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**Request for Proposals for:**

**Job Order Contracts for Wastewater  
Construction Services**

**RFP-23-004**

**May 4, 2023**

Proposals will be received by AlexRenew at 1800 Limerick Street, Alexandria, VA 22314,  
Attn: Igor Scherbakov, on or before 2:00 PM EDT, June 5, 2023.

1800 Limerick Street, Alexandria, Virginia 22314 • 703-721-3500 • alexrenew.com

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## 1 Introduction

Alexandria Renew Enterprises (AlexRenew) is seeking qualified companies to perform on-call construction or rehabilitation of wastewater facilities on planned and emergency services through Job Order Contract(s) as defined by Code of Virginia § 2.2-4301. The purpose of this RFP is to solicit information from qualified companies (Proposers) that will enable AlexRenew to select multiple contractors for award through the process of competitive negotiation.

The subsequent Job Order Contract(s) are indefinite delivery, indefinite quantity contracts pursuant to which the selected Contractor(s) will perform individual construction Task Orders on vertical and horizontal wastewater collection and treatment facilities as listed in Section 2.1.

AlexRenew will award contracts to up to three firms. Virginia Public Procurement Act (VPPA) limits mandate that the spending shall not exceed \$6 million per year per Contractor, and that no individual Task Order will exceed \$500,000. The duration of the Job Order Contract(s) will be a one (1) year initial term with two (2) optional one-year periods, for a total maximum of three (3) years.

Task Order pricing shall be based upon the coefficient multiplier (for instance, 0.95 or 1.10, etc.) provided in the Proposal applied to pre-described and pre-priced tasks in RS Means Data Online (Price Catalog). The applicable line items from the Price Catalog and their quantities will be multiplied by the Proposer's designated coefficient multiplier for a total not-to-exceed amount for each Task Order.

### 1.1 Procurement Schedule

Table 1.1 below provides the highlights of anticipated procurement schedule.

**Table 1.1 – Procurement Schedule**

Activity	Date / Time
RFP Released	May 4, 2023
Pre-Proposal Meeting and Site Visit	May 16, 2023, 10:00AM EST
Last Day for Questions	May 22, 2023, 2:00PM EST
Last Day for Addenda	May 26, 2023, 2:00PM EST
Proposals Due	June 5, 2023, 2:00PM EST
Contract Recommendation(s) to Board	July 18, 2023, 6:00PM EST

### 1.2 Definitions

General and specific terms of reference used in this RFP include, but are not limited to:

- A. **Business Day:** Any day on which the Owner is open for regularly conducted business.
- B. **Contractor:** The selected entity(ies) entering into a Job Order Contract with the Owner.
- C. **Job Order Contract (JOC):** the contract awarded to the selected Proposer(s) to deliver work under Task Order assignments.
- D. **Owner:** Alexandria Renew Enterprises (AlexRenew).

- E. **Price Catalog.** RS Means Data Online, Washington DC Region
- F. **Proposals:** The document submitted by a Proposer in response to this RFP, including the completed forms, attachments, and exhibits.
- G. **Proposer:** The entity that submits a Proposal in response to this RFP.
- H. **Request for Proposals (RFP):** The Owner's Request for Proposals.
- I. **Task Order:** The Owner requested project work and approval mechanism for each project initiated under the JOC(s).

## 2 Background

Established in 1952 by the Alexandria City Council, AlexRenew's chartered mission is to clean wastewater and protect public health and the environment. AlexRenew is governed by an Alexandria City Council-appointed five-member citizen Board of Directors and is a political subdivision of the Commonwealth of Virginia created under the Virginia Water and Waste Authorities Act. AlexRenew is an independent, special-purpose government unit with administrative and fiscal independence from the City of Alexandria. AlexRenew serves more than 300,000 people in the City of Alexandria and parts of Fairfax County, Virginia. It currently maintains capital assets valued at approximately \$1 billion and treats approximately 13 billion gallons of wastewater annually at its wastewater treatment facility, located in Alexandria, Virginia.

