

# American Recovery and Reinvestment Act Program Assistance Coordination Pre-Proposal Meeting Questions and Responses. Solicitation: 580-09-1142 as of 8/25/09

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1. Exhibit B requires form to be filled out for each individual assignment to the program. Does this apply to key staff or is the interest to have this form for any and all individuals that might work on the program.

**Response:** Review item 3.4 Exhibit A (1) and Exhibit B. The respondent shall complete one profile not to exceed two pages for each individual to be assigned to this solicitation.

2. Will there be a list of interested companies posted on the Web site, for Primes and subcontractors?

**Response:** Yes, The sign in roster will be loaded as an attachment to the ESBD as a file.

3. If a Firm is already engaged with an applicant for ARRA Funding, is there a conflict of interest that disqualifies the firm from providing ARRA program management services?

**Response:** Review Section IV. Terms and Conditions and attachment 2 Sample Contract. Contractor represents and warrants that contractor has no actual or potential conflicts of interest in providing services to the TWDB or the State of Texas.

4. Will Entities (Consulting Firms) who have or will support Entities (Grant) recipients in Design or other services (eg. Application preparation inspection, etc. cause a conflict of interest in proposing on this RFQ? I.e. Can we propose?

**Response:** Review Section IV. Terms and Conditions and attachment 2 Sample Contract. Contractor represents and warrants that contractor has no actual or potential conflicts of interest in providing services to the TWDB or the State of Texas.

5. Is this correct? There is no cut off date for questions prior to September 2<sup>nd</sup>?

**Response:** There is no cut off date for questions; TWDB will make every reasonable effort to respond to inquiries up to the proposal opening date and time.

6. What are the IT system capabilities or can the selected contractor provide his own for use by program forces?

**Response:** TWDB has sufficient IT resources to support program needs. Any tech proposals would have to conform to TWDB standards and may be reviewed during evaluation process.

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7. Does the board anticipate that the only funding for this project will come from the .% admin. Allowance?

**Response:** This is not a consideration at this time.

8. What is the approximate dollar amount of this Services contract for the first two years?

**Response:** See addendum 1. The dollar amount is dependant on the rates and services of the selected vendor and defined as a deliverable to the final contract.

9. What is TWDB's definition of "under construction"?

**Response:** This response is under review.

10. Does the response to the RFP need to include cost and pricing data required by the 40CFR31 Federal rules or is it required later?

**Response:** See addendum 1.

11. How does "best value of purchase standards" apply? Ref. Government Code 2155.070 and 2156.007

**Response:** See addendum 1. Review item 3.4 Exhibit B (4) and 3.9 (3)-(5) The Contractor will need to demonstrate the following capabilities: The evaluation committee will determine best value by applying the following criteria: Experience and ability in managing projects of similar size and complexity, including specific expertise in reporting and monitoring programs:

Explanation of methodology to perform tasks and duties; how the program will be managed and the resources that will be dedicated to it.

Description of the firm's experience with project reporting mechanisms and recovery planning processes; explanation of how the firm will incorporate these functions into the ARRA program to ensure integrity of the program.

Description of the firms experience evaluating procurement processes and documentation; methodology to procurement evaluation.

Experience, qualifications and location of key personnel named in the proposal; experience working with governmental entities.

List of five similar projects the firm has administered; budget history from agreed cost to final actual cost; list of key people on proposed team and projects referenced.

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12. What is the manner of Best and Final Offer anticipated to happen?

**Response:** Review Section III 3.1 addresses the schedule of events September 3 -14, 2009 is the estimated evaluation, interview, negotiations and award period. The evaluation committee will determine if Best and Final Offers are necessary. Award of a contract may be made without Best and Final Offers. TWDB may, at its discretion, elect to have Respondents provide oral presentations and respond to inquiries from the evaluation committee related to their Proposals. A request for a Best and Final Offer is at the sole discretion of TWDB and will be extended in writing.

13. Attachment 2-A (pg26.) Item 15 refers to a limit on “consultation services” at \$73.40/hr. Please elaborate on these designated individuals with specialized skills.

**Response:** Assuming charges at hourly or daily rates please reference 40 CFR 31.36(j) paid to individual grantees. 40CFR may elaborate the information on specialized skill that are paid at daily or hourly rates.

14. Exhibit B- Are you asking for personnel or client references (section 3).

**Response:** See addendum 1. Review 3.4 Exhibit B (1)-(3) Briefly describe services and the scope of activities for five previous entities for which your organization has provided services in the past five (5) years that demonstrate your capability to carry out similar services described within this RFP Highlight any experience in providing similar services to public entities. Include the names, addresses, email contacts, and phone numbers of these five entities and specify the names of entity representatives who may be contacted for references and performance history.

Supply professional credentials and pricing requirements of the employee(s) performing the actual services for all personnel who will be participating in providing the services solicited in the RFP. Key contractor personnel that are submitted that will perform project management tasks should demonstrate the ability to perform at the level of a person with or be a person with one of the following credentials:

- a. (CAPM) Certified Associate in Project Management
- b. (PMP) Project Management Professional
- c. (PgMP) Program Management Professional
- d. (LEED) Leadership in Environmental and Energy Design

The TWDB may use other references to determine a Respondent’s performance history. A single negative reference, in the TWDB’s sole discretion, may be cause for disqualification of the Respondent’s entire proposal.

