

Idaho Water Resource Board

REQUEST FOR PROPOSALS (RFP) #2021-003



Dworshak Small Hydropower Operations & Maintenance Services

February 1st, 2021



Table of Contents

GENERAL INFORMATION	3
PURPOSE OF THE REQUEST FOR PROPOSALS (RFP)	3
GENERAL TERMS.....	3
RFP ADMINISTRATIVE INFORMATION:.....	3
RFP SCHEDULE	3
REVISIONS TO RFP	5
RESERVATION OF RIGHTS BY IWRB	5
CONFLICT OF INTEREST	5
PROPRIETARY MATERIAL.....	5
PROFESSIONAL CERTIFICATIONS	5
PAYMENT BONDS	5
ILLEGAL ALIENS	6
LEGAL RESIDENCY REQUIREMENT.....	6
IDAHO LABOR REQUIREMENTS	6
PRE-PROPOSAL MEETING	6
PROJECT VIDEO RECORDS	6
RFP QUESTIONS, AND GENERAL CONTACT INFORMATION	7
PROJECT RISK MATRIX	7
DRAFT CONTRACT, TERMS, AND CONDITIONS.....	8
OPERATIONS AND MAINTENANCE ANNUAL COST.....	8
PROPOSAL EVALUATION AND SELECTION.....	8
PROPOSAL PREPARATION & SUBMITTAL INSTRUCTIONS	9
INTRODUCTORY LETTER	10
PROPOSAL.....	10
EVALUATION CRITERIA	10
CRITERION 1: COMPANY & TEAM EXPERIENCE AND QUALIFICATIONS	10
CRITERION 2: PROJECT MANAGER, KEY PERSONNEL, AVAILABLE RESOURCES, & ORGANIZATIONAL CHART	10
CRITERION 3: PROJECT UNDERSTANDING.....	11
CRITERION 4: PROJECT APPROACH	11
CRITERION 5: TOTAL BASE ANNUAL COSTS FOR OPERATIONS AND MAINTENANCE	11
CRITERION 6: QUALITY CONTROL PLAN	12
EVALUATION/SCORING CRITERIA.....	12
Appendix A-RFP Forms	14

GENERAL INFORMATION

PUPROSE OF THE REQUEST FOR PROPOSALS (RFP)

The Idaho Water Resource Board (Board) is seeking qualified and experienced respondents from interested Teams to submit a proposal for *Operations and Maintenance Services on the Dworshak Small Hydropower Project*.

GENERAL TERMS

This Request for Proposals (RFP) does not commit IWRB to enter into a contract or to pay any costs incurred in the preparation of a proposal or in subsequent contract negotiations.

RFP ADMINISTRATIVE INFORMATION:

RFP Number : 2021-003

RFP Title: IWRB Operations and Maintenance Services on the Dworshak Small Hydropower Project

RFP Project Description: The IWRB is seeking qualified and experienced respondents to submit a proposal to serve as the Operator for a hydropower facility for an initial 5 year term with an optional second 5 year term.

Pre-Proposal Meeting Time: Thursday February 11th, 9:30 am Mountain Time (MT)

Location: Zoom Format

Attendance: Required attendance in order to submit proposal

Submittal of Questions: Idwr.Purchasing@idwr.idaho.gov

Proposal Submittal Alternatives:

<u>Mailing</u>	<u>Courier</u>
IWRB-RFP No. 2021-003	IWRB-RFP No. 2021-003
322 E. Front Street	322 E. Front Street
P.O. Box 83720	Suite 648
Boise, ID 83720-0098	Boise, ID 83702

RFP SCHEDULE

<u>RFP Milestones</u>		<u>Times</u>
RFP Advertisement	February 1st	8:00 AM MT
Pre-Proposal Meeting-Required	February 11 th	9:30 AM MT
Deadline for Questions	February 26 th	5:00 PM MT
Issue Addendum with Replies to Questions	March 3rd	5:00 PM MT
RFP Submittal Deadline & Public Opening	March 12 th	11:00 AM MT
Proposal Scoring and Interviews	March 15th -31st	TBD
Notice of Selected Team	April 1 st	TBD

