

National Renewable Energy Laboratory  
Managed and Operated by the Alliance for Sustainable Energy, LLC  
Request for Proposals Number RHB-3-22374

"MINOR CONSTRUCTION SERVICES"

**REQUEST FOR PROPOSALS**

**READ THIS DOCUMENT CAREFULLY**

This solicitation is being conducted under the procedures for competitive subcontracts established by the National Renewable Energy Laboratory (NREL). NREL will award a subcontract based on the following.

- All Statement of Work (SOW) requirements being met with the best combination of:
- Technical factors (based on qualitative merit criteria), and
  - Evaluated price (or cost)

**NOTE: THIS PROCURMENT IS A TOTAL SMALL BUSINESS SET-ASIDE**

Notice of Small Business Set-Aside:

A "small business concern," as used in this solicitation, means a concern, including its affiliates that are independently owned and operated, not dominant in the field of operation in which it is bidding on, and is qualified as a small business under the size standards in this solicitation.

Issue Date: 10/12/12

Due Date: 11/05/12

Time Due: 2:00 pm, Mountain Time

**Technical questions must be received in writing no later than 10/22/12**

1. **Solicitation Type** Best Value Selection  
Firm-Fixed Price Task Ordering Agreement - with Options
2. **NREL RFP Contact** George Nolte, Subcontract Administrator  
National Renewable Energy Laboratory  
15013 Denver West Parkway, MS-RSF030  
Golden, CO 80401  
Phone: (303) 384-7328  
Fax: (303) 630-2110  
Email: [george.nolte@nrel.gov](mailto:george.nolte@nrel.gov)

**Electronic (PDF) copies of forms and appendices can be found at:**  
[http://www.nrel.gov/business\\_opportunities/related\\_docs.html](http://www.nrel.gov/business_opportunities/related_docs.html)

### 3. Project Description

As specified in the Statement of Work, "Minor Construction Services", dated October 8, 2012 (Attachment 1). Task Ordering Agreement(s) to provide Design-Build construction services for a wide range of future projects, such as; office space build out, Laboratory remodels, ventilation upgrades, heating systems upgrades, air conditioning system upgrades, electrical distribution systems upgrades, roof replacements, site access gate installations, road upgrades, etc. Each individual project will include a Statement of Work.

### 4. Proposed Task Ordering Agreement (TOA) Award and Period of Performance

The Alliance for Sustainable Energy, LLC has entered into Contract No. DE-AC36-08GO28308 with the Department of Energy (DOE), an agency of the U.S. Government, for the management and operation of the National Renewable Energy Laboratory (hereinafter called "NREL"). All references to "NREL" in this solicitation shall mean the Alliance for Sustainable Energy, LLC.

It is the intent of NREL to award one (1) or more firm-fixed price Task Ordering Agreements (TOA's) under this solicitation. The anticipated period of performance is a basic period (12 months) plus four (4) 12-month option periods, for a potential of sixty (60) months, if all the options are exercised.

The ceiling amount for the TOA will be as follows:

Basic Period:	\$ 900,000.00
Option 1 Period:	\$ 900,000.00 (if exercised)
Option 2 Period:	\$ 900,000.00 (if exercised)
Option 3 Period:	\$ 900,000.00 (if exercised)
Option 4 Period:	<u>\$ 900,000.00 (if exercised)</u>
Total Ceiling Price:	\$4,500,000.00 (if all options are exercised)

### 5. This is a Total Small Business Set Aside Procurement

NAICS Code and Small Business Size Standard

a. The North American Industry Classification System (NAICS) code for this solicitation is 236220.

b. The small business size standard is \$33.5 million in annual receipts.

(Annual receipts of a concern mean the annual average gross revenue for the last three fiscal years).

