



RETURN OF THIS ADDENDUM #4 PAGE WITH YOUR PROPOSAL IS NOT REQUIRED.

ISSUING OFFICE:

Department of Environmental Conservation
Division of Administrative Services
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RFP 2013-1800-1654

DATE ADDENDUM #4 ISSUED: November 26, 2013

**RFP TITLE:
ALASKA WATER AND SEWER CHALLENGE**

STATEMENT OF QUALIFICATIONS DUE December 16, 2013; 1:30 p.m. Alaska Time

Offerors are not required to return this form.

The purpose of Addendum #4:

- To provide response to questions in conjunction with Pre-Proposal Teleconference #3
- To provide transcript from Pre-Proposal Teleconference #3, which includes attendees list (see attachment in Body of Notice)
- To provide clarifications noted from all Pre-Proposal Conferences

Questions in conjunction with Pre-Proposal Teleconference #3 – due November 4, 2013.

Question #1:

It would be helpful to get some clarification on exactly what funding is available in the various phases of the Sewer Challenge RFP. How much is actually appropriated?
How much is likely to be appropriated?
What figures are currently speculative? Etc.

A total of \$1 million has been appropriated. This funding will allow us to complete Phases 1 and 2, resulting in the development up to six proposals. Completion of subsequent phases of the project, including pilot and field system development, is dependent on additional funding being provided.

At the present time we are unable to predict how much is likely to be appropriated in the future.

Question #2:

”Given the emphasis on having individuals participate as team members, versus companies, can a legal entity place differing people on differing teams? For example, if a named team member is from UMA or KHZ or a not-for-profit or international service firm, does that preclude anyone else from that entity being a named team member?”

This approach would not be prohibited.

This is important as the Alaskan talent pool within some of the specialty areas is very small and concentrated within a handful of organizations. For the teams to be fully staffed with the proper experience level some organizations will need to offer people to multiple teams.

Please note - there is no need for every member of a particular team to come from Alaska. One of the reasons for making this an international solicitation was the recognition that we are asking for areas of expertise that may be scarce within the state. We expect that some teams may be made up of people from different organizations and from different places in order to give themselves the best possible chance of being selected for proposal development.

Pre-Proposal Conference #1, #2 and #3 Clarifications:

- A) The RFP states that subcontractors are required to have an Alaska business license. Does this also apply to non-profit organizations or organizations outside of Alaska or academic institutions? It's Section 6.08E.**

If doing business within the State of Alaska an Alaskan Business License is required. Per DCCED, governmental entities are not required to obtain a state business license. I

- B) One question on page 14 of the RFP certification foreign contracting. If the offerer cannot certify that all work is being performed in the United States -- can you clarify that? I have to request for work to be performed outside the U.S. and that has to be approved.**

If you are working with entities outside of the United States, a Foreign Outsourcing waiver is required. The request for waiver must be submitted 10 days prior to proposal deadline for approval; which would be phase two.

- C) In the Alaska offeror preference, 100 pts, can you elaborate on that? And again is that applicable to phase one? How does that impact phase one application?**

Alaskan Offeror's Preference applies in Phase I – 100 points in the evaluation criteria and scoring section 5.05 Evaluation of Statement of Qualifications Step one – (F.) If an offeror qualifies for the Alaska Bidder Preference, the offeror will receive an Alaska Offeror Preference. The preference will be 100 points. The amount will be added to the overall evaluation score of each Alaskan offeror.

Alaska Bidders Preference requirements:

The bidder:

- *Must hold a current Alaska business license and submit a bid under the name on the business license.*
- *Have maintained a place of business within the state staffed by the bidder or an employee of the bidder for at least six months immediately preceding the date of the bid.*

And if Bidder is a:

- *Corporation: is incorporated in Alaska or are otherwise qualified to do business under the laws of the state.*
- *Sole Proprietorship: the proprietor must be a resident of the state.*
- *Limited Liability Company: organized under AS 10.50, all members must be residents of the state.*
- *Partnership: under AS 32.05, 32.06, or 32.11, all partners must be residents of the state.*
- *Joint Venture: the joint venture must be composed entirely of ventures that qualify as Alaska bidders.*

C) Will the phase one rankings be made public with the announcement of the six team selected? And will that be open with challenge?