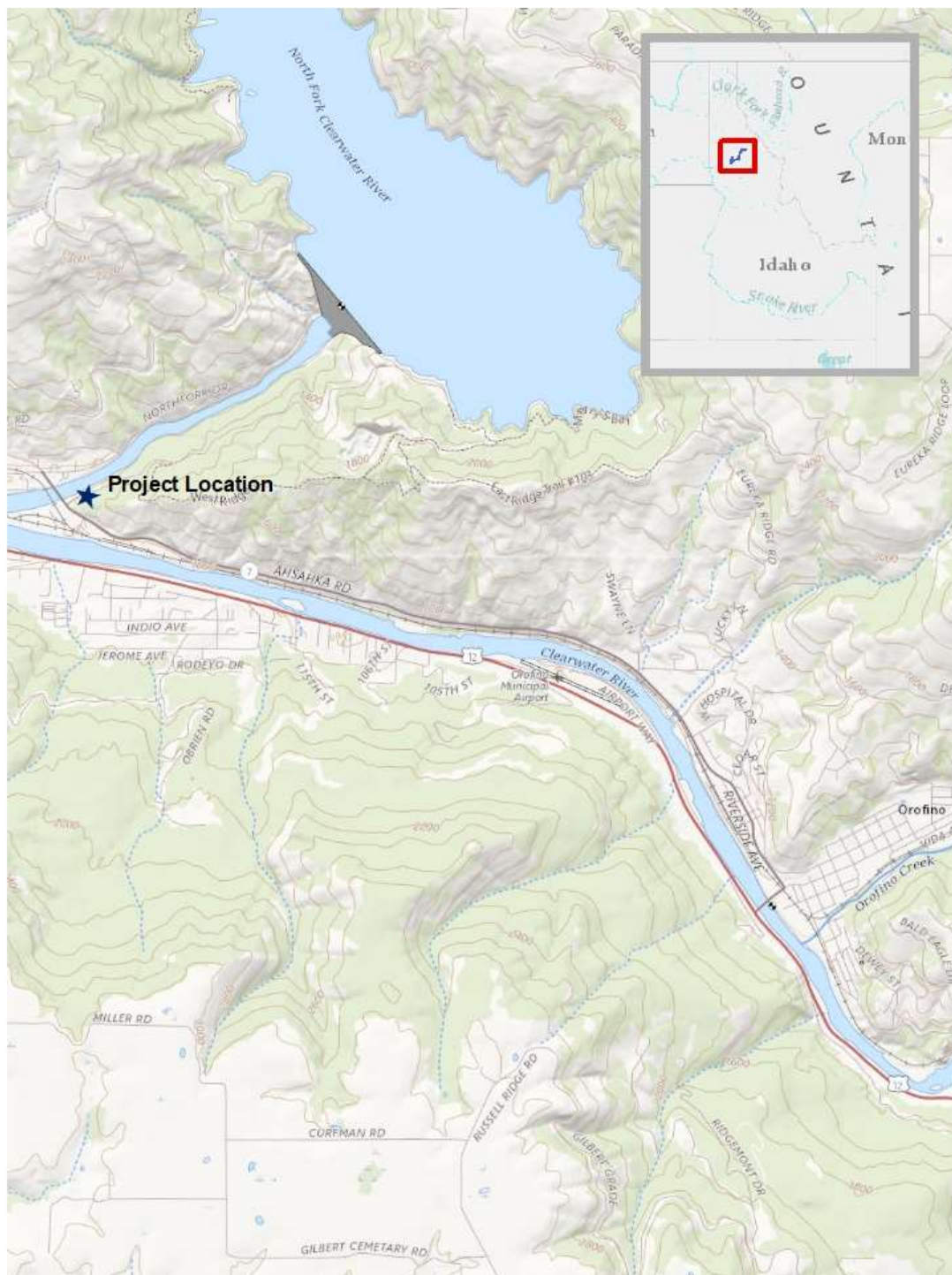


Figure 1 Project Location (Near Ahsaka, ID)

REVISIONS TO RFP

All addenda to this solicitation will be posted and available for downloading on the IWRB Solicitations web page (<https://idwr.idaho.gov/IWRB/solicitations/>). Respondents are responsible for regularly checking the IWRB Solicitations web page for addendums.

