

**REQUEST FOR PROPOSAL**  
**PROJECT NO. RFP-C 19-01**  
**Retail Electricity Supply Services**  
**QUESTIONS AND ANSWERS No. 001**

Date: Oct 05, 2018

To: Prospective Respondents

From: Procurement Operations Department, Houston Community College

Subject: Questions and Answers Responses

|                  |   |
|------------------|---|
| Q1.              | We are on the GSA MOBIS Schedule - 00CORP with a SIN 874-1 and a SIN 874-Does this exclude our company from bidding, or are we eligible to submit a proposal?   |
| <b>Response:</b> | This an open public procurement.  |
| Q2.              | Is the McNamara-O'Hara Service Contract Act (SCA) Wage Determination in force with this RFQ? If so, can you advise a) What SCA/Wage numbers are applicable? and b) What City and State SCA Wage Determination takes precedence?     |
| <b>Response:</b> | As noted in the RFP proposer must comply with all applicable federal, state and local laws.   |
| Q3.              | Does this requirement stipulate that the proposed bidder must hold an active Form DD254 Facility Clearance "PRIOR TO BEING AWARDED" this contract?  |
| <b>Response:</b> | No. No such requirement is set forth in the RFP.  |
| Q4.              | If an active Form DD254 Facility Clearance is required, will arrangements be made to assist and provide adequate time to process the required paperwork or are bidders without DD254 Facility Clearance not advised to participate? |
| <b>Response:</b> | No such requirement is set forth in the RFP.  |

|                  |   |
|------------------|---|
| Q5.              | For areas where strict requirements exist related to this RFP-C 19-01 Retail Electricity Supply Services Solicitation that an active Secret Facility Clearance in the Industrial Security Facilities Database (ISFD) is needed to meet Secret Facility Clearance Requirements stated throughout the solicitation and Performance Work Statement (PWS); would the government accept a Contractor Teaming Agreements (CTA) under The GSA Construct that fulfills Past Performance requirements? |
| <b>Response:</b> | No such requirement is set forth in the RFP.  |
| Q6.              | For areas where strict requirements exist for the number and types of past performance as a PRIME Vendor; would the government accept a Contractor Teaming Agreements (CTA) under The GSA Construct that fulfills Past Performance requirements?  |
| <b>Response:</b> | No such requirement is set forth in the RFP.  |
| Q7.              | Please clarify the required curve date for Pricing  |
| <b>Response:</b> | Reference Solicitation Amendment Number 001.  |
| Q8.              | There are 97 Accounts and multiple meters with Fixed Price Terms for 6, 12, 18, 24, 30, 36, 42, 48, 54 and 60-month terms. Do you want one (1) price per meter for each Fixed Price Term or one (1) price for the entire portfolio for each Fixed Price Term?   |
| <b>Response:</b> | One price for entire portfolio.   |
| Q9.              | Can this requirement be facilitated as an SBA 8 (A) Set-Aside?  |
| <b>Response:</b> | No  |
| Q10.             | Can you provide any guidance on the level of effort expected to be required to complete this work? This could be in terms of Total Labor Hours, Labor Hours By Key Team Members, etc.?  |
| <b>Response:</b> | Level of effort required should be determined by your firms response to the scope of work/services described in the solicitation  |

|                  |   |
|------------------|---|
| Q11.             | I wanted to check on the ESID #1008901016138060370100 with the address of 1102 Delano St. This meter is currently under contract with us under another company. Please confirm this location is supposed to be included in the RFP. |
| <b>Response:</b> | The Delano Warehouse has been sold. Should not be included.   |
| Q12.             | Is this the first issue of this solicitation - Is this a re-compete of an existing Houston Community College System requirement or a new requirement?   |
| <b>Response:</b> | Yes, this is the first issuance of this solicitation and re-compete of an existing Houston Community College System requirement   |
| Q13.             | Can you advise on if there were/are an incumbent provider(s) for these services? If Yes – Who is/are the incumbent(s) and can you provide previous contract number?   |
| <b>Response:</b> | GLO - 14-058-0007606 - Cavallo  |
| Q14.             | If there is an incumbent, is there a reason the known incumbent may be precluded from bidding on this new or existing requirement?  |
| <b>Response:</b> | GLO - Cavallo HCCS incumbent and have not been precluded.   |
| Q15.             | Is this requirement part of a Multiple Award Schedule/Contract or a Single Award Schedule/Contract?   |
| <b>Response:</b> | Single Award Contract.  |
| Q16.             | Has Houston Community College System held preliminary meetings with specific contractors interested in responding to this solicitation?   |
| <b>Response:</b> | Houston Community College has not held preliminary meetings with any specific contractors.  |
| Q17.             | Is it estimated that full funding exists for this solicitation? If so, is there an intended funding threshold and what is the minimum for this threshold?   |

