

III. Proposal Requirements

A. General Requirements

Offerors are required to submit one (1) electronic copy of the Proposal. The Offeror's Proposal shall address the below areas, not exceeding the stated page limitations. The Proposal shall be limited to a page size of 8 ½" x 11", single space and type size shall not be less than ten (10) point font for each response item. Note: for page-counting purposes, a page equals a one-sided sheet. If a page limit is not noted within the section below there is no page limit.

Offerors are responsible for having their Proposal received in the Platform prior to the Proposal Due Date. Failure to comply with this or other requirements of this RFP may be grounds for APS to reject such Proposals as nonresponsive.

Proposals must be submitted electronically through the Platform. Hard copy Proposals will be deemed nonresponsive and will not be accepted. The Platform can be accessed through the link found on the Current Solicitations webpage under the Procurement Office website. Found under the Due Date column for RFP 03FY21 of the Current Solicitations table is a link for Offerors to submit a Proposal. ("Link to submit Proposal – RFP 03FY21"). Nothing herein is intended to exclude any responsible Offeror or in any way restrain or restrict competition. All responsible Offerors are encouraged to submit Proposals.

Proposals shall be submitted with the required information in the order listed below. Additional instructions are in the Instructions to Offerors (Section III) of this solicitation.

Offerors may include in their Proposal any exceptions to proposed contractual terms and conditions required by statute, regulation, or ordinance. Any other modification of or additions to any portion or terms of the RFP by the Offeror may be cause for rejection of the Proposal; however, APS reserves the right to decide, on a case by case basis, in its sole discretion, whether or not to reject such a Proposal as nonresponsive. Other exceptions to proposed contractual terms and conditions may be submitted only after APS notifies the Offerors of the rankings for Negotiations Stage, and shall be submitted within five (5) business days after such notification.

Mandatory provisions of this RFP are indicated by the inclusion of the words "shall" or "must" to identify the Offeror's obligations. Failure to comply with these requirements or with any other requirements stated as mandatory either in this RFP or in the Instructions to Offerors shall result in rejection of the Offeror's Proposal as not responsive, except to the extent the failure or omission either is not a mandatory statutory requirement or does not affect price, quantity, quality or time.

APS proposed Contract Documents and this RFP contain terms and conditions APS intends to use for the resultant Contract. Any Offeror awarded a Contract shall be required to execute a Contract in substantial compliance with the APS standard Contract and will be required to furnish all other required documents and information, including but not limited to tax identification or Social Security number within fifteen days after receipt of notice of intent to award or notice of award; otherwise, APS may award the Contract to another Offeror.

An Offeror may request in writing to withdraw its Proposal at any time. In the event an Offeror discovers an error in their Proposal and desires to make a correction after the Proposal Due Date, the Offeror shall submit in writing the requested correction, along with a written explanation and justification for the change, no later than one (1) business day following the Proposal Due Date. If APS is satisfied that the identified error was the result of a clerical or mathematical error, APS may permit the correction. APS shall issue its written decision to the requesting Offeror within three (3) business days of receipt of the correction request. If the request is approved, the Proposal shall be deemed modified by incorporation of the correction requested. If the requested correction is denied, the Proposal shall be considered as originally submitted. APS may request additional information or clarifications from an Offeror at any time after the review process has begun.

B. Unnecessarily Elaborate Responses

Unnecessarily elaborate brochures or other presentations beyond those sufficient to present a complete and

effective response to this RFP are not desired and may be construed as an indication of the Offeror's lack of cost consciousness.

C. Use of Information and Documents

APS and its officials, employees and agents will copy and use the response of the Offeror and documents included with the response, for various purposes related to analysis, evaluation, and decision to award a contract. Proposals shall be the property of APS. Following award APS may be required to allow inspection and copying of documents and may also use the Offeror's documents in connection with any resulting contracts with that Offeror. The Offeror is responsible for obtaining any necessary authorizations for all such use of the documents and information, and for assuring that such copying and use is in conformance with laws related to trademarks and copyrights. Any documents or information for which the Offeror has not obtained such authorization, or for which such copying and use is not authorized, shall not be submitted. The undersigned Offeror agrees to indemnify and hold APS, its officials, employees and agents harmless from any claims of any nature, including claims arising from trademark or copyright laws, related to use of information and documents submitted with the Offeror's response.