RESERVATION OF RIGHTS BY IWRB

The issuance of this RFP does not constitute an assurance by IWRB that any contract will actually be entered into by IWRB, and the IWRB expressly reserves the right to the following:

- Waive any immaterial defect or informality in any response or response procedure
- Reject any and all proposals for cause
- Reissue the Request for Proposals
- Request additional information and data from any or all respondents
- Extend the date for submission of responses
- Supplement, amend, or otherwise modify the RFP, and cancel this RFP with or without the substitution of another RFP
- Disqualify any respondent who fails to provide information or data requested herein or who provides inaccurate or misleading information or data
- Disqualify any respondent on the basis of any real or apparent conflict of interest

By responding to this RFP, the Team (Lead Contractor and any sub-contractor) agrees that any finding by the Board of any fact in dispute to this RFP or the responses thereto shall be final and conclusive, except as provided herein.

CONFLICT OF INTEREST

By the submission of a proposal, the Team agrees to ensure that, at the time of contracting, the Team will have no interest, direct or indirect, that would conflict in any manner or degree with the performance of the Team's obligations under the contract. The Team shall further covenant that, in the performance of the contract, the Team shall not employ any person, or subcontract with any entity, having any such known interest.

PROPRIETARY MATERIAL

The Board assumes no liability for disclosure of proprietary material submitted by respondents. Proposal submittals shall be considered public documents under applicable state law except to the extent portions of the submittals are otherwise protected under applicable law.

PROFESSIONAL CERTIFICATIONS

This is a public works project and will require the successful respondent to have a public works contractor license at the time of signing a contract. In the event a public works construction project occurs during the term of the contract, the successful respondent will be required to have a State of Idaho licensed professional engineer perform any engineering services to acquire the necessary permits or authorizations from federal, state, or local agencies.

PAYMENT BONDS

A payment bond is required for this project, in an amount of eighty-five percent (85%) of the annual operating fee (see Section 5.A of the draft contract). The bond shall be executed by a surety company or companies duly authorized to do business in this state, or the contractor may deposit any of the type of government obligations listed in Idaho Code § 54-1901(2)(h), in lieu of furnishing a surety company payment bond. Bonds shall be provided within ten (10) calendar days of the Contract Date.

ILLEGAL ALIENS

Respondent shall warrant that the Respondent does not knowingly hire or engage any illegal aliens or persons not authorized to work in the United States; Respondent shall take steps to verify that it does not hire or engage any illegal aliens or persons not authorized to work in the United States; and that any misrepresentation in this regard or any employment of persons not authorized to work in the United States constitutes a material breach and shall be cause for the imposition of monetary penalties and/or termination of any Contract resulting from this RFP.

LEGAL RESIDENCY REQUIREMENT

By submitting a Proposal, the Respondent attests, under penalty of perjury, that the Respondent is a United States citizen or legal permanent resident or that it is otherwise lawfully present in the United States pursuant to federal law. Prior to being issued a contract, the Respondent will be required to submit proof of lawful presence in the United States in accordance with Idaho Code §67-7903.

IDAHO LABOR REQUIREMENTS

This Project is subject to the provisions of Idaho Code Sections 44-1001 and 44-1002, dealing with labor preference.

PRE-PROPOSAL MEETING

The IWRB best management practice for an RFP will usually **require** a pre-proposal meeting on site for proposers to walk through the facility in order to become familiar with the Project. With the health regulations varying from region to region, the IWRB will be **requiring attendance at** a virtual tour instead. The virtual tour will be conducted February 11th, 2021. Each respondent is responsible for sending a signed Non-Disclosure Agreement (Appendix A of this RFP) to Idwr.Purchasing@idwr.idaho.gov which will serve as an RSVP to the virtual tour in which you will receive the meeting information to sign on. The deadline for submitting the confidentiality form/RSVP will be February 10th at 3 pm MT. The RFP Contact Person will also be the virtual tour host. The virtual tour of the project will not exceed 1.5 hours, and the Contact person will be on site to broadcast a live video feed. During the tour, the viewers will be allowed to ask the virtual host tour to move around the facility as needed to identify equipment and to assess its condition.

