

REQUEST FOR PROPOSAL

1.0 GENERAL

1.1 Introduction

Pursuant to its statutory regulatory responsibilities contained in the Official Code of Georgia Annotated (O.C.G.A.), Section 46, the Public Service Commission (PSC) is required to act on a variety of issues. From time to time, the Commission utilizes the services of consultants to assist in these tasks. To assist in the determination of the consultants or consulting firms to be retained for this purpose, the Commission shall accept competitive sealed proposals from interested and available consultants. All proposals submitted pursuant to this request shall be made in accordance with the provisions of these instructions. The proposals shall be evaluated in accordance with the evaluation criteria set forth in this Request for Proposals (RFP). Subsequent to the opening of the sealed proposals, discussions may be conducted by the Public Service Commission with responsible offerors who submit proposals determined to be potentially acceptable for the purpose of clarification to assure full understanding of and responsiveness to the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals.

In conducting any such discussions, there shall be no disclosure of any information derived from proposals submitted by competing offerors. All such discussions shall be conducted by the PSC Issuing Officer named below:

Mr. Leon Bowles
Director, Telecommunications Unit
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334-5701
Telephone: 404.656.0949
Email: leonb@psc.ga.gov

Contract awards shall be made to the responsible offerors whose proposals are determined to be the most advantageous for the State, taking into account all of the evaluation factors set forth in the RFP. No other factors or criteria shall be used in the evaluation. The PSC reserves the right to reject any and all proposals submitted in response to this request.

1.2 Background

The Commission plans to utilize appropriate, qualified consultants to assist the Commission Staff in performing the tasks described in Section 2.0 (Scope of Services) of this RFP.

1.3 Procurement Timetable

The following timetable is anticipated for this RFP.

September 8, 2020	RFP issued
September 22, 2020 (4:00 p.m.) Commission	Deadline for receipt of proposals by the NO PROPOSALS WILL BE ACCEPTED FOR ANY REASON AFTER THIS TIME
October 6, 2020	Proposal award

Proposals will be delivered to the Executive Secretary's Office at the location below:

Mr. Reece McAlister
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334-5701

1.4 Restrictions on Communications with Commission Staff

From the issue date of this RFP until a consultant is selected and the selection is announced, offerors are not allowed to communicate for any reason with any Commission Staff member concerning this RFP except through the Issuing Officer named herein, or as provided by existing work agreement(s). For violation of this provision, the State shall reserve the right to reject the proposal of the offending offeror.

1.5 RFP Amendments

The Commission reserves the right to amend this RFP prior to the date of proposal submission. Amendments will be sent to all offerors who originally received a copy of the RFP.

1.6 Proposal Withdrawal

Prior to the proposal due date, a submitted proposal may be withdrawn by the offeror by submitting a written request to the Issuing Officer named herein. Any such request must be signed by a person authorized to sign for the offeror.

1.7 Cost for Preparing Proposals

The cost of developing the proposal is the sole responsibility of the offeror. The State will not provide reimbursement for such costs.

1.8 Contract Term

The contract will be a two-party contract between the consultant (consulting firm) and the Commission. The term of the contract shall be subject to negotiation. Additional contract information is contained in Sections 1.9 and 3.4 of this RFP.

1.9 Contract

A sample contract issued by the Commission in an unrelated matter is attached to this RFP as Attachment 1. Articles II, III, IV, V, and VI of this contract are germane to the consulting services which are contemplated by this RFP. Article I, Scope of Services, of the contract will mirror Section 2.0 of this RFP. Submission of a proposal constitutes acceptance of the terms contained in Sections II through VI of the sample contract by the submitting party. Each proposal shall contain the name, title, and hourly rate of every consultant and support person employed by the offeror, as well as any subcontractor expected to be engaged in work on the tasks contained in this RFP. Any subsequent request by the consultant to add any other personnel may be denied. If no clerical/administrative personnel are listed in the consultant's proposal, the costs for this type of work will be assumed to have been otherwise covered in the bid price. Also, the offeror's federal tax identification number or social security number (for an individual consultant) shall also be included in the proposal. The Public Service Commission reserves the right to negotiate with the successful offeror other additions to, deletions from and/or changes in the language in the contract, provided that no such addition, deletion or change in contract language would, in the sole discretion of the Public Service Commission, affect the evaluation criteria set forth herein, or give the successful offeror a competitive advantage.

