



PUBLIC HOUSING  
ADMINISTRATION

# PRPHA

GOVERNMENT OF PUERTO RICO

## REQUEST FOR PROPOSALS AVP-RFP-24-25-01

### ENERGY AUDIT REPORT WITH PHYSICAL NEED ASSESSMENT

CONTRACT DOCUMENTS  
PROCUREMENT AND CONTRACTING AREA

**June 2025**



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## Attachments

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1. Form for Submission of Inquiries
2. Program Regulation 24 CFR 905
3. Capital Fund Guidelines
4. Form DV-OSPA-78-5
5. Model Contract: Agreement
6. List of Project AMP PR

## Exhibits

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- A-1 Minimum Requirements Proposal Checklist
- A-2 Qualifications Proposal Checklist
- A-3 Cost Proposal Form
- B Statement of Qualifications
- C Non-Conflict of Interest Certification
- D Non-Conflict of Interest on Existing or Pending Contracts Certification
- E Limited Denial of Participation Affidavit
- F Non-Collusive Affidavit
- G Sworn Statement under Act 2-2018
- H Authorization for Background and/or Financial Information
- I Authorization for Request for References
- J Respondent's Prior Performance Certification
- K HUD Forms (5369-B, 5369-C and 5370-C)
- L Certification for Compliance with HUD General Provisions
- M E-Verify Vendor/Contractor/Subcontractor Certification
- N Certification to Accept Terms of Contract
- O Identity of Interest (IOI) Disclosure Administration
- P System Award Management (SAM.Gov)
- Q *"Registro Único de Proveedores"* (RUP) (Unique Registry of Professionals)
- R Section 3 Business Concern Self – Certification Form

## 1. OVERVIEW, PURPOSE, AND INTENT

The Puerto Rico Public Housing Administration (PRPHA) is one of the nation's largest public housing authorities, which owns and operates approximately 53,932 dwelling units and other non-dwelling structures throughout Puerto Rico. It operates and manages its housing developments to provide decent, safe, sanitary and affordable housing to low income families, and implements various programs designed and funded by HUD.

The PRPHA requests proposals from qualified Individuals or Legal Entities, licensed and with experience to perform both Physical Needs Assessment and Energy Audit for select PRPHA properties. The specific services are described in **Section 4 Statement of Services**.

The services requested in this procurement process will be provided based on the availability of federal funds received by the Puerto Rico Public Housing Administration for Competitive Proposals.

PRPHA shall appoint a Committee to evaluate all Proposals according to the requirements of this RFP.

The PRPHA is an equal opportunity employer and does not discriminate as to sex, gender identity or sexual orientation, race, age, national origin, religious creed, civil status, war veterans, handicap or disable status.

We appreciate your interest in being considered for the services described in this RFP.

## 2. DEFINITIONS

The following terms shall have the meanings indicated below, which shall be applicable to both their singular and plural forms:

- **ACC or Annual Contributions Contract** shall mean the Consolidated Annual Contributions Contract executed by and between HUD and the PRPHA. The latter with the approval of the Puerto Rico Department of Housing (PRDOH), which Contract sets forth the requirements applicable to those PRPHA projects funded, whether totally or partially, with Federal funds, and pursuant to which HUD assists the PRPHA in providing decent, safe and sanitary housing to eligible low-income families. The ACC is in the form prescribed by HUD, and under the same HUD assists the PRPHA in the development, modernization and operation of the PRPHA public housing projects under the Housing Act. Through its terms, the PRPHA agrees to develop, modernize and operate the public housing projects in compliance with the Housing Act, HUD regulations and other requirements set forth in the ACC.
- **ACOP** shall mean Rule No. 9667 of April 10, 2025, The Admissions and Continued Occupancy Policies in the Public Housing Projects of the Commonwealth of Puerto Rico (ACOP); the “Admissions and Continued Occupancy Policies” A group of policies and procedures established by the PRPHA to guide the admissions and occupancy processes applicable to the residents of the PRPHA public housing projects.
- **ADA** shall mean Americans with Disabilities Act of 1990, as amended, a civil rights law that prohibits discrimination against Individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the public.
- **Addendum or Addenda** - refers to a written or graphic document issued by the PRPHA, which modifies or interprets the RFP by means of additions, deletions, clarifications, or corrections that become an integral part of the RFP.
- **Agreement** – The written instrument that is evidence of the arrangement or

settlement between two Individuals or Entities or more. In this case the Agreement between PRPHA and the Individual or entity which will offer the services requested.

- **AMP** – means Asset Management Project. This term was given to the new groupings of buildings under the Asset Management Program.
- **Applicable Public Housing Requirements** shall mean the Public Housing Requirements applicable to the performance of the services requested in this RFP, including but not limited to the ACC, the Fair Housing Act of 1968, as amended, the Declaration of Restrictive Covenants (see Definition), Rule No. 9667 of April 10, 2025, “The Admissions and Continued Occupancy Policies in the Public Housing Projects of the Commonwealth of Puerto Rico” (ACOP), the Voluntary Compliance Agreement (VCA), and all applicable federal laws and other applicable statutes.
- **ASHRAE** (American Society of Heating, Refrigerating and Air-Conditioning Engineers) the governing society responsible for developing building design as well as energy efficiency standards and guidelines for the new construction environment. Also publishes a set of standards and guidelines relating to HVAC systems and issues that are often referenced in building codes and used by consulting engineers, mechanical contractors, architects, and government agencies.
  - **Level 1** – The Level 1 audit is a simple audit that involves a basic walk-through assessment, review of utility bills and other applicable operating data, and interviews with operations staff. This basic evaluation is designed to identify glaring energy problems. With the detail of this audit, low-cost upgrades are proposed, energy efficiency projects can be prioritized, and it is determined if a more detailed audit is necessary.
  - **Level 2** – The Level 2 audit builds on the level 1 analysis with more detailed energy calculations and added financial analysis of proposed energy measures. This level of audit uses utility data over a longer period of time so that the auditor can better understand the building’s energy use. The financial analysis at this level of audit is used to build the business case for implementing energy measures.

- **Level 3** – The Level 3 audit builds on the Level 2 audit by doing a more in-depth analysis of energy use in the building. This can include sub-metering of major energy systems. The added level of detail in the analysis of the existing building and proposed energy measures means that cost and savings have an increased level of accuracy. This level of detail can provide higher quality, more accurate data, which is valuable major energy projects that can be capital intensive.
- **Authorized Representative** refers to the person authorized to bind the Respondent or Proposer in matters related to the RFP and the Contract. This is the person authorized to sign documents related to the RFP and the Contract if awarded.
- **Bid Board** refers to the deliberative body of the Puerto Rico Department of Housing (PRDOH) created and operating pursuant to Rule Number 6106, Department of Housing Bid Regulations, as may be amended from time to time.
- **C.F.R.** shall mean the Code of Federal Regulations.
- **Contract, Contract (s)** refers to the Agreement(s) to be executed between the PRPHA and the Selected Proposer(s) in accordance with this RFP.
- **EA** Energy Audit is a comprehensive energy and water assessment, and analysis performed of all properties of public housing projects managed by PRPHA, and currently in operation. The energy audit present a guidance work sheet and schedule based in three different layers report: 1) Physical Assessment of all existing properties; 2) Evaluation and analysis to reduce the consumption and maximize the efficient use of resources in public housing buildings; 3) Draft an energy audit report, which provides all necessary information and recommendations pertaining to energy and water resources in accordance with the Code of Federal Regulations (CFR); and develop a Comprehensive Energy Management Action Plan, and submit it to HUD.
- **Emergency Maintenance and/or Repair** means any maintenance or repair which delay will cause an endangerment to the health, safety or security of any person or property.



- **ECM** Energy Conservation Measure (ECM) reduces the energy consumption of a particular piece of equipment or a certain aspect of essential building services to reduce overall building energy use and improves the energy efficiency of building infrastructure.
- **Evaluation Committee** refers to a Committee designated by the Administrator of the Puerto Rico Public Housing Administration, which will evaluate all the Proposals pursuant to the criteria listed in this RFP.
- **Fair Housing Act** shall mean U.S. housing policies established since the 1937 U.S. Housing Act was approved. Fair Housing Act of 1968, as amended, and other amendments, prohibits different types including discrimination against people with disabilities and families with children.
- **Federal Government** means any of the departments of the Executive Branch of the Government of the United States of America, or any department, corporation, agency or instrumentality created, or which may be created, designated or established by the United States of America.
- **GAAP** shall mean Generally Accepted Accounting Principles.
- **Government Entity** refers to any department, agency, board, commission, body, bureau, office, public corporation or instrumentality of the Government of Puerto Rico, existing or created in the future.
- **HCV** shall mean **Housing Choice Voucher** from the Housing Choice Voucher Program (known in Spanish as *Vale de Vivienda del Programa de Sección 8*).
- **Housing Act** shall mean the United States Housing Act of 1937, 42 U.S.C. §§ 1437 et. seq., as amended from time to time, any successor legislation, and all regulations issued therein or in furtherance thereof.
- **HUD** shall mean United States Department of Housing and Urban Development.
- **Key Staff** means full-time employees who will play an important role in the engagement or Contract signed by the Selected Proposer or Respondent.

- **Management Agent** refers to the private entity engaged by PRPHA to provide administration and maintenance services at PRPHA public housing projects, including Relocation Management.
- **Notice of Award** refers to the notice the PRPHA sends to the Selected Proposer or Respondent and to those not selected in relation to the services requested in this RFP.
- **PHAS** shall mean the Public Housing Assessment System, codified at 24 C.F.R. Part 902, et. seq. Any reference in this Agreement to the PHAS shall include any revisions to the same or any successor indicator or monitoring program or system implemented by HUD at any time during the Term of this Agreement.
- **PIC Data** – Illustrations (photos); use for present physical example on explicit representation of building or equipment situation.
- **PNA** – Physical Need Assessments; is a detailed inspection and evaluation of property's physical condition, used to identify existing problems, potential future needs, and capital expenditures. The PNA tool includes a comprehensive list of building/site building systems and components, with measurable line items, that make up a complete PNA.
  - Components are divided into five categories):
    - Site
    - Building exterior
    - Building systems
    - Common areas
    - Units
  - Aggregated capital needs can be identified in several areas, including:
    - Replacement needs
    - Refurbishment needs
- **Project** refers to Public Housing Project
- **PRPHA** refers to the Puerto Rico Public Housing Administration.

- **Proposal** or **Proposals** refers to the Proposal submitted by each Respondent in response to this RFP.
- **Proposal Due Date** shall mean the date and time set forth in this RFP for submission of the Proposal, as said date and time may be amended from time to time by Addendum. Proposals received after the stipulated date will not be accepted by the PRPHA.
- **Proposer** or **Respondent** means: Individuals or Legal Entities that submit a response to this RFP.
- **Public Interest** means any government action directed to protecting and benefiting citizens at large, whereby essential goods and services are provided for the welfare of the population.
- **REAC** shall mean Real Estate Assessment Center whose mission is to provide and promote the effective use of accurate, timely and reliable information assessing the condition of HUD's portfolio; to provide information to help ensure safe, decent and affordable housing; and to restore the public trust by identifying fraud, abuse and waste of HUD resources.
- **Resident** shall mean the Bonafide tenant occupying a Unit under a binding and valid Lease with the PRPHA.
- **Respondent** shall mean the Individual or Legal Entity that responds to this RFP. Proposer is being used interchangeably with Respondent.
- **Responsible Respondent** refers to the Respondent that is able to comply with required or proposed delivery or performance schedule; has a satisfactory performance record; has a satisfactory record of integrity and business ethics, has the necessary organization, experience, accounting and operational controls, and technical skills, or the ability to obtain them; has the necessary resources, technical equipment and facilities, or the ability to obtain them; and is otherwise qualified and eligible to receive an award under applicable laws and regulations, including the fact that the Respondent is not suspended, debarred or under a HUD-imposed Limited Denial of Participation.

