

**Western Governors' Association**

**REQUEST FOR PROPOSAL**

**Facilitation of WGA Siting Task Force**

November 9, 2012

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## INVITATION TO BID

DATE: November 9, 2012  
BID NO: 30-231-100  
DIRECT INQUIRIES TO: Linda Davis, Program Director  
EMAIL: [ldavis@westgov.org](mailto:ldavis@westgov.org)

RETURN BID TO: Linda Davis  
Email: [ldavis@westgov.org](mailto:ldavis@westgov.org)  
Subject Line: "WGA Facilitator RFP Submission"

DATE BID DUE: Up until Friday, December 14, 2012, 2:00 pm Mountain Standard Time (MST), bids properly marked as "WGA Facilitator RFP Submission", subject to the conditions herein stipulated and in accordance with the specifications set forth and/or attached hereto, will be accepted at the email address listed above. All bids shall be quoted F.O.B. destination, unless otherwise specified, to the delivery location or jobsite listed herein.

### COMPETITIVE PROPOSAL FOR:

### Facilitation of WGA Siting Task Force

Prices shall be quoted F.O.B. destination and include delivery to the Western Governors' Association. See attached pages for terms and conditions and proposal requirements.

**IMPORTANT:** Bidders should read the entire document before submitting bid.

X \_\_\_\_\_  
ELECTRONIC SIGNATURE

BIDDER NAME AND ADDRESS

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

☐ I certify that the above electronic signature is legally binding.

NAME OF OFFICER OR AGENT OF BIDDER: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
DATE: \_\_\_\_\_  
PHONE # \_\_\_\_\_

The above bid is subject to Terms and Conditions on attached sheets.

**BIDDER COST SUBMITTAL**

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BIDDER'S NAME

---

BIDDER'S ADDRESS STREET AND NUMBER

---

CITY

STATE

ZIP CODE

---

NAME OF AUTHORIZED OFFICIAL

---

OFFICIAL TITLE

---

ELECTRONIC SIGNATURE OF AUTHORIZED OFFICIAL

---

TELEPHONE NUMBER

---

E-MAIL ADDRESS

☐ I certify that the above electronic signature is legally binding.

TOTAL COST

\_\_\_\_\_

## ADMINISTRATIVE INFORMATION, TERMS & CONDITIONS

- A. **ISSUING OFFICE:** This Request For Proposal (RFP) is issued by the Western Governors' Association (WGA). The WGA is the sole point of contact on this RFP.
- B. **INVITATION TO SUBMIT PROPOSALS:** The WGA is hereby contacting prospective bidders who have an interest or are known to do business relevant to this RFP. All interested bidders who were not contacted are invited to submit a proposal in accordance with the rules, procedures and dates set forth herein. The successful bidder may be an individual company, entity, or institution, or may be composed of a team of companies, entities, and/or institutions to handle the development and routine operation portions of this project. **Bidder's intent on submitting a proposal should notify Linda Davis at [ldavis@westgov.org](mailto:ldavis@westgov.org) to be added to a bidder's list and informed of any addendums.**
- C. **PURPOSE:** This RFP provides prospective bidders with sufficient information to enable them to prepare and submit proposals for consideration by the WGA to satisfy the need for expert assistance in the completion of the goals of this RFP.
- D. **SCOPE:** This RFP contains the instructions governing the proposal to be submitted and the material to be included therein, including mandatory requirements which must be met to be eligible for consideration.
- E. **SCHEDULE OF ACTIVITIES:**
- |    |  |                               |
|----|--|-------------------------------|
| 1. | RFP Published.....   | 11/9/2012                     |
| 2. | Pre-Proposal Conference Call.....  | 11/27/2012<br>(9:00 a.m. MST) |
| 3. | Prospective Bidders' Written Inquiry Deadline.....   | 11/29/2012                    |
| 4. | Proposal Submission Deadline<br>1 electronic pdf copy.....                                     | 12/14/2012<br>(2:00 p.m. MST) |
| 5. | Review Committee Meeting to discuss evaluation<br>criteria and conduct preliminary review..... | 12/17/2012                    |
| 6. | Review Committee Bid Evaluation Meeting.....   | 1/4/2013                      |
| 7. | Bidder Interviews (option of the WGA).....   | 1/7/2013                      |
| 8. | Proposal Selection .....   | 1/8/2013                      |
| 9. | Contract Execution (estimated).....  | 1/15/2013                     |
- F. **INQUIRIES:** Unless otherwise noted, prospective bidders may make written inquiries concerning this RFP to obtain clarification of the requirements. No inquiries will be accepted after the date/time indicated in the Schedule of Activities. Send all inquiries via email to:

