Arras Energy, and evaluate the reliability, equity and cost implications of emerging DER integration strategies. CEC also requires assistance in training staff on using the tool developed under this project to analyze current and future data as the electric distribution grid evolves.

## 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 | October 14, 2024 |
| Pre-Bid Conference \* | October 24, 2024 |
| Deadline for Written Questions \* | October 25, 2024 by 5:00 p.m. |
| Distribute Questions/Answers and Addenda (if any) to RFP | November 8, 2024 |
| **Deadline to Submit Proposals by 11:59 p.m. \*** | **November 18, 2024** |
| Anticipated Notice of Proposed Award | The week of December 13, 2024 |
| Commission Business Meeting | January 21, 2025 |
| Contract Start Date | February 21, 2025 |
| Contract Termination Date | February 21, 2028 |

## Available Funding and How Award is Determined

There is $500,000 currently available for the contract resulting from this RFP. This is an hourly rate plus cost reimbursement contract and the award will be made to the responsible Bidder receiving the highest points.

The Energy Commission currently only has $500,000 of the potential $1,000,000, maximum possible funding for the resulting Agreement. Therefore, upon execution of the resulting Agreement, the successful applicant will only have the authority to spend up to $500,000. In the future, the Energy Commission may allocate none, some, or the entire remaining contingent amount up to a maximum total Agreement amount of $1,000,000. Applicants should submit applications for the full $1,000,000.

The Energy Commission reserves the right to reduce the contract amount to an amount deemed appropriate in the event the budgeted funds do not provide full funding of Energy Commission contracts. In this event, the Contractor and Commission Agreement Manager (CAM) shall meet and reach an 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. 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 8). 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#@ViewBag.JumpTo)). The Energy Commission will not award agreements to non-complying entities. The Energy Commission 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 an Energy Commission 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 [SOS 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 Energy Commission prior to their project being recommended for approval at an Energy Commission 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 Energy Commission's website at [CEC Website](http://www.energy.ca.gov/) to confirm the date and time.

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

10/24/2024

2:00 pm - 3:30 pm

California Energy Commission

Zoom Only

## Zoom Instructions:

## To join the Zoom meeting, go to <https://zoom.us/join> and enter the Meeting ID below and select “join from your browser.” Participants will then enter the meeting password listed below and their name. Participants will select the “Join” button:

### Join Zoom Meeting:

### Please click the link below to join the webinar:

### <https://energy.zoom.us/j/83718308059?pwd=6ba8bqeyiD7u0scZJdckN9nCunABcg.1>

### Password: 912563

### Or iPhone one-tap :

### US: +16692192599,,83718308059# or +12133388477,,83718308059#

### Or Telephone:

### Dial: US: +1 669 219 2599 or +1 213 338 8477 or +1 346 248 7799 or +1 602 753 0140 or +1 720 928 9299 or +1 971 247 1195 or +1 206 337 9723 or +1 651 372 8299 or +1 786 635 1003 or +1 929 436 2866 or +1 646 518 9805

### Webinar ID: 837 1830 8059

International numbers available: <https://energy.zoom.us/u/kcbzfc1cBH>

## Questions

During the RFP process, questions of clarification about this RFP must be directed to the Contracts Officer listed in the following section. You may ask questions at the Pre-Bid Conference, and you may submit written questions via 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 Commission’s website at

[https://www.energy.ca.gov/funding-opportunities/solicitations](mailto: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 Energy Commission’s Agreement Officer assigned to the RFP.

