

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF GENERAL SERVICES**



**REQUEST FOR PROPOSALS (RFP)**

**Solicitation Number: DCAM-16-NC-0070**

**March 31, 2016**

Proposal Due Date: May 5, 2016 by 2:00 p.m.

Delivery of Proposals: Department of General Services  
Contracts & Procurement Division, 8<sup>th</sup> Floor  
Attention: Yinka T. Alao, Associate Director  
Frank D. Reeves Center  
2000 14<sup>th</sup> Street NW  
Washington, DC 20009

Pre-Proposal Conference: April 12, 2016 at 10:00 AM  
2000 14<sup>th</sup> Street, NW  
6<sup>th</sup> Floor Conference Room  
Washington, DC 20009

Contacts: Elouise Fripp  
Contract Specialist/Team Lead  
Contracts & Procurement Division  
Procurement Services Branch,  
Construction Section  
1250 U Street, NW, 4<sup>th</sup> Floor  
Washington, DC 20009  
Phone: 202-727-2733  
Email: [elouise.fripp@dc.gov](mailto:elouise.fripp@dc.gov)

## EXECUTIVE SUMMARY

The District of Columbia Department of General Services (“DGS” or the “Department”), Contracts and Procurement Division, is issuing this Request for Proposals (“RFP”) to engage Contractors to provide procurement support services. DGS regularly utilizes the services of contractors necessary for the development, design, construction and maintenance of the District’s facilities. The Department intends to award multiple procurement support contracts for these services.

### **A.1 Contract Type:**

Labor hour contracts will be awarded pursuant to this RFP.

### **A.2 Contractor's Compensation:**

Offerors shall be required to provide an Offer Letter (Attachment A) to include their labor rates to complete the work. The labor rates shall be the Contractor’s sole method of compensation and as such shall be sufficient funding to cover all of the costs necessary to fully complete the Project, including, but not limited to, labor, materials, trade, subcontractor costs, general conditions, insurance and bonding, home office overhead and profit. The labor rates shall include sufficient funding for items that are not specifically identified in the Scope of Work but which are reasonably inferable therefrom.

### **A.3 Form of Contract:**

The Form of Contract will be provided as an addendum. Offerors should carefully review the Form of Contract when submitting their proposal. To the extent there are any inconsistencies between this RFP and the Form of Contract, the Form of Contract shall prevail. Offerors are further advised that they are required to submit their proposals premised upon entering into a contract that is substantially similar to the Form of Contract and that any proposed changes to the Form of Contract must be clearly identified and described in their proposal.

### **A.4 Procurement Schedule:**

The schedule for this procurement is as follows:

- Issue RFP - March 31, 2016
- Pre-proposal Conference - April 12, 2016
- Last Day for Questions/Clarifications - April 15, 2016
- Proposals Due - May 5, 2016

## **A.5 Selection Criteria**

Proposals will be evaluated in accordance with **Part D** of this RFP. The following evaluation criteria will be used:

- Experience (40 Points)
- Key Personnel (40 points)
- Management Plan (80 points)
- CBE Pre preference points allocable after all other points have been calculated

## **A.6 Attachments:**

The following documents are provided as attachments to the RFP:

- Attachment A – Form of Offer Letter/Bid Form
- Attachment B – Bidder-Offeror Certification Form
- Attachment C – Tax Affidavit
- Attachment D – Service Contract Wage Rates
- Attachment E – Subcontracting Plan Form
- Attachment F – 2016 Living Wage Act Notice and Fact Sheet
- Attachment G – First Source Agreement Form
- Attachment H – Form of Contract (to be provided)
- Attachment I – Past Performance Evaluation Forms
- Attachment J – Department of General Services Standard Contract Provisions

## **SECTION B SCOPE OF WORK**

### **B.1 Introduction**

The Department anticipates that selected Contractors will provide technical and administrative support on DGS procurements. This contract will be structured as a base year with up to four one-year renewal options periods. Contracts will be awarded by Group, namely, Pre-Solicitation, Solicitation and Award, and Post-Award. The Solicitation and Award Group, which includes administrative and technical support for Solicitation and Review/Evaluation processes, may be further delineated by construction and non-construction specialties. If deemed most advantageous to the Department, two awards will be made for the Solicitation and Award Group, with due consideration given to firms with procurement experience as this pertains to Construction and Operations Maintenance and Repair (OMR) services.