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15. Please provide clarity on your expectation on hourly rates and level of effort (hours) to be outlined.

**Response:** See addendum 1. TWDB's expectation is for respondents to provide a creative response based on business structure and successful business practices to meet the task outlined in the proposal.

16. Exhibit B Request 3 response items, page 8/9 outlines 4 response items

**Response:** See addendum 1. Respondent should address TWDB's task in a format that expresses the business capabilities. Exhibit B References, Experience, and Qualifications is provided as a format guide for responding to TWDB's specific information detailed on page 8 and 9.

17. Exhibit A suggests a 10 page limitation. Is this limitation for just Exhibit A or whole submittal?

**Response:** The total number of pages of the submission will be limited to 10 pages- double sided, single spaced, font size 12 minimum. Appendices will be limited to resumes of individuals who will be directly involved and assigned to this undertaking. One additional page in the appendices will be allowed to further document the qualifications of the firm(s).

18. Is the ARRA Web site to be hosted on the TWDB system?

**Response:** Yes

19. Is Web tracking to integrate with the Project (Border Activity) Tracking data base on the TWDB Web site?

**Response:** This response is under review.

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20. What readiness-to-proceed data does TWDB have on the current applications that will be shared with consultants.

**Response:** All applications were required to include documentation of the below criteria (i.e. ready to proceed) in order to be considered a complete application and processed. The individual applications are available "Projects were prioritized for receipt of ARRA funding based on applicant representation regarding the readiness of the projects and related construction contracts to proceed by a certain date. Applicants who receive an invitation will be required to include with the application: Sealed plans and specifications; Copies of fully executed consultant, utility service or other related contracts; Final environmental reviews and determinations; Demonstration that all real estate matters (title, easements, site location and long-term leases) are resolved; All necessary and applicable permits for completion of the project; A business case detailing the project's green qualifications, and All other information necessary for a funding commitment from the Board to ensure an expedited closing timeframe (a maximum of 90 days) following the commitment. "

21. Exhibit B Are qualifications for disaster relief actually necessary under respondent personnel.

**Response:** See addendum 1. No, disaster relief is not a required topic; the intent of this form is to show a short description is an acceptable response for evaluation of the topic.

22. Exhibit B- Depending on the ultimate contract type, pricing/ hourly rate could vary. Specifically, what type of hourly rate is required: direct labor plus or cost plus, fully burden with overhead and profit? Or ?

**Response:** See addendum 1. TWDB's expectation is for respondents to provide a creative response based on business structure and successful business practices to meet the task outlined in the proposal.

23. What is TWDB's expectation of the consultant level of effort from a labor-hour perspective? 5,000 annual hours, 1,000? 20,000? This will help us determine the personnel we need to dedicate in the proposal?

**Response:** It will be necessary for all applicants to understand the scope of the work, assess the work effort, and propose the level of effort to the TWDB. This not only includes the work hours but it includes identifying the skill sets and people slated to provide the skills necessary to achieve the desired objectives.

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24. What type of TWDB Financial system is in use today? Will the selected contractor necessarily interface with this system?

**Response:** MIP internal accounting and FIS Loan subsidiary ledger. Benefits Reporting Systems related to stimulus funds used to report to EPA.

25. Since it is a Project Management, Data and reporting support function are you expecting a time and material bid or a fixed cost basis.

**Response:** TWDB's expectation is for respondents to provide a creative response based on successful business practices to meet the task outlined in the proposal.

26. Is the 10 page limit applicable to exhibits or the main part of the Bid.

**Response:** Same as question #10 the total number of pages of the submission will be limited to 10 pages-double sided, single spaced, font size 12 minimum. Appendices will be limited to resumes of individuals who will be directly involved and assigned to this undertaking. One additional page in the appendices will be allowed to further document the qualifications of the firm(s).

27. Are you expecting the Web Board Tracking System be hosted by the Contractor or the TWDB IT.

**Response:** TWDB IT

28. What is the funding scope for administering this project?

**Response:** This response is under review.

29. What is TWDB's requirement for cost-based information in this RFP? Individual labor rates or other?

**Response:** It will be necessary for all applicants to understand the scope of the work, assess the work effort, and propose the level of effort to the TWDB. This not only includes the work hours but it includes identifying the skill sets and people slated to provide the skills necessary to achieve the desired objectives.

30. Are there any special conflict of interest provisions beyond basic state law?

**Response:** No, Review Section IV. Terms and Conditions and attachment 2 Sample Contract. Contractor represents and warrants that contractor has no actual or potential conflicts of interest in providing services to the TWDB or the State of Texas.

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31. When will there be funding for projects below the line?