1.10 Format for Responses

Proposals should correspond with and satisfy the requirements set forth in this RFP. The offeror must submit **FIVE** copies of its final proposal to the Commission. Only **ONE** copy of reference documents should be submitted. In addition to the hardcopies, bidders must also submit an electronic copy of the proposal and reference documents in electronic format, in either an Adobe or Microsoft Word file on compact disc.

Proposals should indicate whether or not there are any deviations from the specified requirements.

1.11 Information Required from Bidders

Bidder's proposal must be submitted in the format outlined below, preparing consecutively numbered pages with index tabs for each section.

- A. **STATEMENT OF THE REQUIREMENTS.** State in succinct terms the bidder's understanding of the requirements presented by this RFP.
- B. **MANAGEMENT SUMMARY.** Include a narrative description of the proposed effort and a list of the products that will be delivered, and a proposed timeline for task completion. There should be a separate narrative description for each of the work tasks.
- C. **WORK PLAN.** Task descriptions are to be the guide in describing the bidder's technical plan for accomplishing the work. The task descriptions should be very detailed in order to afford the Commission a thorough understanding of the work plan. Bidders are cautioned that their proposal may be rejected if their work plan does not include specific recommendations of how each of the task descriptions will be accomplished.
- D. **PRIOR EXPERIENCE.** Submit a statement of **similar work conducted** in the previous five years. Studies or projects referred to should be identified and the name of the client shown, including the name, address, and phone number of the responsible official of the client company or agency who may be contacted. Also, highlight any experience in the state of Georgia, and the number and percentage of recommendations that have been accepted for approval for the past five years.
- E. **PERSONNEL.** The name of the individual proposed as project leader for each work task, together with a detailed resume of their experience in conducting similar efforts, should be provided. Also, provide a detailed resume for each individual—executive, professional, management analyst, systems analyst, auditor, staff consultant, etc.—who will be engaged in the work, describing the qualifications applicable to the performance of the tasks. Please include an

organizational chart showing reporting relationships of team personnel. These individuals may not be removed from the project without prior consent of the Commission. See Section 1.9 regarding personnel changes.

- F. STATEMENT ON POTENTIAL CONFLICTS OF INTEREST.** The bidder shall identify any relationships between itself or its employees and the companies under the jurisdiction of the Commission, or any subsidiaries or affiliates of such companies. The extent, nature and time aspects must be identified. If there have been no such relationships, a statement to that effect shall be included in the proposal. Failure to provide the statement on potential conflicts of interest will automatically disqualify the offeror.
- G. TIME ESTIMATES.** Estimate the time required for completion of each work task as outlined in Section 2.0, Scope of Services. Indicate the number of employee hours, by individual employee rate, allocated to each task. Submit this data on a cost analysis chart. Include a project schedule display, highlighting each task with estimated start and completion time.

1.12 Additional Information

An offeror that submits a proposal that meets the requirements set forth in this RFP may be requested to provide additional information.

1.13 Retention of Proposals

All material submitted in response to this RFP will become the property of the Commission and may be returned to the offeror at the option of the Commission. One copy shall be retained by the Commission for official files for a period of seven (7) years from the date of receipt.

1.14 Questions Regarding This RFP

Questions regarding the requirements set forth in this RFP should be directed to the individual listed below:

Mr. Leon Bowles
Director, Telecommunications Unit
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334-5701
Telephone: 404.656.0949
Email: leonb@psc.ga.gov

1.15 Bidder Oral Presentations

No oral presentations are contemplated. Bidders will be contacted by the Issuing Officer regarding any questions from the Commission Staff concerning their proposals.