There will be a minimum of three (3) and a maximum of four (4) awards from this solicitation, specifically, Pre-Solicitation (1); Solicitation and Award (up to 2), and Post Award (1). A Contracting Officer's Technical Representative (COTR) will be assigned to each group.

Contractors may bid on all groups, but will be eligible to receive an award for only one group. Further, for the duration of this contract, awardees will not be eligible to bid, in whole or in part, on any current or future Department procurements. Successful offerors will be required to sign a Non-Disclosure Agreement (NDA) subject to review and approval by the Department's Office of the General Counsel (OGC).

### **B.2 Background**

The Department's Contracts and Procurement (C&P) function is structured by branch, with C&P's Procurement Services Branch (PSB) organized by commodity type, namely, Construction and Non-Construction (Goods and Services). PSB's Construction Section processes actions in support of our District's schools, parks, and municipal facilities. The Non-Construction Section provides year-round support to all of the Department's divisions. Further, Non-Construction plays a pivotal role in the pre-planning and acquisition of specialized equipment and services for DGS' facilities maintenance operations.

C&P's Policy, Research and Planning Branch (PRPB) assumes lead responsibility for developing and reporting on the Department's acquisition planning and forecasting efforts, to include performance monitoring relative to economic inclusion initiatives. Similarly, C&P's Procurement Evaluation Branch (PEB) supports these efforts by facilitating timely, accurate and continuous assessments of post award contract performance.

The Department's OGC serves as development counsel facilitating uniformity and standardization of approach across DGS' multi-disciplinary Procurement Management

System. Contractors will be required to coordinate and obtain express approval of all mission support activities through authorized Department personnel.

### **B.3 Requirements**

The successful Contractors shall provide support as described below:

#### **B.3.1 Pre-Solicitation**

The Contractor shall assist the Department in the drafting, preparation and organization of pre-solicitation Scopes of Work (SOW) and other requirements documents. This effort includes assisting affected DGS program offices in collecting/compiling specifications in conjunction with the Project Manager, providing technical feedback and recommendations, coordinating the preparation of requirements documents and inputs to solicitation development.

##### **B.3.1.1** Gathering and compiling requirements, to include scope development:

- a. Scope of Work
  - i. Independent Government Estimate (IGE)
  - ii. Market Research
- b. Specifications
- c. Drawings (if applicable)

##### **B.3.1.2** Pre and Post-Award Debriefings

- a. Pre-debrief preparation
- b. Meeting Minutes

#### **B.3.2 Solicitation and Award**

The Contractor shall provide assistance to the Department in preparing documentation for multiple solicitation methods including but not limited to; Request for Quotes (RFQs), Request for Proposals (RFPs) and Invitation For Bids (IFBs). The Contractor shall provide RFPs and IFBs for the following project delivery methods: Architectural and Engineering Services, Construction Management, Construction Management At Risk, Design Build and Operations and Maintenance. All solicitations shall be developed using DGS Contract Templates. The Contractor shall ensure the solicitation includes all appropriate solicitation terms and conditions in addition to drafting unique terms and conditions as directed by the Department. Following the review of the solicitation, the Department shall advertise the final solicitation.

The Contractors shall provide assistance to the Department in the following Solicitation and Award activities:

##### **B.3.2.1** Solicitation document development

##### **B.3.2.2** Review and Evaluation

- a. Administrative support for Bid Openings and Pre/Post Bid conferences
- b. Transcribing meeting minutes (technical panels)

- c. Finalizing consensus memorandum
- B.3.2.3 Contract Award**
  - a. Drafting Award Memos
  - b. Drafting Notice of Award letters
  - c. Drafting Final Contract documents and Modifications

### **B.3.3 Post-Award**

The Contractor shall provide assistance to the Department in preparing appropriate documentation for contract close-out, monitoring contractor performance, including schedules and milestones which may include site visits/inspections.

The Contractor shall provide assistance to the Department with the following Post-Award activities:

- B.3.3.1 Contract Administration**
  - a. Assisting the Department in drafting detailed contractor performance evaluations
  - b. Monitoring contractor compliance with contract terms including Economic Inclusion requirements and providing monthly status reports
  - c. Assisting the Department with executing contract close-out and retention protocols

## **B.4 Licensing, Accreditation and Registration**

The Contractor(s) and all of its subcontractors and subconsultants (regardless of tier) shall comply with all applicable District of Columbia, state, and federal licensing, accreditation, and registration requirements and standards necessary for the performance of the contract. Without limiting the generality of the foregoing, all drawings shall be signed and sealed by a professional architect or engineer licensed in the District of Columbia.