Linda Davis, Program Director  
Email: [ldavis@westgov.org](mailto:ldavis@westgov.org)

Responses to inquiries will be made in writing in a timely manner and to all prospective bidders. Any oral interpretations of clarifications to this RFP shall not be relied upon. All changes to this RFP must be in writing to be valid.

- G. **PROPOSAL SUBMISSION:** Proposals must be received on or before the date and time indicated in the Schedule of Activities. Late proposals will not be accepted. It is the responsibility of the bidder to ensure that the proposal is received by the WGA no later than 2:00 p.m. MST on Friday, December 14, 2012. The electronic (pdf) proposal package shall be emailed to:

Linda Davis, Program Director  
Email: [ldavis@westgov.org](mailto:ldavis@westgov.org)  
Subject Line: "WGA Facilitator RFP Submission"

The WGA Invitation for Bid form must be electronically signed by the bidder or an officer of the bidder legally authorized to bind the bidder to the proposal. The signee must check the box on the form stating "I certify that the above electronic signature is legally binding." Proposals that are determined to be at variance with RFP requirements may not be accepted. The WGA will so notify the affected bidder in writing of the rejection and the reason for the rejection.

Telephone, telegraph, hardcopy or fax proposals will NOT be accepted in lieu of the electronic submission. Late proposals will not be eligible for consideration. Bidders must submit their signed cost proposal, rounded to the nearest dollar, on the proposal form that accompanies this RFP. Again, the signee must check the box on this form stating "I certify that the above electronic signature is legally binding."

- H. **ADDENDUM OR SUPPLEMENT TO REQUEST FOR PROPOSAL:** In the event that it becomes necessary for the WGA to revise any part of this RFP, an addendum will be provided to each bidder who received the original RFP. It is the responsibility of bidders, prior to the bid date, to enquire as to addenda issued and ensure their bid reflects any and all changes. The WGA will maintain a register of holders of this RFP. Any party receiving this RFP other than from the WGA should inform the WGA of its interest in order to ensure receipt of any addenda.
- I. **MODIFICATION OR WITHDRAWAL OF PROPOSALS:** Proposals may be modified or withdrawn by the bidder prior to the established due date and time.
- J. **ACCEPTANCE OF RFP TERMS:** A proposal submitted in response to this RFP shall constitute a binding offer. Acknowledgment of this condition shall be indicated by the signature of the bidder or an officer of the bidder legally authorized to execute contractual obligations. A submission in response to this RFP acknowledges acceptance by the bidder of all terms and conditions, including compensation, as set forth herein. Any bidder shall identify clearly and thoroughly any variations between its proposal and this RFP. Failure to do so shall be deemed a waiver of any rights to subsequently modify the terms of performance.
- K. **PROTESTED SOLICITATIONS AND AWARDS:** Any actual or prospective bidder or contractor who is aggrieved in connection with the solicitation or award of a contract may

protest to the Executive Director of the WGA. The protest must be submitted in writing within seven working days after such aggrieved person knows or should have known.