- **Responsive Respondent** shall mean a Proposal that conforms exactly to the requirements in the RFP.
- **RFP** means this Request for Proposal, as amended, revised or modified, issued by the PRPHA to procure the services herein described.
- **RUL** (Remaining Useful Life) is the length of time a machine will operate before it requires repair or replacement.
- **R.S. Means** is a database trusted of current construction cost estimates in North America. Includes data for nearly every facet of a construction project, including materials, labor, transportation, and storage.
- **System of Award Management (SAM)** The SAM is a portal of the federal government where various systems and sources of information are consolidated that are used by personnel working on acquisitions and/or financial assistance (grants and cooperative agreements) for the execution of their programs. All Respondents must comply with registration in this system and must not be suspended or debarred.
- **Statement of Services (SOS)** shall mean the Scope of Services and Specifications defined in the RFP; the Services to be performed by the Individuals or Entities selected for award of Contract.
- **Section 3** a provision of the Housing and Urban Development Act of 1968 that helps foster local economic development, neighbourhood economic improvement and Individual self-sufficiency.
  - **a. Section 3 Compliance** – shall mean Section 3 of the Housing and Urban Development Act of 1968, as amended by Section 3 Final Rule of September 28, 2020. It requires that, to the greatest feasible extent, employment and other economic opportunities generated by HUD funds be directed to low- and very low-income residents. 24 CFR Part 75 establishes the standards and procedures to be followed by Public Housing Authorities to ensure that the requirements of Section 3 are met.

- **Selected Proposer** or **Selected Respondent** means a Respondent or Proposer awarded a Contract resulting from this RFP.
- **UFAS** shall mean Uniform Federal Accessibility Standards.
- **UPCS** shall mean HUD's Unit Physical Condition Standards, including without limitation, any certification requirements thereunder. Any reference in this RFP to the UPCS shall include any revisions to the same or any successor physical assessment program or system.
- **XML** Computer file for Excel Macro is a type of Spreadsheet file that are used to store Macros. From an application point of view, a Macro is a set of instructions that are used for automating processes.
- **Vacant Units** shall mean Units not occupied by bona fide residents holding a duly executed and enforceable Lease or otherwise legally occupied, and units not occupied at all.
- **VCA** shall mean the Voluntary Compliance Agreement signed between HUD and the PRPHA on September 29, 2016, the purpose of which is to obtain PRPHA's full compliance with statutory obligations under Section 504 of the Rehabilitation Act of 1973, as amended, Section 109 of the Housing and Community Development (HCD) Act of 1974, as amended, the Americans with Disabilities Act of 1990, (ADA) as amended, the Fair Housing Act of 1968, as amended, and the Architectural Barriers Act (ABA) of 1968, as amended.

All capitalized terms not specifically defined herein shall have the same meanings as assigned to them in the RFP, the Proposal, the Applicable Public Housing Requirements and all applicable PRPHA and HUD forms, laws and regulations, which are attached hereto as exhibits or incorporated herein by reference.

### **3. BACKGROUND INFORMATION**

The Puerto Rico Public Housing Administration (PRPHA) was organized in 1989. It is one of the United States Nation's largest Public Housing Authorities that owns and/or operates approximately 53,932 dwelling units and other non-dwelling structures throughout the Commonwealth of Puerto Rico.

PRPHA is a State Agency created under the laws of the Government of Puerto Rico. Its mission is to provide decent, safe, and affordable housing to low and moderate families, senior, citizens and disabled Individuals, and also provide self-sufficiency programs. PRPHA receives funding from the U.S. Department of Housing and Urban Development (HUD) for the operation and modernization of low-income public housing owned by the Housing Administration.

HUD regulations require the Public Housing Authority (PHA), in this case PRPHA to undertake a Physical Needs Assessment (PNA) and an Energy Audit (EA) once every five (5) years. Shortly, HUD is expected to require that the PNA be expanded to integrate with an Energy Audit, and the PNA tool software ("PNA tool") will be used for EA purposes.

PRPHA has ten (10) Management Agents and the Municipality of Camuy, managing the Public Housing Projects and helping in the development and implementation of the programs and services for the benefit of all the participants.

## 4. STATEMENT OF SERVICES

### 4.1 Services Overview

The Puerto Rico Public Housing Administration, (PRPHA) requests proposals from qualified Individuals or Legal Entities to perform both a Physical Needs Assessment and Energy Audit for the selection of PRPHA properties.

The software and user guide are currently available from the HUD Capital Fund web page:

[https://www.hud.gov/program\\_offices/public\\_indian\\_housing/programs/ph/capfund/gpnatool](https://www.hud.gov/program_offices/public_indian_housing/programs/ph/capfund/gpnatool)

This RFP requires the selected Contractor to follow the PNA protocol, use the PNA, prepare the data for submission to HUD by the generation of an XML file in the tool and subsequent email of the same to PNADATA@hud.gov, and provide the Housing Administration with a written report and completed PNA tool. During the tool's setup, the selected Contractor must work with the PHA to request and receive the PIC data import necessary to begin using the PNA tool. As discussed in this RFP under Deliverables and Timeframes, the Contractor will be required to assist the Housing Administration in successfully submitting the data to HUD.

HUD does not provide software for conducting the Energy Audit. Instead, the Energy Audit must be performed in a format chosen by the Contractor according to the requirement listed in 24 CFR Part 965.302. This RFP allows the **ASHRAE Level I** Audits as part of a combined solicitation. The results of the EA should be loaded into and included in the PNA by the HUD PNA user guide. Upon completion of the PNA, PRPHA may then upload the PNA via the HUD PNA software.

PRPHA hereby requests proposals from qualified Individuals and Legal Entities both PNA and EA applying all current HUD regulations, the HUD PNA software ("tool"), forms, user guide and other guidance as may be issued by HUD from time to time.

The PNA and the EA will reflect 27,023 Units in 150 public housing projects from the

PRPHA portfolio. The projects in **Attachment 6** subject of a PNA, and EA, both include dwelling and non-dwelling spaces and parking areas contained within each project.

## **4.2 Physical Needs Assessment (PNA) Scope of Work/Technical Specifications**

**4.2.1 General Requirements:** To perform the PNA the following tools will be raised: *By Physical Needs Assessments User Guide and the Public Housing Modernization Standards Handbook 7485.2*. The Energy Audit and PNA will be conducted according to 24 CFR 905.300, 24 CFR Part 965.302, and energy codes. The selected Contractor will provide a full range of services including evaluating the existing conditions of the housing stock based upon a representative sample selection of buildings, units, common areas, and other physical facilities. The assessment will identify energy conservation measures and the cost savings that result from implementing the measures, thereby reducing operating costs. All identified physical improvements will meet or exceed HUD mandatory standards, and those established by local and state health, safety, and building codes. The state-local energy policy law, Act. 17-2019 establishes 30% of the energy efficiency goal by 2040 and the replacement of public lightning in 100% with light emitting diode, LED, or renewable energy by 2030. At a minimum, the goal of the PNA is to identify and provide a description of all physical improvements that will be required to bring the property to a level comparable with “as build”, to the degree reasonably possible based on available components and building age. The efforts should provide the Puerto Rico Public Housing Administration with the information necessary to ensure long-term physical viability in a manner suitable for planning and budgeting purposes. Data shall be in a format for HUD requirements (preferably in Excel).

The qualified Individual or Legal Entities as Architectural or Engineering Firms, Consultant or Contractor that will perform the Physical Needs Assessment in public housing so may begin to capitalize on both the current and long-term benefits.

The proposed PNA benefits PHA by providing tools and data to:

- develop a long-term property specific strategic plan,
- prioritize budget needs in a limited funding environment,
- recognize synergies and efficiencies,
- communicate with stakeholders, including public housing residents



- manage the risk of critical component failure,
- organize project physical data as a reference and resource for future evaluations,
- develop preventative maintenance strategies,
- model alternative work sequences and timetables, and
- assess the long-term viability of the property in its current program structure.

**4.2.1.1** Generally, identify deficient conditions, such as those that result from deferred maintenance, and building and life safe code noncompliance or obsolescence issues.

**4.2.1.2** Perform interviews and reviews of existing property documentation with knowledgeable PRPHA Staff, including building plans, building histories, prior assessments, Energy Audits, maintenance records, and each project's, Real Estate Assessment Center (REAC) scores.

**4.2.1.3** Identify all project components that will be part of the assessment.

**4.2.1.4** Establish the methodology that will sample multiple like-kind buildings, and common areas such as lobbies, corridors, and community facilities.

**4.2.1.5** Establish a plan to inspect the following:

- **0.5%** of apartment interiors
- **10%** of scattered site units
- **100%** of common areas

The HUD PNA tool provides a general list of potential components to be assessed. Generally, these components are those for which replacement represents a significant capital cost eligible for funding. The PRPHA will acquire funding from a Capital Fund Grant Program. The HUD list is not inclusive and may not include significant components that will need assessment.

**4.2.1.6** Perform walkthrough assessment/inspections of each project and other PRPHA properties to ascertain the property's condition; **immediate** critical and non-critical needs; general code compliance; expected repair, replacement, and

major refurbishment needs; and total estimated cost to complete such items. The assessor will record the data on the HUD PNA-approved data collection forms for the following: site, building exterior, building systems, unit, and common areas.

**4.2.1.7** Identify work necessary to comply with federal, state, and local requirements and codes, such as the elimination of asbestos/lead and new energy code compliance.

**4.2.1.8** The assessor will provide and record an estimate of the Expected Useful Life (EUL) for each component and will provide a source for EUL in general.

**4.2.1.9** The assessor will provide and record a replacement cost for each component and the total of those components. (E.g., per window and per window times all similar windows.)

**4.2.1.10** Identify work items needed and costs for implementation to make selected units accessible and usable by the handicapped as required by Section 504 of the Rehabilitation Act of 1973, as amended. This will include costs to retrofit a specific number of dwelling units to meet Section 504 requirements for persons with disabilities. Each area that is designated, as part of Section 504 or Americans with Disabilities Act of 1990, as amended, ADA requirements, will be inspected to ensure that the components are functioning according to their purpose. (*Note: A regulatory compliance review is not required for these units or areas; only a functionality and EUL assessment is needed.*)

**4.2.1.11** Identify energy conservation measures and review Energy Audit reports to incorporate Energy Audit recommendations into the PNA. Evaluate options for increased energy efficiency.

**4.2.1.12** The assessment intends to perform a full evaluation based on visual observation of accessible areas. The assessor is not expected to perform destructive or forensic testing (opening wall cavities, cutting pipes, etc.) or to enter confined spaces. No destructive testing is to take place without prior written approval of the housing authority.

**4.2.1.13** Any deficiencies identified that could have an impact on health and safety will be brought to the attention of the PRPHA immediately by written and verbal notification as a matter of ensuring the safety of residents and housing authority personnel.

**4.2.1.14** The selected Contractor will develop a Comprehensive Costing Library. Professional/certified cost estimating utilizing “R.S. Means” construction costing is preferred. Building a comprehensive cost and EUL component library is vital to use the HUD PNA Tool. The comprehensive cost and EUL component library must contain descriptions and reference information.

**4.2.1.15** Provide a general report for the PRPHA’s Project that details the assessment data. The selected Contractor will detail quantity and Cost Estimates to accomplish each work item, a total for each Project, and a total to accomplish all needed physical improvements. *General work category (e.g., Kitchens, Bedrooms) costing without specific work item costing is unacceptable.* Provide Individual cost tables and digital photographs to document notable conditions at each property. The Contractor shall show a line-item prioritization. The work shall include reviewing any prior plans, recommendations, and a detailed report on items completed in the interim. A major part of the work consists of a thorough assessment of noted property, leading to a prioritized list of recommended improvements, plus a detailed physical database. Included is identifying work that may be recommended to improve long-term viability, such as changes in physical configurations, comprehensive revitalization with total demolition, and/or disposition. All data will be entered into the HUD PNA tool, sufficient to produce a 20-year cost projection of needs for each capital component.