## Contact Information

Phil Dyer, Commission Agreement Officer

California Energy Commission

715 P Street, 3rd Floor, MS-18

Sacramento, California 95814

Telephone: (916) 891-8474   
E-mail: <Phil.Dyer@energy.ca.gov>

## Responses to this RFP

Responses to this solicitation 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:

* Chassin, David P., Elizabeth Buechler, Alyona I. Teyber, Duncan Ragsdale, and Matthew Tisdale. 2024. HiPAS GridLAB-D: High Performance Agent-based Simulation with GridLAB-D. California Energy Commission. Publication Number: CEC-500-2024-027
  + <https://www.energy.ca.gov/publications/2024/hipas-gridlab-d-high-performance-agent-based-simulation-gridlab-d>
* Yang, Bo, Yanzhu Ye, Anthony Hoang, Panitarn Chongfuangprinya, Natsuhiko Futamura, and Matthew Tisdale. 2024. GLOW: A User-friendly Interface for GridLAB-D. California Energy Commission. Publication Number: CEC-500-2024-025.
  + <https://www.energy.ca.gov/publications/2024/glow-user-friendly-interface-gridlab-d>
* Office of Energy Infrastructure Safety Data Guidelines Version 3.2, January 2024
  + <https://energysafety.ca.gov/news/2024/01/30/energy-safety-adopts-data-guidelines-3-2/>

All above reference documents are on display and available for review in the Energy Commission’s Library. Library hours are Monday - Friday from 8:30 a.m. to 4:30 p.m., closed for lunch 12:00-1:00p.m. The Library is located at: California Energy Commission, 715 P Street, Third Floor, Sacramento, CA 95814, (916) 931-5326.

# 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

California is a leader in advancing renewable energy generation; developing efficiency standards for buildings and appliances; advancing load management and flexible demand appliances; and supporting the development and implementation of DER, broad building decarbonization, and a growing market of electric vehicles. To meet the state’s clean energy goals, it is necessary to evaluate the distribution grid implications for future electrification and DER adoption scenarios.

This project will use CEC’s IOU distribution system data and advanced metering infrastructure (AMI) data to create a statewide model in Arras Energy. Arras Energy, formerly HiPAS GridLAB-D, is a high-performance agent-based simulation model funded by CEC’s Electric Power Investment Charge (EPIC) research & development program. This version of GridLAB-D was specifically developed for four California use cases: load electrification, DER hosting capacity, tariff design, and distribution system resilience. In conjunction, GridLAB-D Open Workspace (GLOW) will be used as a front-end software to provide a graphical user interface to integrate Arras Energy into a visual based tool. GLOW was created to allow a greater audience to use the tool without prior knowledge of code-based files that Arras Energy only uses.

This project will incorporate historical distribution assets and Advanced Metering Infrastructure (AMI) data with a bottom-up load forecasting methodology. The goal is to provide locational and temporal information on where and when distribution grid enhancements may be needed. CEC will utilize the tool developed under this project to generate policy recommendations and strategies that can provide greater grid reliability, building decarbonization, and customer value. The insights from this project will also improve energy demand and supply forecasts for the state; and guide the development and implementation of programs that deploy building and energy system decarbonization measures.

## General Requirements or Goals and Objectives

**TASK LIST**

|  |  |
| --- | --- |
| **Task #** | **Task Name** |
| 1 | Agreement Management |
| 2 | Examine Existing Data Sources |
| 3 | Develop Grid Models |
| 4 | Develop Load Models & Baseline Analysis |
| 5 | Develop a Cost & Revenue Impacts Methodology |
| 6 | Train Staff on Scenario Analysis |
| 7 | General Technical Support for Model Development |

**TASK 1- AGREEMENT MANAGEMENT**

The goal of this task is to provide for overall administrative management of the contract by the Contractor. In addition to the specific tasks below, the Contractor’s Program Manager (PM) is responsible for directing the work performed by the Contractor Team to meet the objectives of the contract. The PM is also responsible for ensuring the quality and timely delivery of all deliverables, both technical and administrative, from the Contractor Team. The PM will be the primary point of contact for the Contractor Team and is responsible for oversight of all work under this contract. The PM is also responsible for managing all subcontractor work, including ensuring quality products, enforcing subcontractor Agreement provisions, and, in the event of failure of the subcontractor to satisfactorily perform services, recommending solutions to resolve the problem.