The Job Order Contract(s) (JOC) will allow AlexRenew to obtain on-call construction/rehabilitation services for wastewater facilities and structures within the AlexRenew facilities and systems, including, but not limited to an interceptor (large diameter sewer) system of nearly 20 miles, four pump stations, and all buildings, equipment, and process systems at its wastewater treatment facility. On-site process systems at its wastewater treatment facility include coarse and fine screening systems, grit removal, settling tanks, Biological Reactor Basins (BRBs) including nitrogen removal, ultraviolet (UV) disinfection, the Nutrient Management Facility (NMF), as well as lab and office facilities.

## 3 Scope of Work

The scope of work for specific construction projects issued by Task Order may include, but is not limited to, one or more of the following types of work:

1. Wastewater emergency response.
2. Construction/rehabilitation of wastewater pump stations or elements within a pump station.
3. Construction/rehabilitation of wastewater interceptors and/or associated facilities,
4. Construction/rehabilitation of wastewater treatment processes and/or structures, including biological and/or chemical process facilities.
5. Construction/rehabilitation of odor control systems and processes.
6. Construction/rehabilitation of diversion and flow metering vaults.
7. Construction/rehabilitation of wastewater bypass pump vaults.
8. Establishing wastewater bypass pumping systems as necessary during construction.

9. Miscellaneous mechanical, electrical, and plumbing (MEP) work, including instrumentation and SCADA programming.
10. Miscellaneous heating, ventilation, and air conditioning (HVAC) work.
11. Miscellaneous related site improvements.

#### **4. Instructions to Proposers**

Proposals must meet all requirements established by this RFP. Requirements of this RFP generally will use the words “shall”, “will”, or “must” (or equivalent terms) to identify a required item that must be submitted with a Proposal. Failure to meet any RFP requirement may render a Proposal non-responsive. Each proposal will be rated and ranked based on the evaluation factors established by AlexRenew and reflect AlexRenew’s scoring (in its sole discretion) of Proposer’s Proposal for selection of up to three (3) contractors to receive a JOC.

AlexRenew intends to award contracts to up to three (3) Proposers, which will be eligible to receive subsequent Task Order(s) under the signed JOC Agreement (Draft Agreement provided in Attachment C). The Task Order schedule for specific projects will depend upon funding availability and planned, ongoing operations and maintenance, and emergency projects. Proposers selected in response to this RFP must be available to fulfill Task Order projects for up to three years.

The decision to select a Proposer for a JOC shall not constitute a determination that the Proposer is responsible for any or all possible Task Orders issued during the Contract Duration.

All material submitted by the Proposer shall become the property of AlexRenew and will not be returned.

AlexRenew reserves the right to extend the Proposal submission deadline, by way of an addendum, should such action be deemed in the best interest of AlexRenew. Termination of the RFP process can occur, and AlexRenew reserves the right to do so when necessary. Proposers will be notified in writing should any procurement modifications or terminations occur. If the process is terminated, no compensation will be made to any Proposers or potential Proposers regardless of the stage of completion of the process.

**Proposals must reference RFP-23-004, and shall be addressed to the AlexRenew Point of Contact (POC):**

**Igor Scherbakov**  
Procurement Manager  
Alexandria Renew Enterprises  
1800 Limerick Street  
Alexandria, VA 22314

Sealed submittals will be accepted until the date and time specified on the RFP cover page. Each submittal shall include one (1) printed copy of the Proposal and all attachments, and one (1) exact electronic copy of the original Proposal on Universal Serial Bus (USB) flash drive. Proposers are encouraged to use a return receipt delivery service and obtain a receipt for delivered submittals at the AlexRenew’s reception desk. Submittals received after the published due date and time will not be accepted.

This RFP documents may be obtained online using the Commonwealth of Virginia electronic procurement portal at [www.eVA.virginia.gov](http://www.eVA.virginia.gov) and the AlexRenew website, [Procurement | AlexRenew \(https://alexrenew.com/procurement\)](https://alexrenew.com/procurement) ).

### **3.1 Pre-Proposal Meeting**

An optional Pre-Proposal Meeting and Site Visit for interested firms/entities is scheduled for Tuesday, May 16, 2023 at 10:00AM at Alexandria Renew Enterprises, 1800 Limerick Street, Alexandria, VA 22314. Conference room information will be available at the front desk.