The pre-proposal meeting format will consist of the following:

Virtual tour of the facility guided by virtual host (1.0 hour)

Open question and answer session (30 minutes)

- Questions during the Virtual Tour: Verbal questions during the virtual tour will be allowed, however if a question is given a verbal answer it is not considered to be a formal reply. The question will be documented during the tour and a formal reply will be issued in an addendum to the proposers. The replies in the addendum will serve as the formal reply.
- Preferred Format for Questions: During the virtual tour it is preferred the proposers use the Q&A portion of the zoom meeting to formally document a question so it can be incorporated into the formal record and receive a formal reply in issuance of the addendum.
- Availability of the Tour Once Completed: The virtual tour will be recorded and available after the tour is completed (confidentiality terms and conditions will apply to this material).

PROJECT VIDEO RECORDS

IWRB is providing brief video clips of the project to the Respondents in order to become familiar with the project. The Non-Disclosure Agreement mentioned in the Pre-Proposal Meeting section will need to signed

and delivered to the RFP Contact Person. Once received the RFP Contact Person will send the passcode to the Respondent within 24 hours.

RFP QUESTIONS, AND GENERAL CONTACT INFORMATION

Teams are invited to ask questions during the allotted time in the pre-proposal meeting and will be allowed to submit questions via e-mail until 5:00 PM MT on Friday February 26th.

All questions concerning this RFP shall be addressed to Randy Broesch P.E., Water Projects Section, Engineer Technician I, via email to Idwr.Purchasing@idwr.idaho.gov (no questions will be accepted by telephone). All questions submitted by email and in the pre-proposal meeting will be addressed in one addendum issued on Wednesday March 3rd and posted to the IWRB Solicitations webpage. The source of all questions will be confidential, and no Teams will be identified in the IWRB's responses.

PROJECT RISK MATRIX

The purpose of the project risk matrix is to identify the responsibilities between the IWRB and the successful proposer. These responsibilities are reflected in the draft scope of services and based on the IWRB's current responsibilities on the project. These responsibilities may be altered during contract negotiations as needed.

Risk Category	Owner	Contract Operator	Shared	Description
Utilities	√			The IWRB is currently responsible for paying the utility bills associated with the Project. Utilities include gas, power, internet, phone, insurance, security, and FERC
Inventory, Tools, and Equipment			√	The IWRB has equipment and tools on site that the Contractor may use for operations and maintenance purposes, and the Contractor should also provide any specialty tools needed to conduct their services. If the IWRB pays the Contractor to purchase a tool, it is understood, the tool or equipment will stay on site and the IWRB will retain ownership of those items. The Contractor is expected to retain ownership of their tools when they are used on the Project.
Site Conditions		√		Contractor is responsible for the Project site conditions associated with all the seasons (grass mowing, snow removal, etc.)
Safety			√	Both the IWRB and Contractor will be responsible identifying unsafe conditions and working together to find a solution.
BPA Invoicing	√			The IWRB is responsible for invoicing the BPA on a monthly basis and does not expect the Contractor's services to perform this task.
BPA Generation Reporting		√		The Contractor will be responsible for submitting weekly reports to BPA for the estimated power generated each week.