**Task 1.1 Kick-off Meeting**

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

Expected General Classifications: Analyst, Scientist, Engineer, Project Manager, Director

**The Contractor shall:**

* Generate an agenda for the meeting and submit it to CAM.
* Attend a “kick-off” meeting with the CAM, the Contracts Officer, and a representative of the Accounting Office. The meeting will be held via Zoom or teleconference. The Contractor shall include their 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.
* Submit signed Information Security Program Plan Attestation that Contractor has an Information Security Program Plan (ISPP) that meets the minimum requirements as stated in SAM 5300 and any other applicable law. CAM will provide ISPP Attestation form.
* Submit signed Non-Disclosure Agreements (NDAs) from Contractor and Subcontractor employees prior to the sharing of confidential information with the employees. CAM will provide NDA form.
* Contractor shall ensure that all individuals employed by Contractor or a Subcontractor who will have access to confidential information take an annual security awareness training and submit the Employee Security Awareness Training Certificates.
* Submit verification that confidential information and personal information is destroyed at agreement end (or when work is completed).

**The CAM shall:**

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

**Deliverables:**

* Draft and Final Agendas
* Summary of the kickoff to be included in the monthly progress report.
* Signed non-disclosure agreement from Contractor and Subcontractor employees
* Signed Information Security Program Plan Attestation Form
* Employee Security Awareness Training Certificates
* Verification of destruction of confidential information and personal information

**Task 1.2 Invoices**

Expected General Classifications: Accountant, Analyst, Scientist, Engineer, Project Manager, Director

**The Contractor shall:**

* Prepare invoices for all reimbursable expenses incurred performing work under this Agreement in compliance with Exhibit B of the Terms and Conditions of the Agreement. Invoices shall be submitted with the same frequency as progress reports (task 1.4).  Invoices must be submitted to the Energy Commission’s Accounting Office.

**Deliverables:**

* Monthly invoice (to be included with monthly progress reports)

**Task 1.3 Progress Reports**

The goal of this task is to periodically verify that satisfactory and continued progress is made toward achieving the objectives of this Agreement.

Expected General Classifications: Project Manager, Director

**The Contractor shall:**

* Prepare progress reports which summarize all Agreement activities conducted by the Contractor for the reporting period, including an assessment of the ability to complete the Agreement within the current budget and any anticipated cost overruns.  Each progress report is due within 15 calendar days after the end of the reporting period. The CAM will provide the format for the progress reports.

**Deliverables**:

* Monthly Progress Reports (including monthly invoice)

**TECHNICAL TASKS**

**Task 2: Examine Existing Data Sources**

The goal of this task is to identify necessary grid datasets for the project, receive confidential data from CEC, audit these datasets for potential quality issues and inaccuracies, and propose remedies as needed. The primary datasets for this project include the CEC-hosted electric interval metering data for PG&E, SDG&E, and SCE and their respective distribution networks, also referred to as the Energy Safety Data hosted by the Office of Energy Infrastructure Safety.

**The Contractor shall:**

* Examine all the current data sources required to effectively build feeder and load models to give a holistic perspective on the state’s electric distribution grid.
* Working with CEC staff, develop a list of data requirements to build feeder models and securely transfer data sources for examination. The requirement should include distribution models, load models, geographical data, and other necessary data to conduct various analysis scenarios, which may include, but are not limited to, power flow analysis, electrification analysis, and tariff analysis. Examination will be conducted to the level of detail that available data, project timeline, and budget allow.
* Work with CEC’s Data Engineering Unit to access necessary datasets.
* Examine the input datasets for any potential gaps and missing records.
* Propose remedies for missing or inconsistent data.
* Report findings from data auditing and proposed remedies in a Data Auditing Report.
* The IOU distribution networks are being stored in ArcGIS format. Contractor shall convert ArcGIS into CVS files or another format that is compatible with Arras Energy.

**Deliverables:**

* Data Auditing Report for AMI Data
* Data Auditing Report for IOU Distribution Networks

**Task 3: Developing Grid Models**

The goal of this task is to upload IOU distribution data containing primary and secondary feeders in Arras Energy. In consultation with CEC staff, the contractor may build a unique model for each IOU or combine all three IOUs in a single model.