D. Submission of Proprietary Information

Trade secrets or proprietary information submitted by an Offeror in connection with this procurement transaction shall not be subject to public disclosure under the Virginia Freedom of Information Act to the extent provided by the Virginia Freedom of Information Act or by the Virginia Public Procurement Act; however, the Offeror must invoke these protections upon submission of the data or the materials, and must identify the data or other materials to be protected and state the reason why protection is necessary. [Virginia Code Section 2.2-4342(F)]. **Offerors shall submit, under Tab 5 of the Proposal, any data or materials it considers to be a trade secret or proprietary information or falls within the exceptions to the VFOIA and shall state the reason why protection is necessary. Offerors may not declare the entire Proposal proprietary nor may they declare proposed pricing to be proprietary.** References may be made within the body of the Proposal to proprietary or trade secret information; however, all information contained within the body of the Proposal not in the separate section labeled proprietary shall be public information. It is the Offeror's sole responsibility to defend such exemptions if challenged in a court of competent jurisdiction.

E. Format and Content

The Proposal shall address the items included in the Section IV, Scope of Services and in the Section VII, Criteria for Proposal Evaluation. Proposals should provide straightforward and concise responses to requests for information and descriptions of qualifications and capabilities. Each Tab of the Proposal is to be uploaded into the Platform as a separate document, with the title of the Tab so provided. Failure to do so will result in a lowered evaluation. Incomplete Proposals shall be determined non-responsive.

Offerors should organize their Proposals using the following tabular format:

Tab 1: Administrative

- A fully executed Request for Proposals Title Pages 1 - 5 of this RFP should be included as the first five pages of your Proposal. The name stated on the Title Sheet on page 5 must be the full legal names of the Offeror and the address must be that of the office which will have the responsibility for the services provided. The following forms should be completed and provided in this section:
 - The Contractor Certification Regarding Criminal Convictions at Appendix A
 - The Conflict of Interest Statement at Appendix B
 - The Insurance Checklist at Appendix C
 - The Non-Disclosure and Data Security Agreement at Appendix F

Tab 2: Disciplines and Specialized Services

Complete the Consultancy Specialty Form (included in Appendix G) by designating which Specialized Service(s) the Proposal includes and provide a list of the disciplines.

Tab 3: Standard Form SF330 (REV 8/2016)

May be downloaded from:
<https://www.gsa.gov/Forms/TrackForm/32994>

Complete Part 1 and Part 2 of the SF330 form using the instructions included on the form and as expanded below. If an Offeror intends to include in its Proposal more than one Specialized Service, and indicates such by selecting more than one Specialized Service on the Consultant Specialty Form, the Offeror may elect to provide a single SF330 provided that the completed form adequately demonstrates that the Offeror has the qualifications to provide all of the Specialized Services it has selected.

Part I – Contract Specific Qualifications

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| Section A | Contact Information |
| Section B | Architect-Engineer Point of Contact |
| Section C | Proposed Team (not applicable, do not complete – subconsultant team members required for completion of a Task Work Order will be evaluated on a case-by-case basis during the negotiations phase of a Task Work Order) |
| Section D | Organizational Chart of Proposed Team (not applicable, do not complete – see comments under Section C) |
| Section E | Resumes of Key Personnel Proposed For This Contract |
| Section F | Example Projects Which Best Illustrate Proposed Team’s Qualifications for This Contract (Include a minimum of three and maximum of ten projects. Offerors are encouraged to provide relevant experience on comparable Term Contracts. Experience on comparable Term Contract shall be provide as a single project with individual Task Work Orders performed during the Term Contract described in Part 24.) |
| Section G | Key Personnel Proposed for this Contract’s Participation in Example Projects |
| Section H | Additional Information- (provide a short description of the methodology typically applied to services on a project in the Specialized Services for which the Offeror wishes to be considered) |

Part II – General Qualifications

Tab 4 Other Information

Include other relevant information the Offeror deems necessary to describe its qualifications to provide the services needed to successfully complete work described in the Scope of Work or which the Offeror deems are relevant to its selection.

Offerors should provide excerpts or samples of reports, studies, or design materials that are representative of work likely to be performed under any resulting Contract. Work product submitted may include feasibility studies, life cycle cost analyses, ADA reports, sustainability studies, engineering studies, design plans for smaller projects and other related materials. Offerors can also include letters of reference from past or current clients.

Tab 5: Trade Secrets or Proprietary Information

- Offerors are to provide information on the data or other materials sought to be protected and state the reasons why protection is necessary or falls within the exceptions of the Virginia Freedom of Information Act. It is the Offeror's sole responsibility to defend such exemptions if challenged in a court of competent jurisdiction.

- The Offeror shall provide ~~documentation, which in the sole opinion of APS, demonstrates the Offeror is in good financial standing—an audited income statement and balance sheet from the most recent annual reporting period.~~ This financial information shall be deemed proprietary without the necessity of designation as such.

NOTE: If, in the sole opinion of APS, the Offeror's last audited financial statement does not demonstrate the Offeror's ability to generate sufficient income to meet its operating expenses and financial obligations, APS will reject the Offeror's Proposal and not consider it for Contract award