### 6. Pre-Proposal Conference

A pre-proposal conference will be held on **October 25, 2012** at NREL, the RSF Building, Conference Room X-325 (Beaver Creek Conference Room), at 01:00 pm at NREL, Golden, CO. The agenda for the pre-proposal conference is as follows:

<u>TIME</u>	<u>AGENDA</u>
01:00 - 01:15 pm	Registration/Introductions
01:15 - 01:30 pm	Discuss the RFP requirements
01:30 - 02:00 pm	Discuss Technical Expectations
02:00 - 02:30 pm	Answers to Written Questions Submitted Prior to Pre-proposal Conference
02:30 - 03:00 pm	Q & A

**ATTENTION:** All prospective offerors are required to attend the pre-proposal conference. Proposals will only be accepted from organizations that attend this conference. Due to space limitations representation at the conference should not exceed three (3) persons from each proposing team. Due to security measures at NREL, all Offeror's attending the pre-proposal conference must register in advance by submitting, via e-mail or regular mail, a notice to the Subcontract Administrator listing the individuals who will attend including their name, citizenship status, and telephone numbers. Attachment 2- "Notice of Intent to Submit a Proposal/Attend Conference" may be used to provide notice. Notice must be received at least three (3) days before the pre-proposal conference in order to reserve a seat at the conference. On the day of the conference, the attendees will be required to report to the NREL Visitors Center, 15013 Denver West Parkway, Golden, CO 80401 and will be required to show a government issued picture identification to obtain a visitor's badge. Examples of proper picture identification include a driver's license or passport. Any individual who has not registered in advance or who fails to provide proper identification will be denied access to the NREL site and will not be permitted to attend the conference.

Each attendee is required to sign in at the conference on the sign-in sheet provided by the Subcontract Administrator providing each individuals' name, company, and contact information.

**If an Offeror intends to send an individual who is not a U.S. citizen, the Offeror should contact the Subcontract Administrator as soon as possible but not later than 5 calendar days before the pre-proposal conference to arrange for the appropriate approvals from the Department of Energy (DOE) for admittance.**

Written questions concerning this solicitation document and its requirements that are received on or before **October 22, 2012**, will be answered during the pre-proposal conference. Questions which may arise during the pre-proposal conference may be answered during the conference, or will be answered in writing following the conference. NREL intends to issue an amendment to this solicitation document following the pre-proposal conference that will formally provide responses to all the questions that were submitted prior to the conference and those which occurred during the pre-proposal conference.

## **7. Competitive Negotiated TOA Using Best Value Selection**

This solicitation shall be conducted using Best Value Selection that results in an award that is most advantageous to NREL based on the best value combination of (a) evaluated qualitative merit and (b) evaluated price (cost) of the offers submitted.

Best Value Selection is based on the premise that, if all offers are of approximately equal qualitative merit, award will be made to the offeror with the lowest evaluated price (cost). However, NREL will consider awarding to an offeror with a higher evaluated price (cost) if the offer demonstrates the difference in price (cost) is commensurate with the higher qualitative merit. Conversely, NREL will consider awarding to an offeror with a lower evaluated qualitative merit if the price (cost) differential between it and other offers warrant doing so.

## 8. Qualitative Merit Criteria for Best Value Selection

The Statement of Work (Attachment 1) in this Request for Proposals serves as NREL’s baseline requirements that must be met by each offer.

The qualitative merit criteria establish what NREL considers the technical factors valuable in an offer. These qualitative merit criteria are performance-based and permit selection of a higher priced offer that provides higher qualitative merit.

The following qualitative merit criteria will be used by evaluators to determine the technical value of the offer in meeting the objectives of the solicitation. Each criteria and its assigned weight is identified below:

<u>Criteria</u>	<u>Points</u>
8.1. Technical Expertise/Experience	40
8.2. Key Personnel	30
8.3. Project Management	30

Potential offeror’s proposals shall be evaluated using, as a minimum, the below listed criteria as it relates to the attached Statement of Work (Attachment 1).

**8.1 Technical Expertise/Experience:** The Subcontractor’s capability in the area of managing and implementing building modifications and facility upgrade projects. (40 points).