**The Contractor shall:**

* Prepare CEC’s IOU distribution system data (in ArcGIS format) for upload to Arras Energy. Utilize GLOW as the simulation interface
* Seek data resources for accurately modeling building panel capacity limitations in California

**Deliverables:**

* Preliminary IOU Grid Model(s) in Arras Energy (script file)
* Grid Model Manual(s)

**Task 4: Developing Load Models & Baseline Analysis**

The goal of this task is to prepare CEC’s AMI data for the grid models (e.g., merge customer IDs) and provide analysis and recommendations for CEC staff to independently determine whether the built-in electrification scenarios in Arras Energy satisfy CEC’s scenario development needs. Development will be conducted to the level of detail that available data, project timeline, and budget will allow.

**The Contractor shall:**

* Create load models and load profiles for each distribution node associated with specific customer IDs.
* Combine existing data sets to successfully create feeder models for future analysis.
* Provide analysis of the built-in electrification scenarios in Arras Energy. CEC staff will independently determine based in part on Arras analysis whether built-in electrification scenarios satisfy CEC’s scenario development needs. If required by the CAM, Contractor will build a separate model to allow CEC staff to simulate more detailed scenarios.
* Conduct initial baseline analysis to ensure feeder models are functioning properly. The analysis should be performed on all developed feeder models.

**Deliverables:**

* Load Generation Model (script file)
* Load Generation Model Manual(s)
* Baseline Analysis/Simulation Report

**Task 5: Develop a Cost & Revenue Impacts Methodology**

The goal of this task is to develop a methodology for estimating utility cost and revenue impacts of various electrification and DER integration scenarios by using the simulation results generated under previous tasks.

**The Contractor shall:**

* Gather data from utility reports and CPUC proceedings related to distribution grid update costs
* Develop a method to calculate the distribution upgrade or buildout cost impacts of electrification and DER by running 8760 load shapes provided by CEC staff.
* Develop a method to calculate the utility revenue impacts of electrification and DER by running projected 8760 load shapes under the relevant rate group.
* Integrate cost and revenue impact analysis to calculate the net cost of a proposed electrification scenario simulated in the grid model(s).

**Deliverables:**

* Cost & Revenue Impacts Methodology Report

**Task 6: Training Staff on Scenario Analysis**

Prepare a document that guides staff on the use of the developed baseline scenario and provide training to staff on the tool used to edit, analyze, and conduct simulation scenarios. Work will be initiated at the direction of CEC staff and will be conducted to the level of detail that available data, project timeline, and budget allow.

**The Contractor shall:**

* Develop training materials and determine an appropriate number of one hour training sessions for CEC staff to work independently
* Help staff develop the capabilities to run new electrification and DER scenarios, including any fundamental concepts, scenario planning features, and how to update inputs for the baseline scenarios

**Deliverables:**

* Staff training webinars
* Staff training records/documentation

**Task 7: General Technical Support for Model Development**

The goal of this task is to assist CEC staff in incorporating newer distribution data Grid model updates as they become available and use the latest version of Arras Energy software. This task is additional to the core tasks listed above and is subject to the availability of additional funding.

**The Contractor shall:**

* To be determined

**Deliverables:**

* To be determined

**SCHEDULE OF DELIVERABLES AND DUE DATES**

Note: Specific dates are to be established at the kickoff

|  |  |  |
| --- | --- | --- |
| **Task Number** | **Deliverable** | **Due Date** |
| 1.1 | Agendas for the Kick-off Meeting | February 2025 |
| 1.2 | Monthly Invoice | Monthly |
| 1.3 | Monthly Progress Reports | Monthly |
| 2 | Data Auditing Report – AMI Data | May 2025 |
|  |  |  |
| **Task Number** | **Deliverable** | **Due Date** |
| 2 | Data Auditing Report – IOU Distribution Infrastructure | May 2025 |
| 3 | IOU Grid Model(s) | August 2025 |
| 4 | IOU Grid Model Manual(s) | August 2025 |
| 4 | Load Generation Model(s) | November 2025 |
| 4 | Load Generation Model Manual(s) | November 2025 |
| 4 | Baseline Analysis/Simulation Report | November 2025 |
| 5 | Cost & Revenue Impacts Methodology Report | February 2026 |
| 6 | Staff Training Webinars | *As needed* |
| 6 | Staff Training Documentation | *As needed* |

