

National Renewable Energy Laboratory
Request for Proposals Number RFJ-8-88671

**“Design-Build Support Services,
Energy Systems Integration Facility”**

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
- The best combination of:
 - Technical factors (based on qualitative merit criteria)
and
 - Evaluated price/cost

Issue Date: 09/30/08 Due Date: 10/27/08 Time Due: 4:00 p.m. Mountain Time

Pre-proposal Conference: 10/15/08. Time and location: 9 a.m. through 11 a.m.
Denver West Complex
Building 7, 4th Floor
1626 Cole Boulevard
Golden, CO 80401

Technical questions must be received in writing no later than 10/08/08.

1. **Solicitation Type** Best Value Selection
 Fixed Price

Submit offers to and request information from the NREL RFP Contact below

2. **NREL RFP Contact** Karen Leitner, Sr. Subcontract Administrator
 National Renewable Energy Laboratory
 1617 Cole Boulevard, MS 1533
 Golden, CO 80401-3393
 Phone: (303) 275-4288
 Fax: (303) 275-3109
 Email: karen_leitner@nrel.gov

Electronic (PDF) copies of forms and appendices can be found at:
http://www.nrel.gov/business_opportunities/related_docs.html

3. Project description

Design-Build Support Services for the Energy Systems Integration Facility project as specified in the Statement of Work (Attachment 1).

4. Proposed subcontract award and period of performance

It is the intent of NREL to award one (1) firm fixed price subcontract under this solicitation. The anticipated period of performance is 48 months with a project magnitude range of \$1,500,000 to \$2,000,000.

5. Preproposal Conference

A preproposal conference will be held on 10/15/08. Specific information regarding time, location, and agenda will be provided by 10/06/08.

All attendees must be U.S. citizens and must have a valid driver's license to gain admittance. All attendees must check in and receive a visitor badge prior to admittance to the site (visitor's badge is not required for Building 7).

All prospective offerors are encouraged to attend. Please submit via electronic transmittal the names of attendees three (3) days prior to the preproposal conference date to the NREL RFP Contact shown on the cover page of this document. Questions may be submitted electronically to the NREL RFP Contact shown on the cover page of this document.

Written questions concerning this solicitation document and its requirements received on or before 10/08/08 will be answered during the preproposal conference and may be submitted electronically to the NREL RFP Contact shown on the cover page of this document. Questions which may arise during the preproposal 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 preproposal conference that will formally provide all the questions and answers that occurred during the preproposal conference to all recipients of the solicitation document.

6. Competitive negotiated subcontract 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.

7. Qualitative merit criteria for Best Value Selection

The Statement of Work, dated 09/10/08, (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 to determine the technical value of the offer in meeting the objectives of the solicitation.

Each qualitative merit criteria and its assigned weight are provided below.

- 7.1 Design-Build RFP Preparation Experience (15%)
 - 7.1.A. Demonstrated experience in design-build Request for Proposal (RFP) preparation support (including project definition, analysis and validation), preparation of subcontract documents, performance criteria development, incentives/award fee preparation, stipends, and design-build competition management. Experience should include substantiation of performance criteria, technical and administrative support during face-to-face meetings with potential offerors, and risk management plan development. Experience within the DOE procurement environment preferred.
 - 7.1.B. Demonstrated ability to provide consultation, guidance and assistance to clients in support of design-build acquisitions. Ability to positively assist clients for the successful completion of design-build competitions. Provide a minimum of three (3) professional references of similar projects. References provided may include one project identified in Item 7.6.A. below.
- 7.2 Design Management and Construction Management Experience (20%)
 - 7.2.A. Describe your experience in design management of standard design phases including conceptual design, preliminary design, final design and construction administration services. NREL's preference is a minimum of 5 years experience.
 - 7.2.B. Describe your experience in construction management including field observation/inspection, readiness reviews/operational testing, review of construction

changes, additional/supplemental information review, submittal review, pay application review, cost estimating, schedule review and redline drawing review. NREL's preference is a minimum of 5 years experience.

7.3 Owner's Representative Experience (20%)

7.3.A. Demonstrated experience in post award, design-build subcontract and modification administration in accordance with Design-Build Institute of America (DBIA) Best Practices.

7.3.B. Describe your experience in compliance auditing, substantiation and performance review deviation documentation and award fee/incentives assistance. NREL's preference is a minimum of 5 years experience.

7.3.C. Demonstrated experience in conflict resolution and project facilitation.

7.4 Commissioning Experience (15%)

7.4.A. Demonstrated experience in incorporating commissioning into design, construction and operations of new facilities.

7.4.B. Demonstrated experience in commissioning planning, implementation and documentation of or similar projects.

7.5 Experience/Qualifications of Key Personnel (15%)

7.5.A. Demonstrated DBIA designated professional status for key personnel. DBIA designated professional status is desired for the project team.

7.5.B. Demonstrated current professional registration as architect or engineer of key personnel. Offeror shall have a minimum of one staff member with a professional registration as an architect or engineer on the project. Offeror should have a minimum of one staff member with demonstrated construction management experience.

7.5.C. Offeror shall provide a written description of the project team. Description shall include design-build experience with proposed partners or lower-tier subcontractors.

7.5.D. Offeror shall describe depth of resources and ability to adequately execute the subcontract requirements. This description should focus on how the Offeror will ensure NREL that key personnel are of sufficient availability and depth to meet all subcontract objectives.

7.6 Design-Build Experience (10%)

7.6.A. The Offeror shall provide experience profiles of a minimum of two (2) similar design-build projects of \$20 - \$100 Million in value. Experience shall include a

description of the projects or services provided and the value of the design-build work supported.

