



GOBIERNO DE PUERTO RICO
DEPARTAMENTO DE DESARROLLO ECONÓMICO Y COMERCIO

REQUEST FOR PROPOSALS (RFP)

FOR

**PROFESSIONAL SERVICES: ELECTRIC VEHICLE
MARKET STUDY**

UNDER THE

ENERGY POLICY PROGRAM

RFP-DDEC-EPP-2024-001

**PUERTO RICO'S DEPARTMENT OF ECONOMIC
DEVELOPMENT AND COMMERCE**

March 21, 2024
RFP Issued

Date: April 25, 2024 at 3:00pm (AST)
Proposal Due Date

1. PURPOSE OF THIS RFP

The purpose of this RFP is to enlist the professional, technical services for the development and delivery of a market study that details electric vehicle (“EV”) and plugin hybrid electric vehicle (“PHEV”) saturation, EV infrastructure considerations, EV adoption in low-income communities, and policy and program recommendations for Puerto Rico.

2. DEFINITION/DESCRIPTION OF KEY TERMS

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

- **“Electric vehicle”** shall mean a vehicle that uses one or more electric motors, exclusively, for propulsion.
- **“EV charging infrastructure”** shall mean the network of charging stations and related equipment designed to charge electric vehicles.
- **“EV market saturation”** shall mean *when EV products or services are no longer in demand* in the written documents issued by the DDEC to revise, amend or otherwise, modify this RFP.
- **“Low-income communities”** shall mean the neighborhoods or zip codes with a mean household income within the range set forth by local federal guidance.
- **“Plugin Hybrid Electric Vehicle”** shall mean a vehicle that uses a combination of electric and internal combustion motors for propulsion but must have the means to charge electrically via stationary charger.

3. BACKGROUND INFORMATION

The DDEC/EPP oversees the development and promulgation of the public energy policy of the Government of Puerto Rico, by virtue of Act No. 141 of July 11, 2018, also known as Execution Act of the Reorganization Plan of the Department of Economic Development and Commerce, of 2018. Among its multiple functions, it oversees administering and operating different federal programs, among them, the State Energy Program (SEP), the Home Weatherization Program (WAP), and the State Program of the Green Energy Fund, with the main purpose of promoting energy efficiency and introducing renewable energy to the Puerto Rico electricity grid. Pursuant to Law 17-2019, known as the Puerto Rico Public Energy Policy Act, the objective is to mitigate Puerto Rico's dependence on centralized fossil fuel plants and optimize the available energy resources that allow building resilience and facilitating that the island can obtain 100% of its energy from renewable sources by 2050.

A goal of Puerto Rico’s energy public policy, as stated in the Public Energy Policy Act, is to “promote the fastest and most efficient reconstruction, modernization, and revamping of the transmission and distribution system for the purpose of developing a robust and flexible

system...”¹ Section 1.5 speaks to the environmental responsibility of the Government of Puerto Rico, its agencies, municipalities, and public corporations, as well as all natural or juridical persons in “aggressively reduc[ing] the use of fossil fuels, minimizing greenhouse gas emissions, and supporting initiatives in Puerto Rico that focus on the issue of climate change, specifically on mitigation, adaptation, and resilience.”

EVs are dependent on the electricity drawn by the grid. Puerto Rico’s energy policy seeks to establish an electric power service model that includes “an electric power grid that takes into account the development and integration of community solar, wheeling, the creation of microgrids, and electric cooperatives or energy cooperatives as alternatives and tools to improve the access to renewable energy and the electric power grid’s resilience to natural disasters.” Positive developments towards an electrical grid powered by renewables allows for the influx of electrification of vehicles to accomplish Puerto Rico’s goal of reducing the use of fossil fuels and pollution.