Facility Insurance	√			The IWRB is responsible for paying facility insurance through the Bureau of Risk Management.
Project Financing	√			The IWRB is responsible for financing any hydropower generation activities associated with the project.
Operations		√		The Contractor is responsible for operations services listed in the scope of services.
Maintenance		√		The Contractor is responsible for maintenance services listed in the scope of services.
Emergency Response		√		The Contractor is responsible for responding to emergencies at the Project in short duration in order to identify the issue and initiate a remedy that will quickly re-establish power generation.
Permits	√			The IWRB is responsible for meeting the criteria of its current permits, and the Contractor may be asked to assist the IWRB with meeting requirements of these permits from time to time.
Annual Training		√		The Contractor is responsible for becoming familiar with the operations of the Project and the IWRB's existing training materials to develop an annual training with the agencies associated with the Project.
Condition Assessment			√	Both the Contractor and the IWRB will participate in the initial condition assessment and inventory to establish baseline conditions.
Communication			√	It is the responsibility of both the IWRB and the Contractor to communicate regularly, clearly, and concisely regarding the operations and maintenance of the Project.

DRAFT CONTRACT, TERMS, AND CONDITIONS

A draft contract is being provided in an effort to accelerate contract negotiations upon the selection of the successful Team, and is provided for information purposes only. Respondents are encouraged to review the document and provide comments with the proposal). **Comments on the contract will not be scored in the proposal process nor considered in the interview/presentation phase of the RFP.** Questions regarding the Draft Contract must be submitted by Friday February 26th deadline. Answers will be included in the addendum that will be issued on Wednesday March 3rd.

OPERATIONS AND MAINTENANCE ANNUAL COST

Proposers are being asked to provide a cost estimate for the baseline annual operations and maintenance services described in the draft scope of services. The costs will be ranked and assigned points as described in the Criterion for Cost.

PROPOSAL EVALUATION AND SELECTION

A Selection Committee will score/rank the individual and comparative merits of the proposals received. It is the responsibility of the responding Team to ensure that the proposal complies with the conditions and

information requested in this RFP. If a Team fails to provide any information requested in this RFP, such failure may result in either a lowered evaluation score of the proposal or disqualification of the Team. It is the intent of the Board to evaluate the proposals for approximately 10 working days after the RFP submittal date.

As part of the selection process, the highest scoring teams will be interviewed by the Selection Committee. The dates for interviews will be determined after receipt of the proposals. The interview will include a 30-minute presentation by the Team, a 30-minute question and answer session by the Selection Committee, and a 30-minute question and answer session from the Team to the Selection Committee. Teams will be ranked and the highest ranking Team will be selected to begin negotiations.

Once the successful Team is selected, contract negotiations will begin immediately. The selected Team will be asked to submit a level of effort or a man-day estimate associated with the Team's draft scope of services no later than ten (10) days after selection to initiate the negotiations. Details in the man-day estimate should include certified hourly rates for staff, overhead rates, expected direct/indirect expenses, and costs for consumables. If negotiations are unsuccessful with a selected Team, those negotiations will be formally ended and new negotiations will begin with the next ranked Team. The IWRB will notify the successful and unsuccessful Teams as soon as practicable of the selection results.

PROPOSAL PREPARATION & SUBMITTAL INSTRUCTIONS

Proposals must conform to the following instructions. Any non-conforming proposal will be rejected.

Proposals must be received at the Idaho Department of Water Resources no later than 11:00 AM MT on January 22. Interested Teams must provide an electronic copy on a USB Flash Drive (Adobe PDF format) and seven (7) printed copies of the proposal. Late proposals will not be considered.

All proposals must include signed copies of the following documents:

1. RFP Signature Page
2. Acknowledgement of RFP Addendum(s) (acknowledgement form will be published with Addendum)
3. Confidentiality Agreement for record documents

PROPOSAL FORMAT:

- **Package #1-Proposal (Scoring Based on Criteria in the RFP):**
 - ◇ The introductory letter is limited to one (1) single sided page (the letter does not count in the proposal page total)
 - ◇ 16 pages allotted for responding to the RFP
 - ◇ Organizational chart does not count in the proposal page total
 - ◇ Schedule of Operations and Maintenance Activities 5-year Maintenance Schedule does not count in the proposal page total
 - ◇ The RFP Signature Sheet and the Acknowledgement of Addendum sheets do not count in the proposal page total
 - ◇ Except as otherwise noted, pages shall be 8 ½ x 11 inches, with minimum of ½" margins and a minimum font size of 11.
- **Package #2-Comments to Draft Contract (Not Scored)**