### **3.2 Questions and Clarifications**

All questions concerning this RFP and the selection process shall be submitted in writing to Igor Scherbakov, Procurement Manager, via email to [purchasing@alexrenew.com](mailto:purchasing@alexrenew.com) no later than **May 22, 2023 at 2:00 PM EST**. All communications shall specifically reference “RFP-23-004 JOC” in the subject line. No requests for additional information, clarification, or any other communication should be directed to any other individual. To be given consideration, such requests must be received by the question deadline indicated above.

### **3.3 Contact with Owner**

Prior to the award of a contract resulting from this solicitation, Proposers are prohibited from contacting AlexRenew staff other than the AlexRenew POC identified above to discuss any aspect of this RFP. Proposers are also prohibited from contacting any member of the AlexRenew Board of Directors, AlexRenew consultant staff, and any other staff or entities related to this solicitation. Any such contact may result in disqualification from participating in this procurement.

AlexRenew disclaims the accuracy of information derived from any source other than AlexRenew’s POC, and the use of any such information is at the sole risk of the Proposer.

The POC identified above is the only point of contact from which information will be disseminated.

### **3.4 Addenda**

Should any addenda be issued, they will be posted to the website at or near the date indicated in the table 1.1, but no later than seven (7) days prior to the deadline for submittal. All Proposers are responsible for retrieving all Addenda and incorporating any revised or new information into their Proposals. Notice of addenda will be posted on eVA portal at [www.eVA.virginia.gov](http://www.eVA.virginia.gov) and the AlexRenew website, [Procurement | AlexRenew \(https://alexrenew.com/procurement\)](https://alexrenew.com/procurement). All Proposers are encouraged to monitor these web pages for the most current addenda.

### **3.5 Proposal Format**

Proposers will demonstrate their experience and qualifications to perform the Scope of Work listed in Section 2.1 of this RFP in their Proposals. Proposals will be evaluated by AlexRenew based on the evaluation factors listed in Section 5.

Proposers are advised that AlexRenew reserves the right to conduct an independent investigation of any information, including prior experience and performance with AlexRenew, identified in the Proposal by contacting project references, accessing public information, contacting independent

parties, or any other means. AlexRenew further reserves the right to request additional information from a Proposer during the evaluation of the Proposals.

If the Proposer has concerns about information included in its Proposals that it considers confidential, the Proposer shall adhere to the requirements set forth by Section 8.5.

Proposals shall be organized as outlined in Section 4 Proposal Contents.

Each submittal shall include one (1) printed copy of the Proposal and all attachments, and one (1) exact electronic copy of the original Proposal on Universal Serial Bus (USB) flash drive. Pages in the Proposal shall be 8.5-inch by 11-inch with minimum of 0.5-inch margins. Minimum font size shall be 11-point. AlexRenew encourages the use of recycled products, therefore, it is urged that Proposals be submitted on paper made from or with recycled content and printed on both sides for the printed copy of the Proposal. For the electronic copy of the Proposal, all Proposals shall be formatted for double-sided printing.

Any 11-inch by 17-inch pages will count as two (2) page equivalents and must be folded to 8.5-inch by 11-inch size. 11-inch by 17-inch pages should only be printed single-sided.

All content shall be in English.

Unnecessarily elaborate materials beyond that sufficient to present a complete and concise Proposal are not desired. Elaborate artwork, expensive paper, bindings, visuals, and other presentation aids are not required. Proposals shall be limited in length to seven (7) pages including all content provided in response to Sections 4.2, 4.3, 4.4, 4.5, and 4.6, numbered consecutively. Each section identifies the page limit in the section title below. The seven (7) pages do not include the cover page, resumes, or forms.

## **4 Proposal Contents**

This Section describes specific information that must be included in the Proposal. Proposers shall submit a Proposal including the following content in the following order. Proposals that do not adhere to the prescribed content may be subject to rejection at Owner's discretion. Please do not include unnecessary marketing materials or content not relevant to this RFP.