# III. Proposal Format, Required Documents, and Delivery

## About This Section

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

## Required Format for a Proposal

All proposals submitted under this RFP must be typed or printed using a standard 11-point font, singled-spaced and a blank line between paragraphs. Pages must be numbered and sections titled and printed back-to-back. **A page limit of 15-20 pages is required.**

## Method for Delivery

The method of delivery for this solicitation is the Energy Commission Grant Solicitation System, available at: [https://gss.energy.ca.gov/](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fgss.energy.ca.gov%2F&data=04%7C01%7C%7C6db4917e18aa46a4fc0808d8d42cbd67%7Cac3a124413f44ef68d1bbaa27148194e%7C0%7C0%7C637492635908664785%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=avUY8DTO%2Fg6shuUaQADf6Qcqw3G%2BwKwDDdd5WQWxbYk%3D&reserved=0). This online tool allows applicants to submit their electronic documents to the CEC prior to the date and time specified in this solicitation. Electronic files must be in Microsoft Word and Excel Office Suite formats unless originally provided in the solicitation in another format. Attachments requiring signatures may be scanned and submitted in PDF format. Completed Budget Forms, Attachment 7, must be in Excel format.

The deadline to submit applications through the CEC’s GSS is **11:59 p.m**. The GSS system automatically closes at 11:59 p.m. If the full submittal process has not been completed before 11:59 p.m., your application will not be considered. NO EXCEPTIONS will be entertained.

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. 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 the GSS system, upload times may be much longer than expected. For example, some past Applicants experienced unexpected issues on their end, causing long delays that prevented timely submission. They spent significant time and resources on applications the CEC will not consider. Please plan accordingly. For instructions on how to apply using the GSS system, please see the How to Apply document available on the CEC website at: [https://www.energy.ca.gov/media/1654](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.energy.ca.gov%2Fmedia%2F1654&data=05%7C01%7C%7C40ade96a8bfb41ce317608db692a8d0d%7Cac3a124413f44ef68d1bbaa27148194e%7C0%7C0%7C638219403729080954%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=DDMulTd%2BXx92x4z1VmvjpBo11LI3KdJGP3shnV4nbmI%3D&reserved=0).

First time users must register as a new user to access the system. Applicants will receive a confirmation email after all required documents have been successfully uploaded. A tutorial of the system is available on the [Energy Commission website](https://www.energy.ca.gov/funding-opportunities/funding-resources) under General Funding Resources. You may contact the Commission Agreement Officer identified in the Contact Information section of this solicitation for more assistance.

Due to COVID-19, hard copies will not be accepted for this solicitation.

## Organize Your Proposal As Follows

### SECTION 1, Administrative Response

Cover Letter

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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 9

CA Civil Rights Laws Certification Attachment 10

GenAI Reporting & Factsheet Form Attachment 11

### SECTION 2, Technical and Cost Proposal

Approach to Tasks in Scope of Work

Organizational Structure

Approach to Program Management

Client References Attachment 6

Total Expected Labor Costs

Cost Build-up Justification

Previous Work Products (Optional)

Budget Forms Attachment 7. See also G below.

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

Describe the Bidder’s approach to providing services listed in the Scope of Work. Describe the types of distribution modeling the bidder can analyze and the approach or approaches that the bidder can apply. Describe past experience in conducting similar work, approaches applied and rationale for the applied approaches. This should include the ability to communicate results to stakeholders with varying levels of expertise in distribution planning and electrification issues.

1. **Organizational Structure**

* Describe the organizational structure of the team, including the prime. Identify and describe the roles of key personnel. Include an organizational chart of the entire contract team.
* Provide a short description of the team. Describe the relationship between the Contractor and Subcontractors on your team.
* Identify the location of the Bidder’s headquarters and satellite office(s) and proposed methods of minimizing costs to the State.
* Identify the percentage of time each team member will be available throughout the contract.
* Provide a current resume for all key team personnel, including job classification, relevant experience, education, academic degrees and professional licenses.