1.16 Note to Offerors

In the recent past, the Commission has received a number of proposals from offerors that have been unresponsive to the specific RFPs. Problems have included:

- A. Unsigned Proposal Signature and Certificate page.
- B. Bid format not corresponding to RFP requirements (excessive use of “boilerplate” language/insufficient focus on service requirements).
- C. No price quote for services to be provided (only hourly rate stated).
- D. Little information concerning deliverables to be provided by offeror.
- E. Submission of voluminous reference materials not relevant to the services requested.
- F. Proposal not stating acceptance of provisions of sample contract attached to the RFP.

A careful reading of the RFP by offerors will prevent these problems.

2.0 SCOPE OF SERVICES

2.1 Background

This RFP contains one service for which consulting assistance is requested. This service is described in Section 2.2 of this RFP.

2.2 Docket No. 43453: Generic Proceeding to Implement House Bill 244

On October 6, 2020, the consultant shall begin providing technical assistance to the Georgia Public Service Commission Staff in Docket No. 43453: Generic Proceeding to Implement House Bill 244.

The Consultant shall:

1. Review House Bill 244, PSC rule 515-12-1-.36: Pole Attachment Agreements, and all filings in this docket;
2. Assist the Staff in the development of data requests to intervenors relating to the issues involved in the proceeding. In conjunction with the performance of this task, the consultant will provide the data requests to the Staff on a timely basis, to be forwarded by the Staff to the appropriate party;
3. Review and analyze the intervenors' responses to data requests relating to the issues and prepare additional data requests as deemed necessary by the Staff and consultant;
4. Meet with representatives of parties of record, as deemed necessary and appropriate by the Staff and consultant, to supplement and complete discovery and investigation of the issues, including, but not limited to, the taking of interviews and depositions of intervenor personnel;
5. Review and provide analysis of the direct and rebuttal testimony and exhibits filed in Docket No. 43453. Assist the Staff in crafting detailed cross-examination questions for witnesses.
6. Provide such other services relating to the issues as may be deemed necessary by the Staff.

2.3 Consultant Responsibilities

The consultant agrees that, for a period of one year following the completion of any project described in this RFP, as well as during the time within which such duties are being performed, the consultant shall not enter into any employment with the companies under the jurisdiction of the Commission, or any subsidiary or affiliate of those companies. Additionally, the consultant must, on his or her own action, disclose to the attorneys for the Staff the fact and substance of any unauthorized contacts or representations made to the consultant outside the physical presence of attorneys representing the Staff or a Commission Staff member by persons known, or who reasonably should be known, by the consultant to be associated, directly or indirectly, with the companies referenced in this paragraph. The Commission shall inform the consultant of the Commission's policies and regulations with respect to such unauthorized contact, and the consultant shall affirm in writing that no unauthorized contacts were made or that such contacts were reported as required. Non-compliance with this requirement may result in immediate cancellation of the related contract and

the institution of any additional proceeding deemed necessary or appropriate by the attorneys representing the Commission. The attorneys representing the Commission are authorized to use any reasonable method to ensure strict compliance with this requirement.

2.4 Time of Performance

The period of performance of the related contract shall be from the date of its execution through the completion of the tasks as described in Sections 2.2 of this RFP or until the Commission shall determine that further performance should cease and shall instruct the consultant to suspend performance, provided, however, that nothing shall prohibit the consultant from making appropriate fee and expense applications for work performed between the Beginning Date and the Execution Date. In the event that performance shall be suspended upon instruction of the Commission, the consultant shall be compensated for all work completed prior to said suspension according to allowed expenses and labor at the rates as stated in the contract.