### **4.1 Cover Page**

Include a Proposal cover page that contains the Project title "Job Order Contract for Construction Services, RFP 23-004." The cover shall also include the formal submitting entity's name. The cover may contain other items (photos, logos, etc.) at the discretion of the Proposer

### **4.2 Submittal Letter – 1 page limit**

Each Proposer shall provide a Submittal Letter on Proposer's letterhead that formally conveys the Proposal to AlexRenew. The letter must be signed by the Proposer's authorized representative who is empowered to sign such material and to commit Proposer to the representations and obligations contained in the Proposal and the subsequent JOC Agreement should the Proposer be selected for the JOC Contract to provide Task Order-based construction projects.

The Submittal Letter, which shall not exceed one (1) page, may include any information deemed relevant by the Proposer. Please do not include any excessive marketing narrative or materials.

### 4.3 Team Organization and Key Personnel – 2 page limit

The Proposer shall provide sufficient information to enable AlexRenew to understand and evaluate the Proposer's team. The Proposer shall provide the following:

- A. A brief narrative of the Proposer's ability and capacity to perform work and how the Proposer's team will be organized and function to achieve that goal. Include an overview of the Proposer's corporate organization and lines of communication and responsibility.
- B. An organization chart (one-page maximum) illustrating Proposer's project team structure. Include key personnel. Identify any key mechanical and electrical subcontractors. If electing to self-perform mechanical or electrical work, please identify.
- C. A Summary of the Key Personnel experience of the following Key Personnel, demonstrating experience in their proposed roles:
  1. **Project Executive.** Responsible for executive oversight on the work.
  2. **Project Manager.** Responsible for managing all aspects of the work, including specific future Task Orders.
  3. **Field Superintendent.** Responsible for field oversight of the work.

Summary for Key Personnel experience shall include:

- Name of Key Personnel
  - Total number of years of experience
  - Total number of years with the Proposer
  - Two Reference Projects, including the following information:
    - Reference Project Name
    - Reference Project Location
    - Reference Project Description/Scope
    - Role on Reference Project
    - Owner/Client Information for Reference Project (include Name, Title, Phone, and Email)
- D. Provide full resumes (up to 3 pages maximum each) for Key Personnel in Appendix A of the Proposal (not counting towards in the page limit for response to this section).

### 4.4 Related Project Experience – 2 page limit

Provide sufficient information to enable AlexRenew to understand and evaluate the experience of the Proposer's team on similar work. The Proposer shall provide the following:

- A. A brief narrative of the Proposer's related experience.
- B. A Summary of Related Project Experience for three (3) water and/or wastewater maintenance and construction Reference Projects of similar scope and size, at least \$150,000 in contract value, currently being performed or performed by the Proposer during the past ten (10) years.

Summary of Related Project Experience shall include:

- Reference Project Name
- Reference Project Location



- Reference Project Description/Scope
- Percentage of Work Self-performed
- Any Key Personnel that performed work on the Reference Project and Role on the project
- Reference Project Duration
- Owner/Client Information for Reference Project (include Name, Title, Phone, Email)

Preference will be given to reference projects that included Key Personnel performing on the project. For the Owner/Client Information, include the name and contact information for a person representing the owner/client who was in responsible charge of the project and knowledgeable of the Proposer's role and work. AlexRenew may contact these individuals. It is the responsibility of the Proposer to verify current contact information.

#### **4.5 Safety Program and Record – 1 page limit**

Submit a brief summary description of the corporate safety program that has been established by the Proposer. Include a description of safety programs or procedures that would be applicable to the scope of work, including but not limited to worker orientation, worker safety, owner safety, and visitor safety. Submittals of complete safety manuals are not required nor desired.

- A. Provide Workers' Compensation Experience Modification Ratio ("EMR") or Experience Modification Factor ("EMF") for the past three years. The EMR or EMF is the workers' compensation insurance premium adjustment factor that has been calculated by the National Council on Compensation Insurance (NCCI) or other similar advisory organization or rating bureau. The EMR or EMF is calculated by comparing a company's actual workers' compensation loss data against average loss data for other employers in the same state who share the same industry classification code.

The completed OSHA Form 300A "Summary of Work-Related Injuries and Illnesses" for the three (3) most recent years (include in Proposal as part of Appendix B).