To achieve Puerto Rico’s Public Energy Policy goals, the Department of Economic Development and Commerce seeks the professional and technical services of a vendor to complete a market study that expounds on the current and future EV market and point of saturation; EV infrastructure considerations; and suitable recommendations that can inform Puerto Rico’s leadership decision making. The final market study will address the following:

- Current state of the EV/PHEV Market (market analysis and assessment)
 - EV/PHEV sales and market forecasts in Puerto Rico covering a period of a minimum of five (5) years
 - Projections in vehicle mix
 - EV/PHEV saturation
- EV/PHEV Market Dynamics
 - Supply chain constraints in Puerto Rico’s EV/PHEV retail market
 - Challenges and barriers impacting local dealerships with the influx of EV/PHEVs
- Understanding of large municipal and organizational EV/PHEV fleets.
 - Discover, through interviews and/or other methods, the following:
 - Electrification plans, priorities, and timelines
 - Load demand (forecasts covering a period of a minimum of five (5) years)
 - Infrastructure needs
 - Concerns associated with large EV/PHEV fleets
- Guidance on Infrastructure Needs to Support Puerto Rico’s EV/PHEV Market
 - Impact on Puerto Rico’s electric utility
 - Load demand forecasts covering a period of a minimum of five (5) years
 - Benefit and costs
 - Charging infrastructure estimates covering a period of a minimum of five (5) years

¹ “Puerto Rico Energy Public Policy Act” [Act. No. 17 of April 11, 2019]

- Level 1, Level 2, and DC Fast Charging
 - Number of Charging Sites/Stations/Ports (e.g., Equipment by location, home, workplace, public)
- Public Transportation: Mobility and EV Adoption in Low-income Communities
 - Mode Choice Frequencies
 - Frequent mode of transportation (e.g., walk, personal vehicle, carpooling, bus, taxi, Uber)
 - Frequency of use, public transportation
 - Estimates, vehicle usage (e.g., miles/year, miles/daily commute)
 - Evaluation of Puerto Rico’s public transportation system
 - Ability to meet the transportation needs of low-income.
 - Successes and Barriers
 - Physical and cultural factors
 - Convenience, reliability, accessibility, safety, comfort, and diversity of routes.
 - EV/PHEV adoption to meet transportation needs of low-income communities.
 - Assessment of interest in EV car-sharing program
 - Assessment of affordability of shared mobility options from community-scale up to large scale, under a region wide focus.
- Policies
 - Assessment of present and future tax impacts on EV/PHEV sales
 - Evaluation of existing policy recommendations that enhance the utilization of EV/PHEVs on a large scale for low and middle-income communities (e.g., expanded bus routes, addition of smaller vehicles (e.g., vans) to expand bus routes and stops, building codes and EV/PHEV chargers at multifamily units)

4. SCOPE OF WORK

The Electric Vehicle Market Study project aims to comprehensively evaluate the current state of the EV/PHEV market in Puerto Rico, understand the direction of large municipal and organizational EV/PHEV fleets, assess EV infrastructure needs both for the public and for municipal fleet operations, recognize the public mobility needs of low-income communities, include policy recommendations and feasibility of various approaches to deploying EV/PHEV charging infrastructure. These tasks will be completed through a stakeholder engagement process (described below) that includes workshops, meetings, and other consultations to gather diverse perspectives and insights. Tasks to be completed are summarized as follows and described in greater detail in the following sections.

Bidders are permitted to propose multiple options for completing the tasks, and the different options should be clearly labeled in bidders’ scope and cost budget proposals.

4.1 Kickoff Meeting

The selected contractor will participate in an evaluation kickoff meeting to review the contractor's draft work plan and confirm the research goals, contractor expectations and project administration. (All work plans should cover the remaining project period; they are not annual plans.) The contractor will provide DDEC's Evaluation Project Manager with a draft work plan at least five (5) workdays prior to the meeting so that DDEC staff can review it in advance to facilitate discussion during the meeting. The next section provides additional details about the work plan. The contractor will also submit a draft agenda to DDEC's Evaluation Project Manager to ensure the following are covered: the research goals, descriptions of the methodologies to be used, initial timeline targets, data/information requirements, and project management topics.