- L. COST DATA/BUDGET: Proposals must include Cost/Data/Budget providing factual information concerning the cost of labor, material, travel, overhead and other cost elements expected to be incurred.
- M. CONFIDENTIAL/PROPRIETARY INFORMATION: Any restrictions on the use or inspection of material contained within the proposal shall be clearly stated in the proposal itself. Written requests for confidentiality shall be submitted by the bidder with the proposal. The bidder must state specifically what elements of the proposal are to be considered confidential or proprietary. Confidential and proprietary information must be readily identified, marked and separated/packaged from the rest of the proposal. Co-mingling of confidential or proprietary information and other information is not acceptable. The WGA will make a written determination as to the apparent validity of any request for confidentiality and send it to the bidder. Neither a proposal in its entirety nor proposal price information will be considered confidential or proprietary. Any information that will be included in any resulting contract cannot be considered proprietary.
- N. RFP RESPONSE MATERIAL OWNERSHIP: All material submitted regarding this RFP becomes property of the WGA. Proposals may be reviewed by any person after the Notice of Intent to Award letter has been issued. The WGA reserves the right to use any and all information and material presented in reply to the RFP, subject to the limitations outlined, Confidential/Proprietary Information. Disqualification of a bidder does not eliminate this right.
- O. PROPOSAL PRICES: Estimated proposal prices are not acceptable. Best and final offers cannot be considered in determining the apparent successful bidder. All work toward a deliverable task will be billed on a time-and-materials basis subject to a not-to-be-exceeded budget for each deliverable task or contract. All work will be performed consistent with the schedule specified in the contract.
- P. REJECTION OF PROPOSALS: The WGA reserves the right to reject any and all proposals and to waive informalities and minor irregularities in proposals received and to accept any portion of a proposal or all items proposed if deemed in the best interest of the WGA.
- Q. SELECTION OF PROPOSAL: All bidders will be notified in writing regarding the results of the RFP evaluation. Upon review and approval of the evaluation committee's recommendation for award, the WGA will issue a Notice of Intent to Make Award letter to the apparent, successful bidder.
- R. BIDDER INTERVIEWS: Bidders who are deemed most qualified after initial evaluation may be asked to interview with the selection committee.
- S. ACCEPTANCE OF PROPOSAL CONTENT: The contents of the proposal of the successful bidder, including persons specified to implement the project, will become contractual obligations if acquisition action ensues. Failure of the successful bidder to accept these

obligations in a contract may result in cancellation of the award, and such bidder may be removed from future solicitations.

- T. AWARD OF CONTRACT: The award will be made to that bidder whose proposal, conforming to the RFP, will be the most advantageous to the WGA, price and other factors considered. A contract must be completed and signed by all parties concerned on or before the date indicated in the Schedule of Activities. If this date is not met through no fault of the WGA, the WGA may elect to cancel the Notice of Intent to Make Award letter and make the award to the next most responsive bidder.
- U. STANDARD CONTRACT: The WGA reserves the right to incorporate standard WGA contract provisions into any contract resulting from this RFP.
- V. INDEPENDENT CONTRACTOR: The bidder shall perform its duties herein as an independent contractor and not as an employee. Neither the bidder nor any agent or employee of the bidder shall be, or shall be deemed to be, an employee or agent of the WGA. The bidder shall pay when due all required employment taxes and income taxes and income tax withholding, shall provide and keep in force workers compensation (and show proof of such insurance) and employment compensation insurance in the amounts required by law, and shall be solely responsible for the acts of the bidder, its employees, and its agents.
- W. SUBCONTRACTING: If the proposal includes services supplied by other contractors, it will be mandatory for the successful bidder to identify them and to assume responsibility for their performance. The bidder's use of subcontractors shall not diminish the bidder's obligations to complete the work in accordance with the contract. Each bidder shall control, coordinate, and be responsible for the work of subcontractors. The bidder shall be responsible for informing all subcontractors of all terms, conditions, and requirements of the contract. The WGA reserves the right to approve all subcontractors prior to their assumption of duties on behalf of the bidder. The bidder shall forward to the WGA a listing of each designated subcontractor that indicates their purpose or area of participation. No changes to the staffing of the prime or any subcontractors shall be made without prior written approval by WGA.
- X. CONTRACT GENERAL TERMS: Specifications are provided to identify product/service required and to establish an acceptable quality level. Bids on products of equal quality and usability will normally be considered unless otherwise stated. The Western Governors' Association (WGA) will be the sole judge in determining "equals" in regard to quality, price and performance. Samples of product(s), when required, must be furnished free of expense to the WGA, and may upon request at the time the sample is furnished, be returned at bidder's expense. Failure to furnish brochures, specifications, and/or samples as requested may be sufficient cause for rejection of bids. A bidder's response to this RFP shall be considered as the bidder's formal offer. The WGA reserves the right to negotiate additional contract terms within the scope of the RFP. The signing of the contract by the WGA shall constitute the WGA's written acceptance of the successful proposal.
- Y. RFP CANCELLATION: The WGA reserves the right to cancel this Request for Proposal at any time without penalty.