## **B.5 Conformance with Laws**

It shall be the responsibility of the Contractor(s) to perform under the contract in conformance with the Department's Procurement Regulations and all statutes, laws, codes, ordinances, regulations, rules, requirements, orders, and policies of governmental bodies, including but not limited to the Service Contract Act.

## **B.6 Time is of the Essence**

Time is of the essence with respect to the contract. As such, the Contractor must dedicate such personnel and other resources as are necessary to ensure that the services are completed on-time and in a diligent, skilled, and professional manner.

## **SECTION C ECONOMIC INCLUSION**

### **C.1 Preference for Small, Local, and Disadvantaged Business Enterprises:**

**General:** Under the provisions of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, D.C. Law 16-33 (codified at D.C. Code § 2-218.01 et seq.), preferences shall be given to Offerors that are certified by the Department of Small and Local Business Development as being a small business enterprise, having resident business ownership, having a longtime resident business, being a local business enterprise, being a disadvantaged business enterprise, or being a local business enterprise with its principal office located in an enterprise zone. (A copy of the certification acknowledgment letter must be submitted with the Offeror's Proposal.) In accordance with these laws, the following preferences shall be awarded in evaluating an Offeror's proposal:

- (a) Three points for a small business enterprise;
- (b) Five points for a resident-owned business;
- (c) Five points for a longtime resident business;
- (d) Two points for a local business enterprise;
- (e) Two points for a local business enterprise with its principal office located in an enterprise zone;
- (f) Two points for a disadvantaged business enterprise;
- (g) Two points for a veteran-owned business enterprise; and
- (h) Two points for a local manufacturing business enterprise.

A Certified Business Enterprise (CBE) shall be entitled to any and all of the preferences provided in this section, but in no case shall a CBE be entitled to a reduction in price of more than twelve (12) percent.

### **C.2 LSDBE Participation.**

#### **C.2.1 Mandatory Subcontracting Requirement.**

**C.2.1.1** The subcontracting requirement may be satisfied by subcontracting 50% of the dollar volume to any Certified Business Enterprises (CBEs) provided however, that the costs of materials, goods, and supplies shall not be counted towards the subcontracting requirement unless such materials, goods, and supplies are purchased from certified small business enterprises. Offerors shall submit the Subcontracting Plan Form included as Attachment H.

**C.2.1.2** A prime contractor which is certified as a Small Business Enterprise shall not be required to comply with the provisions of section C.2.1.1.

**C.2.1.3** Neither the Contractor or a Subcontractor may remove a Subcontractor or tier-Subcontractor if such Subcontractor or tier-Subcontractor is certified as a Local, Small or Disadvantaged Business Enterprise (LSDBE) unless the Department approves of such removal.

The Department may condition its approval upon the Contractor developing a plan that is, in the Department's sole and absolute judgment, adequate to maintain the level of LSDBE participation on the Project as required under this Contract.

**C.2.1.4** A list of Certified Business Enterprises can be found on the District of Columbia, Department of Small and Local Business Development website at <http://dslbd.dc.gov/DC/DSLBD>, click on "Doing Business in the District", click on "Find CBE Certified Contractors."

### **C.3 Residency Hiring Requirements for Contractors and Subcontractors:**

**C.3.1** At least fifty-one percent (51%) of the Offeror's team and every sub-consultant's employees hired after the Offeror enters into a contract with the Department, or after such sub-consultant enters into a contract with the Offeror, to work on this Project, shall be residents of the District of Columbia.

**C.3.2** Upon execution of the contract, the Offeror and all of its member firms, if any, and each of its subcontractors and sub-consultants shall submit to the Department a list of current employees that will be assigned to the Project, the date that they were hired and whether or not they live in the District of Columbia.

**C.3.3** The Offeror shall comply with subchapter X of Chapter II of Title 2, and all successor acts thereto, including but not limited to the Workforce Intermediary Establishment and Reform of the First Source Amendment Act of 2011, and the rules and regulations promulgated thereunder. The Offeror and all member firms, subcontractors, tier subcontractors, sub-consultants, and suppliers with contracts in the amount of \$300,000 or more shall be required to comply with the following: (i) enter into a First Source Employment Agreement Attachment J with the D.C. Department of Employment Services ("DOES") upon execution of the contract; (ii) submit an executed First Source Agreement to DOES prior to beginning work on the project; (iii) make best efforts to hire at least 51% District residents for all new jobs created by the project; (iv) list all employment vacancies with DOES; (v) submit monthly compliance reports to DOES by the 10<sup>th</sup> of each month; (vi) at least 51% apprentices and trainees employed must be residents of the District registered in a program approved by the D.C. Apprenticeship Council; and (vii) trade contractors and subcontractors with contracts in the amount of \$500,000 or more must register an apprenticeship program with the D.C. Apprenticeship Council.