|                  |  |
|------------------|--|
| <b>Response:</b> | Full funding does exist for this solicitation.   |
| Q18.             | Is this requirement on schedule to execute a contract with the selected vendor during the current fiscal period?   |
| <b>Response:</b> | Yes.   |
| Q19.             | Is there a prescribed procedure for technical evaluation of this solicitation? If so, can you describe procedures?   |
| <b>Response:</b> | Leveraging energy consultant to provide expertise, guidance, and recommendation.   |
| Q20.             | Can this requirement be facilitated on the GSA PSS (MOBIS) 874-1 SIN Schedule as a Small Business 8(a) Set-Aside? If so, will the Government add this contract vehicle to allow small businesses an adequate opportunity to compete and support this requirement?                        |
| <b>Response:</b> | No   |
| Q21.             | Please Confirm When pricing is due by  |
| <b>Response:</b> | Pricing is due with the response on October 11th. by 2:00 pm (local time)<br>Please submit pricing based on Monday, October 8th market close. Please refer to Solicitation Amendment Number 001.   |
| Q22.             | Please confirm how long do we need to hold pricing until if the award is Nov 9 ?   |
| <b>Response:</b> | This is an evaluation. Suppliers should submit best offer and will be given a chance to refresh pricing closer to the contract award date. Pricing is due with the response on October 11th. by 2:00 pm (local time)<br>Please submit pricing based on Monday, October 8th market close. |
| Q23.             | Would we be able to refresh pricing again before Nov 9 to reflect current market conditions?   |

|                  |  |
|------------------|--|
| <b>Response:</b> | Yes.   |
| Q24.             | Will an award be made by the College on the proposal due date?   |
| <b>Response:</b> | No.  |
| Q25.             | Is the 5% add / delete site language based on the total contract volume?   |
| <b>Response:</b> | Yes.   |
| Q26.             | In cases where the RFP and Suppliers contract conflict, will the Supplier contract have precedence?  |
| <b>Response:</b> | Supplier contract language will be reviewed and negotiated if necessary.   |
| Q27.             | Termination Language – We do not see any termination language (Early Termination) in the solicitation Will we be kept whole for any market hedges if either clause is invoked?                       |
| <b>Response:</b> | Please include any termination language you would like to have considered.   |
| Q28.             | Would the college be open to inputting termination language into the agreement?  |
| <b>Response:</b> | Please include any termination language you would like to have considered.   |
| Q29.             | Change in Law - Should there be any change in law, tariffs or regulations that alters a suppliers cost to serve (e.g.: a new tax) will the buyer allow their supplier to alter their contract price? |

|                  |  |
|------------------|--|
| <b>Response:</b> | No. Not the contract price. Submit your change in law language to be considered.   |
| Q30.             | Is our firm allowed to submit exceptions with the bid submission?  |
| <b>Response:</b> | Yes. As long as you meet requirements of this solicitation.  |
| Q31.             | In Regards to Material Usage Deviation – Does the College plan to impact usage over 100% i.e solar project or efficiency upgrades during the duration of the agreement?  |
| <b>Response:</b> | Please submit best offer for Swing and MAC.  |
| Q32.             | Section 3.21 – “invoices for goods or services delivered in accordance with the resulting purchase order/contract shall be emailed to...” does the college have any specific billing requirements (other than the stated requirements of: 30 day terms and including the PO# on the invoice)?  |
| <b>Response:</b> | Monthly bills shall be submitted to Houston Community College Accounts Payable Department.<br>3100 Main Houston, TX 77002  |
| Q33.             | Do all these accounts have the same billing address?   |
| <b>Response:</b> | Yes  |
| Q34.             | Regarding the Additional Requirements section 9.2, we do not currently accept credit cards for payments. We have an online portal where you will be able to set up your account and manage your invoices, usage and payments via ACH (you are able to elect auto-pay if you so choose) or by check. Prior to moving forward, I wanted to confirm you would still be interested in pricing from our firm.<br><br>9.2 Proposer accepts payment using a purchasing card (MasterCard) at no additional fee:<br>Yes _____ No _____. |
| <b>Response:</b> | Yes, we are still interested.  |