- Z. WGA OWNERSHIP OF CONTRACT PRODUCTS/SERVICES: Proposals, upon established opening time, become the sole property of the WGA. All products/services produced in response to the contract resulting from this RFP will become the sole property of the WGA. The contents of the successful bidder's proposal will become contractual obligations. The project data deliverables will not be distributed, copied, or shared without the prior written approval of the WGA.
- AA. WARRANTY PROVISION: If warranted, the successful bidder will provide a warranty provision for the products/services resulting from this contract, for the life of the contract, starting from the date that the project deliverables are fully operational.
- BB. PATENT AND COPYRIGHT INFRINGEMENT: The bidder shall defend, protect, and save harmless the WGA, its officers, agents, and employees against all suits at law or in equity and from all damages, claims or demands for actual or alleged infringement of any patent or copyright by reason of the contractor's use of any equipment or supplies in connection with the contract.
- CC. RENEWAL OR UPGRADE FEES: Products/services resulting from this contract will not be subject to separate renewal or upgrade fees during the life of the contract. Licenses for proprietary software and other products included as part of the package of products/services resulting from this contract will not be subject to separate renewal or upgrade fees.
- DD. INCURRING COSTS: The WGA is not responsible for any cost incurred by bidders prior to the issuance of a legally executed contract or procurement document. No proprietary interest of any nature shall occur until a contract is awarded and signed by all concerned parties.
- EE. MINORITY PARTICIPATION: It is the WGA's goal to achieve maximum participation of minorities in the procurement process. Accordingly, minority enterprises are to be utilized whenever possible. By the submission of a proposal, the bidder shall agree to utilize the maximum amount of minority business firms that the bidder finds to be consistent with the efficient performance of any resulting contract.
- FF. NON-DISCRIMINATION: The bidder shall comply with all applicable state and federal laws, rules, and regulations involving non-discrimination on the basis of race, color, religion, national origin, age, or sex. The bidder also shall comply with all applicable state and federal laws, rules, and regulations involving unfair labor practices.
- GG. AMERICANS WITH DISABILITIES ACT (ADA) REQUIREMENTS: Bidder assures that, at all times during the performance of this contract, no qualified individual with a disability shall, by reason of that disability, be excluded from participation in, or be denied benefits of services, programs or activities performed by the bidder or be subject to any discrimination by the bidder.
- HH. PARENT COMPANY: If a bidder is owned or controlled by a parent company, the name, main office address, and parent company's tax identification number shall be provided in the proposal.

- II. CONFLICT OF INTEREST: The bidder must affirm in writing that he/she currently has no interest and shall not acquire any interest, direct or indirect, which would pose a conflict of interest in any manner or degree with the performance of services required by this RFP for the life of the contract.
- JJ. NEWS RELEASES: News releases pertaining to this RFP shall not be made prior to execution of the contract without prior written approval of the WGA.
- KK: CONTRACT CANCELLATION: The WGA reserves the right to cancel, for cause, any contract resulting from this RFP by timely written notice to the contractor.
- LL. CERTIFICATION OF INDEPENDENT PRICE DETERMINATION:
1. By submission of this proposal, each bidder certifies, and in the case of a joint proposal each party thereto certifies, as to its own organization, that in conjunction with this procurement:
    - (a) The prices in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
    - (b) Unless otherwise required by law, the prices which have been quoted in this proposal have not been knowingly disclosed by the bidder prior to opening, directly or indirectly to any other bidder or to any competitor; and,
    - (c) No attempt has been made or will be made by the bidder to induce any other person or firm to submit or not submit a proposal for the purpose of restricting competition.
  2. Each person signing the Invitation for Bid form of this proposal certifies that:
    - (a) He is the person in the bidder's organization responsible within that organization for the decision as to prices being offered herein and that he has not participated, and will not participate in any action contrary to 1(a) through 1(c) above; or
    - (b) He is not the person in the bidder's organization responsible within that organization for the decision as to the prices being offered herein but that he has been authorized in writing to act as agent for the persons responsible for such decision in certifying that such persons have not participated, and will not participate in any action contrary to 1(a) through 1(c) above; and as their agent does hereby so certify; and he has not participated, and will not participate, in any action contrary to 1(a) through 1(c) above.
  3. A proposal will not be considered for award where 1(a), 1(c), or (2) above has been deleted or modified. Where 1(b) above has been deleted or modified, the proposal will not be considered for award unless the bidder furnishes with the proposal a signed statement which sets forth in detail the circumstances of the disclosure and the head of the agency, or his designees, determines that such disclosure was not made for the purpose of restricting competition.