- ◇ No page limitation
- Package #3-Supporting Information (Not Scored, but may be used in the interview)
 - 16 pages allotted for the Team's relevant project descriptions (limited to one page each), firm profiles, 1-page resumes of key personnel, technical papers, and supporting information/details regarding certifications
- Electronic File Format: Portable Document Format (PDF)

INTRODUCTORY LETTER

The introductory letter should be addressed to:

Randall Broesch P.E., Water Projects Section Engineer, Technician I
Idaho Water Resource Board
P.O. Box 83720
Boise, Idaho 83720-0098

The introductory letter should introduce the Team, identify the Project Manager, provide contact information (telephone number and email address), and contain a statement confirming the commitment of the key personnel identified in the proposal to meet IWRB's quality and service expectations.

PROPOSAL

It is essential that the Team provide adequate staff of experienced personnel capable of and devoted to the successful accomplishment of work to be performed under the contract. The specific individuals listed in the proposal, including Project Manager, shall be assigned to the key positions and shall not be removed or replaced without the prior written approval of IWRB. Replacement personnel submitted for approval must have at least equal qualifications, experience and expertise as those listed in the proposal.

EVALUATION CRITERIA

CRITERION 1: COMPANY & TEAM EXPERIENCE AND QUALIFICATIONS

Limit: 3 pages

Describe how the Company and Team are organized to operate and maintain this type of project. Provide basic information relative to the Company's size, hydropower operations & maintenance experience, personnel, and special certifications as they pertain to the hydropower industry. Provide descriptions of three (3) similar projects successfully managed/operated by the Company or Team within the last seven (7) years. Identify the similarities to this project and how the Team is qualified to operate it. List two (2) verifiable professional references with a contact name, phone number, and email. Demonstrate the experience and qualifications of the team related to the following:

- ◇ Hydropower operations
- ◇ Federal Energy Regulatory Commission inspections
- ◇ Operations and maintenance of power generation equipment
- ◇ Asset management plans
- ◇ Contract administration and client management

CRITERION 2: PROJECT MANAGER, KEY PERSONNEL, AVAILABLE RESOURCES, & ORGANIZATIONAL CHART

Limit: 3 pages

Identify the Project Manager who will be responsible for the quality and timeliness of the Team's work, and for ensuring that adequate personnel and other resources are available for this project. Provide a brief summary of education, experience, and qualifications/certifications associated with operating hydropower facilities. Also, provide the following:

- ◇ Two (2) hydropower projects led by the Project Manager within the last seven (7) years and identify the similarities to this project (include dates when the work occurred and specific services)
- ◇ Provide a brief summary of the Project Manager's experience and involvement with hydropower facilities in the last five (5) years. Provide two (2) verifiable references with the contact name, phone number, and email
- ◇ Provide an estimated percentage of time the Project Manager is expected work on the project

Identify the key personnel and describe each person's role and duties on this project. Provide a brief summary of experience and qualifications, including Idaho professional registration (if applicable) for each person identified. Include their office locations and their percentage of availability for this project. Include an organizational chart of the Team (single sided sheet up to 11"x17" in size).

CRITERION 3: PROJECT UNDERSTANDING

Limit: 2 pages

Describe the Team's role as Operator and provide a detailed description of the project based on your Team's knowledge and research. Based on your understanding, identify and describe the critical operations and maintenance activities for the Project, and what your Team's capabilities and limitations are on the Project. Also, describe current conditions or issues that impact system longevity.

CRITERION 4: PROJECT APPROACH

Limit: 6 pages

Based on the project understanding, describe your Team's project approach to manage the operations of the facility for 5 years including a project schedule for operations and maintenance activities (single sided sheet up to 11" x 17"). Explain how the Team would become familiar with the operations of the Project. Describe possible innovations improving power generation, increasing asset longevity, reducing project administration efforts for both the IWRB and the Contractor, and improved secure remote communications. Describe the Team's approach towards the preparation of an asset management plan and any tools the Team will use to actively manage the IWRB's facility over the life of the contract.