Deliverable(s): Draft work plan, draft and final meeting agendas, meeting presentation slide deck, draft, and final meeting minutes

4.2 Work Plan

After the kickoff meeting, the contractor will provide DDEC with an updated, detailed draft work plan reflecting discussion and decisions made at the kickoff meeting. The updated and final work plans should include the following sections:

- Evaluation goals
- Evaluation tasks, research methodology, planned data collection and analysis methods, and deliverables
- Methods to ensure quality assurance for all research, data collection, and analysis tasks
- A plan covering:
 - o Protocols for interacting with municipal and organizational entities with large fleets
 - o Evaluation tracking and status reporting requirements
- Schedule of tasks and deliverables (draft and final), including DDEC review periods

After DDEC's review, the contractor will provide a final work plan addressing feedback from DDEC staff. The work plan will then be updated annually (i.e., each 12 months) to reflect upcoming changes more accurately.

Deliverable(s): Updated draft work plan (within 2 weeks after kickoff meeting) and final work plan (one week after DDEC's comments returned on updated draft returned)

4.3 Task #1 - Assessment of Existing EV/PHEV Market and Market Dynamics Report

The Consultant shall conduct a comprehensive assessment of the current electric vehicle market in Puerto Rico. The assessment aims to provide a clear understanding of the current state of EV adoption, infrastructure, consumer preferences, and challenges. The findings will serve as a foundation for informed decision-making and strategic planning to enhance the adoption of electric vehicles on the island.

1. Data Collection and Analysis - Current state of the EV/PHEV Market
 - a) Gather data on existing EV/PHEV registrations, sales trends, and ownership distribution.
 - b) Capture projections in the vehicle mix.
 - c) Determine the point of EV/PHEV saturation and the factors influencing the rate at which saturation will be reached.
2. Data Collection and Analysis – Market Dynamics
 - a) Analyze the competitive landscape, including available EV models, pricing, and features.
 - b) Supply chain constraints in Puerto Rico’s EV/PHEV retail market.
 - c) Challenges and barriers impacting local dealerships with the influx of EV/PHEVs.
 - d) Investigate partnerships and collaborations between local businesses, dealerships, and EV manufacturers.
3. Challenges and Opportunities:
 - a) Identify challenges hindering EV adoption, such as infrastructure limitations, education gaps, and economic factors.
 - b) Highlight opportunities to address these challenges and accelerate EV market growth.

Deliverable(s): Comprehensive Market Assessment Report and Presentation: Compile all the deliverables into a comprehensive report that presents EV/PHEV sales and market forecasts in Puerto Rico covering a period of a minimum of five (5) years, projections in vehicle mix, EV/PHEV saturation, supply chain constraints in Puerto Rico’s EV/PHEV retail market, and challenges and barriers impacting local dealerships with the influx of EV/PHEVs.

4.4 Task #2 - Large Municipal and Organizational EV/PHEV Fleets Deployment Report

The Consultant shall conduct a comprehensive assessment of large fleet deployment by municipal and organizational entities in Puerto Rico. The assessment aims to provide a clear understanding of the current state of fleet EV adoption, future plans for large fleet deployments, fleet vehicle mix, existing and upcoming infrastructure needs, load demand for the next five (5) years, and challenges. The findings will serve as a foundation for informed decision-making and strategic planning to enhance the adoption of electric

vehicles on the island. Data will be collected through interviews and/or other research methods.

1. Data Collection and Analysis – Fleet deployment plans, priorities, and timelines
 - a) Identification of municipal and organizational entities with large EV/PHEV fleets
 - b) Gather data and prepare findings from in-depth one-on-one interviews and/or other research methods.
 - Electrification goals, priorities, and timelines
 - Preferred EV makes and models
 - Desired charging model (e.g., location and type of charger)
 - Best practices
2. Guidance on Infrastructure Needs to Support Puerto Rico’s Fleet EV/PHEVs
 - a) Gather data on fleet usage patterns, routes, and distances.
 - b) Estimate load demand forecasts covering a period of a minimum of five (5) years.
3. Challenges and opportunities for large EV/PHEV fleet in Puerto Rico identified by municipal and organizational entities.

Deliverable(s): Comprehensive Large Fleet (Municipal and Organizational entities) Assessment Report and Presentation: Compile all the deliverables into a comprehensive report that presents fleet deployment plans, priorities, and timelines; guidance on infrastructure needed to support fleet EV/PHEVs; and challenges and opportunities for large EV/PHEV fleets in Puerto Rico.