- MM. TAXES: The WGA, as a purchaser designated as an instrumentality of the states, is exempt from all federal taxes and from all state and local government use taxes. Seller is hereby notified that when materials are purchased in certain political subdivisions, the seller may be required to pay sales tax even though the ultimate product or service is provided to the WGA. This sales tax will not be reimbursed by the WGA.
- NN. ASSIGNMENT: Except for assignment of antitrust claims, neither party to any resulting contract may assign any portion of the agreement without the prior written consent of the other party.
- OO. AVAILABILITY OF FUNDS: Financial obligations of the WGA payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available. In the event funds are not appropriated, any resulting contract will become null and void, without penalty to the WGA.
- PP. INDEMNIFICATION: To the extent authorized by law, the contractor shall indemnify, save and hold harmless the WGA, its employees, and agents, against any and all claims, damages, liability, and court awards including costs, expenses, and attorney fees incurred as a result of any act or omission by the contractor or its employees, agents, subcontractors, or assignees pursuant to the terms of the contract resulting from this RFP.
- QQ. VENUE: The laws of the State of Colorado, U.S.A. shall govern in connection with the formation, performance and the legal enforcement of any resulting contract.
- RR. American Recovery & Reinvestment Act (ARRA)REPORTING: Funds for this work originate out of the American Recovery & Reinvestment Act. The bidder agrees to comply with all relevant ARRA reporting requirements.

## STATEMENT OF WORK AND PROPOSAL REQUIREMENTS

### PROJECT BACKGROUND:

In the fall of 2012, the Western Governors' Association launched a Task Force to improve the process for siting transmission line projects. Current siting challenges include issues such as property right issues and differing/overlapping, local, state, tribal, and federal laws regulating such projects. The Task Force includes approximately 30 members from state regulatory agencies, utilities, transmission developers, and members of non-governmental organizations. The group works in coordination with federal siting agencies. Its work will focus on developing improved tools for transmission siting, streamlining and coordinating the regulatory process through lobbying by the diverse Task Force, and developing workshops to assist in educating communities and decision-makers. This effort is funded under the American Reinvestment and Recovery Act (ARRA) via the US Department of Energy's cooperative agreement DE-OE-0000422. The awarded contractor will be expected to follow all reporting requirements associated with ARRA.

### DESCRIPTION OF SERVICES REQUESTED

WGA is soliciting a facilitator or facilitation team to assist with organizational support to the Task Force. It is anticipated that the full Task Force will meet 3 times a year with approximately 15 conference calls and/or webinars occurring annually between workgroups of the Task Force.

### SPECIFIC TASKS

- 1) **Review Project Background Materials.** Contractor shall review the current materials related to this project as provided by WGA. For budgeting purposes, assume that the reading materials will total approximately 100 pages. The Contractor will work with the Technical Consultant to organize and present documents to the Task Force.
- 2) **Meeting Design and Preparation.** The contractor will team with WGA and a technical contractor to develop meeting agendas and approaches that are responsive to the requests of the Task Force. The contractor will work with the Technical Consultant to develop background materials throughout the course of this endeavor. The Facilitator will work with the Technical Consultant to evaluate action items and suggest next steps. It is anticipated that meeting preparation will take approximately 20 hours per meeting and 10 hours per webinar. Please note that WGA will arrange and cover expenses for meeting rooms and copying of meeting materials, preparation of nametags and tent cards, etc.
- 3) **Meeting Facilitation.** The contractor will facilitate Task Force meetings, work group meetings, conference calls, and webinars, as requested. For budgeting purposes, estimate that the three Task Force meetings will last 1.5 days and the 15 webinars/conference calls will last 2 hours each. Assume that the meetings will occur in Denver, Salt Lake City, and Phoenix. For purposes of budgeting, assume that WGA will cover the external costs for webinars and conference calls.
- 4) **Document Development.** The contractor will draft meeting summaries and develop a

mechanism for tracking next steps.

- 5) **Implementation of Consensus Recommendations.** The contractor will assist the group in organizing an consensus documents that may be approved by the Western Governors, as well as working with coordinating agencies at the federal, local, tribal and state level. For budgeting purposes, assume that the contractor will assist in organizing and preparing materials for these events, but will not travel to the events
- 6) **Collaboration Tools** - The contractor will suggest and facilitate development of web-based, in-person, and other tools to improve collaboration of ideas and process management.