- Provide a letter from your surety which identifies your current bonding capacity. Performance and Payment Bond requirements are contained in Attachment 3.
- EMR rating for the firm must be 1.0 or less including all your lower tier subcontractors. The Construction Subcontractor EH&S Risk Evaluation Worksheet and Instructions found at <http://www.nrel.gov/extranet/ehs/> must be submitted with proposal to validate rating.
- Describe your past experience in the modification to laboratory facilities in last 5 years.
- Describe your past experience in the modification to office areas in last 5 years.
- Describe your experience in upgrades to mechanical/electrical utilities in last 5 years.
- Describe innovative quality control methods and work approaches have you used on past projects that helped you successfully complete on time; under budget; and with a high level of quality.
- Describe your past experience in estimating similar types of small

maintenance/repair jobs.

- Describe your past experience in preparation of submittal documents for the construction of new or modifications to facilities.
- Describe your past experience in developing redline drawings and operation and maintenance manuals for owner-operated and maintained facilities.

**8.2 Key Personnel:** The qualifications and availability of the firm's proposed project team in the area construction management. (30 points).

- Describe the number of staff in your firm and submit resumes of Key Personnel identifying related experience for the last 5 years.
- Describe the availability of Key Personnel during NREL's proposed project duration.

**8.3 Project Management:** The Subcontractor's capability to control the scope, cost, and schedule of each task. (30 points).

- Describe your proposed process to review scopes of work, develop cost proposals, and execute each task to completion.
- Describe how you propose to provide a quick response time to review a scope of work and submit a cost proposal.
- Describe are your proposed quality control methods and plans.
- Provide a summary of your health and safety program.
- Describe your job estimating process and how you would avoid cost overruns.
- Location of facilities of key personnel/staff and equipment (must be within 60 miles drive of NREL Golden).
- Describe your facilities
- Describe your ability to work with electronic drawings.

## 9. Price (Cost) Evaluation for Best Value Selection

After evaluation of the qualitative merit criteria, the following price (cost) evaluation will be used to determine the best value of the offer in meeting the objectives of the solicitation.

**The combined qualitative merit criteria will be considered substantially more important than the price.**

**Cost:** The proposed cost for the all labor categories in accordance with the Statement of Work (Attachment 1). Submit Labor Rate/Indirect Rate Proposal Form (Attachment No. 4) and Sample Unit Price Proposal (Attachment 5) for the basic period and all options periods.

## 10. Evaluation process

NREL will evaluate offers in two general steps:

### Step One—Initial Evaluation

An initial evaluation will be performed to determine if all required information has been provided for an acceptable offer. Offerors may be contacted only for clarification purposes during the initial evaluation. Offerors shall be notified if their offer is determined unacceptable and the reasons for rejection will be provided. Unacceptable offers will be excluded from further consideration.

**Step Two—Discussion, Selection, Negotiation, and Award**

All acceptable offers will be evaluated against the Appendix A Statement of Work (Attachment 1), the qualitative merit criteria listed above, the oral presentation, evaluated price and the site visit, if any. Based on this evaluation, NREL has the option, depending on the specific circumstances of the offers received, to use one of the following methods of selection:

- (a) Make an individual selection, conduct negotiations, and make an award;
- (b) Conduct parallel negotiations with all Offerors and make award(s);
- (c) Conduct discussions with all Offerors, select successful finalists, conduct parallel negotiations with successful finalists, and then make award(s);
- (d) Conduct discussions with all Offerors, conduct parallel negotiations with the finalists, select successful finalist(s), and then make award(s);
- (e) Select successful finalists, conduct successive negotiations, and make successive selections and awards;
- (f) Make no award(s).

**11. Proposal preparation information**

- (a) The proposal must include a title page, including the RFP title and RFP number, name of your organization and primary contact (with postal and delivery address, telephone and fax numbers, and email address). The title should be succinct and capture the essence of your offer. The proposal shall be submitted in accordance with the instructions below. Copies will be mailed to the Subcontract Administrator's address identified in Paragraph 2, above. An electronic copy will be accepted if provided in Microsoft Office program application and may be sent to the Subcontract Administrator's email address identified in Paragraph 2 or provided on electronic storage device with the paper copies of the proposal. However electronic copies will not be accepted in lieu of the paper copy of the proposal and in order to be considered timely the mailed copy of the proposal must be received by the due date and time specified above.