1. **Approach to Program Management**

Each bidder shall describe their experience with managing multiple, complex issues and resolving problems and disputes. Bidder also should describe quality assurance/control processes and fiscal management.

1. **Total Expected Labor Costs (Cost Points)**

The score for this criterion will be derived from the mathematical cost formula set forth below under Cost Criteria.

1. **Cost Build-up Justification (Cost Points)**

Provide a rationale for the cost build-up, including the proposed level of effort by category type and other proposed expenditures.

1. **Client References**

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

1. **Previous Work Products**

Each bidder shall provide at least one example of a similar work product for the services to be provided. If subcontractors will be providing technical support in a task area, each subcontractor shall also submit one example work product that demonstrates experience in potential work assignments described in this RFP.

It is not necessary to provide more than one copy of each work product example. Web links are acceptable.

1. **Budget Forms**

Category Budget Attachment 7

Direct Labor Attachment 7

Fringe Benefits Attachment 7

Travel Attachment 7

Equipment Attachment 7

Materials & Miscellaneous Attachment 7

Subcontracts Attachment 7

Indirect Costs and Profit Attachment 7

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 7.

Rates and personnel shown must reflect the 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 Energy Commission 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 Energy Commission does not have or does not want to spend, the Energy Commission reserves the right to do any of the following, along with any other existing rights:

* Assess how the new person might affect the 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 Energy Commission 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 Energy Commission will organize an Evaluation Committee. The Evaluation Committee may consist of Energy Commission staff or staff of other California state entities.

The Proposals will be evaluated in two stages:

### Stage One: Administrative and Completeness Screening

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

**SOLICITATION SCREENING CRITERIA FOR HANDLING OF COMMISSION (OR A THIRD PARTY) CONFIDENTIAL INFORMATION**

This solicitation anticipates that Contractor may receive Confidential Information or Personal Information from the Energy Commission (or a third party) or be required to handle Confidential Information or Personal Information belonging to someone other than Contractor. Because of the need for security in handling this Confidential Information and Personal Information, the Energy Commission will screen applicants based on their existing security processes. Bidder’s responses will be evaluated in Stage one Administrative and Completeness Screening.

For more information on confidentiality and security requirements, the agreement will include special terms and conditions for Confidential Information and Personal Information. See Attachment 8, Exhibit D for definitions and specific agreement terms.

For Bidder and all subcontractors, subawardees, vendors, and other project partners, (including match funders and any other entity that might handle the Energy Commission’s or third party’s Confidential Information or Personal Information), applicant shall answer the following questions. Only answer these questions for Bidder and any other entity related to the agreement that will be given access to Confidential Information or Personal Information.

Any “no” answer means Bidder will be screened out in Stage One Administrative and Completeness Screening and disqualified from further participation in the solicitation.

Bidder must answer yes/no for each question—Bidder self certifies the answer.

Bidder does NOT need to submit any additional documentation for the solicitation screening.

* 1. Does Bidder have an Information Security Officer?
  2. Does Bidder have an Information Security Program in place?
  3. Does Bidder encrypt Confidential Information in transit and at rest?
  4. Does Bidder require employees to sign an acceptable use policy/responsible use policy for using information technology assets and resources?
  5. Does Bidder require employees to take information security training?
  6. Does Bidder require employees to sign a non-disclosure agreement before the employee is allowed access to Confidential Information?
  7. Does Bidder have internal protocols for handling a security incident or data breach?

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

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

During the evaluation and selection process, the Evaluation Committee may schedule a clarification interview with a Bidder that will either be held by telephone or in person at the Energy Commission for the purpose of clarification and verification of information provided in the proposal. However, these interviews may not be used to change or add to the contents of the original Proposal.