**4.2.1.16** The PNA will require the use of a HUD tool that can be found at the following HUD website address:

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/programs/ph/capfund/gpnatool](http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/programs/ph/capfund/gpnatool)

The work performed by the Contractor under this solicitation must comply with the proposed regulations as known at the time of this solicitation. The Contractors shall ensure that data collected under this solicitation includes all information

required under the proposed rule and is sufficient to enter the PNA tool. The Contractor shall include in its price all costs to complete the HUD PNA tool, as required. This rule revises HUD's Energy Audit requirements applicable to the Public Housing program to clarify such requirements and identify energy-efficient measures that need to be addressed in the audit and procedures for improved coordination with physical needs assessments.

**4.2.2 Phases of Work:** Work shall consist of three (3) phases:

**4.2.2.1 Pre-Assessment** – focuses primarily on preparing for the assessment, as well as collecting and recording development data and utilizing architectural plan measurements and count data.

**4.2.2.2 Assessment** – focuses on helping you to identify all building components, including quantities of each present component; establish Remaining Useful Life (RUL); and determine eligibility and cost of component refurbishment or replacement.

**4.2.2.3 Post-Assessment** – focuses on establishing industry-standard parallels through the collection, review, data input, and report production.

**4.2.3 Steps of Work:** The steps involved include, but are not limited to:

**4.2.3.1** Develop a detailed survey of scope and methodology, pertinent to the collection of all assessment data and the information required to develop the database.

**4.2.3.2** Survey of existing physical conditions at the Development, including but not limited to the roofs, envelopes, windows, landscaping, streets/parking areas, sidewalks, etc.; the building interiors, including all finishes, fixtures, materials, and equipment; all common areas, including halls, lobbies, stairwells, etc.; crawl spaces, utility tunnels, etc.; and all mechanical, electrical, plumbing, and air conditioning systems, etc.

**4.2.3.3** Interview resident representatives and maintenance and management staff of the Management Agent; collect and record all relevant data.

**4.2.3.4** Based on the information gathered in the steps above, analyze the condition of all systems and components at the development and identify all capital improvements or modernization necessary.

**4.2.3.5** Provide cost estimates for each item of recommended improvement, including units and unit prices where applicable.

**4.2.3.6** Employ quantitative units in building the database wherever possible.

**4.2.3.7** Review the PRPHA's most recently available PNA to verify which items were completed and which items remain to be completed.

**4.2.3.8** Prioritize each work item. There should be at least five (5) categories of priority, ranging from emergency, through urgent, to long-range.

**4.2.3.9** To allow for future updates and modifications by the PRPHA, the Contractor shall provide the entire plan in an electronic database format to facilitate the future updating of the facilities' condition evaluations.

**4.2.4 PNA Report:** Upon completion of the inspections, the selected Contractor will provide a report in narrative and spreadsheet forms that meet the PRPHA's requirements, in both paper and electronic format. This requirement also includes the XML Report to be generated from the PNA tool for submission to HUD. The draft report will contain the PNA results, including ECMs from Energy Audits, and will be submitted to PRPHA for review and comments. The report of the PNA shall include:

**4.2.4.1** An introductory background section, summarizing the prior PNA and history; the past capital improvements; the assessment procedures, assumptions, and methods; the prioritizing system and approach; the cost-estimating methods and assumptions; and an explanation of any reference to the cost-estimating guide proposed.

**4.2.4.2** A separate HUD Form 52828, Physical Needs Assessment, for each Asset Management Property/Development assessed. Attach to each report color photographs and a detailed narrative describing the property's exterior and interior physical elements and condition, including architectural and structural

components and mechanical systems. Include a section of general information and descriptions of the development.

**4.2.4.3** A listing of each issue of deficiency, by priority, giving at a minimum the system (HVAC-Heating, ventilation, and air conditioning, site, unit interior, etc.), a brief description of the problem, a brief recommendation, and a Cost Estimate.

**4.2.4.4.** An attachment that includes an overall listing of the recommended work items by priority, a copy of the survey form, and a listing of all the systems, components, subcomponents, and entry codes used in the database.

**4.2.4.5** An Executive Summary briefly informing major findings and recommendations plus any other major issues, including any repair items that immediately impact health and safety such as code violations; regulatory compliance issues such as relocation planning, asbestos-containing materials, lead-based paint, and environmental issues; or systematic problems. Also, describe any Section 504 work items, energy conservation measures, and any environmental hazard (asbestos/lead-based paint) items.

### **4.3 Energy Audit Scope of Work/Technical Specifications**

Pursuant to 24 CFR 965.302, the Puerto Rico Public Housing Administration is required to complete an Energy Audit for each PRPHA-owned Project under management not less than once every five (5) years.

**4.3.1 General Requirements:** The Energy Audit will be conducted according to the requirements of 24 CFR Part 965 and energy codes. The selected Contractor will provide a full range of services including evaluating the existing conditions of the housing stock based on a physical inspection of a representative sample. (Note: The Contractor will be expected to inspect a sample size comparable to that for the PNA described above; the inspected areas for purposes of the Energy Audit may be, but are not required to be, the same as those inspected for the PNA.) The assessment will identify water and energy conservation measures and the cost-savings that result from implementing the measures. All identified physical improvements will meet or exceed HUD mandatory standards and those established by local and state health, safety, and building codes. The Contractor shall enter the data into the PNA tool for

each ECM considered sufficient to include the ECM as an alternate item on the cost projection and to calculate a simple payback for each considered ECM. Data fields required for each ECM are the general specification of the ECM, its cost, its estimated useful life, its estimated annual water/energy consumption, the utility rate applicable to the ECM, and the water/energy consumption of the component to be replaced by the ECM if applicable.

**4.3.2 Scope of Services:** Under 24 CFR 965.302, the Puerto Rico Public Housing Administration is required not less than once every five (5) years to conduct an Energy Audit. Specifically, the CFR states that each PHA: “shall complete an Energy Audit for each PHA-owned project under management, not less than once every five years. Standards for Energy Audits shall be equivalent to State standards for Energy Audits. Energy Audits shall analyze all the energy conservation measures, and the payback period for these measures, that are pertinent to the type of buildings and equipment operated by the PHA.”

The Contractor shall perform an Energy Audit comparable to the standard established by the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) **Level II**.

**4.3.2.1** The objectives of the audits are to identify Energy Conservation Measures (ECMs), to determine the costs to implement each ECM and to calculate the cost savings that result from implementing the measures. Additionally, the audit should identify any compliance, health, or safety issues related to energy improvements. Each development will require the execution of a noninvestment-grade Energy Audit and a Report. HUD has published a proposed Energy Audit Rule in the Federal Register (Public Housing Energy Audits, dated 11/17/2011) that provides standards that the Contractor shall use conducting an Energy Audit. The Contractor shall also comply with *The Public Housing Modernization Standards Handbook, 7485.2 REV-1, dated February 4, 1985*, and with the HUD Energy Conservation for Housing-A Workbook, January 1998.

**4.3.3** The selected Contractor shall conduct an Energy Audit for each measure. The following items are specifically included:

**4.3.3.1** The Contractor shall analyze the utility bills (list utilities used by the PRPHA)

provided by the PRPHA for the three (3) most recent years for all common areas (PRPHA paid) and units (to the extent available). The analysis shall identify trends of consumption against a benchmark(s) to support the Contractor's prioritization recommendations for actions such as implementing ECMs, maintenance activities, and/or resident education.

**4.3.3.2** The Energy Walkthrough Survey must include Core ECMs, which have a proven record of accomplishment of reducing energy and water consumption. The Core ECMs include items related to building envelopes (e.g., insulation); heating, cooling, and other mechanical systems; water conservation; power, lighting systems, and controls (e.g., CFL); and appliances (e.g., ENERGY STAR).

**4.3.3.3** Review all available building plans, specifications, and product literature, and test and balance data to quantify building and equipment design criteria, parameters, and sizes. The review should also include architectural, mechanical, and electrical drawings and specifications for housing developments, administrative offices, and other buildings and identify whether any energy conservation measures or energy-saving equipment is in use.

**4.3.3.4** Collection of climatological data for the local area, to correlate energy usage to weather conditions.

**4.3.3.5** Interviews of selected property, maintenance, and modernization personnel and residents to determine problem areas and concerns.

**4.3.4** PRPHA is among to have an Energy Savings Performance Contract (ESPC). The Energy Performance, ESPC analysis and the following energy conservation measures at select properties: Installation of LED technology in fixtures, and lamps in common areas; installation of low-flow water conservation devices such as water closets, kitchen faucet aerators, and showerheads; and installation of HVAC and Mechanical Systems upgrades to select properties.

**4.3.5** This improvement of the ESPC has the objective of lowering the overall energy consumption to prepare for future (Photovoltaic System with battery backup) installations in compliance with the local Net Metering Program.



**4.3.6 Report Documentation or Report Preparation:** The Contractor shall develop an Energy Audit Report for each public housing development and submit it to PRPHA. This Report shall contain:

**4.3.6.1** A summary of energy conservation measures studied and those recommended for implementation, by development.

**4.3.6.2** A general description of each energy conservation measure, the cost to implement, the estimated annual savings that must result, and the average simple payback.

**4.3.6.3** All energy-savings opportunities ranked according to their payback, by Project, starting with the quickest and ending with the longest payback.

**4.3.6.4** Recommendations as to the order in which the recommended energy-saving opportunities should be implemented to provide the PRPHA with a master plan of action.

**4.3.6.5** Presentation of the interrelationships of the various energy conservation measures in the Project so that the PRPHA understands the impact that implementing each measure has upon the other proposed measures.

**4.3.6.6.** All backup engineering calculations, so that the Energy Audit Report can be readily updated each year to reflect changes in the cost of energy or the cost to implement energy savings measures.

#### **4.4 Deliverables and Timeframe**

**4.4.1.** The Contractor shall deliver the following, not later than **365 days** or one (1) year from the effective date of the contract:

**4.4.1.1** A briefing, at a time, date, and place determined by PRPHA, reflecting an overview of the Contractor's findings based on the completed PNA and EA. At a minimum, the Contractor shall address the overall condition of each Project listed in Attachment 6 and review the HUD PNA Report to be submitted to HUD.

**4.4.1.2** A full, bound hard copy of the results of the PNA and EA. This includes a separate report prepared for each development that includes a discussion of all building systems, photographs of representative interiors and systems, and a table showing immediate repairs and life-cycle component replacement.

**4.4.1.3** A copy of the PNA tool with all the PRPHA PIC Data, Inspections, Master Cost Library, Replacement Needs, Refurbishment Needs, Sustainability Needs, Accessibility Needs, and Marketability Needs installed, if necessary.

**4.4.1.4** A demonstration of technical assistance to PRPHA Staff regarding submission of the required reports to HUD, including the PNA and future annual updates. The Contractor shall provide no less than two (2) hours of training for PRPHA Staff to instruct them in the use of the PNA tool for ongoing management and annual updating.

**4.4.1.5** This shall include the preparation of the initial XML submission (generated within the tool) and detailed instructions for how the PRPHA shall submit it to HUD, according to HUD requirements at the time the submission is due. The Contractor shall also provide instructions or references to the procedure for applying annual updates for submission to HUD.

**4.4.1.6** The Contractor will continue to provide PRPHA Staff with technical assistance until they can successfully submit the completed PNA file, which must be validated by HUD as a successful submission.

Two (2) hard copies of each item shall be submitted, as well as one (1) electronic copy submitted in either Microsoft Excel or Word format on a “flash” or “thumbnail” drive or pen drive (PD). These documents/devices shall be the sole property of the Puerto Rico Public Housing Administration. The Contractor shall not provide the documents produced for PRPHA under this contract to any other party unless approved in writing by the Contracting Officer.

**4.4.2** Time Completion Plan/Schedule (TCP/S): The Proposers shall establish in the TCP/S the schedules/milestones shown below for the deliverables identified. In developing the schedule of milestones, the Contractor shall provide fourteen (14) calendar days for the PRPHA to review, coordinate, and comment on draft

deliverables.

