



**Department of Administration / Division of Purchases
One Capitol Hill, Providence, Rhode Island 02908-5855
Web Site: www.purchasing.ri.gov
23 April 2012
Addendum # 2**

LOI# 7449609

Title: Environmental Technical Assistance (MPA 309)

Submission Deadline: EXTENDED to 14 May 2012 @ 2:00 PM (Eastern Time)

- Thirty-nine (39) questions discussed at the 4/16/12 pre-submission meeting and / or questions submitted via email are posted, and answered, in this addendum.
- Please monitor this website, on a regular basis, for the latest information regarding this procurement initiative.
- No additional questions shall be entertained.

A handwritten signature in black ink, appearing to read 'Jerome D. Moynihan', is located below the list of bullet points.

Jerome D. Moynihan, C.P.M., CPPO
Assistant Director for Special Projects

1. Question: Does proposal need to include SF330 response format?

Answer: Yes.

2. Question: Is it necessary to identify subcontractors under Category 4 (Air)?

Answer: If you have a subcontractor that you may use over the course of this contract it would be in your best interests to identify that subcontractor in the bid, particularly if the subcontractor has expertise in a subject area that the prime does not. Whether or not comparative bidding will be done on a specific project will be on a case-by-case basis. Part of that decision may include consideration of the professional capabilities and demonstrated areas of expertise of the TAC consultant.

3. Question: Under Category 3 (UST), do vendors need to be able to provide operator training (page 23 of the RFP) and can subcontractors be utilized to provide the training?

Answer: Yes we are looking for vendors to be able to provide operator training and they can use subcontractors. But a vendor must have a staff member pass the ICC exam by August 1st, 2012

4. Question: Are Joint Ventures allowed as long as they are identified or not? Top of page 3 indicates they are not allowed, but page 4 indicates they are allowed.

Answer: Joint ventures/teaming arrangements are allowed as long as they are identified and there is one primary vendor who is responsible for all fiscal and managerial responsibility under the contract.

5. Question: Is the SF330 and a narrative description required:

Answer: yes, both are required.

6. Question: Is preference given to vendors who submit bids for all 4 categories?

Answer: No. Each category is reviewed independently of the others except in the case of Category 1 and 2, in which a vendor must meet the minimum qualifications for Category 1 in order to be considered for Category 2.

7. Question: Is there a limit to the number of firms allowed in each category?

Answer: No, however, if there are a large number of qualified vendors the list maybe limited by eliminating those with the highest rates provided.

8. Question: Regarding the Conflict of Interest section, do vendors need to list all potential conflict cases across categories (i.e. do vendors need to list cases under Category 4 if a conflict may exist under Category 1)?

Answer: Yes, all cases must be listed across all categories.

9. Question: How many of all vendors on the current MPA received work under the last MPA?

Answer: Under the Targeted Brownfields Assessment program, 4 vendors were utilized under Category 2. Under Category 3, 4 vendors were also utilized from the list.

10. Question: How do you select vendors from the MPA?

Answer: Based on specific expertise and vendors rates provided.

11. Question: What specific Air services will be requested:

Answer: No specific tasks have been identified. The Technical Assistance Contract will pre-qualify consultants to provide technical assistance to the air pollution program as the need arises.

12. Question: Can vendors submit different rate sheets for different categories?

Answer: yes

13. Question: On page 24 of the RFP, what categories does the Indemnification section pertain to?

Answer: The sections of the RFP starting with the Indemnification section on Page 24 pertain to all categories.

14. Question: Regarding the distance criteria, does all staff need to be in the office that is within 55 miles or can they call in staff from other offices?

Answer: Primary staff must be within 55 miles, but can utilize secondary staff from other offices. Also, for clarification purposes, in accordance with the terms stated on page 5 and Section C.4, page 29, this MPA does not allow reimbursement to contractors or subcontractors for travel to and from meetings or sites.

15. Question: On page 22, soil disposal costs are not identified; do they need to be included? Do contractors need to be identified?

Answer: Costs for soil disposal do not need to be identified in the response, as estimates for any soil disposal will be obtained prior to disposal. Contractors do need to be identified; however, it is understood that this list may change over time.

16. Question: If a vendor is called upon under this MPA, do they need to respond within a day or two to a site?

Answer: No, vendors will be given plenty of lead time prior to starting work. Vendors selected for a specific project will be asked for a proposal for the specified work which will be approved prior to starting work.

17. Question: Will vendors on the MPA be asked to bid against each other on specific projects?

Answer: In some instances, such as when a specific detailed work plan is available, we may ask for estimates from multiple vendors. For instance, in the Targeted Brownfields Assessment program, we have asked for proposals for an ASTM E1527-05 Phase I ESAs, since that work is very prescriptive.