4.5 Task #3 - Infrastructure Assessment Report

Under this task, the Consultant shall provide an Infrastructure Assessment Report which, based on information obtained through the Market Assessment task, details the load demand forecasts and impact on Puerto Rico’s electric utility; and provides estimates for Level 1, 2, and DC fast charging.

1. Data Collection and Analysis – EV Charging usage patterns, routes, and distances for all EV/PHEV charging.
 - a) Identify EV/PHEV charging usage patterns, routes, and distances of trips of drivers on the island.
 - b) Describe public transportation, freight, and other supply chain needs
2. Data Collection and Analysis – Existing and Projected Charging infrastructure
 - a) Gather data on the existing charging infrastructure. (e.g., availability, including public charging stations and residential installations)
 - b) Map the distribution of existing charging stations, identifying gaps and areas with high demand.
 - c) Determine the miles of *corridor ready* locations. (e.g., e corridor/interstate has one 50 kW or higher DCFC within 5 miles of the interstate exit every 50 miles)

- d) Identify sites requiring EV charging upgrades.
 - e) Devise a site selection process to identify locations for future EV charging sites/stations.
 - f) Identify/prioritize sites for Level 2 and DC Fast Charging
3. Data Collection and Analysis – Grid Capacity Necessary to Support EV Chargers
- a) Estimate the increase in generation capacity necessary to supply the electric demand load of the growing number of EV/PHEV over a period of a minimum of five (5) years.
 - b) Estimate the number of charging sites or areas with older electrical infrastructure less likely to have sufficient EV charging capacity than locations with newer distribution equipment.

Deliverable(s): Comprehensive Infrastructure Assessment Report and Presentation: Compile all the deliverables into a comprehensive report that presents EV charging usage patterns, summary of existing charging infrastructure, projected charging demand, and necessary grid capacity needed to support EV charging.

4.6 Task 4# Public Transportation: Mobility Needs and Affordability Report

Under this task, the Consultant shall provide a Public Transportation, Mobility Needs and Affordability Assessment Report. The report aims to detail commuter and transportation patterns in low-income communities; and the potential of EV/PHEV to meet the transportation needs of low-income communities.

1. Data Collection and Analysis –Mode Choice Frequencies
 - a) Gather and assess the modes of transportation common to Puerto Rico’s low-income population. (e.g., walk, personal vehicle, carpooling, bus, taxi, Uber)
 - b) Estimate the frequency at which the low-income population selects public transportation to travel to appointments on the island.
 - c) Estimate weekly and annual vehicle usage based on the island’s low-income population. (e.g., miles/year, miles/daily commute)
2. Data Collection and Analysis – Evaluation of Puerto Rico’s public transportation system
 - a) Assess Puerto Rico’s public transportation system’s ability to meet the transportation demand and needs of its low-income population.
 - b) Identify and detail the strengths of Puerto Rico’s public transportation system; and physical and cultural barriers that limit its use by the island’s low-income population. (e.g., convenience, reliability, accessibility, safety, comfort, and diversity of routes.)
3. Evaluation - EV/PHEV capacity to meet the transportation needs of low-income communities.
 - a) Assess the interest in EV car-sharing program in low-income communities.
 - b) Evaluate the affordability and feasibility of shared mobility options from community-scale up to large scale, under a region wide focus.

Deliverable(s): Comprehensive Public Transportation, Mobility Needs and Affordability Assessment Report and Presentation: Compile all the deliverables into a comprehensive report that presents an overview of Puerto Rico’s public transportation system, mode choice frequencies of individuals and vehicle usage, and potential of EV/PHEV to meet the transportation needs of low-income communities.

4.7 Task #5 - Policy and Program Recommendations Memo

Under this task, the Consultant shall provide a Policy and Program Recommendations Memo. The memo directs Puerto Rico’s policy makers in assessing the future tax impacts on EV/PHEV sales and judging the merits, benefits, and drawbacks of existing policy recommendation designed to enhance the utilization of EV/PHEVs on a large scale for low and middle-income communities.