<b>Deliverables</b>	<b>Timeframes/Milestones</b>
Physical Needs Assessment (PNA) – Draft Version	Within hundred and eighty (180) days after the effective date of notice to Proceed (NTP)
Energy Audit – Draft Version	Within hundred and eighty (180) days after the effective date of notice to Proceed (NTP)
Physical Needs Assessment (PNA) – Final Version	Within sixty (60) days after receipt of comments on the “Draft Version” of the PNA
Energy Audit – Final Version	Within sixty (60) days after receipt of comments on the “Draft Version” of the Energy Audit

**4.4.3** All reports are to be sent to:

Puerto Rico Public Housing Administration

**Attn: Ricardo J. Rosario Acevedo**

Associate Administrator

606 Barbosa Ave.

Juan C. Cordero Building

San Juan, PR 00936-3188

[Procurement@avp.pr.gov](mailto:Procurement@avp.pr.gov)

## 4.5 QUALIFICATIONS

To be considered qualified to perform the services under the Statement of Services, contractors performing the PNA/EA must have the following qualifications:

### **PNA:**

1. State and local licenses as required.
2. At least **six (6) years of experience** performing Physical Property Inspections and Cost Estimates for PHAs, and private and/or governmental projects, among others; demonstrated knowledge of applicable multifamily building standards and codes; demonstrated knowledge of energy-efficiency practices; and a working knowledge of commonly used computer technology (MS Excel, Access, etc.).

### **EA:**

1. State and/or local licensed Engineer and Electrician as required.
2. Basic knowledge and experience to produce a valuable and reliable Energy Audit.
3. Suggested Certification (“Energy Auditor,” “Certified Energy Auditor,” “Certified Energy Manager,” “HERS Rater”) from a state or national Energy Auditing certifying agency. Acceptable certifications include those provided by the American Association of Energy Auditors (AEE), the Building Performance Institute (BPI), the Residential Energy Services Network (RESNET), or certification of the PR Energy Policy Program.

## 5. GENERAL REQUIREMENTS

### 5.1 State Department Requirements

Each Respondent, if incorporated, must show it is in *Good Standing* with the Puerto Rico State Department ("State Department"). If the Respondent is a foreign corporation (out-of-state), it must file the necessary documents with the Division of Corporations of the State Department requesting authorization to do business in Puerto Rico, which should have been requested prior to the date of submission of the Proposal hereunder. Failure to demonstrate compliance with this requirement may result in the rejection of the Proposal without further consideration.

### 5.2 Debarment List

If any of the Respondent's principals, officers, directors or partners has been debarred, suspended or otherwise lawfully precluded from participating in any public procurement activity, the Respondent shall disclose that information in its Proposal. Failure to provide such information or to complete the *Limited Denial of Participation (LDP)/Suspension or Debarment Status Certification (Exhibit E)*, shall result in the rejection of the Proposal. PRPHA will corroborate this information.

Each Respondent's principals, officers, directors and partners must be in *Good Standing* with PRPHA, and with any Federal or local agency that has or had a contractual relationship with the Respondent or any of its principals, officers, directors and partners. Therefore, if a state, federal or local agency has terminated any Contract with a Respondent for default; the Respondent will not be eligible to submit a Proposal in response to this RFP.

In addition, each Respondent shall certify that none of its principals, directors, officers or partners have been convicted or are under any investigation by any state, federal forum, or in any other country, of the crimes identified under Law No. 2 – 2018, as amended (**Exhibit G**).

Certifications must encompass the prior experience of all principals, officers, directors and partners of the Respondent, including prior corporate entities.

The Respondent cannot have any ownership participation in a Design, Construction or Private Management Agent Corporation or entity for any of the Projects to be awarded for the services to be provided under this Contract.

In addition, the Respondent must disclose the following information in **Exhibits C and D**:

- Actual, apparent and potential conflicts
- Ownership interests
- Identification of officers and directors of Bidding entities
- Overlapping ownership interests or directorships in other companies.

### **5.3 Contracting Requirements**

Respondent shall comply with all public contracting requirements set forth in the Treasury Department's Circular Letter No. 1300-03-11, dated August 17, 2010, in connection to payment of income, and personal and real property taxes. The selected Respondent(s) shall submit all certifications required under the cited Circular Letter as required by the Notice of Award.

Respondents must be prepared to submit all certifications or public contracting requirements in compliance with the Puerto Rico Treasury Department, as specified in Circular Letter No. 1300-16-16, dated January 19, 2016, and Administrative Bulletin No. OE-1991-24 from the Governor Office dated August 18, 1991, amended by Administrative Bulletin No. OE-1992-52 from the Governor Office dated August 28, 1992. Such certifications shall be required only from the selected Respondent or Respondents.

### **5.4 Labor Laws and Regulations**

Respondent shall comply with all applicable labor laws and regulations including, without limitation, Fair Labor Laws, Equal Employment Opportunity Program requirements, Unemployment Tax, Temporarily Disabled Tax, Worker's Compensation and Social Security Taxes.

## 5.5 HUD Requirements

In the submission of its Proposal and in the performance of the services under the Agreement(s), the Respondent shall comply with all the provisions and requirements of the applicable HUD Forms, including without limitation all Attachments hereto, as follows:

### Exhibit K – HUD Forms

- HUD Form 5369-B – Instructions to Offerors Non-Construction
- HUD Form 5369-C – Certifications and Representations of Offerors Non-Construction Contract
- HUD Form 5370-C (5/92) – General Contract Conditions Non-Construction
- [https://www.hud.gov/program\\_offices/administration/hudclips/forms](https://www.hud.gov/program_offices/administration/hudclips/forms)

## 5.6 Agreement to be bound by this RFP and Agreement Terms

Respondents shall consider only the matters included in the RFP documents and any amendment thereof in preparation of their Proposal. The Proposals will be evaluated by the Evaluation Committee, as described in this RFP.

By submitting a Proposal, each Respondent agrees, if the Proposal is accepted, to enter into a Contract with the PRPHA, in substantial form as the one at **Attachment 5**, for the Term set forth in this RFP (as defined in the Agreement), including all Exhibits and Attachments hereto.

Each Respondent also accepts all terms and conditions of this RFP and any amendment thereof. The Respondent's Proposal and any additional information submitted by the Respondent or negotiated between Respondent and PRPHA prior to selection, together with this RFP and any Addenda hereto, will serve as confirmation of Respondent's acceptance of all terms and conditions therein.

## 5.7 Minority and Women Owned Business Enterprises; and Section 3

The PRPHA recognizes its obligation to promote opportunities for maximum feasible participation of certified Minority and Women Owned Business Enterprises (MBE/WBE's), and the employment of minority group members and women in the performance of all PRPHA federal funded Contracts. PRPHA is committed to ensuring that firms, which are MBE/WBE certified, are encouraged to submit Proposals in response to this RFP.

Pursuant to Section 3 of the Housing and Urban Development Act of 1968, as amended, PRPHA is committed to ensuring that employment and other economic opportunities generated by HUD financial assistance shall, to the greatest extent feasible, and consistent with the existing federal, state and local laws and regulations, be directed to low- and very low income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low-and very low-income persons. **Proposers are encouraged to submit with their Proposal a Plan for compliance with Section 3. For the Plans to be found reasonable, they must clearly establish how the Proposer will comply with the Section 3 requirements for Management Agent Services contracts. The Plan must establish the employment and training goals, the participation certification procedures, and if preference will be given in the award of subcontracts to Section 3 Business concerns by the Proposer.**

The Respondent agrees to fully carry out this policy in the awarding of Subcontracts consistent with efficient contract performance; to cooperate in any studies or surveys conducted by HUD, as necessary to determine the extent of Respondent's compliance with this clause.

**Business concerns may self-certify** to claim that they meet the requirements as defined in the regulations in 24 CFR Part **§ 75.5**. Once a business is certified as a Section 3 business concern it will retain that status for as long as it continues to meet the definition outlined in **§ 75.5**. Recipients should require a self-certified Section 3 business concern to submit some type of certification form during the bidding or contracting process for businesses bidding on a Section 3 activity or project.



The determination of certification as a Section 3 business concern is made in the initiation stage of developing a contract or subcontract and prior to its execution. Information submitted by businesses must be verified for Section 3 compliance before awarding contracts or subcontracts to those businesses who self-certified.” Business concern shall submit evidence for certification such as PRPHA Section 3 Annual Report 2024 –2025, and/or another verified documents **(Exhibit R)**.

## **5.8 System of Award Management (SAM)**

The SAM is a portal of the federal government where various systems and sources of information are consolidated that are used by personnel working on acquisitions and/or financial assistance (grants and cooperative agreements) for the execution of their programs.

All Respondents interested in participating in procurement processes with Federal Funds **must register to be considered**. Information in the portal must prevail that the Respondent is not debarred or suspended from doing business with the Federal Government. Likewise, if a contract and/or service is awarded, it is the responsibility of said Bidder/Supplier to keep the registry up to date, so that payments can be processed.

The requirements to register vary, depending on the type of Legal Entity. You can also register as an Individual. Registration is free. **(see Exhibit P)** To start the process, you can access the following page:

**<https://sam.gov/content/home>**

## **5.9 Puerto Rico General Services Administration**

The Respondent must be registered in the Single Supplier Registry (known as “RUP”, an acronym in Spanish) administered by the Puerto Rico General Services Administration (“ASG”, for its Spanish acronym). For said purposes, the Respondent must submit a PRPHA copy of its Certificate of Eligibility at the RUP, issued by ASG. **(see Exhibit Q)**

## **5.10 E-Verify Vendor/Contractors/Subcontractor Certification**

E-Verify is a federal system established by the Department of Homeland Security to determine the immigration and work eligibility status of prospective employees. Respondents must certify compliance with the federal E-Verify program and must complete. (**see Exhibit M**)

## 6. EVALUATION CRITERIA

### 6.1 Basis for Selection

Each Respondent shall ensure that it submits sufficient information to demonstrate the knowledge, experience and expertise necessary to complete the tasks and provide the services specified herein, to allow PRPHA to determine its qualifications based on the information provided.

### 6.2 Minimum Requirements

PRPHA's Evaluation Committee will review the Technical Proposals submitted by each Respondent in their Proposal to this Solicitation. Only those Respondents that meet the Minimum Requirements will be evaluated and ranked by PRPHA's Evaluation Committee.

### 6.3 Evaluation Criteria

The Evaluation Committee will evaluate each Proposal based on the criteria listed below.

Criteria	Points Available
1. Experience of the Firm and Qualifications of Respondents and Key Staff	30
2. Capabilities	10
3. Service Approach	20
4. Past Performance and Statement of Professional Services	30
5. Finance Capacity and Responsibility Determination	10
<b>TOTAL</b>	<b>100</b>

### **6.3.1 Experience and Qualifications of Respondent and Key Staff**

This criterion measures how well the Respondent's proposal presents an efficient and realistic approach (methodology) to fulfilling the proposed services. It also measures how likely the proposed organization and management will be successful in performing the services, including its ability to manage subcontracts.

- Describe the organizational structure and staff qualifications.
- Include resumes and position descriptions of Key Staff.
- Professional memberships, licenses, certificates or accreditations related to activities that are held by the Respondent, the company executives or Key Staff.
- Describe successfully implementing and meeting the purpose, objectives of the services requested.

#### **A) Experience of the Firm:** **Max: 14 points**

- The firm has the years of experience performing energy audits with physical services to those described in this RFP in the housing industry, and private and/or governmental projects (local and/or federal).
- Provide evidence of at least five (5) completed projects of Multifamily Buildings as described in this RFP in the housing industry, combined with private and/or governmental projects (local or federal).
- Time that the organization has been in operation since its local creation as a Partnership, Corporation, or Joint Venture.
- Familiarization with Physical Need Assessment, HUD Program (CFP Projects, REAC, Fair Housing, UFAS), EPA, and FEMA Funding Grants.