18. Question: Is it necessary to submit qualifications for all subcontractors?

Answer: no, only primary vendor qualifications are required.

19. Question: Can preference be given to Rhode Island firms?

Answer: No, the law does not allow it.

20. Question: Do all subcontractors need to be Minority Business Enterprise/Women Business Enterprise (MBE/WBE) approved?

Answer: No, the goal is 10%. You should identify any subcontractors you use if they are approved MBE/WBE subcontractors. For more information and contact information go to: <http://www.mbe.ri.gov/>

The following questions were submitted on-line:

21. Question: Section 4 Sub Section A – Cover letter: Shall the project team organization be part of the cover letter (not included the 1200 word limit) or can it be included in Section C – Personnel?

Answer: The cover letter should include all of the information stated under Section 4 Subsection A, the details of which should be expounded upon in Subsection C.

22. Question: Section 4 Sub Section D – Cost: Please provide a definition for the Contract Administrator as it relates to the P2 hourly rate?

Answer: In reference to the vendors Contract Administrator, definition of labor classifications are provided in Appendix A.

23. Question: Section 4 and Section 5: Please describe the difference between the cover letter in Section 4 and the letter of transmittal in Section 5. Are they both required?

Answer: Yes they are both required. The Letter of Transmittal referred to in Section 5 pertains to a one page letter which includes only the information stated therein. Only one Letter of Transmittal is required for proposals for all categories being submitted. The cover letter is specific to each category and should be provided for each category and include the information stated in Section 4.

24. Question: Section 4 and Section 5: Sub Section B&C of Section 4 is somewhat redundant in relation to SF-330 requirements in Section 5. Should the respondent complete a SF-330 and provide project experience and personnel resumes as described in Section 4?

Answer: See response to questions 1 and 5 above.

25. Question: In reference to the “Revised Notice to Vendors” on the RIVIP Bidder Certification form, is the award expected to exceed \$750,000? Will offerors be required to submit a public copy of the proposal for this solicitation?

Answer: No. This requirement is for public works construction projects only.

26. Question: How many awards does the State expect to make for each category?

Answer: It is not possible to determine how many awards the State expects to make under each category at this time. Regarding DEM’s Targeted Brownfields Assessment Program, funding is federal funding, is “soft” money, and changes every year. We anticipate a minimum of \$100,000 being spent under Category 2 of this MPA each year.

27. Question: What is the estimated amount the State intends to contract under each of the categories per year?

Answer: See answer to question 26.

28. Question: The RFP states that the use of subcontractors shall be kept to a minimum, however it also includes MBE/WBE subcontracting requirements if more than 10% of the proposed work is done with federal funding. The General terms and conditions also contain a clause stating that MBE/WBE requirements apply to construction contracts. Will a MBE/WBE subcontracting plan be required? Will contractors be expected to comply with the clause? Will the work be done using more than 10% of federal funds? In addition, please provide updated CFR references on page 27 as they appear to be out of date. Please also provide a copy or a weblink to RI executive order 85-11, and the attachments required to be submitted by this clause.

Answer: Whether or not any of the work required under this MPA has or does not have federal dollars there is still a requirement for the utilization of MBE firms in the performance of any contract work pursuant to RIGL 37-14.1, which states in part that 10% of the value of procurements shall be directed to MBE firms. Yes, there will be a subcontracting plan required, which per EPA regulations should be furnished at time of bid.

In regards to the "fair share" policy, I believe the correct reference is 40 CFR Section 33.301 PART 33—PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES IN UNITED STATES ENVIRONMENTAL PROTECTION AGENCY PROGRAMS Subpart C—Good Faith Efforts

This is the same requirements that the state has in it's REGULATIONS GOVERNING PARTICIPATION BY MINORITY BUSINESS ENTERPRISES IN STATE FUNDED AND DIRECTED PUBLIC CONSTRUCTION PROJECTS, CONSTRUCTION CONTRACTS AND PROCUREMENT CONTRACTS FOR GOODS AND SERVICES

29. Question: Under Category 4, the State lists activities that Rhode Island's Office of Air Resources performs. For which items does the State anticipate obtaining contractor support?

Answer: No specific tasks have been identified as yet. It is possible that technical assistance could be needed in any of these program areas.

30. Question: A good portion of the work for Categories 1 through 3 involves on-site tasks; however, it is not clear for category 4 if any field work will be conducted. Is field work envisioned for category 4 projects and, if so, approximately what portion of the work will require staff on-site at facilities in Rhode Island?

Answer: No specific tasks have been identified as yet. It is possible that field work could be required as part of an assigned task in the future.