CRITERION 5: TOTAL BASE ANNUAL COSTS FOR OPERATIONS AND MAINTENANCE

Limit: 1 pages

Prepare a cost estimate for the total base annual costs and for the preparation of an asset management plan. Costs shall be based on the services specified in the sections of Project Management/Administration, Operations, and Maintenance of the Scope of Services as follows:

- Project Management/Administration Sections A. Monthly Coordination and B. Project Invoice Preparation/Billing
- Operations Section E Documentation, Record Keeping, and Reporting
- Maintenance Section A.i.7 Bi-Weekly Inspection

The cost estimate shall show direct labor rates, company/organizational mark-ups, description/position of staff providing the services, and list the hours expected for staff to provide the services. These costs shall be calculated for the contract year, sub-totaled, and labeled "Total Annual Cost"

A cost estimate for preparing an asset management plan is also being requested. The cost shall be presented as a single lump sum cost. A detailed cost estimate is not being requested. Costs for this service shall be labeled “Asset Management Plan Cost”.

The sub-totaled costs for services shall be totaled and clearly labeled “**Total Cost of Proposal for Annual Bi-Weekly Inspections & Asset Management Plan**” (An example cost estimate is provided for convenience).

CRITERION 6: QUALITY CONTROL PLAN

Limit: 1 page

Describe the Team’s procedures for controlling changes in scope, schedule, cost, and quality. This should also include a description of the Team’s processes for maintaining a safe facility.

EVALUATION/SCORING CRITERIA

CRITERIA	SCORING CATEGORIES	Available Points
1. TEAM EXPERIENCE AND QUALIFICATIONS	Team’s Experience and Certifications; Similarities with other Projects, Project References	7.5
2. PROJECT MANAGER, KEY PERSONNEL, AVAILABLE RESOURCES, & ORGANIZATIONAL CHART	Project Manager’s Experience, Similarities with other Projects, Availability and Dedication to the Project, Qualified Key Personnel, and Organizational Chart	12.5
3. PROJECT UNDERSTANDING	Identify Critical O&M Activities for the Project, Team’s Capabilities and Limitations, Current Conditions Impacting System Longevity	10
4 PROJECT APPROACH	Project Approach, Schedule for Operations and Maintenance, Becoming Familiar with the Project, Approach to Project Innovations, Asset Management Plan,	15
5. TOTAL BASE ANNUAL COST	Annual cost to provide services in Sections Project Management and Administration, Operation, and Maintenance	45
6. QUALITY CONTROL	Capabilities to Control Costs, Scope, Safety, and Quality	10
	Sub-Total Proposal Points	100
PRESENTATION AND INTERVIEW		25
	Total Points Available for RFP	125

Scope of Services Item	Title of Staff	Quantity	Unit	Rate	Cost
Contract Management					
A. Monthly Coordination Meetings					
	Staff/Title	2	HR	\$ 165.00	\$ 330.00
B. Project Invoice Prep/Billing					
	Staff/Title	4	HR	\$ 125.00	\$ 500.00
	Staff/Title	3	HR	\$ 135.00	\$ 405.00
	Staff/Title	2	HR	\$ 145.00	\$ 290.00
Operations					
E. Documentation, Record Keeping, and Reporting					
	Staff/Title	3	HR	\$ 35.00	\$ 105.00
	Staff/Title	2	HR	\$ 37.00	\$ 74.00
	Staff/Title	2	HR	\$ 42.00	\$ 84.00
Maintenance					
A.i.7 Bi-Weekly Inspection					
	Mileage	240	Miles	\$ 0.58	
	Staff/Title	6	HR	\$ 155.00	\$ 930.00
	Staff/Title	6	HR	\$ 135.00	\$ 810.00
	Staff/Title	3	HR	\$ 125.00	\$ 375.00
				Sub-Total	\$ 3,903.00
			Profit/Margin	12%	\$ 468.36
			Bi-Weekly Inspection Cost		\$ 4,371.36
			Total Annual Cost (26 Inspections)		\$113,655.36
A.xii Asset Management Plan Cost		1	EA	\$ 25,000.00	\$ 25,000.00
Total Cost of Proposal for Annual Bi-Weekly Inspections & Asset Management Plan					\$138,655.36

Note to Respondents: The rates, mileage, fees, and costs are illustrated for example purposes **ONLY**. Respondents are responsible for preparing their own rates, fees, and costs for their cost proposal. However, Respondents shall use the State of Idaho's approved vehicle mileage reimbursement rate of \$0.56/mile in their proposals.