#### **B) Experience of Key Staff:** **Max: 16 points**

- 1. Professional Engineer** – Experience of ten (10) years or more in Project Management, Project Inspection, Energy Management or Audit and Physical Need Management. **(PR Professional Engineering License with current membership at *Colegio de Ingenieros y Agrimensores de Puerto Rico, CIAPR*)**

2. **Inspector** – Experience of ten (10) years or more in Housing and / or Residential/Commercial Development Projects. **(PR Professional Engineering License with current membership at CIAPR or Professional Master Electrician Licence with current membership at Colegio de Peritos Electricistas de Puerto Rico, CPEPR)**
3. **Auditor** – Experience of ten (10) years or more in Energy Audit or Construction Inspection in electrical facilities. **(Licensed Electrician or Master Electrician)**
4. **Technical Support** – Experience of ten (10) years or more in Projects related to illumination, HAVC, electrical distribution, mechanical systems, and photovoltaic installations–PV Local Certification. **(PR Professional Engineering License with current membership at CIAPR or Professional Master Electrician License with current membership at CPEPR)**
5. **Compliance Officer** – Experience of five (5) years or more in monitoring all regulatory compliance requirements CFR, ASHRAE, and other codes or regulations for PNA and EA study and report for HUD. **(Requires a university education in areas such as law, Business Administration or Information science)**
6. **Procurement Officer** – Experience of five (5) years or more in the procurement needs must establish strategies to develop all the procurement process on projects and similar projects described on this RFP. **(Requires bachelor's degree in engineering or business)**
7. **Financial /Comptroller Officer** – Experience of ten (10) years or more in supervising all accounting–related activities, including high level accounting, managerial accounting, and finance activities, on projects similar to those describe in the RFP. **(Requires Bachelor's degree in business or accounting with local professional license, Certified Public Accountant, CPA)**
8. **Cost Estimator** – Experience in the costs and recommendations in the PNA and EA report. **(PR Professional Engineering license with current membership at CIAPR or Professional Master Electrician license with current membership at CPEPR)**

### **6.3.2 Capabilities**

**Max: 10 points**

- The capability of the Professional Services Firm to handle multiple projects at different locations within Puerto Rico;
- The capability to provide the staff with the qualifications required in this Request for Proposals throughout the term of the contract resulting from this Solicitation;
- The capability to interact with equipment and software requirements of the PRPHA; capability of the Central Office to provide support with knowledge and resources to the on-site personnel.

### **6.3.3 Service Approach**

**Max: 20 points**

PRPHA will evaluate the Respondent's capacity to provide the resources and the methodology necessary for the timely and efficient implementation of PRPHA's goals and objectives as described in this solicitation. The Respondent must submit a work plan describing in detail how it intends to perform the **Statement of Services**, as described in **Section 4** of this RFP. The Respondent must:

- Demonstrate the Service Approach will assure completion of the requirements in this RFP.
- Demonstrate the capacity to provide the resources and methodology necessary for the implementation of PRPHA's goals and objectives as described in this RFP.
- Demonstrate the resources and capacity to perform the services described in this RFP.

### **6.3.4 Past Performance and Statement of Professional Services**

**Max 30 Points**

This criterion is used to evaluate what the respondent has done that is relevant to the services required under this RFP as well as how the respondent has performed in previous contracts. Evaluation of performance will be done contacting professional and business references, for which Respondent has performed services, to verify the quality of performance. The evaluation of past experience should also consider any corporate staff, key personnel and subcontractor proposed to perform major or critical portion of the services included in Respondent Proposal. Close attention will be devoted to performance of similar services.

Each Proposer and First-Tier Subcontractor, if subcontracting applies, shall provide at least five (5) separate references and contact information of past or current clients, preferably, public entities, of which three (3) references will be considered for the award of points. The proposer shall provide the information requested herein as part of **(Exhibit B; Section 2.5 and 2.6 Respondent's Contracts/Services)**.

### **6.3.5 Finance capacity and Responsibility Determination** **Max: 10 points**

This part includes a review indicating the respondent's financial capability to carry out the Agreement. It validates that the Respondent name does not appear in the Federal List of Parties Excluded from Procurement and Non-Procurement Programs (Debarment Lists), and HUD Limited Denial of Participation List, Sam's.gov and be registered in the Single Supplier Registry issued by ASG.

All financial information could be verified with the financial institution servicing the specified account. Accordingly, it is the respondent's responsibility to adequately identify all credit and financial references. Line of credit, Financial Statement and Financial Resources.

### **Oral Presentations may be required**

The Evaluation Committee and/or PRPHA, at its sole discretion, may require Respondents reasonably susceptible of being selected for the award to provide an Oral Presentation of how it proposes to meet the PRPHA's program objectives. Commitments made by the Respondent at the Oral Presentation, if any, will be considered binding.

The PRPHA reserves the right to enter into a contract without further discussion of the proposal submitted based on the initial proposals received.

If Oral Presentations are required, the original scores for Experience of the Firm and Qualifications of Respondents and Key Staff, Capabilities, Service Approach, Past Performance and Statement of Professional Services, Finance Capacity and Responsibility Determination may be adjusted based on this additional information, using the criteria outlined.

## 7. RFP PROCEDURES

This RFP shall be governed by the applicable procedures and as further described in the following sections.

### 7.1 RFP Documents Acquisition

The instructions and requirements governing this procurement process (RFP Package) as well as the services to be performed, and other pertinent documents, shall be obtained, at the website (<https://subastas.avp.pr.gov>). Interested Respondents must enter the User's guide to participate in RFP Process, download Procurement Package. Here, the Respondents will be able to access a summary of the RFP and find options to register and download documents, such as the RFP Package and Addenda. For any additional information you can contact us at (787) 759-9407 ext. 3030, to the Attention of Mr. José A. Rivera Delgado, Contract Manager. RFP Documents will be available starting on **July 3, 2025, through August 11, 2025**. Responses to this RFP should be prepared in accordance with the instructions provided in the RFP Package.

### 7.2 Addenda

The PRPHA reserves the right to amend this RFP at any time. Any amendments to the RFP will be issued as written Addenda. Addenda will become a part of this RFP. Only official communication shall be conducted through the channels set forth herein.

### 7.3 Schedule

A summary schedule of major activities associated with this RFP is presented in **Table 1** below. The dates, times, and activities are subject to change and may be revised through the issuance of Addenda by the PRPHA.



**Table 1: RFP Schedule**

<b>Event</b>		<b>Time and Date</b>
Notice		June 30, 2025
Documents Availability	<b>From:</b>	July 3, 2025, at 4:00 pm AST
	<b>Up To:</b>	August 11, 2025, at 3:00 pm AST
Virtual Pre – Submission Conference		July 15, 2025, at 10:00 am AST
Submission of Questions and Requests for Clarifications		July 21, 2025, at 4:00 pm AST at the latest
Responses to Questions and Requests for Clarifications		July 30, 2025, at 4:00 pm AST at the latest
Proposal Due Date		On or before, August 12, 2025, at 3:00 pm AST

The time periods described in any of the instructions in this Solicitation shall be considered consecutive calendar days.

#### **7.4 PRPHA’S Point of Contact**

The PRPHA’s point of contact for this RFP is Mr. José A. Rivera Delgado, Contract Manager, [procurement@avp.pr.gov](mailto:procurement@avp.pr.gov).

#### **7.5 Virtual Pre-Submission Conference**

**A Virtual Pre-Submission Conference will be held on July 15, 2025 at 10:00 a.m.** Although attendance is not mandatory, we strongly encourage Respondents to participate in the Virtual Pre-Submission Conference.

#### **[Join the meeting now](#)**

Meeting ID: 223 411 696 111 0

Passcode: vg3GJ9TZ

Nothing discussed or expressed at the Virtual Pre-Submission Conference will change, alter, amend or otherwise modify the terms of this Solicitation unless a subsequent written amendment (Addendum) is issued. Verbal responses by PRPHA’s representatives shall not constitute an amendment or change to this Solicitation.

Material issues raised and addressed at the Virtual Pre-Submission Conference shall be answered solely through an Addendum to this Solicitation. Likewise, ambiguities and defects of this Solicitation raised at the Pre-Submission Conference shall be corrected by a written amendment only, which, if issued, shall form an integral part hereof.

## **7.6 Amendments to the RFP Package**

All questions or requests for clarification must be received in the Procurement Area by **July 21, 2025**, and shall be directed only in writing to Mr. Ricardo J. Rosario Acevedo, Associate Administrator, Procurement Area, 9th Floor, Juan César Cordero Dávila Building, 606 Barbosa Ave., San Juan P.R. 00936-3188. Questions and requests for clarification may also be e-mailed to the following e-mail address: [procurement@avp.pr.gov](mailto:procurement@avp.pr.gov).

Any amendments to the RFP will be available to all Respondents in our website (<https://subastas.avp.pr.gov>). Addenda will become a part of this RFP. **All Respondents must monitor the <https://subastas.avp.pr.gov> to access and retrieve Addenda.**

It is the responsibility of the **Respondent** to ensure that it has retrieved any Addenda prior to the Proposal submission. Notwithstanding any information that may be contained in the Solicitation and amendments thereto, Respondents are responsible for obtaining all information required thus enabling them to submit Proposals.

## **7.7 Submission of Inquiries**

Each Proposer may submit written questions with the intention to clarify aspects of this RFP, its Attachments, and its Exhibits. Proposers shall submit all questions on or before the deadline established in **Section 7.3** of this RFP through e-mail using the document titled **Form for Submission of Inquiries** included as **Attachment 1**.

Questions shall be clearly labeled and shall cite the Section(s) and page number in this RFP or other document that forms the basis of the question. No compound or multi-part questions are allowed. **Questions should be in English.**

Responses to all proposers' questions will be distributed as an Addendum to this RFP on or before the date established in **Section 7.3** of this RFP and will be uploaded in our website.

## **7.8 Correspondence and Communications**

Inquiries and communications regarding the RFP must be submitted to the PRPHA through email [procurement@avp.pr.gov](mailto:procurement@avp.pr.gov) and directed to Ricardo J. Rosario Acevedo, Associate Administrator of the Procurement and Contracting Area, on or before the deadline specified in **Section 7.3** of this RFP.

## **7.9 Allowed and Prohibited Communications**

Only questions and requests for clarifications on this RFP submitted by prospective proposers as per **Section 7.7** of this RFP are allowed. Other than these communications for clarification purposes, communications by prospective proposers with Officials and/or Representatives of the PRPHA, other Government Entities, the Government of Puerto Rico, and any of its instrumentalities, HUD, or other relevant entities of the Federal Government, and/or others program, regarding any matter related to the contents of this RFP selection process, are prohibited during the submission and selection processes. Failure to adhere to this requirement may result in the rejection of submitted proposals. Verbal inquiries or other type of inquiries not specified in this RFP will not be addressed by the PRPHA.

## **7.10 Representations for Proposal Submission**

All costs associated with the response to this RFP are the sole responsibility of Proposer. Neither the PRPHA, the Government of Puerto Rico, nor any of its Government Entities or its instrumentalities, nor HUD, or other relevant entities of the Federal Government, will be responsible for any expenses in the preparation and/or presentation of the Proposals, oral presentations or for the disclosure of any information or material received in connection with this RFP.

No firm is assured of obtaining any work because of this RFP process. The PRPHA reserves the right, without limitations, to reject partially or completely all proposals received in response to this RFP when, in its opinion, the Public Interest, the best

interest of the Government of Puerto Rico or the PRPHA, or of the impacted communities will be affected by such action. The PRPHA further reserves the right, without limitations, to make such investigations as it deems necessary as to the qualifications or perceived conflicts of interest of all Individuals or Legal Entities submitting proposals in response to this RFP. The mere appearance of a conflict of interest shall constitute sufficient cause for the outright rejection of a proposal. If any or all proposals are rejected, the PRPHA reserves the right, without limitations, to issue another RFP.

By submitting a proposal, the Respondent shall adhere to complying with all applicable Federal and Puerto Rico laws and regulations.

The PRPHA reserves the right, without limitations, to amend the Contract(s) of the selected proposer to, among others, extend its original duration, as further explained in this RFP.

This RFP, its award, and any derivative Contract are subject to the execution of an Agreement between the Government of Puerto Rico or the PRPHA, and HUD.