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#### 4.6 Coefficient Multiplier – 1 page limit

Proposers will provide their coefficient multiplier for competitive evaluation as part of the Proposal. The applicable line items from the Price Catalog and their quantities will be multiplied by the Proposer’s designated coefficient multiplier for a total not-to-exceed amount for each Task Order.

**Table 4.3 – Coefficient Multiplier**

Item	Category of Work	Contractor’s Coefficient (Three significant figures, for example 1.00)”
1	Coefficient Multiplier for Work Performed During Normal Hours (Monday – Friday 7:00 AM to 6:00 PM)	
2	Coefficient Multiplier for Work Performed Outside Normal Hours (Monday – Friday 6:00 PM to 7:00AM, Weekends and Owner Holidays)	
3	Coefficient Multiplier – Procurement of Furnished Equipment and Materials based on cost to Contractor without installation or labor	

#### 4.7 Other Forms

Provide a complete the Proposal Form (provided in Word in Attachment A of this RFP) in its entirety and a Surety Statement (example provided in Attachment B) from the Proposer’s surety or insurance company (with a Best’s Financial Strength Rating of A or better and Financial Size Category VII or higher by A.M. Best Co.) stating that the Bidder is capable of obtaining a **\$250,000** performance and payment bond, which will cover the contact duration, and any warranty periods.

*[remainder of the page intentionally left blank]*

## 5 Evaluation of the Proposals

AlexRenew will review the Proposals for responsiveness to the requirements of this RFP and evaluate all Proposals according to factors outlined in Table 5.1. Following Proposal evaluations, AlexRenew shall select three or more Proposers to participate in competitive negotiations and based on the results of the negotiation, select up to three Proposers to enter into a JOC.

AlexRenew will determine whether Proposers are selected for a JOC based on the evaluation factors and weighting. AlexRenew will notify all Proposers in writing whether they have been selected upon completion of the evaluation process.

**Table 5.1. Evaluation Factors and Weighting**

<b>Evaluation Factor</b>	<b>Weighting (percentage)</b>
Team Organization and Key Personnel	40
Related Project Experience	40
Safety Program and Record	5
Coefficient Multiplier	15
<b>Total</b>	<b>100</b>

The Submittal Letter (Section 4.2), resumes (include in Appendix A of the Proposal), and additional forms from Section 4.7 (include in Appendix B of the Proposal) are considered pass/fail submissions. Proposers will be ranked from the highest to the lowest based on their final scores to select up to three Contractors to receive JOCs.

Other information, even if not explicitly mentioned above, may be considered as well to the extent the information clarifies the above-mentioned criteria. AlexRenew reserves the right to cancel this RFP process at any time.

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## 6 Rights and Reservations of AlexRenew

In connection with this procurement, AlexRenew reserves to itself all rights (which rights shall be exercisable by AlexRenew at its sole discretion) available to it under applicable law including the following:

- A. The right to cancel, withdraw, postpone or extend this RFP or the subsequent Task Orders in whole or in part at any time, without incurring any obligations or liabilities.
- B. The right to modify all dates set or projected in this RFP.
- C. The right to waive or permit corrections to data submitted with any response to this RFP until such time as AlexRenew declares in writing that a particular stage or phase of its review of the responses to this RFP has been completed and closed.
- D. The right to issue addenda, supplements, and modifications to this RFP, including but not limited to modifications of evaluation criteria or methodology of evaluation criteria.
- E. The right to seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to the RFP, including the right to seek clarifications from Proposers.
- F. The right to permit Proposers to add or delete entities and/or Key Personnel until such time as AlexRenew declares in writing that a particular stage or phase of its review has been completed and closed.
- G. The right to appoint and change appointees of any members of AlexRenew's evaluation team.
- H. The right to use assistance of technical and legal experts and consultants in the evaluation process.
- I. The right to waive deficiencies, informalities, and irregularities in an RFP, accept and review a non-conforming Proposal, or seek clarifications or supplements to a Proposal.

## 7 Protests

Only Proposers who submitted proposals may protest the selection decision. Proposers shall do so by filing a protest with the CEO within ten (10) calendar days after award or announcement of the decision to award. Selected Proposers shall have no right to protest any selection decision.