**SECTION D  
EVALUATION AND AWARD CRITERIA**

**D.1 Evaluation Process**

Department will evaluate submissions and any best and final offers in accordance with the provisions of this **Section D** and the Department's Procurement Regulations.

**D.2 Evaluation Committee**

Each submission shall be evaluated in accordance with this **Section D** by an Evaluation Committee. The Evaluation Committee shall prepare a written report summarizing its findings and submit the same to the source selection official. Based on the information submitted by the Offerors in response to this RFP and the report prepared by the Evaluation Committee, the source selection official shall select the Offeror(s) whose submissions are determined by the source selection official to be the most advantageous to the Department.

**D.3 Oral Presentation**

The Department does not intend to interview Offerors; however, the Department reserves the right to interview Offerors in the competitive range if necessary. If the Department conducts such interviews, each Offeror within the competitive range shall make an oral presentation to the Department's Evaluation Committee, and participate in a question and answer session. The purpose of the oral presentation and the question and answer session is to permit the Evaluation Committee to fully understand and assess the qualifications of each Offeror and the Offeror's key personnel. The submission will be re-scored at the conclusion of the oral presentation.

D.3.1 Length of Oral Presentation. Each Offeror will be given up to 60 minutes to make the presentation. At the end of the initial presentation, there will be a break for approximately 30 minutes for the Evaluation Committee to assess the presentation and prepare questions. The Offeror will then respond to questions from the Department's Evaluation Committee for no more than 60 minutes.

D.3.2 Schedule. The order of presentation will be selected randomly and the Offerors will be informed of their presentation date before the beginning of oral presentations. The Department reserves the right to reschedule any Offeror's presentation at the discretion of the contracting officer.

D.3.3 Offeror Attendees. The oral presentation will be made by the Offeror's personnel who will be assigned the key jobs for this project. Each Offeror will be limited to 3 persons. The job functions of the persons attending the presentation will be considered to

be an indication of the Offeror's assessment of the key areas of responsibility that are deemed essential to the successful completion of the project.

D.3.4 Topics. The Offeror may present information about its capabilities and special qualifications to serve as a Contractor for this Project, including the qualifications of key personnel.

#### **D.4 Proposal Evaluation**

Each proposal will be scored on a scale of 1 to 188 points. In addition, Offerors will be eligible to receive up to 12 preference points as described in **Section C.1** of this RFP for participation by Local, Small or Disadvantaged Business Enterprises. Thus, the maximum number of points possible is 200.

##### D.4.1 Experience (40 points)

The Department desires to engage Contractor(s) with the experience necessary to realize the objectives set forth in Section B of this RFP. Offerors shall demonstrate their qualifications and technical competence necessary to perform Procurement Support Services as described in Section B of this RFP. Further, Offerors shall submit detailed descriptions of projects which best describe the Offerors' experience with applying Procurement Support Criteria for Government Contracts. Offerors shall return for references at least three (3) completed Past Performance Evaluation Forms (Attachment I) for the project detailed above.

Offerors will be evaluated on the basis of their Experience as listed below:

- i. Offerors must describe an understanding of how to evaluate and apply Procurement Support for Government Contracts;
- ii. Offerors shall provide at a minimum the following verifiable information for references that can attest to the successful completion of procurement support services for each project named:
  1. Project name and location;
  2. Name, address, contact person, and telephone number of reference contact;
  3. Description of the work performed by the Offeror;
  4. Period of performance; and
  5. Identification of Offeror's personnel involved who are proposed as key personnel for this RFP

#### D.4.2 Key Personnel (40 Points)

The capability and capacity of Offerors' Key Personnel will be evaluated on the following criteria:

- i. Education, experience and qualifications of dedicated personnel;
- ii. Appropriateness of personnel time commitments to perform tasks outlined in the project scope; and
- iii. Sufficiency of personnel allocated to all phases of the project.