7.7 References (5%)

7.7.A. Provide a minimum of three (3) client references for similar projects within a range valued between \$20 - \$100 Million. References provided may include the two projects identified in Item 7.6.A above.

8. 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 value will be considered equally important to the price/cost.

9. 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 Statement of Work (Attachment 1) and the qualitative merit criteria listed above. 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 individual selection(s), conduct negotiations, and make an award(s);
- (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).

10. Proposal preparation information

- a. The proposal must include a title page, including the RFP title and number, name of your organization and principal investigator (with postal address, telephone and fax numbers, and email address). The title should be succinct and capture the essence of your offer.
- 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.
- c. A **technical proposal** in an original and ten (10) copies directed toward meeting the requirements of NREL’s Statement of Work (Attachment 1) and qualitative merit criteria (see item 7 above). The technical proposal shall be organized in the following sections: 1) Design-Build RFP Preparation Experience; 2) Design Management and Construction Management Experience; 3) Owner’s Representative Experience; 4) Commissioning Experience; 5) Experience/Qualifications of Key Personnel; 6) Design-Build Experience; and 7) References. Each section shall be a maximum of 5 pages (resumes not included in page count).
- d. A completed “**Price/Cost Proposal**” form in an original and ten (10) copies submitted with the offer (Attachment 2). An individual offeror’s price/cost proposal standard format can be used if the data included is substantially the same as the NREL form. The offeror’s price/cost and delivery terms must be valid for 90 days from the date of the offer. The price/cost proposal should include support documentation for all categories of the proposed price/cost. The price/cost proposal should separate price/cost for lower-tier subcontract(s) and include support documentation for all categories of the proposed lower-tier subcontract(s) price/cost.
- e. A completed **Payment Schedule** broken down in the following categories:
 1. Project Definition Assistance
 2. Project Analysis/Validation
 3. RFP Package Preparation Support
 4. Competition Assistance
 5. Project Implementation Assistance
 6. Design Assistance
 7. Construction Assistance
 8. Commissioning Assistance

Payment Schedule should identify deliverables under each category above and the payment value for each deliverable.

- f. A completed “**Representations and Certifications**” form in an original and one (1) copy. (Attachment 3).
- g. EITHER the “**Organizational Conflicts of Interest Representation Statement**” OR the “**Organizational Conflicts of Interest Disclosure Statement**” (Attachment 4), as applicable.
- h. A cover letter including a **summary statement** indicating acceptance of the proposed Statement of Work or any change with the reason(s). (Attachment 1).
- i. A cover letter including a **summary of deviations/exceptions** (if any) to the subcontract schedule (Attachment 5) and the standard terms and conditions and/or the intellectual property terms and conditions in the appendices. The offeror will explain any exceptions (including deviations and conditional assumptions) taken with respect to the subcontract schedule and terms and conditions. Any exceptions must contain sufficient amplification and justification to permit evaluation. Such exceptions will not, of themselves, automatically cause an offer to be termed unacceptable. A large number of exceptions or one or more significant exceptions not providing any obvious benefit to the Department of Energy or NREL may, however, result in rejection of such offer as unacceptable.
- j. This solicitation does not allow the submittal of facsimile or electronic proposals.
- k. This solicitation does not commit NREL to pay costs incurred in the preparation and submission of a proposal in response to this RFP.

11. 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.”

c. [Reserved]

d. Disclaimer

NEITHER THE UNITED STATES; NOR THE DEPARTMENT OF ENERGY; NOR MIDWEST RESEARCH INSTITUTE, NATIONAL RENEWABLE ENERGY LABORATORY DIVISION; 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.

e. 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 Marty Noland, Advocate for Commercial Practices, at (303) 384-7550. NREL will address each concern received from an offeror on an individual basis.

f. (Lower-Tier) Small Business Subcontracting Plan (derived from FAR 52.219-9)

The following requirement does not apply to small business offerors.

Proposals submitted in response to this solicitation shall include a lower-tier subcontracting plan that separately addresses lower-tier subcontracting with small business, small disadvantaged business, and women-owned small business concerns. If the offeror is submitting an individual subcontract plan, the plan must separately address lower-tier subcontracting with small business, small disadvantaged business, and women-owned small business concerns, with a separate part for the basic subcontract and separate parts for each option (if any). The plan shall be included in and made a part of the resultant subcontract. The lower-tier subcontracting plan shall be negotiated within the time specified by the NREL Subcontract Administrator. Failure to submit and negotiate a lower-tier subcontracting plan shall make the offeror ineligible for award of a subcontract. (See Section 12).

12. 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 or the NREL RFP Contact (see item 2) will make full text available upon request.

- NREL Standard Terms and Conditions:
 - Appendix B-3 (10/1/03)
 - Appendix B-3 Addendum (10/1/07)
 - Note: Appendix B-3 and Appendix B-3 Addendum are currently under review. It is anticipated that a revised version of each will be posted on the above link prior to 10/15/08.

- NREL Intellectual Property Provisions:
 - Appendix C-3 (10/22/98)

- NREL Terms and Conditions for Subcontracts in excess of \$500,000.00
 - Appendix D-1 (11/1/03)

- NREL Representations and Certifications for Subcontracts (5/10/07)

- NREL Price/Cost Proposal Form and Instructions
- NREL Organizational Conflicts of Interest Forms (9/19/05)
- NREL Small Business (Lower-tier) Subcontracting Plan Requirements (2/16/07)

13. NAICS Code and Small Business Size Standard

The North American Industry Classification System (NAICS) for this solicitation is 541990, All Other Professional, Scientific and Technical Services, \$6.5 million/year.