### **7.11 Proposal Modification or Withdrawal**

A Respondent may modify or withdraw a Proposal at any time before the Proposal Due Date. The PRPHA will accept a modification to a proposal already submitted only if the modification is submitted prior to the Proposal Due Date. Timely withdrawal of a proposal does not prejudice the right of a respondent to submit another proposal by the Proposal Due Date. No oral, telephonic, or facsimile modification of a Proposal shall be recognized. After the Proposal Due Date, no proposal may be modified or withdrawn.

### **7.12 Ownership of Proposals**

All materials submitted in response to this RFP shall become the property of the PRPHA and will not be returned. Selection or rejection of a Proposal does not affect this provision.

### **7.13 Requirements for Legal Entities**

Proposers that are Puerto Rico based Corporations, Limited Liability Companies, Partnerships, or any other Legal Entity, shall be duly and properly organized and/or registered in compliance with the applicable laws of Puerto Rico at the time of Proposal submission.

In the event the proposer is a Foreign Legal Entity, including U.S. based entities; it shall be duly and properly organized and/or registered in compliance with the applicable laws of its place of organization and/or incorporation at the time of Proposal submission. However, if the Contract is awarded to a foreign entity proposer, said proposer shall request authorization to do business in Puerto Rico prior to the execution of the Contract. This authorization request process is governed and regulated by the Puerto Rico Department of State and the applicable form and fee is available at <https://rcp.estado.pr.gov/en>

### **7.14 General Proposal Requirements**

By responding to this RFP, Respondents acknowledge and consent to the following conditions relative to the procurement process. PRPHA is not bound to accept any proposals if respondents do not meet PRPHA's requirements.

#### **7.14.1 Proposal Submission**

Proposals are to be submitted on the Proposal Due Date stated in **Section 7.3** of this RFP. Responses to the RFP submitted after the prescribed deadline will not be accepted.

PRPHA suggests that Proposers submit a redacted copy at the time of submission of their response, if Proposers identify, modify, edit, revise, and remove trade secrets, proprietary information, or privileged and confidential information. For details regarding the submission of a redacted copy, see **Section 9.10** of this RFP.

Proposals must be received no later than the date and time set forth herein. Proposals must be hand-delivered or sent by certified or registered mail, returned receipt request, at the above-mentioned date, time, place and address.

Proposals sent via fax shall be automatically rejected. All Proposals received after the time specified for Proposal submission shall be recorded as a late proposal and will not be considered.

Respondents are cautioned to allow ample time for transmittal of proposals by mail or any other method. Respondents should secure information relative to the probable time of arrival and distribution of mail at the place where Proposals are to be received. Proposals sent by registered or certified mail shall be sent no later than the fifth (5<sup>th</sup>) calendar day before the Submission Due Date. If sent by overnight delivery, such as UPS, Federal Express, or U.S. Postal Service Express Mail Next Day Service to PRPHA, the package should be sent not later than 5:00 p.m. (AST) at the place of mailing two (2) working days prior to the date specified for receipt of submission. Other private carriers shall comply with the above instructions. The term working days exclude weekends and official holidays. If a proposal does not reach PRPHA by the Proposal's Due Date and time, but a respondent can prove that it was sent in accordance with the methods and timing described in this paragraph, PRPHA may determine that the proposal was submitted timely.

The Proposal shall be submitted in the following order:

1. **Exhibit A-1** – Documents required and specified in the Minimum Requirements Proposal Checklist.
2. **Exhibit A-2** – Documents required and specified in the Qualifications Proposal Checklist.
3. **Exhibit A-3** – Documents required and specified in the Cost Proposal Form.

## 8. INSTRUCTIONS TO RESPONDENTS FOR PROPOSAL PREPARATION

### 8.1 Proposal Preparation

To ensure uniformity to specific requirements and prompt reference among all proposals, the format of the proposals shall adhere to the following parameters:

1. The proposal and its **Exhibits** shall be drafted in the English language, excluding certifications and/or documents issued by the Government of Puerto Rico in the Spanish language, single side, double-spaced, 12-point Century Gothic Form and 1" standard margins in three-inch (3") binder. The number of binders will be those that Respondent deems necessary. Please do not submit documents to the sheet protector. In addition, a machine-readable, PDF formatted electronic copy of the complete Proposal, and any supporting documentation must be provided in a **USB format**.
2. Proposals are to be prepared on standard 8-1/2" x 11" paper. Foldouts containing charts, spreadsheets, and oversize exhibits are permissible. The pages should be placed in a binder with tabs separating the sections of the proposal. Manuals and other reference documentation shall be bound in the Technical Proposal.
3. Figures and tables must be numbered and referenced in the text by that number. They should be placed as close as possible to the referencing text.
4. All documents that need a signature as part of the proposal shall be signed in blue ink. Documents consisting of more than one page that require signature shall contain the initials of the proposer's authorized representative at the right-top corner of every page.
5. Proposal documents shall be submitted and organized as per the Proposal Checklists or Forms included as **Exhibits A-1, A-2 and A-3**, and shall include the electronic mail of the proposer's authorized representative.
6. All blanks on **Exhibits** and any other document must be completed by the proposer. In fields that do not apply to certain proposers, N/A (not applicable)

shall be written. If filled in handwriting, documents, must be completed in print type using blue color ink;

7. The proposal shall be properly executed by an authorized representative of the respondent. To constitute proper execution, the proposal shall be in strict compliance with the following:

**a) Individuals** – Proposals submitted by an Individual shall be signed by the Individual. If the Proposal is signed by an authorized representative, a power of attorney, dated and executed by the Individual, shall be attached to the Proposal as evidence of the representative’s authority to sign the proposal and to bind the respondent thereto.

**b) Partnerships** – Proposals submitted by a partnership shall be signed on the partnership’s behalf by at least one general partner or by an authorized representative of the partnership. If an authorized representative signs the proposal, a Power of Attorney, dated and executed by all partners of the Respondent, shall be attached to the proposal as evidence of the representative’s authority to sign the Proposal and to bind the respondent thereto.

**c) Corporations** – Proposals submitted by corporations shall state the correct name of the corporation and must be signed by an authorized officer, whose authority to bind the corporation must be evidenced by the corresponding corporate resolution. The title or position occupied by the corporate officer executing the Proposal shall appear below the signature.

**d) Joint Venture** – Proposals submitted by a Joint Venture shall be signed by all members of the Joint Venture. If the Proposal is signed by only one member of the Joint Venture entity, the proposal shall be accompanied with a copy of the Joint Venture Agreement evidencing that the proposal is signed by a member with authority to bind the Joint Venture. The Joint Venture Agreement shall be executed before the date and time specified for Proposal Submission.

All names must be included below each signature.



8. **The proposal consists of two parts: Technical Proposal and Cost Proposal, and each part must be submitted in a separate sealed envelope** or container. Both sections of the proposal shall be identified with the respondent's name, address, telephone numbers, and the date and time for the official submittal of the Proposals.
9. The **First Part** will include the **Technical Proposal**. The respondent must submit the original Technical Proposal signed in **blue ink** and five (5) copies.
10. The **Second Part** must include the **Cost Proposal**. The respondent must submit the original signed in blue ink, and two (2) copies.

Each complete proposal shall comply with the technical information specified in the following sections.

## **8.2 Minimum Requirements**

Proposers shall comply with the following Minimum Requirements for their proposals to be evaluated on their technical aspects. However, PRPHA, at its own discretion, reserves the right to waive minor irregularities. Minimum Requirements for this RFP are as follows:

**8.2.1 Proposal Submission:** Proposal must be submitted within the Due Date and Time for proposals as established in **Section 7.3** of this RFP. Responses to the RFP submitted after the prescribed deadline will not be accepted. Only those respondents that meet or exceed the following Minimum Requirements will be evaluated and ranked by PRPHA's Evaluation Committee.

**8.2.2 Financial Requirements:** The Proposer shall demonstrate that it has adequate financial resources to perform the services under the Contract. Accordingly, the proposer shall provide an audited financial statement and balance sheets, and information concerning existing Lines of Credit and account balances, issued not more than one (1) year before the RFP Proposal Submittal, sufficient to demonstrate its financial capacity to undertake the services under the Contract.

**8.2.3 Conflicts of Interest:** Pursuant to Puerto Rico Act No. 12 of July 24, 1985, as amended, Act No. 237 of August 31, 2004 and/or Puerto Rico Act 2 of January 4,

2018, Proposers will be required to certify that no officer, agent or employee of the Government of Puerto Rico, or its Government Entities and instrumentalities, has a monetary interest in the proposal or has participated in Contract negotiations on behalf of the Government of Puerto Rico; that the Proposal is made in good faith without fraud, collusion, or connection of any kind with any other proposers; that the proposer is competing solely in its own behalf without connection with, or obligation to, any undisclosed person or firm; and that the proposer has not been convicted or has plead guilty in a state or federal court or any other jurisdiction of the United States of America, or another country if the elements which constitute the crime are the same, of certain crimes constituting fraud, illegal appropriation, or misuse of public funds, for a term of ten (10) years in convictions of felony crimes and five (5) years in convictions of misdemeanor crimes. The Proposer shall also certify that neither it, nor a potential Contractor, Subcontractor, employee or Consultant, is currently rendering or will, during the term of the Contract with PRPHA, engage in the rendering of federal grant(s) program management services, through one or more government Contracts, for disaster recovery efforts in Puerto Rico. For compliance with this Minimum Requirement, the Proposer shall submit with his response to this RFP, the following:

- **Exhibit B** – Statement of Qualifications
- **Exhibit C** – Non-Conflict-of-Interest Certification
- **Exhibit D** – Non-Conflict of Interests on Existing or Pending Contracts Certification
- **Exhibit E** – Limited Denial of Participation Affidavit
- **Exhibit F** – Non-Collusive Affidavit
- **Exhibit G** – Sworn Statement Under (Act 2-2018) duly completed and notarized.

All documents authorized by a Notary Public **outside** of Puerto Rico jurisdiction shall be authenticated and include an **Official Certificate** or **Apostille** from the Secretary of State, County Clerk or corresponding entity of the State government.

**8.2.4 Other Required Documents:** Proposers shall submit the following documents duly completed and notarized when applicable, as part of their responses to this RFP:

- **Exhibit H** – Authorization for Background and/or Financial information
- **Exhibit I** – Authorization for Request for References
- **Exhibit J** – Respondent’s Prior Performance Certification
- **Exhibit K** – HUD Forms
- **Exhibit L** – Certification for Compliance with HUD General Provisions
- **Exhibit M** – E-Verify Vendor/Contractor/Subcontractor Certification
- **Exhibit N** – Certification to Accept Terms of Contract
- **Exhibit O** – Identity of Interest (OI) Disclosure Certification
- **Exhibit P** – System of Award Management (SAM.gov)
- **Exhibit Q** – “Registro Único de Proveedores (RUP)” (Unique Supplier Registry of Professionals)
- **Exhibit R** – Section 3 Business Concern Self-Certification Form

### **8.3 Proposal Format**

**8.3.1 Technical Proposal.** Proposals received without any of the following required information may be rejected and do not receive further consideration. To facilitate the evaluation of Proposals and allow proper comparisons each Technical Proposal must include the following information and shall be organized as follows:

**A. Table of Contents.** The Technical Proposal shall contain a Table of Contents to facilitate PRPHA’s consideration and evaluation of the proposal. It is the respondent’s responsibility to ensure that all sections of the proposal, including all Exhibits thereto, are clearly identified and easy to locate.

The Table of Contents shall identify the components of the proposal as follows:

- *Title page*
- Letter of Interest
- Tab 1: Executive Summary
- Tab 2: Company Information
- Tab 3: Experience and Qualifications of Respondent and Key Staff
- Tab 4: Service Approach
- Tab 5: Past Performance and Statement of Professional Services
- Tab 6: Finance Capacity and Responsibility Determination
- Tab 7: Minimum Requirements

**B. Title Page.** The title page shall contain the RFP subject; the name and address of the Respondent, the name, title and telephone number of the person authorized to represent Respondent and the date of the Proposal.