3.0 INSTRUCTIONS TO PROPOSERS

3.1 Bidder Qualifications

Each proposal should contain documents and other information necessary to enable the Commission to evaluate the bidder's ability to provide the required consulting services. These documents and information should include, but are not limited to, the following:

- A. Examples of the bidder's work products related to similar issues.
- B. Resumes of (a) the principals in the bidder's consulting firm and (b) those consultants retained by the firm who would provide services as a part of the bidder's proposal, including any subcontractors proposed.
- C. A listing of which of the bidder's consultants would be providing services under the proposal and the specific services provided by each.
- D. References for the consultant(s) who would be providing services to the Commission under the proposal.
- E. As an Excel spreadsheet for the period of September 2017 to September 2020 in descending chronological order, a listing of all clients served by the bidder and the consulting firm for the specific consultant or consultants that will provide the bided services.

3.2 Compensation and Payment

The bidder understands and agrees that all work performed under this RFP shall be paid for by the Commission. The bidder shall be paid a not to exceed sum agreed upon for professional services and related expenses rendered under the contract. Bidder expenses are to include support for professional services including, but not limited to, reasonable and necessary (as defined by the Commission) actual expenses incurred by the consultant for travel, lodging, meals, telephone, express mail delivery, computer charges and copying costs. Maximum reimbursement amounts for daily meals for the bidder shall be the following, the total of which is not meant to be a per diem amount:

Breakfast	\$ 7.50
Lunch	12.50
Dinner	30.00

Payments shall be made on a monthly basis as monthly invoices are received by the Commission from the bidder, provided, however, that prior to each monthly payment, the bidder must be in compliance with as much of the contract as is applicable at the time, and, prior to final payment, the consultant shall have completed all obligations under the contract. Invoices shall be submitted based on actual expenses and time expended on the contract work, with labor rates for consultant personnel as agreed upon. Upon execution of a contract, the Utilities Division's Business Analyst will send instructions (GPSC Guidelines for Consultant Billing of Direct Reimbursable Charges to Contracts) to the consultant to explain how the billings should be prepared, itemized and supported to effect payment. Additionally, the Commission and the consultant will agree that the contract amount shall be subject to modification by agreement between them to accommodate changes in workload required of the consultant due to subsequent changes in the scope and level of the consultant's responsibilities, not otherwise properly compensated by the amount originally stated in the contract. The necessity of modifying the contract amount shall be determined by agreement of the consultant and the Staff, subject to Commission approval.

3.3 Retention of Records

The consultant shall keep and maintain all records and other documents pertaining to the performance of the contract until the final payment of funds to the consultant by the Commission pursuant to the contract is made. At such time, the physical custody of the records and documents shall be returned to the Commission.

3.4 Contract

The proposal shall state acceptance by the submitting party of Articles II through VI of the attached sample contract (Attachment I). Payment under this contract shall be made in accordance with the provisions of Section 3.2 of this RFP.

4.0 PROPOSAL EVALUATION

4.1 Selection Process

The Commission Staff shall evaluate each proposal submitted by utilizing the evaluation criteria below. On October 6, 2020, the Commission shall select offerors to provide the consulting services described in this RFP. In awarding the contracts for these services, the Commission shall make written awards of contracts to the offerors whose proposals are the most advantageous to the State considering price, demonstrated previous experience and competence of the bidders in performing similar tasks and the ability of the bidders to provide effective consulting services in the matters under consideration. The Commission's evaluation of proposals shall utilize the criteria listed below in items A through C:

- A. The cost of the consulting services requested.
- B. Demonstrated experience and competence of the bidder in performing tasks similar to those contained in this RFP.
- C. The ability of the bidder to provide effective consulting services concerning the tasks on which the offeror is bidding.

The Commission shall consider each proposal in a manner that does not disclose the contents of the proposal to competing offerors. The Commission reserves the right to reject any and all proposals made pursuant to this RFP, to request submission of a best and final offer, and to amend or supplement this RFP at any time. There is no assurance, expressed or implied, that an award will necessarily be made pursuant to this RFP. This RFP shall not give any right to any respondent for any indemnification claims.