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

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

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

## Scoring Scale

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

|  |  |  |
| --- | --- | --- |
| **% 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 Commission will post a Notice of Proposed Award (NOPA) on the Commission’s Web Site, and will email the NOPA to all parties that submitted a proposal.

|  |  |
| --- | --- |
| **EVALUATION CRITERIA** | **Possible Points** |
| 1. **Approach to Tasks in the Scope of Work** | 40 |
| 1. Clearly described approaches to supporting the scope of work 2. Breadth of capabilities to utilize big data and model distribution networks to evaluate a wide range of electrification and DER scenarios, with a range of simple and complex analytical techniques. 3. Demonstrated ability to tailor scope of analysis to different needs and project timelines from simple, quick analysis to more complex modeling approaches. 4. Relevance of past experience to the types of support identified in the scope of work. Expertise with the essential software needed for this project, such as Arras Energy, GLOW, ArcGIS, Python, Snowflake, and AWS. 5. Quality of example(s) of similar project(s) that were managed by the Bidder (Contractor). 6. Ability to communicate results to audiences with varying levels of expertise in distribution grid and utility cost/revenue impacts of electrification and DER integration. |  |
| 1. **Organizational Structure** | 15 |
| 1. Team composition demonstrates breadth and depth of experience with scope of work areas. 2. Demonstrated expertise of program manager to lead a cross-functional team relative to the contract scope. 3. Clearly defined functions to be performed by key team members and how the staffing pertains to the contract scope. 4. Resume provided for all key personnel (Bidder and Subcontractors) as defined by Bidder. 5. Demonstrates strong capability to effectively and efficiently manage personnel and subcontractors. |  |
| 1. **Approach to Program Management** | 10 |
| 1. Demonstrates adequate fiscal management and controls. 2. Demonstrated experience and success at managing multiple, complex issues and resolving problems and disputes. 3. Has well-established quality control processes. |  |
| 1. **Client References** | 5 |
| Each Bidder shall complete Client Reference Forms for current (within the past three years) references. Three client references are required for the team. References will be checked and scored accordingly. |  |
| **Total Possible Points for Criteria 1 – 4**  **(Minimum Passing Score for Criteria 1 – 4 is 70% or 49 points)** | 70 |
| **COST CRITERIA** |  |
| 1. **Total Expected Labor Costs (Cost Points)**.  The Score for this criterion will be derived from the mathematical cost formula set forth below under Cost Criteria. | 25 |
| 1. **Cost Build-up Justification (Cost Points)**.  Bidder has justified all proposed expenditures and personnel costs identified in its bid for the Prime and Team Members. Bidder has established reasonable justification for the costs based on the expertise, experience, and resources of the project team and the expected work under the contract. | 5 |
| **Total Possible Points** | **100** |
| **Minimum Passing Score (70%)** | **70** |
| **BIDDER’S TOTAL SCORE** |  |

**Cost Criteria**

Total Expected Labor Costs (25/30 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 7a in each workbook.

Step 2

The Bidder (Prime Contractor) will complete the Attachment 7b of the budget workbook.  This form will calculate the Total Expected Labor Costs portion of the cost criteria.

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
* Small Business/Microbusiness Preference
* Non-Small Business Preference
* Target Area Contract Act Preference

## Disabled Veteran Business Enterprise (DVBE)

**Compliance Requirements**

**No DVBE Participation Compliance Requirement**: The Energy Commission has waived this RFP from DVBE participation. Bidders are not required to include DVBEs as part of the contract team. However, if Bidder does include DVBE participation in its Bid, the DVBE Incentive will be applied.

***Bidder or Subcontractor Suspension***

The Energy Commission 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 Demonstrate DVBE Participation***

* If Bidder is a DVBE, then Bidder can commit to performing a percentage of the contract.
* If Bidder is not a DVBE, Bidder can commit to using certified DVBE Subcontractors for a percentage of the contract.

***Required Forms***

Bidders must complete Attachments 1, 3 and 4 to document DVBE participation.

* Contractor Status Form (Attachment 1).