Phase I rankings are public information and notification will be sent to all registered offerors and the same regulations apply; Per AS 36.30.560 provides that an interested party may protest the award of a contract or the proposed award of a contract. Refer to page 37 of the RFP.

D) Regarding the Alaska Offeror Preference, I ask that you check to see if there is any leeway in how you can interpret that requirement. You're specifically looking for international participation and yet penalize international offerors.

It is a state requirement to include the Alaska Offeror Preference when using State Funds – it is 10% of the total points available. There is 90% that is evaluated by other criteria, to include Understanding of the Project- 10%, Team Member qualifications and references- 20%, Management Plan for the Project- 10%, Innovation plan – 12.5%, Acceptance and use plan – 12.5% and 25% for the interview and presentation.

In order to qualify for the Alaska Offeror Preference for Phase I (f.) the entity must qualify for the Alaska Bidder's Preference. The Alaska Bidder's Preference provides a 5% cost deduction for evaluation purposes only when cost is an evaluation factor. This RFP does not contain evaluation for cost.

The preferences that may apply to this RFP are listed on page 38, Section 6.32 Application of Preferences.

E) Can you clarify regarding subcontractors? I'm looking now at 6.08 subcontractors, I think it is page 31. What's our sense of a subcontractor? In other words, the way I envision the team is that everybody on the team is, to some extent, a participant. That wouldn't be a subcontractor. So you may have something more specific in mind that I'm not clear on. So if there's more than one company in the joint venture, those participants would not be considered subcontractors, I assume, unless, in the RFP, the lead member of the group, let's say, so defined. Let's say there were some -- some -- I mean it sounds as if that the concept of subcontractor is a little subjective. And if the team is more comfortable defining it as such then you're okay with that? Is that the intent?

We're trying to provide maximum flexibility here. It's -- we've thought about how these teams might be put together. It's possible, in some cases, that every team member could be an employee of a single firm. Another situation we thought might occur is that you might have a lead firm that might setup a

subcontracting arrangement with other firms to be able to come up with additional -- with the required team members. It's possible that a joint venture could be formed between several companies. So we want to be able to consider all those approaches. And that's why that section is in there basically saying that subcontractors may be used, but it may not be the approach that everyone wants to take.

- F) So if there's more than one company in the joint venture, those participants would not be considered subcontractors, I assume, unless, in the RFP, the lead member of the group, let's say, so defined. Let's say there were some -- some -- I mean it sounds as if that the concept of subcontractor is a little subjective. And if the team is more comfortable defining it as such then you're okay with that? Is that the intent?**

*That's the intent. We are not looking to dictate what exactly the team gets put together and what their relationship is. We want to leave that up to the teams.
It will also depend on how the agreement is written between the parties.*

- G) There was a question concerning product liability, liability for services. If we're putting out a system that we have no control over after it's in the field what about the liability of that product?**

Refer to Amendment #4 which replaces Appendix B, replaced with "Additional coverage to include Professional Liability Insurance of \$1,000,000.00 per occurrence and \$2,000,000.00 Annual Aggregate" per State of Alaska, Risk Management.

- H) I suggest that you distribute a draft request for proposal and allow comment on that, which will give the proposers an opportunity to comment on assumptions or criteria or other issues that might come to bear that you may not of thought of as you were developing the RFP.**

This is not allowable.

*Per 2 AAC 12.020 Exclusion of Prospective Contractor from Competition:
A Procurement officer may exclude a prospective contractor from submitting a bid or proposal, or may reject a prospective contractor's bid or proposal, after making a written determination that the prospective contractor assisted in drafting the invitation to bid or request for proposal that was not available to the general public.*

- I) Is there any work to compile lessons learned from past efforts to provide the services to the village?**

We are working with Arctic Research Commission and the draft is pending.

Contact the ADEC Procurement Officer if any questions:
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