Protests shall be concise and logically presented to facilitate review. Failure to substantially comply with any of the requirements of this Section may be grounds for dismissal of the protest. Protests shall include at least the following information:

- A. Name, address, email address, and fax and telephone numbers of the protester;
- B. Solicitation or contract number;
- C. A detailed statement of the legal and factual grounds for the protest, including a description of resulting harm to the protester;
- D. Copies of supporting documents, if any;
- E. A statement as to the form of relief requested;
- F. All information establishing that the protester is an interested party for the purpose of filing a protest; and
- G. All information establishing the timeliness of the protest.

Protests must be received by the applicable deadline. Grounds for protest not timely raised shall be deemed waived and may not be raised in a subsequent protest.

Protests must be typewritten and hand-delivered or mailed (registered or certified, with return receipt requested) to AlexRenew's designated representative at the following address:

**Attn: CEO – Justin Carl (ref: RFP-23-004)**  
**Alexandria Renew Enterprises**  
**1800 Limerick Street**  
**Alexandria, VA 22314**

## **7.1 Consideration of Protests**

AlexRenew's CEO will acknowledge receipt of a protest by any party that has standing to do so ("Protestor"). The CEO may hold a hearing, request additional submissions or information, or take any other actions he/she deems useful or necessary in making a decision.

The CEO will respond to a protest within ten (10) calendar days from receipt of the protest. If the CEO determines that additional time will be required to respond to the protest, the CEO will, within such ten (10) calendar day period, notify the Protestor of the time period within which a response will be made.

If the protest is sustained, the CEO shall take the appropriate action to correct the procurement action and protect the rights of the Protestor. If the protest is denied, the CEO will notify the Protestor.

AlexRenew will continue the procurement process notwithstanding the filing of a protest regarding the selection decision, unless the CEO, in his/her sole discretion, finds that continuation of the procurement process for the selected Proposers would not be in AlexRenew's best interests.

The decision of the CEO shall be final and conclusive unless appealed by the Protestor in accordance with the process set forth in the Virginia Public Procurement Act (VPPA).

## **8 Miscellaneous**

### **8.1 No Obligations for Proposal or Task Order Costs**

AlexRenew assumes no obligations, responsibilities, nor liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred or alleged to have been incurred by parties considering a response to and/or responding to this RFP, or the subsequent Task Order negotiation or preparation. All such costs shall be borne solely by each Proposer and its team members.

### **8.2 Licenses and Registrations**

Each Proposer shall include a Virginia-licensed Class A Contractor covering its firm, staff, or team with the Proposal or demonstrate the ability to obtain the license prior to signing the JOC Agreement.

### **8.3 Conflict of Interest**

Each Proposer shall require its proposed team members to identify potential conflicts of interest or a real or perceived competitive advantage relative to this procurement. Proposers are notified that prior or existing contractual obligations between a company and a federal or state agency relative to the

Owner may present a conflict of interest or a competitive advantage. If a potential conflict of interest or competitive advantage is identified, the Proposer shall submit in writing the pertinent information to AlexRenew's POC.

AlexRenew, in its sole discretion, will make a determination relative to potential organizational conflicts of interest or a real or perceived competitive advantage, and its ability to mitigate such a conflict. An organization determined to have a conflict of interest or competitive advantage relative to this procurement that cannot be mitigated, shall not be allowed to participate as Proposer to this RFP and the subsequent JOC. Failure to abide by AlexRenew's determination in this matter may result in an Proposal being declared non-responsive.

#### **8.4 Ethics in Public Contracting Act**

AlexRenew may, in its sole discretion, disqualify the Proposer from further consideration for the award of the Job Order Contract if it is found after due notice and examination by AlexRenew that there is a violation of the Ethics in Public Contracting Act, § 2.2-4367 et seq. of the Virginia Code, or any similar statute involving the Proposer in the procurement of the contract.

#### **8.5 Virginia Freedom of Information Act**

All Proposals submitted to AlexRenew become the property of AlexRenew and are subject to the disclosure requirements of § 2.2-4342 of the Virginia Public Procurement Act and the Virginia Freedom of Information Act (FOIA) (§ 2.2-3700 et seq. of the Code of Virginia). Proposers are advised to familiarize themselves with the provisions of each Act referenced herein to ensure that documents identified as confidential will not be subject to disclosure under FOIA. In no event shall the AlexRenew be liable to a Proposer for the disclosure of all or a portion of an Proposal submitted pursuant to this request not properly identified as confidential.