|                  |   |
|------------------|---|
| Q35              | Which date's curves am I to use for the pricing to be submitted on Thursday, Oct 11th, 2018 by 2PM CST? I wanted to clarify the verbiage regarding the actual date, also is 11:59 PM CST correct?   |
| <b>Response:</b> | Pricing is due with the response on October 11th. by 2:00 pm (local time)<br>Please submit pricing based on Monday, October 8th market close. Please refer to Solicitation Amendment Number 001.  |
| Q36              | Are you wanting a physical hard copy delivered by 2PM CST on Thursday, Oct 11th, 2018, as well as a USB with PDF version? Am I able to hand deliver it myself?  |
| <b>Response:</b> | Yes, delivery may be in person or via courier but must be by deadline.  |
| Q37              | Do I need to register our firm as a vendor on your website prior to submitting our proposal or is that only when a Supplier has been awarded the RFP?   |
| <b>Response:</b> | HCCS always encourage potential suppliers to negotiate. That way your firm will be alerted when other opportunities are released.   |
| Q38              | Are pgs. 13 and 17 the only pages that need to be notarized?  |
| <b>Response:</b> | Page 13, 17 and 19 need to be notarized.  |
| Q39              | Section 3.8: Is the internship program applicable? Can the internship clause be removed?  |
| <b>Response:</b> | Yes, applicable and no, it will not be removed.   |
| Q40              | Section 3.13: Will HCC waive the ability to terminate on 30 days' written notice without paying any amounts for products or services? Would HCC be willing to pay a termination fee under this contract if it terminates the contract prior to the expiration of the contract term? |
| <b>Response:</b> | Please include any termination language you would like to have considered.  |

|                  |  |
|------------------|--|
| Q41              | Section 3.19: Indemnification is broad and not consistent with our Indemnification provision. We need to understand if section 3.19 would supersede our provision entirely or would be considered incremental to our Indemnification rights.   |
| <b>Response:</b> | Section 3.19 refers to general information related to proposal.  |
| Q42              | Section 6: What does 100% swing tolerance mean given MAC is a separate concept? How is it measured and what happens if it is exceeded? Is the swing tolerance on a premise level or entire contract volume?  |
| <b>Response:</b> | Unlimited swing clause preferred. Please submit best offer for Swing and MAC.  |
| Q43              | Section 6. Scope of Service: Pricing has to be based on a specific curve, RFP is not clear on the date.  |
| <b>Response:</b> | Pricing is due with the response on October 11th. by 2:00 pm (local time)<br>Please submit pricing based on Monday, October 8th market close. Reference to Solicitation Amendment Number 001.  |
| Q44              | Section 11. Delivery of Invoices: Invoices have to be email to their AP group and need to reference a Purchase Order #. Can we use the invoice number as the Purchase Order #?   |
| <b>Response:</b> | Details will be negotiated with the awarded contractor.  |
| Q45              | Section 1: Attachment 1 states that the HCC Purchase Order is part of the contract. Can you please provide a draft Purchase Order? Is the RFP part of the contract? Where in the order of precedence is the proposer's contract?   |
| <b>Response:</b> | The undersigned understands and agrees that any award resulting from this offer will be made in the form of an HCC Purchase Order and will have the following order of precedence: 1) HCC Terms and Conditions of Purchase Order, 2) HCC referenced solicitation including all amendments issued by HCC, 3) the RFP response as accepted and awarded by HCC. |
| Q46              | Section 6: What are the payment terms, as the RFP and this section are not the same?   |
| <b>Response:</b> | Max available (20+ days) payment terms requested.  |

|                  |   |
|------------------|---|
| Q47              | Section 3.22 (page 5), could you confirm the college be priced as they come in, and not expected to be served under the same price?   |
| <b>Response:</b> | State your willingness to participate in the local program offering and any caveats related to that participation.  |
| Q48              | Will the purchase order referenced be available prior to power flow? And will there be only 1 purchase order for the full term? Please confirm that Proposer does not need to validate or sign off or change the purchase order reference each month. |
| <b>Response:</b> | The details will be worked out and negotiated with the successful contractor.   |

Balance of page intentionally left blank.