#### D.4.3 Management Plan (80 Points)

Offerors Management Plans will be evaluated based on the following criteria:

- i. Delineation of the roles and responsibilities of key team members relative to project scope;
- ii. Description of the challenges inherent in the project and the approach to mitigating identified risk;
- iii. Formulation of project schedule to assure timely achievement of key milestones; and
- iv. Description of cost control management structures to assure on-budget project delivery.

#### D.4.4 Price (Maximum 40 Points)

Offerors will be required to bid in Attachment A, labor rates for key personnel for the base period and four (4) option years. This element of the evaluation will be worth up to forty (40) points, of which a maximum of 12 points will be allocated to qualified CBEs.

**SECTION E  
PROPOSAL ORGANIZATION AND SUBMISSION**

**E.1 Proposal Identification:**

Offerors shall submit an original and five (5) hard copies in a sealed envelope conspicuously marked: “**DCAM-16-NC-0070 Procurement Support Services**”

**E.2 Delivery or Mailing of Proposals:**

Submissions shall be delivered or mailed to:

Department of General Services  
Attn: Yinka T. Alao, Associate Director  
2000 14<sup>th</sup> Street, NW 8<sup>th</sup> Floor  
Washington, D.C. 20009  
Phone: (202) 727-2800

**E.3 Date and Time for Receiving Proposals:**

Submissions shall be received no later than 2:00 p.m. local time on **May 5, 2016**. The Offeror assumes the sole responsibility for timely delivery of its submission, regardless of the method of delivery.

**E.4 Proposal Size, Organization and Offeror Qualifications:**

All submissions shall be submitted on 8-1/2” x 11” bond paper and typewritten. Telephonic, telegraphic, and facsimile submissions shall not be accepted. The Department is interested in a qualitative approach to presentation material. Brief, clear and concise material is more desirable than quantity. The submission shall be organized in two (2) separate volumes as follows:

**E.4.1 Technical Proposal Section – Volume I**

**E.4.1.1 Executive Summary**

The Offer shall provide a summary of no more than three (3) pages to include the following for the Offeror and any subcontractors:

- (a) Name(s), address(es), and role(s) of each firm (including all sub-contractors)
- (b) Firm profile(s), including:
  - 1. Age
  - 2. Firm history(ies)
  - 3. Firm size(s)
  - 4. Areas of specialty/concentration
  - 5. Current firm workload(s) projected over the next year
  - 6. Project Executive(s)

7. Provide a list of any contracts held by the Offeror where the contract was terminated (either for default or convenience). This list shall also identify any contracts that resulted in litigation or arbitration between the Owner and the Offeror. If the Offeror has multiple offices, only contracts held by the office submitting this proposal need be listed.

#### **E.4.1.2 Experience (40 Points)**

The Department desires to engage a Contractor with the experience necessary to successfully complete the required work as described in Section B of this RFP. The Offeror shall submit the following to demonstrate the Offeror's relevant experience and capabilities to perform the required work as described in the Scope of Work.

- (a) The Contractor shall provide a minimum of three (3) detailed descriptions of projects performed in the last five (5) years to include the following that best illustrates the team's experience and capabilities relevant to this project:
  1. Project name and location;
  2. Name, address, contact person and telephone number for Department reference;
  3. Description of the work performed by the Offeror including comparisons to the work of this solicitation and Offeror's role on the project (General Contractor or Subcontractor);
  4. Project size in terms of volume (number of deliverables);
  5. Time period of the project(s);
  6. Identification of personnel involved in the selected project who are proposed to work on this project; and
  7. Award and final project costs (provide actual figures for completed projects).

If the Offeror is a team or joint venture of multiple companies, the Evaluation Committee will consider the experience of each member of the team or joint venture in light of their role in the proposed team or joint venture.

#### **E.4.1.3 Key Personnel (40 Points)**

Offerors shall assign senior personnel to this Project with experience in completing similar projects on-time and on-budget. The availability and experience of the key personnel assigned to this Project will be evaluated as part of this element. The Offeror shall:

- (a) Identify, at a minimum: (i) the Project Manager, and the Superintendent responsible for the Project and describe the specific experience of each key personnel working on projects similar to the required work as described in the Scope of Work;
- (b) Provide resumes for the key personnel identified above that demonstrates their ability to successfully complete the required work as described in the Scope of Work;
- (c) Provide a table that identifies all key personnel that will be assigned to this Project. The table should include: (i) the individual's name; (ii) his or her title; (iii) his or her level of effort (i.e. the percentage of time devoted to this project); and (iv) the time

- periods during which the individual will be assigned to the Project. This table should include all personnel that will be assigned to the Project.
- (d) Describe specific roles of all staff and how they will manage and contribute to the Project;
  - (e) Identify any subcontractors to be utilized.