Appendix A-RFP Forms

(RFP Signature Sheet & Non-Disclosure Agreement)



State of Idaho

Water Resource Board

322 East Front St. Suite 648
Boise, Idaho 83702
Telephone (208) 287-4800
FAX (208) 287-6700

SIGNATURE PAGE

NO LIABILITY WILL BE ASSUMED BY THE IDAHO WATER RESOURCE BOARD FOR A RESPONDENT'S FAILURE TO OBTAIN THE ISSUED SOLICITATION ADDENDUMS IN A TIMELY MANNER FOR USE IN THE RESPONDENT'S RESPONSE TO THIS SOLICITATION.

Mail your response package to: Water Resource Board
PO Box 83720 Boise, ID 83720-0098

FedEx, UPS, or other Couriers: Water Resource Board
322 East Front St, 648
Boise, ID 83702

This RFP response is submitted in accordance with all documents and provisions of the specified RFP Number and Title provided below. By my signature I accept the conditions and requirements contained in the solicitation, including, but not limited to, the SUBMITTAL INSTRUCTIONS IN THE RFP, SCOPE OF SERVICES(TO BE NEGOTIATED UPON SUCCESSFUL SELECTION), DRAFT CONTRACT, TERMS, AND CONDITIONS (TO BE NEGOTIATED UPON SUCCESSFUL SELECTION) in effect at the time this RFP was issued, as incorporated by reference into this solicitation. As the undersigned, I certify I am authorized to sign and submit this response for the named RESPONDENT. I further acknowledge I am responsible for reviewing and acknowledging any addendums that have been issued for this solicitation.

RFP Number: _____ **RFP Title:** _____

RESPONDENT (Team) _____

ADDRESS _____

CITY, ST, ZIP _____

PHONE: _____ FAX: _____ FEIN: _____

E-Mail: _____

Signature

Date

Printed Name

Title

RETURN THIS SIGNATURE PAGE WITH YOUR PROPOSAL



Non-Disclosure Agreement
Dworshak Small Hydropower Project, Operations & Maintenance Services
RFP No. 2021-003

1. The Idaho Water Resource Board (Board) issued RFP No. 2021-003 for Operations & Maintenance Services for the Dworshak Small Hydropower Project (Project).
2. Some of the information, needed to provide an informed response to RFP No. 2021-003, is considered critical energy infrastructure information (CEII) pursuant to 18 CFR § 388.113.
3. Respondent must agree to keep all CEII related to the Project confidential prior to receiving such information.

Therefore, Respondent agrees as follows:

- A. CEII includes, but is not limited to, the virtual tour of the Project, design plans, schematics, and emergency action plans. A full definition of CEII can be found at 18 CFR § 388.113(c)(2).
- B. Respondent shall handle the CEII as follows:
 - i. Keep it in a secure place in a manner that would prevent unauthorized access;
 - ii. Destroy or return it to the Board on the date RFP No. 2021-003 submittals are due; and
 - iii. Promptly report to the Board all unauthorized disclosures.
- C. Respondent shall minimize the number of people within its organization that have access to the CEII.
- D. Respondent will not disclose CEII to any subcontractor without obtaining a non-disclosure agreement substantially similar to this Agreement. Respondent shall provide the Board a copy of each non-disclosure agreement prior to disclosing the CEII.
- E. In addition to any other remedies available to the Board, Respondent shall indemnify the Board against any losses and liabilities arising out of disclosure or use of any CEII by any representatives of Respondent other than as authorized in this agreement.

Name of Respondent

Email

Phone Number

Name & Title of Signer

Signature