## **BUDGET**

The WGA is expecting project costs to not exceed \$75,000, inclusive. This amount represents WGA's currently available funding for this project. Bidders may suggest strategies for leveraging this amount to secure additional funding for the effort in partnership with WGA. Bidders suggesting such strategies should include specific details in their proposal.

The bidder's price quote should include a breakdown for each of the tasks listed in the Statement of Work. Labor costs (hours and rates), travel and other direct costs should be provided in tabular format for each task, accompanied by a supporting narrative explanation of the level of effort required for completion.

## **PROPOSAL**

Any response to the RFP must provide the following information as it relates to the Statement of Work:

- A. The bidder shall address its understanding of the work, including creativity and thoroughness shown in understanding the objectives of the Statement of Work and specific tasks, and planned execution of the project. The bidder's solution must demonstrate a thorough understanding and proven expertise and experience performing similar activities.
- B. The bidder shall address the qualifications of personnel who would be assigned to the project. Partnerships and other teaming are acceptable as a means to develop an appropriate blend of resources for this project.
- C. The bidder shall provide a description of the experience and capability for each of the key personnel on proposed project team. Descriptions shall address such items as the individual's background, education, work experience, and accomplishments. Resumes are limited to one page each.
- D. The bidder shall provide a short description of past performance that demonstrates relevant contracts performed by the bidder's organization within the last three years.
- E. Demonstrated experience and expertise designing and facilitating complex multi-party policy dialogues and forums, particularly those related to transmission siting and the nexus between local, state, and federal policy.

- F. Demonstrated leadership at driving a diverse group from the public and private sectors to consensus without the benefit of current legislation or other external incentives creating a deadline.
- G. Located in the Western US, with a preference for the Denver regional area where WGA is located.
- H. Availability to begin the project immediately upon award of the contract. Ability and willingness to make this project a priority commitment from January 2013 to December 2013.

Proposal narratives should address the subjects identified above and should not exceed 15 single-sided pages in length (minimum 12 point font), exclusive of key staff resumes and budgets and accompanying budget explanation. Any narrative documentation exceeding the 15-page limit will not be evaluated. Complete proposal packages should be submitted electronically by email in a single PDF format file.

### **Amendments to the RFP**

The WGA reserves the right to issue amendments in the form of addenda to this RFP prior to the date for proposal submissions. All persons known by the WGA to have received the RFP will be sent any and all amendments. Failure to acknowledge receipt of the amendments in accordance with the instructions contained in the addenda may result in proposals being rejected. The WGA will allow a reasonable time for the acknowledgment of receipt following issuance of the amendments.

### **Submission of Proposal**

All proposals must be received via email to Linda Davis, Program Director, [ldavis@westgov.org](mailto:ldavis@westgov.org), on or before 2:00 p.m. MST on Friday, December 14, 2012. Acknowledgment of the bidders' submission will occur on December 17, 2012 or as soon as possible thereafter.

Bids should be formatted as a single pdf document and should be emailed with the subject line: "WGA Facilitator RFP Submission."

Telephone, telegraph, hardcopy or fax proposals will NOT be accepted in lieu of the electronic submission. Late proposals will not be eligible for consideration. Bidders must submit their signed cost proposal, rounded to the nearest dollar, on the proposal form that accompanies this RFP.

### **Modification of Proposal**

Proposal modification by amendment will be accepted on conditions that:

- 1) The amendment arrives before the deadline for proposal submittal;
- 2) The amendment is received electronically from the bidder; and
- 3) The proposal, as amended, conforms in all aspects to the requirements in this RFP.

### **Withdrawal of Proposal/Mistakes in Bid**

Proposals may be modified or withdrawn by the bidder prior to the established due date and time.

### **Disqualification of Bidders**

The WGA reserves the right to reject any and all proposals in writing, before or after the opening, for evidence of conditions including but not limited to collusion with intent to defraud or other illegal practices on the part of the bidder.

### **Non-Conformance**

Any proposal that does not conform to all of the requirements of the RFP may be rejected. The WGA will so notify the affected bidder in writing of the rejection and the reason for the rejection.