#### **E.4.1.4 Management Plan (80 Points)**

Offerors shall submit a description of the Management Plan to successfully complete the required work. The description should clearly explain how the Contractor intends to manage and implement the Project. It should demonstrate a comprehensive knowledge of the process and provide project specific impediments that must be overcome and ensure that sufficient staffing will be provided.

#### **E.4.1.5 Attachments**

The Offeror shall complete and include the following attachments in their technical proposal:

- a) Bidder-Offeror Certification Form (Attachment B);
- b) Tax Affidavit (Attachment C). In order to be eligible for this procurement, Offerors must be in full compliance with their tax obligations to the District of Columbia government;
- c) First Source Employment Agreement (Attachment G);
- d) CBE Certification issued by the Department of Small Local Business Development

### **E.4.2 Price Proposal Section – Volume 2**

#### **E.4.2.1 Price (40 Points)**

The Offeror shall submit the Form of Offer Letter & Bid Form (Attachment A).

#### **E.4.2.2 Attachments**

The Offeror shall complete and include the following attachments in their price proposal:

- (a) Subcontracting Plan Form (Attachment E).

**SECTION F**  
**BIDDING PROCEDURES & PROTESTS**

**F.1 Contact Person:**

For information regarding this RFP please contact:

Elouise Fripp  
Contract Specialist  
Contracts & Procurement Division  
Procurement Services Branch,  
Construction Section  
1250 U Street, NW, 4<sup>th</sup> Floor  
Washington, DC 20009  
Phone: 202-727-2733  
Email: [elouise.fripp@dc.gov](mailto:elouise.fripp@dc.gov)

**F.2 Pre-Proposal Conference:**

A pre-proposal conference will be held at 10:00 am on April 12, 2016 at the Reeves Building in the 6<sup>th</sup> Floor Conference Room. Interested Offerors are encouraged to attend.

**F.3 Explanations To Prospective Offerors:**

Each Offeror shall carefully examine this RFP and any and all amendments, addenda, or other revisions, and thoroughly familiarize itself with all requirements prior to proffering a Proposal. Should an Offeror find discrepancies or ambiguities in, or omissions from, the RFP and amendments, addenda or revisions, or otherwise desire an explanation or interpretation of the RFP, any amendments, addenda, or revisions, it must submit a request for interpretation or correction in writing. Any information given to an Offeror concerning the solicitation will be furnished promptly to all other Offerors as an amendment or addendum to this RFP if in the sole discretion of the Department that information is necessary in proffering Proposals or if the lack of it would be prejudicial to any other prospective Offerors. Oral explanations or instructions given before the award of the contract will not be binding.

Requests shall be directed to Elouise Fripp at the email address listed in Section F.1 no later than the April 22, 2016. The person making the request shall be responsible for prompt delivery.

**F.4 Protests:**

Protests shall be governed by Section 4734 of the Department's Procurement Regulations (27 DCMR). Protests alleging defects in this solicitation must be filed prior to the time set for receipt of Proposals. If an alleged defect does not exist in this initial RFP, but was incorporated into the RFP by an amendment or addendum, a protest based on that defect must be filed before the next closing time established for proffering Proposals. In all other cases, a protester shall file the protest within seven (7) days after the protester knows or should have known, whichever is earlier, of the facts and circumstances upon which the protest is based. All protests must be made in writing to the Department's Chief Contracting Officer ("CCO") and must be filed in

duplicate. Protests shall be served on the Department by obtaining written and dated acknowledgment of receipt from the Department's CCO. Protests received by the Department after the indicated period shall not be considered. To expedite handling of protests, the envelope shall be labeled "Protest".

This section is intended to summarize the Proposal protest procedures and is for the convenience of the Offerors only. To the extent any provision of this section is inconsistent with the Procurement Regulations, the more stringent provisions shall prevail.

**F.5 Retention of Proposals:**

All Proposals shall be retained by the Department and therefore shall not be returned to the Offerors. With the exception of proprietary financial information, the Proposals shall become the property of the DGS. DGS shall have the right to distribute or use such information as it determines.