31. Question: The RFP states that Key Personnel “shall reside within an acceptable distance from Rhode Island.” With respect to Key Personnel for category 4, how will an “acceptable distance” be determined? Must all Key Personnel be in close proximity to Rhode Island, or is it acceptable to have Key Personnel from other areas of the country in addition to Key Personnel located near Rhode Island?

Answer: It will be acceptable to have key personnel from other areas of the country; however, location of key personnel may be a consideration in deciding the assignment of a task under this contract.

32. Question: For the cost proposal (Attachment B), if the offeror does not anticipate needing the items listed to fulfill the category on which a bid is being submitted, should the items be left blank or indicate NA?

Answer: Please indicate NA.

33. Question: If an offeror is submitting a proposal for Category 4 only (which doesn't require a licensed Rhode Island Professional Engineer), does the cover letter still need to be signed by a Rhode Island PE; can a PE licensed in another state sign or will an officer of the company suffice?

Answer: The cover letter does not need to be signed by a PE for Category 4.

34. Question: Must a contractor already be registered as a foreign corporation and have a Certificate of Authority to submit a proposal? Or can the contractor obtain the Certificate of Authority when the contract is awarded?

Answer: A certificate of authority is a requirement only for selected providers. You do not need to have the certificate at proposal submission time.

35. Question: Regarding Joint Venture/Teaming arrangement experience requirements:

Under Section 2 'Purpose and Structure' of the subject solicitation it is clearly stated that joint Ventures for individual components are permissible, provided that that the proposal indicates a single business entity having complete fiscal and managerial responsibility under the contract. This requires that one entity be identified as the 'Prime' contractor and that other teaming/joint venture partners be identified as 'subcontractors'.

Please verify that 'respondent' means the joint venture/team and that in a joint venture/teaming arrangement that the Minimum Experience requirement, as summarized in Section 3 Scope of work for categories 1 & 2, can be met by a combination of experience and qualifications (such as. licenses) from both team members (or several if applicable) and, that the minimum experience requirements need not be met alone by the team member identified as the 'Prime'.

Answer: The prime contractor must meet the majority of the minimum qualification requirements. Since each category is a separate proposal, each must identify either a single entity or Prime and Subcontractors under each proposal for each category. However, due to the fact that a vendor must meet the minimum qualifications for Category 1 in order to be considered for Category 2, that vendor must be either a single entity or prime under both categories.

36. Question: Related to the question above, please clarify solicitation bullet #7 on pages 2/3 referencing joint venture/cooperative proposals are not allowed which is unclear in comparison with Section 2'Purpose and Structure' which clearly allows teaming. Please confirm that a proposal can be submitted by a 'respondent' who is a team consisting of one or more entities, and that company logos/letter head etc. can be representative of both team members, provided that the Proposal clearly identifies one of the team members as the 'Prime' whom will have complete fiscal and managerial responsibility under the contract and the other as 'subcontractors'.

Answer: See answer to question 4 above.

37. Question: Regarding Joint Venture/Teaming arrangements for multiple categories:

Please clarify how proposals should be formatted in a teaming arrangement where for a specific category, as described in Section 3, one team member is 'Prime' and the other is a 'subcontractor', but for a separate category a different team member will serve as Prime and the other as a subcontractor. Should these be completely separate proposals/responses or should the teaming arrangement and identification of Prime and Subcontractors be described for each separate category under a single team proposal/ submittal.

Along the same line of question, if a respondent wishes to be considered for one category as a single entity but also wishes to be part of a teaming arrangement for 1 or more different categories then are these responses required to be submitted as two separate stand -alone proposals or can the teaming arrangement and proposed managerial structural for each applicable category be described as part of an overall proposal submittal? Please clarify.

Answer: Separate proposals must be submitted for each category and are reviewed as separate and distinct proposals.

38. Question: The Scope of Work (SOW) for Category 4 does not have the same sections (Capabilities, Tasks, and Minimum Experience) included in the SOW sections for the other categories. Is there something missing in the SOW for Category 4 or is the text starting at the bottom of page 23 and ending just above “Indemnification” on page 24 the complete section for the Category 4 SOW?

Answer: The specific type of work that will be tasked under Category 4 is not known at this time and is the reason there is not the same degree of specificity in the scope of work for this section. Respondent’s are required to show their professional and staffing capabilities for providing technical assistance in all aspects of the state’s air pollution control program (page 7). The text starting at the bottom of page 23 and ending just above “Indemnification” on page 24 is the complete section for Category 4.

39. Question: There are “XXXX” placeholders for dates and other information in Section 5. We can see that all of this information is included in the first few pages of the solicitation; however, we wanted to point this out in case a draft request for proposal was posted instead of the final.

Answer: This RFP is the final, with the exception of the dates which should have been filled out in Section 5.

END