**Response:** All ARRA projects are listed on the SFY 2010 CWSRF Intended Use Plan and SFY 2010 DWSRF Intended Use Plan which are currently posted on the TWDB web site under "Hot Topics". The TWDB (Board) will consider approving these Intended Use Plans (IUPs) at its October 15, 2009 meeting. Immediately after Board approval of these IUPs, letters will be sent to those entities above the funding lines inviting them to apply for funding.

32. How many below the line projects will be funded?

**Response:** The number of SFY 2010 SRF projects that will be funded is contingent on the amount of funds available and the size of each project. In the CWSRF IUP the methodology for distributing these funds is found under IV. CRITERIA AND METHOD OF DISTRIBUTION OF FUNDS. In the DWSRF IUP the methodology for distributing these funds is found under IV. METHOD OF DISTRIBUTION OF FUNDS.

33. How much funding will be available for projects below the line?

**Response:** In the SFY 2010 CWSRF IUP the amount of funds available is found under IV. CRITERIA AND METHOD OF DISTRIBUTION OF FUNDS. In the SFY 2010 DWSRF IUP the amount of funds available is found under IV. METHOD OF DISTRIBUTION OF FUNDS.

34. When will applications (& EIDs) be due?

**Response:** For SFY 2010 DWSRF and CWSRF applications for funding (in response to invitation letters) are due at different times depending on the program and the type of funds, i.e. Tier II, Tier III, and disadvantaged communities. Typically an applicant is given three months from receipt of the invitation letter to submit a fully complete application. The exact deadline for application submission will be stipulated in the invitation letter.

An EID is required of CWSRF Tier III funded projects and all DWSRF projects. An EID is not required to be submitted with the application but is required to be submitted and approved before the commitment period has expired.

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35. Under statement of work, Item B; What TWDB Project Tracking Systems will the Web-Based Reporting System need to interface with?

**Response:** This response is under review.

36. Under Statement of Work, Item B; What is meant by ... maintain the ARRA Web site. " ? "Connect "The Web Based Reporting System to the TWDB ARRA or the Federal Site? Or Provide information to the TWDB Web Master/Federal Web Master to Update ARRA site?

**Response:** This response is under review.

37. Can you expand on your vision of the "Outreach Component" of the project?

**Response:** Outreach will be an important part of the job. It will entail working with the communities that have received funding to aid them through education and technical assistance as necessary in complying with the ARRA program requirements. These include offering aid to the communities in understanding how to comply with David Bacon, Buy American, and reporting requirements associated with the funding. In addition, aid in communities in understanding how to prepare and submit timely and complete outlay requests, and aid in understanding how to ensure the complete implementation of Green elements of the project are other areas of outreach. In order to provide this outreach, it will be necessary to understand these requirements of the program and to interface, as necessary, with TWDB staff, the TWDB Board, EPA, and other federal agencies as necessary.

38. What is TWDB's definition of "Under Construction"?

**Response:** All contracts that will receive funding from ARRA must be executed prior to 2/17/10.

39. Are there page limitations other than the 10 page limit for Exhibit A?

**Response:** Duplicate question. The total number of pages of the submission will be limited to 10 pages-double sided, single spaced, font size 12 minimum. Appendices will be limited to resumes of individuals who will be directly involved and assigned to this undertaking. One additional page in the appendices will be allowed to further document the qualifications of the firm(s).

40. Please explain the salary rate limitations on page 26/32 (Attach. 2-A)

**Response:** Same as response 13. Assuming charges our at hourly or daily rates please reference 40 CFR 31.36(j)



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41. Please explain again the Contractors' duties pre and Post Feb. 17, 2010.

**Response:** The Contractor's duties will include:

a. Providing advice and counsel to the TWDB and to the recipients of ARRA funding on how to successfully comply with ARRA program requirements. In regard to the TWDB, the goal is to advise and counsel the TWDB on how to commit, close, and execute all contracts for all ARRA funding; including achieving the 20% Green and 50% Disadvantaged requirements, by 2/17/10.

In regard to funding recipients, the goal will be to advice and counsel recipients on how to achieve ARRA program requirements for their individual projects which includes obtaining funding from the TWDB and executing all contracts by 2/17/10. In addition, it will be to advise and counsel recipients on how to comply with program requirements for Buy American, Davis Bacon, Outlay reporting, Green implementation, and general program reporting. Different locales will be helpful to enable quick access and facilitation with funding recipients.

b. Providing project management oversight. It will not involve any engineering analysis, judgment or certifications, and it will not include the management of TWDB staff

c. Aiding TWDB staff in making recommendations to the Board on a project specific basis to achieve deadlines.

d. Providing Technical assistance, facilitation, and interpretation of requirements through communication with funding recipients, the EPA, other state and federal agencies as necessary, and the TWDB.

e. Crafting a management reporting system.

f. It will be necessary to multi-task all efforts in order to achieve the stringent deadline and program requirements. The contractor will need to immediately interface with TWDB staff regarding funding requests to the Board, funding closing, and the execution of commensurate contracts. Contractors will need to immediately contact funding recipients regarding ARRA program requirements. Program and project coordination will continue into the construction phase of the projects under the terms of the contract.

**August 26, 2009-Nothing Follows-**