**F.6 Examination of Proposals:**

Offerors are expected to examine the requirements and all instructions (including all amendments, addenda, attachments and exhibits) in this RFP. Failure to do so shall be at the sole risk of the Offeror and may result in disqualification.

**F.7 Late Proposals and Modifications:**

The following shall apply to proposals received in response to the RFP:

- (a) Any Proposal or best and final offer received at the Department designated in this RFP after the exact time specified for receipt shall not be considered.
- (b) Any modification of a Proposal, including a modification resulting from the CCO's requests for best and final offers, is subject to the same conditions as in F.7(a) stated above.
- (c) The only acceptable evidence to establish the time of receipt at the Department's office is the time-date stamp of such installation on the Proposal wrapper or other documentary evidence of receipt maintained by the installation.
- (d) Notwithstanding any other provisions of this Request for Proposals to the contrary, a late modification of an otherwise successful Proposal which makes its terms more favorable to the DGS may be considered at any time it is received and may be accepted.
- (e) Proposals shall be irrevocable and remain in full force and effect for a period not less than 120 days after receipt of Proposals.

**F.8 No Compensation for Preparation of Proposals:**

The Department shall not bear or assume any financial obligations or liabilities regarding the preparation of any Proposals submitted in response to this RFP, or prepared in connection therewith, including, but without limitation, any Proposals, statements, reports, data, information, materials or other documents or items.



**F.9 Rejection of Proposals:**

The Department reserves the right, in its sole discretion:

- (a) To cancel this solicitation or reject all Proposals;
- (b) To reject Proposals that fail to prove the Offeror's responsibility;
- (c) To reject Proposals that contain conditions and/or contingencies that in the Department's sole judgment, make the Proposal indefinite, incomplete, otherwise non-responsive, or otherwise unacceptable for award;
- (d) To waive minor irregularities in any Proposal provided such waiver does not result in an unfair advantage to any Offeror;
- (e) To take any other action within the applicable Procurement Regulations or law;
- (f) To reject the Proposal of any Offeror that has submitted a false or misleading statement, affidavit or certification in connection with such Proposal or this Request for Proposals.

**F.10 Limitation of Authority:**

Only a person with prior written authority from the CCO shall have the express, implied, or apparent authority to alter, amend, modify, or waive any clauses or conditions of the contract. Furthermore, any alteration, amendment, modification, or waiver of any clause or condition of this RFP is not effective or binding unless made in writing and signed by the CCO or its authorized representative.

**F.11 Contract Award:**

This procurement is being conducted in accordance with the provisions of 4721 of the Department's Procurement Regulations (27 DCMR, Chapter 47).

## **SECTION G INSURANCE REQUIREMENTS**

### **G.1 Required Insurance:**

The contractor shall maintain the following types of insurance throughout the life of the contract.

- G.1.1** Commercial general public liability insurance (“Liability Insurance”) against liability for bodily injury and death and property damage, such Liability Insurance to be in an amount not less than One Million Dollars (\$1,000,000) for liability for bodily injury, death and property damage arising from any one occurrence and One Million Dollars (\$1,000,000) from the aggregate of all occurrences within each policy year. The policy should include completed operations coverage. The Contractor will be required to maintain this coverage in force for a period of at least two years after substantial completion.
- G.1.2** Workers’ compensation and Employers Liability coverage providing statutory benefits for all persons employed by the contractor, or its contractors and subcontractors at or in connection with the Work.
- G.1.3** Automobile Liability, including Hired and Non-Owned Auto Liability in the amount of at least Five Hundred Thousand Dollars (\$500,000) for each occurrence for bodily injury and property damage.
- G.1.4** Excess umbrella liability coverage (on at least a follow form basis) and when combined with the general liability policy has an aggregate limit of at least Two Million Dollars (\$2,000,000).

### **G.2 Additional Insureds:**

Each insurance policy shall be issued in the name of the contractor and shall name as additional insured parties the Department and the District of Columbia and shall not be cancelable or reduced without thirty (30) days prior written notice to the Department.

### **G.3 Waiver of Subrogation:**

All such insurance shall contain a waiver of subrogation against the Department and the District of Columbia, and their respective agents.

### **G.4 Strength of Insurer:**

All insurance shall be placed with insurers that are reasonably acceptable to the Department and with an A.M. Best’s rating of not less than A- (Excellent) and a surplus size of not less than XV. All such insurers shall be licensed/approved to do business in the District of Columbia.