If a Proposer has special concerns about information which it desires to make available to AlexRenew but which it believes constitutes a trade secret, proprietary information, or other confidential information exempted from disclosure, such Proposer should specifically and conspicuously designate that information as such in its Proposal and state in writing why protection of that information is needed. The Proposer should make a written request to this effect to AlexRenew's POC as part of its Proposal package. The written request shall:

- A. Invoke such exemption upon the submission of the materials for which protection is sought;
- B. Identify the specific data or other materials for which the protection is sought;
- C. State the reasons why the protection is necessary; and
- D. Failure to take such precautions prior to submission of a Proposal may subject confidential information to disclosure under the Virginia FOIA.

Proposers shall not designate as trade secrets or proprietary information (a) the Proposer's entire Proposal; (b) any portion of the Proposal that does not contain trade secrets or proprietary information; or (c) any line item or total prices. Nothing contained in this provision shall modify or amend requirements and obligations imposed on AlexRenew by applicable law, and the applicable law(s) shall control in the event of a conflict between the procedures described above and any applicable law(s).

In the event AlexRenew receives a request for public disclosure of all or any portion of a Proposal identified as confidential, AlexRenew will attempt to notify the Proposer of the request and AlexRenew's determination about whether any portion of a Proposal identified as confidential by the Proposer can be withheld from disclosure. AlexRenew will come to its own determination whether or not the requested materials are exempt from disclosure.

Because of the confidential nature of the evaluation and negotiation process associated with this Project, and to preserve the propriety of each Proposer's Proposal, it is AlexRenew's intention, subject to applicable law, not to consider a request for disclosure until after AlexRenew's issuance of a Notice of Intent to Award. Proposers are on notice that once a Contract or Task Order is executed, some or all of the information submitted in the Proposal may lose its protection under the applicable Virginia law.

## **8.6 Compliance with the Law in Virginia**

Failure to comply with the law with regard to those legal requirements in Virginia (whether federal or state) regarding a Proposer's ability to lawfully offer and perform any services proposed or related to the JOC scope of work may render a Proposal submittal, in the sole and reasonable discretion of AlexRenew, non-responsive and/or non-responsible, and in that event such Proposal may not be considered for selection of Contract award.

*[remainder of the page intentionally left blank]*

**Attachment A**

**Proposal Form**

(not included in page count)

**PROPOSAL FORM IN MS WORD TO COMPLETE AND ATTACH TO PROPOSAL**



## ATTACHMENT B SUGGESTED SURETY STATEMENT

Below constitutes sample language for a surety statement to meet the Section 4 requirements.

### REFERENCE: WASTEWATER CONSTRUCTION JOB ORDER CONTRACT

CONTRACT NO: 23-004

(Name of Proposer) has been a client of (name of Surety Company) for over ( ) years. (Name of Proposer) is currently in good standing with (name of Surety Company). During that time, we have supported this firm in their pursuit of projects in the \$ \_\_\_\_\_ range and total programs in excess of \$ \_\_\_\_\_. We have reviewed and approved specific capacity for (Name of Proposer) and as of the date of this statement, our offered limits will support \$ \_\_\_\_\_ on single projects and \$ \_\_\_\_\_ as an aggregate for all open projects. We are prepared to provide Performance and Payment Bond in amount of \$250,000 for the duration of the contract, provided (name of Proposer) is awarded a Job Order Contract under the referenced solicitation.

We also possess certificates of authority as an acceptable surety authorized to do business in the Commonwealth of Virginia as published annually in the Federal Register, Department of Treasurer, Fiscal Service, Department Circular 570.

Sincerely,

\_\_\_\_\_

Attorney-In-Fact

(Name of Surety Company)

Name of Surety: \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Typed Signature: \_\_\_\_\_

Telephone: \_\_\_\_\_

Date: \_\_\_\_\_

**Attachment C**

**DRAFT JOB ORDER CONTRACT AGREEMENT**

Posted as a separate file.