### **Statement of Financial Condition**

The bidder shall provide a statement regarding its financial viability. Any submission is subject to review by the WGA and acceptance or rejection is at the discretion of the WGA.

The WGA reserves the right to ask for additional information concerning financial responsibility. If a bidder unreasonably fails to provide such information, the WGA may find the bidder to be non-responsive.

### **Pre-Proposal Conference Call/Questions and Answers**

A Pre-Proposal Conference Call will be held at 9:00 a.m. Mountain Time on Tuesday, November 27, 2012. The call in number is 800-704-9804; Meeting ID: 525166#. The purpose of this call is for prospective bidders to ask questions of WGA on specific items in this RFP.

The WGA will accept written questions on specific items in this RFP via email to Linda Davis, Program Director, [ldavis@westgov.org](mailto:ldavis@westgov.org), through the close of business Thursday, November 29, 2012. The WGA will provide written answers to all written questions as expeditiously as possible to all persons and entities known by the WGA to have received this RFP. Responses to questions will become a part of the RFP.

Any corrections or necessary revisions that are identified will result in a formal amendment to this RFP, which will be provided to all persons and entities known to have received this RFP.

### **Evaluation of Proposals**

An evaluation committee will be established to evaluate all proposals in accordance with the evaluation factors stated in this RFP. After the initial review of the proposals by the evaluation committee, the bidders may be asked to make a live web-based presentation in support of their proposals (not to exceed one hour in length). These presentations would be conducted on January 7, 2013. Upon final consideration, the evaluation team will make a recommendation to the WGA Siting Task Force and WGA Executive Director, who will make the final decision.

The evaluation committee is responsible for developing a final ranking of each proposal and recommending that the bidder deemed to be in the best interest of WGA be awarded the contract. In this capacity, the committee will:

- 1) Rate each proposal on the criteria; and
- 2) Develop a final ranking of each proposal with a narrative that addresses pertinent points and issues.

All proposals will be evaluated based on the following criteria:

Completeness and clarity of the proposal: demonstrated understanding of the work, including creativity and thoroughness shown in understanding the objectives of the Statement of Work and specific tasks, and planned execution of the project

Personnel qualifications: demonstrated currency, quality and depth of experience of individual personnel in managing and working on similar projects

Organizational capacity: evidence that the organization has current capabilities and abilities to marshal the resources to complete this project in the time frame available

Project management & schedule: demonstrated understanding of project logistics and time constraints; quality and effectiveness of project management and allocation of personnel and resources; ability to address anticipated potential problem areas, and creativity and feasibility of solutions to problems and future integration of new processes and technology enhancements

Cost: bidder's price assumptions, hours and mix of labor, and whether the total price is reasonable to perform the requirement in relationship to the bidder's quoted solution; offers of in-kind (no cost to the WGA) services from the bidder's organization, which will be reviewed under established WGA procedures

## **Award of Contract**

The contract shall be awarded to the responsible bidder determined to be the most advantageous to the WGA based on the evaluation factors set forth in this RFP. After proposals are opened, meetings may be held with the bidders determined to be the most responsive. Discussion may be held to clarify requirements and to make minor adjustments in services to be performed and in related costs. Any change to the proposal shall be submitted/confirmed in writing by the contractor.

Before an award can be made to a bidder, the WGA reserves the right to reject any and all proposals or waive any minor non-substantive irregularity in proposals received. Upon selection of a proposal, the WGA will reach out to the selected Contractor to begin contract negotiations and finalize the Statement of Work and Budget.



In the event the bidder the evaluation committee has determined to be the most advantageous withdraws their proposal, the award shall be given to the next declared most advantageous bidder as determined by the evaluation committee.

### **Contract Duration**

The WGA expects to execute a contract on or around January 15, 2013. The period of performance is expected to last to December 31, 2013.

### **WGA Preference**

Any or all proposals may be rejected in whole or in part if the executive director determines in writing that such action is in the WGA's best interest.

### **Proposal Confidentiality**

The contents of all proposals, correspondence, working papers, and any other medium that discloses any confidential aspect of the proposal shall be held in the strictest confidence until notice of intent to award.

A register of proposals will be developed by the evaluation committee, providing a bidder name and description of that proposal. This register of proposals will be made public only after the contract is awarded. Confidential information submitted with proposals shall be readily separable and accompanied by a written request of confidentiality.