**C. Letter of Interest.** The letter of interest shall contain a general statement of the purposes for submission of a proposal. It should briefly state the operational concept for the services (Service Approach), complying with the requirements of this RFP, demonstrate its understanding of the requirements hereunder and the respondent's commitment to perform the services in accordance with the requirements of this RFP. The Letter of Interest shall be signed by an authorized representative or officer of the respondent, duly authorized to bind the respondent to all provisions of the RFP, as amended, and to terms and conditions of the Services Agreement, if awarded.

**D. Tab 1: Executive Summary.** This portion of the proposal shall be limited to a brief narrative highlighting the respondent's proposal. It should succinctly include capacity and experience regarding the firm and Key Staff's ability to do the work requested in this RFP, as well as other important resources of the Firm, which are pertinent for qualification in this process. The Executive Summary should be limited to a maximum of eight (8) pages (Century Gothic size 12, single space).

## **E. Tab 2: Company Information**

**E.1 Background Information:** The respondent shall submit a brief history describing its experience working with both Physical Needs Assessments and Energy Audit and providing services similar to the ones specified herein.

**E.2 Type of Organization:** The respondent shall specify the type of organization, Corporation, Partnership, Joint Venture or Sole Proprietorship. It should also present a list indicating the members of its Board of Directors, the names of the shareholders, partners, principals and any other persons exercising control over the organization.

**E.3 Description of the Organization's History:** The respondent shall provide a description of the respondent organization's history, including the ownership, operations, management and staff, subsidiaries, affiliations, and office locations of the organization.

**E.4 Organizational documentation:** Certifications: depending on the type of organization, the Respondent shall submit copies of the Certificate of Incorporation, Partnership Deed or Agreement or Joint Venture Agreement and/or any other organizational document deemed necessary. Any of these agreements shall have been executed before the date and time specified for Proposal Submission.

**E.5 Authorization:** Depending on the type of organization, the respondent shall submit a Corporate Resolution signed by the Secretary of the Corporation, or a Power of Attorney, in the case of a Partnership, dated and executed by all partners, or the Joint Venture Agreement, evidencing the name of the Individual authorized to sign the proposal, the Contract and any amendment thereto.

**E.6 Organizational Chart:** The proposal shall include a detailed Organizational Chart of the respondent's structure, showing all staff, including all Key Staff to be assigned to this Agreement and the performance of the services hereunder.

## **F. Tab 3: Experience and Qualifications of Respondent, and Key Staff**

**a. Past Experience.** Respondents shall provide the names of specific clients for whom similar work to the services requested in this RFP has been performed. Any licenses or certifications applicable to the services requested in this RFP should be submitted. Respondents will identify at least:

- i. Five (5) experiences in which it has served as Manager, and/or Administrator in similar services as those identified in this RFP; and
- ii. The list of experiences to be submitted as requested above, to comply with the experience requirements of this RFP should include at least the following information:
  - Name and address of each past experience.
  - Type of facility or Project (i.e., brief description, private or public).
  - Description of the general scope of each services.
  - Description of the role of the Firm in each service.
  - Original scheduled dates vs. actual completion dates. Describe the causes for the differences.
  - Original budgeted costs vs. the actual completed costs. Describe the causes for the differences.
  - The number of Change Orders (if any) and the total value of the Change Orders as a percentage of the original Contract.
  - Name of the contracting entity.
  - Name, title, email address and a telephone number of at least two (2) contact person for each identified contracting entity to permit reference checks to be performed. The identified parties must have first-hand knowledge regarding the operation of the contracted facility or project, can verify the above-required information, and who was involved in managing the Contract between the Firm and the contracting entity.

**b. Contract Work in Progress.** Each respondent shall provide a listing of all Contract work currently in progress by the Firm and/or the entities that comprise the Respondent to include at a minimum:

- i. Description of the Contract
- ii. Total Services value

- iii. Name(s) of contracting entity
- iv. Approximate Contract value
- v. Contract term
- vi. Percentage complete
- vii. Name of staff assigned that are also proposed for this PRPHA Project.
- viii. Name, title and telephone number of one contact person for each identified contracting entity to permit reference checks to be performed. The identified party must be one who has first-hand knowledge regarding the operation of the contracted facility or project, can verify the above required information, and who has been involved in managing the Contract between the Firm and the contracting entity.

Past performance must be evaluated in terms of quality of services, Energy Audit and Physical Need Assessments of the projects assigned results and timelessness of Performance, Customer Relationship in Compliance with the terms and conditions of the Agreement. **(Attachment 5)**

Respondents must describe the reasons why their organization is qualified to provide the requested services. Respondents must describe the types of activities and/or previous undertakings that qualify them for selection and include a list of work performances in which they have offered services like those described in this RFP.

Such listing must include, at least, the following information:

Description of the Statement of Services for at least five (5) past performances within the last five (5) years in which the respondent provided services like those described in this Request for Proposals.

- a. Name of the contracting entity.
- b. Name, title and telephone number of contact person for each identified contracting entity to permit reference checks to be performed. The identified party must be one who has first-hand knowledge regarding the services offered and who was involved in managing the Agreement

between the respondent and the contracting entity.

c. Demonstrated abilities of the respondent to provide the services required by PRPHA in a timely manner, under the terms of the contract.

d. Include description housing development and the population impacted.

#### **G. Tab 4: Service Approach**

This criterion measures how well the respondent's proposal presents an efficient and realistic approach (methodology) to fulfilling the proposed services. It also measures how likely the proposed organization and management will be successful in performing the services, including its ability to manage subcontracts.

The proposal must present a detailed implementation plan for the services solicited in the RFP that will successfully meet the goals and strategies to identify and evaluate the existing conditions of the housing stock assigned, including buildings, units, common areas and other physical facilities. The respondents will identify energy conservation methods and the cost-savings that will result from implementing these measures. The respondent will also describe the physical improvements identified and how it will bring the property to a reasonable level bases on HUD mandatory standards and local building codes. The respondent's assessment and strategies to improve the physical conditions of the Developments must provide for a long-term physical viability suitable for planning and budgeting purposes.

#### **H. Tab 5: Past Performance and Statement of Professional Services**

PRPHA will evaluate the respondent's capacity to provide the resources and the methodology necessary for the timely and efficient implementation of PRPHA's goals and objectives as described in this solicitation. A work plan describing in detail how the respondent intends to perform the services described in the **Statement of Services, (Section 4** of this RFP).



## **I. Tab 6: Finance Capacity and Responsibility Determination**

PRPHA will need to conduct research to determine whether a prospective contractor is responsible. It will consider and evaluate the Financial Capacity of the respondents, and the LDP List, RUP and SAM.

## **J. Tab 7: Minimum Requirements**

This Tab should contain all the Exhibits mentioned in **Section 8.2**.

**8.3.2 Cost Proposal.** Upon execution of the Agreement, the respondent will be compensated for the performance of its services by the payment of monthly fees, as defined herein to be paid out of PRPHA Capital Funds.

The respondent must submit in separate sealed envelopes, a Cost Proposal; the separate sealed envelopes shall constitute the Cost Proposal Package. The form it will use to prepare the Cost Proposals are included in **Exhibit A-3**.

In submitting a proposal, the respondent agrees that any costs or prices proposed shall be valid for a minimum of ninety (90) days from the Proposal Due Date.

## **1. Table of Contents**

### **A. Tab 1: Cost Proposal Form**

Respondent must use the Cost Proposal Form included in **Exhibit A-3** to submit its Cost Proposal.

The successful respondent will be compensated for its services by monthly fees as stated in the Contract.

### **B. Tab 2: Financial Information**

The respondent must submit a Financial Statement (ending December 31, 2024) that includes, as a minimum, Income Statement, Balance Sheet and information concerning existing Line of Credit and account balances. Those respondents whose accounting cycle does not end on December 31, 2024,

must submit their latest Financial Statement and/or an Interim Statement. For those respondents that generate over \$3 million annual revenue, they must provide the Audited Financial Statements. For those generating less than \$3 million annually, they may submit a Reviewed Financial Statement, if an Audited Report is not available. All respondents shall submit evidence of information that will enable PRPHA to evaluate its financial capacity to perform under the contract.

a. If a respondent has not been in existence or has not conducted business operations the year prior to the RFP, it shall provide the following documents with respect to each of its principals:

- i. Certified income tax (last three years).
- ii. Financial statement (ending December 31, 2024).
- iii. Certified statements indicating the companies in which the Principals were involved.
- iv. In the case that the Respondent is participating with another company, different from the company previously related and that is currently submitting a Proposal, explain the reason for the two separate companies.
- v. Evidence of other information that will enable PRPHA to evaluate their financial capacity to perform under the contract.
- vi. Affidavit certifies that the principals will provide personal guarantees in addition to the company's assets, for any reasons, the Contract is terminated before the first year.

Respondent shall demonstrate that it has adequate financial resources to perform the services under the Agreement and provide an unencumbered line of credit of a minimum of \$75,000.00 with an FDIC insured financial institution; or one or more accounts in a financial institution with an available balance of \$75,000.00; or a combination thereof totaling no less than \$75,000.00.

## 9. EVALUATION OF PROPOSALS

Following the submittal of Proposals, PRPHA's Procurement Area will review each Proposal based on the criteria stated in this RFP. The Procurement Area will consider the Minimum Requirements of the Proposal stated in **Section 8.2** of this RFP. Those Proposals that meet the Minimum Requirements will be evaluated by the Evaluation Committee.

### 9.1 Evaluation Committee

An Evaluation Committee will be appointed by PRPHA's Administrator in compliance with Section 6.d of Chapter 8 of Rule No. 8967, PRPHA's Procurement Manual, for which it may rely on specialized Advisers, Consultants, and/or subject-matter Experts that will review and recommend the method(s) that can be used to score the different sections of this RFP, as well as make final recommendations to the PRPHA Bid Board. Following the receipt, the responses of all Proposers will be reviewed for completeness and analyzed based upon the criteria described in this RFP.

### 9.2 Evaluation

The Evaluation Committee shall conduct a comprehensive, fair, and impartial evaluation of the Proposals received in response to this RFP.

The Evaluation Committee can request clarifications. A response to a clarification request must be to clarify or explain portions of the already submitted Proposal and may not contain new information not included in this Proposal. All clarifications will be requested in writing and have clear deadlines set by the PRPHA for submission of requested items. Any requested clarifications not submitted by the deadline will not be reviewed by the PRPHA.

The Evaluation Committee will assign each Proposal a numerical score corresponding to the result of the evaluation of the Proposal based on the Evaluation Criteria. Factors not specified in the RFP shall not be considered. At the same time the Evaluation Committee is evaluating the Technical Proposal, the Procurement Staff will be evaluating the Price Proposal.

After the Evaluation Committee has evaluated all Proposals, it shall then prepare a written Evaluation Report to document the ranking of the Proposals by technical merit. The Report includes its initial recommendations, whether or not discussions regarding, informational defects, technical concerns, or other matters should, without opening clarifications for all Proposers.

### 9.3 Errors and Omissions in Qualification

The PRPHA reserves the right, without limitations, to reject a Proposal that contains an error or omission. PRPHA also reserves the right, without limitations, to request correction of any errors or omissions and/or to request any clarification or additional information from any Proposer.

### 9.4 Proposal Scoring

**Table 2** Presents the maximum points for the Technical Requirements of the Proposals.

**Table 2: Technical Aspects of the Proposal Scoring**

Criteria	Maximum Points
1. Experience of the Firm and Qualifications of Respondents and Key Staff	30 Points
2. Capabilities	10 Points
3. Service Approach	20 Points
4. Past Performance and Statement of Professional of Services	30 Points
5. Financial Capacity and Responsibility Determination	10 Points
<b>Maximum Technical Points</b>	<b>100 Points</b>

Proposals will be evaluated on technical aspects, and a score for each criterion will be assigned based on the maximum allowable points stated in **Table 2**.

## 9.5 Competitive Range Determination

Once the Evaluation Committee has completed the technical scoring, its members shall determine which Respondent will be considered as “Technically Qualified Respondent”. To be considered “Technically Qualified Respondent”, the Proposer must obtain a score greater than or equal to **Seventy-five (75) points** in the evaluation of its Proposal.