**(b) Formatting instructions**

- A page is defined as one side of an 8 ½" x 11" sheet of paper.
- Use a 12-point font.
- Maintain at least 1-inch margins on all sides.
- Copies may be either single or double sided.
- Double sided copies will be printed in "open to top" or "head to foot" format.

**(c) Proposals shall include the following:**

A cover letter including either acceptance or change/exception with reason to the TOA schedule (Attachment 6), Appendix A, Statement of Work, (Attachment 1) or standard terms and conditions contained in the other appendices. The offeror will explain any proposed change/exception with respect to the subcontract schedule and terms and conditions. Any proposed change/exception must contain sufficient amplification and justification to permit evaluation. Such proposed changes/exceptions will not, of themselves, automatically cause an offer to be termed unacceptable. However, a large number of proposed changes/exception or one or more significant exceptions not providing any obvious benefit to the NREL or the Department of Energy may result in rejection of such offer as unacceptable.

**(1) Technical Proposal** shall be submitted in an original and five (5) copies directed toward meeting the requirements of NREL's Appendix A Statement of Work (Attachment 1) and qualitative merit criteria (see item 8 above). The technical proposal shall include:

- (i) A list of five (5) professional references;
- (ii) A list of project experience;
- (iii) A list of financial references (limit of two pages);
- (iv) Resumes of key personnel (limit of ten pages, do not include the SSN's on the resumes);
- (v) Responses to the qualitative merit criteria listed in paragraph 8. The response to qualitative merit criteria shall be in separate sections and will be labeled with the title of the criteria; and
- (iv)The total Technical Proposal shall not exceed fifty (50) pages. The Technical Proposal page count does not include resumes.

**(2)** A completed Price/Cost Proposal Form shall be submitted in an original and five (5) copies and will be bound separately from the responses to the qualitative merit criteria. The Cost/Pricing Proposal shall include:

- (i) A completed **Labor Rate/ Indirect Rate Proposal Form** (Attachment 4) for the basic period and each option period.
- (ii) A completed **Sample Unit Price Proposal** (Attachment 5) with pricing for the base period and option periods.
- (iii) An individual Offeror's price proposal standard format can be used if the data included is substantially the same as the NREL form. The price proposal should include support documentation for all categories of the proposed price. **The Offeror's price and delivery terms must be valid for 90 days from the date of the offer, to include lower-tiers.**
- (iv)The Offeror's proposal must include copies of their respective Lower-Tier Subcontractor's **Labor Rate/Indirect Rate Proposal Forms** (Attachment 4).

**(3)** A completed "**Representations and Certifications for Subcontracts/Purchase Orders**" form in one (1) original or can be downloaded at:

[http://www.nrel.gov/business\\_opportunities/related\\_docs.html](http://www.nrel.gov/business_opportunities/related_docs.html).

- (4) Completed Environmental, Health and Safety Risk Evaluation Worksheet found at: <http://www.nrel.gov/extranet/ehs/>
- (5) Safety Plan developed based on the guidance provided by the Construction Environment Health and Safety Plan (CEHSP) found at:  
<http://www.nrel.gov/extranet/ehs/>
- (6) Quality Assurance Plan developed in accordance with guidance provided at Attachment 8.
- (7) This solicitation **does not** allow the submittal of facsimile proposals.
- (8) This solicitation **does not** commit NREL to pay costs incurred in the preparation and submission of a proposal in response to this RFP.

## 12. Solicitation Provisions—full text provided

### a. Late submissions, modifications, and withdrawals of offers

Offers, or modifications to them, received from qualified organizations after the latest date specified for receipt may be considered if received prior to award, and NREL determines that there is a potential price (cost), technical, or other advantage, as compared to the other offers received. However, depending on the circumstances surrounding the late submission or modification, NREL may consider a late offer to be an indication of the offeror's performance capabilities, resulting in downgrading of the offer in the technical evaluation process. Offers may be withdrawn by written notice received at any time before award. Offers may be withdrawn in person by an offeror or an authorized representative, if the representative's identity is made known and the representative signs a receipt for the offer before award.