Under the paragraph entitled: “Disabled Veteran Business Enterprise Participation Acknowledgement”, check the “yes” “DVBE Incentive Participation” box if including DVBE participation in the bid.

* 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. (1) Evaluate if a DVBE awarded a contract meets the CUF requirement as defined in subdivision (b), and
  2. (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](mailto: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 0.00% DVBE participation. In other words, if a Bidder includes 0.01% DVBE participation or greater, it will receive the DVBE incentive. If you include 0% DVBE participation, you will not receive the incentive. You will only receive the incentive, if you include 0.01% 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:**

Solicitations based on **High Point** will calculate the incentive as described below: 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.

|  |  |
| --- | --- |
| DVBE  Participation Level | DVBE Incentive  Points |
| .01% - .99% | 1 |
| 1.00% - 1.99% | 2 |
| 2.00% - 2.99% | 3 |
| 3.00% - 3.99% | 4 |
| 4.00% 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:
  + It is independently owned and operated; and
  + The principal office is located in California; and
  + 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
  + It is not dominant in its field of operation(s), and
  + It is either: 
    - 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
    - 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:
* Is a community-based organization,
* Is a nonprofit corporation (under Section 501(c)(3) of the [Internal Revenue Code](http://www.irs.gov/charities/charitable/article/0,,id=96099,00.html)), and
* 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:

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

1. Government Code section 14835 et. seq.
2. 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

The following preference will be granted for this solicitation. 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

Energy Commission- 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 Energy Commission Information Technology Services Branch.

## Printing Services

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

## Confidential Information

The Commission will not accept or retain any Proposals that have any portion marked confidential.

## Darfur Contracting Act of 2008

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

A scrutinized company is a company doing business in Sudan as defined in Public Contract Code section 10476. Scrutinized companies are ineligible to, and cannot, bid on or submit 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 9)**

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

## 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 10.

## 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.

Bidder shall complete Attachment 11, GenAI Reporting & Factsheet Form.

* If you **will not** be using or offering GenAI technology, model or service in the work under the Agreement, then check the “No” box and sign the form.
* If you **will** be using or offering GenAI technology, model or service in the work under the Agreement, then check the “Yes” box, complete the remainder of the questions, and sign the form.

Failure to submit the GenAI Reporting & Factsheet Form shall result in rejection of the Proposal.

Failure to disclose GenAI to the Energy Commission shall result in rejection of the Proposal.

The Energy Commission reserves the right to do all of the following:

* Reject Proposals that present an unacceptable level of risk to the State.
* Void any resulting Agreement that does not comply with these provisions.
* Seek any and all relief the Energy Commission may be entitled to as a result of such non-disclosure.
* Incorporate GenAI special provisions into the final Agreement.

### For purposes of these requirements, GenAI is defined as: “The class of AI models that emulate the structure and characteristics of input data in order to generate derived synthetic content. This can include images, videos, audio, text, and other digital content.”

## RFP Cancellation and Amendments

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

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

If the RFP is amended, the Energy Commission will send an addendum to all parties who requested the RFP and will also post it on the Energy Commission’s Web Site ([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 Commission of such error in writing and request modification or clarification of the document. Modifications or clarifications will be given by written notice of all parties who requested the RFP, without divulging the source of the request for clarification. The Commission shall not be responsible for failure to correct errors.

## Modifying or Withdrawal of Proposal

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

## Immaterial Defect

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

## Disposition of Bidder’s Documents

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

## Bidders’ Admonishment

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

## 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 Disclosure & 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 agreement, received the PIER Royalty Review letter, which the Commission annually sends out to remind past recipients of their obligations to pay royalties, and has not responded to the letter or is otherwise not in compliance with repaying royalties.
* The budget forms are not filled out completely.
* 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 Commission cancels the RFP, or the Department of General Services decides the matter.

Please note the following:

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

## Agreement Requirements

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

### No Contract Until Signed & Approved

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

### Contract Amendment

The contract executed as a result of this RFP will be able to be amended by mutual consent of the Commission and the Contractor. The contract may require amendment as a result of project review, changes and additions, changes in project scope, or availability of funding.