## 9.6 Negotiation

### 1. Award without Negotiations

If, after initial evaluation of the Proposals, the Associate Administrator (Procurement Director) determines there is no need for discussions, the Associate Administrator (Procurement Director) may proceed directly to the award of the Agreement(s) pursuant to the terms of the RFP.

### 2. Negotiations with Respondents

Once the evaluation process is completed and the *competitive range* has been established, PRPHA will proceed with the negotiations of prices.

If the Procurement Area is satisfied with the Price offer of the top-ranked Respondents, it may recommend to PRPHA Contracting Officer that a Contract be awarded to that Respondent. The PRPHA Contracting Officer will review the recommendations to ensure compliance with this RFP and regulatory requirements and forward them to the PRDOH Bid Board and the PRPHA’s Governing Board.

If the Procurement Area is not satisfied with the Respondents’ Cost Proposal, it will proceed with further discussions/negotiations.

If the PRPHA determines to proceed with discussions/negotiations, the Procurement Area will review the last Cost Proposal submitted. The Procurement Area will then prepare a report incorporating the Evaluation Committee Report and the price analysis (Best Value Offers). This Report will be presented to the PRPHA Contracting Officer.

The PRPHA Contracting Officer will review the recommendations to ensure compliance with this RFP and regulatory requirements and forward them to the PRDOH's Bid Board and eventually to the PRPHA's Governing Board.

PRPHA reserves the right to conduct a "Best and Final" Negotiation, which may include oral interviews, with all firms deemed to be in the *competitive range*. Any firm deemed not to be in the *competitive range* shall be notified of such in writing by the PRPHA.

### **9.7 Best and Final Offer ("BAFOs")**

After initial negotiations are complete, the Procurement Area shall request from the selected Respondents to submit their Best and Final Offer.

The Best and Final Offers shall be evaluated in essentially the same manner as the initial Cost Proposal. At the Procurement Area's discretion, the entire Evaluation Committee, or only subsets of the Committee, may evaluate the Best and Final Offers. In either case, the Procurement Area shall ensure that a full evaluation is conducted sufficient to support the award decision.

The Procurement Area shall establish a common date and time for submission of Offers. Late responses should be treated the same as late initial Offers. When requesting Best and Final Offers, the Procurement Area shall clearly inform Respondents that should they fail to submit a Best and Final Offer, or fail to submit one by the due date, their initial Offer will be deemed to be their Best and Final Offer.

### **9.8 Notice of Award**

If an award process is completed, PRPHA will issue a written Notice of Award to the successful and unsuccessful Respondent(s) of record through certified mail and by e-mail to the address provided as part of the Proposal (the "Notice of Award"). Such notice should inform all Respondents of:

1. Which Respondent received the award.
2. The Cost Proposal received from each Respondent.

### 3. Each Respondent's right to a debriefing and to protest.

The Notice of Award will establish the selected Respondent(s) obligation to submit any applicable post-award documentation.

## 9.9 Rejection of Proposal and Cancellation of RFP

Issuance of this RFP does not constitute a commitment by the Government of Puerto Rico and/or the PRPHA to award a Contract. The PRPHA reserves the right, without limitations, to accept or reject, in whole or part, and without further explanation, any or all Proposals submitted and/or to cancel this Solicitation and reissue this RFP or another version of it, if it deems that doing so is in the best interest of the Public Interest, the Government of Puerto Rico, the PRPHA or the impacted communities.

The PRPHA reserves the right, without limitations, to disregard or waive any noncompliance, informalities and/or irregularities in the Proposals received in response to this RFP, when, in its opinion, the Public Interest, the best interest of the Government of Puerto Rico or the PRPHA or of the impacted communities will be served by such action.

## 9.10 Confidentiality of Responses and Proprietary Information

Upon completion of the RFP process, the PRPHA may make public, through its website or otherwise, its report regarding the qualification, procurement and selection process, which shall contain certain information related to this RFP process, except trade secrets, proprietary information, or privileged and confidential information of the Proposers, so identified by Proposers. Accordingly, **all Proposers are suggested to submit a redacted copy of their Proposal at the time of submission.** For clarity, "redacted copy" refers to a copy of the Proposal that has been modified, edited, or revised and any confidential or sensitive information has been removed. The PRPHA reserves the right, without limitations, to make public the redacted copies of the Proposals at the conclusion of the RFP process. If a redacted copy is not submitted by a Proposer, the PRPHA will assume that the original copy of the Proposal can be made public. Proposals containing substantial contents marked as confidential or proprietary may be rejected by the PRPHA.

The PRPHA cannot guarantee that confidentiality or proprietary claims made by a Proposer, in any way, will be honored. Due to the nature of this RFP, some confidentiality or proprietary claims cannot be assured. Provision of any information marked as confidential or proprietary shall not prevent the PRPHA from disclosing such information if required by law. The ultimately awarded Contract(s) and all prices set forth therein shall not be considered confidential or proprietary and such information may be made publicly available.

Any and all information, be it trade secrets, proprietary or confidential information submitted as part of this RFP will be made available to HUD, the U.S. Office of Inspector General, or any other federal or state agency that requires said information for program evaluation and compliance purposes.

### **9.11 Protests, Disputes and Appeals Procedures**

Any person, party or entity that considers itself adversely affected by a decision of the Bid Board made under the provisions of this RFP, may file a petition for judicial review before the Court of Appeals within **twenty (20) calendar days** from the date on which the notification of the resolution from the Bid Board is filed in record. See Act No. 201-2003, as amended, known as the Judiciary Act of the Commonwealth of Puerto Rico of 2003, 4 LPRA § 24 et. seq., and section 4.2 of LPAU, 3 LPRA § 9672. Filing a petition for judicial review will not result in the automatic stay of the award process.

A Notice of Award does not constitute or establish a contract between PRPHA, and the person, party or entity notified.

All petitions for judicial review shall be notified to the Bid Board and all parties of record in accordance with the applicable regulatory requirements.

### **9.12 PRPHA Options**

Without limitation and in addition to other rights reserved by PRPHA in this RFP and when it is determined to be in its best interest, the PRPHA reserves and holds, at its sole discretion, the following rights and options:

- To accept or reject all submittals, in whole or in part.



- To reject a Proposal if the Respondent failed to furnish any required insurance policy or to submit the data and documents required in the RFP package, or if the Proposal is nonconforming, non-responsive, incomplete, inadequate, conditional or irregular.
- To reject all Proposals received in response to the RFP.
- To reject any Respondent that has an unsatisfactory performance record, as demonstrated by past work performed for HUD, the Department of Housing or the PRPHA, specifically from the standpoint of workmanship and progress.
- To reject any Proposal due to uncompleted work which, in the judgment of the PRPHA, might hinder or prevent the prompt completion of additional work, if awarded.
- To reject a Proposal if any of the Respondent's previous Agreements with HUD, the PRDOH, the PRPHA or any other public or private entity were declared in default.
- To discuss with any or all Respondents, different or additional terms to those included in this RFP or received in a Proposal.
- To enter discussions with any Respondent and with more than one Respondent at a time.
- To waive or allow the Respondent to make changes during discussions of any defects, informalities, irregularities, technicalities or inconsistencies in a Proposal.
- To require additional information from one or more Respondents to supplement or clarify the Proposals submitted.
- To conduct further investigations with respect to the qualifications and experience of each Respondent, from the documents submitted either in the RFP or from other sources.
- To conduct further investigations regarding the technical and financial qualifications of Respondents from any sources deemed necessary, which sources might be other than those identified in the Proposal.
- To visit and examine any of the projects referenced in the Proposals and other owned, operated or built by the Respondent to observe and inspect such facilities and their operations.
- To cancel this RFP and issue a new one if determined necessary or convenient to the PRPHA.
- To reject a Proposal if there are unauthorized additions, conditional or alternate Proposals or irregularities of any kind which may tend to make the Proposal

incomplete, indefinite, or ambiguous as to its meaning.

- To cancel without prejudice, any selection of Respondents, before the execution of the Agreement(s).
- To reject Proposals from a Respondent shown to be submitting Proposals under different names for the same services.
- To reject any or all Proposals upon evidence of collusion among several or all Respondents.
- To cancel this RFP in whole or in part, at any time, with or without substitution of another RFP if such cancellation is determined to be in the best interest of PRPHA.
- To take any action affecting the RFP process, or the subject matter of this RFP, that would be in the best interests of PRPHA.

Failure to provide any of the above requested information shall be considered a substantial defect.

All documents and products created by the Respondents and their Sub-Consultants shall become the exclusive property of PRPHA.

## 10. TYPE OF CONTRACT, COMPENSATION AND ADDITIONAL SERVICES

### 10.1 Contract General Requirements

PRPHA will seek to execute a Service Agreement with the selected Respondent(s) within ten (10) calendar days after the day of the Notice of Award.

No Proposal shall be binding upon the PRPHA until an Agreement has been executed. The PRPHA reserves the right to issue press releases or public statements regarding the services under Contract. The PRPHA reserves the right to cancel the award of an Agreement at any time before execution of the Contract, without incurring any liability.

PRPHA contemplates the award of multiple Maximum Amount Contracts for the services described in this Solicitation, depending on funding availability.

### 10.2 HUD General Provisions

Because the Contract involves federal funds for which HUD is the federal oversight agency, the Contract shall be governed by certain general HUD terms and conditions, **Attachment 5 (Model Contract)**. Respondent shall affirmatively represent and certify that the Proposer shall adhere to the terms and conditions set forth in the applicable part of **Attachment 5 (Model Contract)**, and any subsequent changes made by HUD. Such certification will be provided by the Proposer with the Proposal in **Exhibit L- Certification for Compliance with HUD General Provisions**.

### 10.3 Contract Term

PRPHA intends to execute a Contract with the successful Respondent(s) selected pursuant to this Solicitation. This Contract shall be in effect and enforceable against the parties for a period of One (1) year subject to funding availability. This Contract Term includes, the execution of the services included in the Proposal, as requested by the RFP, submittal of invoices of services completed, and final payments.

## **10.4 Contract Extensions**

It shall be the PRPHA's unilateral right to exercise its option to extend the Agreement(s) upon the expiration of the initial term or the first optional term. Any renewal of the Contract Term will require an amendment to the original Agreement or any renewal thereof. Any modifications to the contract must be made in accordance with PRPHA's procurement policies, the General Conditions of the Contract and HUD's procurement regulations as implemented by PRPHA.

## **10.5 Payment Process**

The selected Respondent(s) shall only be paid for actual work required, performed, and accepted for this Contract, inclusive of all costs and expenses, in accordance with the fee Proposal submitted by Respondent and accepted by PRPHA. PRPHA will not be reimbursed for travel within Puerto Rico. PRPHA also will not reimburse for administrative tasks such as postage or telephone calls.

The Selected Respondent(s) will submit invoices from time to time in accordance to the budget described in the approved Proposal and the PRPHA will reimburse the funds to the Selected Respondent(s) pursuant to federal rules and regulations.

- a) The Selected Respondent(s) shall certify in each invoice that services provided to the PRPHA and invoiced therein have not been provided and invoiced under any other Proposal financed by the PRPHA or any other private public entity.
- b) Payment will be made by check or electronic fund transfers (EFT).
- c) The Selected Respondent(s) will invoice the PRPHA in the same format and procedures set forth for the reimbursement of the PRPHA operational costs.
- d) The PRPHA will not reimburse any costs incurred by the Selected Respondent(s) outside the approved Proposal.

## 11. INSURANCE REQUIREMENTS

The insurances required for the Agreement resulting from this RFP shall be written for not less than the limits of liability specified on DV-OSPA-78-5 or as required by law, whichever coverage is greater. Coverage, whether written on an occurrence or claims-made basis, shall be maintained without interruption from the date of the commencement of operations under the Agreement until the Date of Final payment and termination of any coverage required to be maintained after Final Payment, or as otherwise provided herein.

The firm shall comply with the insurance required by PRPHA as indicated in the form DV-OSPA 78-5. **(Attachment 4)**.