### b. Restrictions on disclosure and use of data

Offerors who include in their proposals data that they do not want disclosed to the public for any purpose or used by the government or NREL, except for evaluation purposes shall—

- (1) Mark the title page with the following legend:

“This offer includes data that shall not be disclosed outside the government or NREL and shall not be used or disclosed—in whole or in part—for any purpose other than to evaluate this offer. If, however, a subcontract is awarded to this offeror as a result of—or in connection with—the submission of this data, the government or NREL shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting subcontract. This restriction does not limit the government or NREL's right to use information contained in this data if obtained from another source without restriction. The data subject to this restriction are contained on pages [insert page and line numbers or other identification of pages] of this offer”; and

- (2) Mark each page of data it wishes to restrict with the following legend:

“Use or disclosure of data contained on this page is subject to the restriction on the title page of this offer.”

### **13. Reserved.**

### **14. Disclaimer**

NEITHER THE UNITED STATES; NOR THE DEPARTMENT OF ENERGY; NOR ALLIANCE FOR SUSTAINABLE ENERGY, LLC; NOR ANY OF THEIR CONTRACTORS, SUBCONTRACTORS, OR THEIR EMPLOYEES MAKE ANY WARRANTY, EXPRESS OR IMPLIED, OR ASSUME ANY LEGAL LIABILITY OR RESPONSIBILITY FOR THE ACCURACY, COMPLETENESS, OR USEFULNESS FOR ANY PURPOSE OF ANY OF THE TECHNICAL INFORMATION OR DATA ATTACHED OR OTHERWISE PROVIDED HEREIN AS REFERENCE MATERIAL.

### **15. Solicitation disputes**

The General Accountability Office and the Department of Energy do not accept or rule on disputes for solicitations for Requests for Proposals issued by Management and Operating Contractors for the Department of Energy (operators of Department of Energy National Laboratories). Should an offeror have any concerns regarding the NREL solicitation process or selection determination, the offeror may contact Mark Barela, Advocate for Commercial Practices, at (303) 384-7559. NREL will address each concern received from an offeror on an individual basis.

### **16. Solicitation provisions—incorporated by reference—general access**

This solicitation incorporates one or more solicitation provisions by reference with the same force and effect as if they were given in full text. The following documents can be downloaded from the NREL **general access** website at [http://www.nrel.gov/business\\_opportunities/related\\_docs.html](http://www.nrel.gov/business_opportunities/related_docs.html) or the NREL RFP Contact (see item 2) will make full text available upon request.

- NREL Standard Terms and Conditions:
  - Appendix B-4 (08/01/12)
- NREL Standard Terms and Conditions for Intellectual Property
  - Appendix C-3 (3/26/12)
- NREL Standard Terms and Conditions for Subcontracts in Excess of \$650,000:
  - Appendix D-1 (08/01/12)
- NREL Representations and Certifications for Subcontracts/Purchase Orders (06/15/12)

### **17. Attachments**

The following Attachments are attached to this Request for Proposal:

Attachment 1- Appendix A, Statement of Work

Attachment 2 -Notice of Intent to Submit a Proposal/Attend Conference

- Attachment 3 -Performance and Payment Bond Information
- Attachment 4 -Labor Rate/Indirect Rate Proposal Form
- Attachment 5 -Sample Unit Price Proposal
- Attachment 6 -Sample Task Ordering Agreement
- Attachment 7 -Davis-Bacon Wage Decisions
  - General Decision Number CO 120016 dated 08/10/2012-Highway
  - General Decision Number CO 120012 dated 08/31/2012-Heavy
  - General Decision Number CO 120007 dated 08/31/2012 -Building
- Attachment 8 - NREL Subcontractor Quality Assurance Plan Guidance