1. Assessment of Tax and Tax Treatment of EVs - Present and future tax impacts on EV/PHEV sales
 - a) Assessment of the tax against the following conditions – fairness, adequacy, simplicity, transparency, and administrative ease.
 - b) Outline Inflation Reduction Act (“IRA”) EV Tax Provisions and describe its impacts on Puerto Rico’s job market and the island’s economy.
2. Policy Evaluation – Existing policy recommendation designed to enhance the utilization of EV/PHEVs on a large scale for low and middle-income communities.
 - a) Evaluate current policies/strategies and revise recommendations to enhance the adoption of EV/PHEW in low and middle-income communities.
 - b) Evaluate and recommend additional incentives that enhance the adoption of EV/PHEW in low and middle-income communities.
 - c) Recommend mechanisms and partnerships for collaboration between public entities, private businesses, and utilities to accelerate EV adoption in low and middle-income communities.

Deliverable(s): Comprehensive Policy and Program Recommendations Memo and Presentation: Compile all the deliverables into a comprehensive memo that assesses the future tax impacts on EV/PHEV sales; and the merits, benefits, and drawbacks of existing policy recommendation designed to enhance the utilization of EV/PHEVs on a large scale for low and middle-income communities.

4.8 Project Management

The Contractor shall provide project management through the completion of the Contract, which at a minimum, includes the following:

1. Weekly meetings, either in person or via teleconference, on the status of the project. The Contractor shall send an agenda to DDEC's Evaluation Project Manager at least a day before the meeting.
2. Coordinating and managing all evaluation staff, subcontractors and subcontracting activities related to the project.
3. Providing itemized expense reporting for all evaluation staff and subcontractors included in the Invoice.
4. Delivering tasks on time as outlined in the Final Work Plan deliverable schedules.

The Contractor is expected to work closely with DDEC's Evaluation Project Manager throughout the project and take a proactive role in ensuring that DDEC staff supply all the data/information required for the evaluations.

Deliverable(s): Monthly invoices and status reports, weekly calls/meetings with DDEC's Evaluation Project Manager, ad-hoc communications with DDEC staff as needed to ensure progress.

Under the direction of the DDEC, the winning Respondent(s) will develop and agree to the scope and delivery of this work, considering the presented needs and, most importantly, the period within which the work must be completed.

Previous Experience & Qualifications

Minimum Qualifications include:

1. Consultants responding to this request must demonstrate prime personnel, subconsultants, subcontractors, and team members qualified to successfully perform the services detailed in this service agreement.
2. All professionals, if required to be licensed in Puerto Rico to perform their services, must show proof of current licensure.
3. Additionally, Consultants shall be knowledgeable of the regulations and requirements of the DDEC with respect to the services and work contemplated by this agreement. Consultant(s) shall perform such services and work in compliance with each project.

5. RFP PROCEDURES

This RFP shall be governed by the procedures described in the following sections.

RFP Documents Acquisition

All documents pertaining to the procurement process will be sent via e-mail upon request at rfpenergia@ddec.pr.gov. Requests for proposal guidelines will be answered during business hours.

Addendum

DDEC reserves the right to amend this RFP at any time. Any amendments to the RFP will be issued as written Addenda. Copies of each Addendum for all prospective Proposers shall be sent by e-mail or can be retrieved at DDEC's website to all the persons and entities that requested the RFP instructions.

All documents pertaining to the procurement process, including Addenda issued by DDEC, are and will be published at <http://www.ddec.pr.gov>. All prospective proposers must monitor the abovementioned website to retrieve Addenda, if any, issued for the below-stated procurement process.

Addendum will become a part of this RFP. **All prospective proposers must monitor the Website and e-mail accounts to retrieve Addendum.**

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 DDEC.

Table: 1

Event/Activity	Due Date
RFP Release Date	March 21, 2024
Questions and Answers (Q&A) period opens <i>Questions must be submitted through rfpenergia@ddec.pr.gov the Subject must be: Questions related to RFP #<u>include number</u> <u>here</u></i>	March 27, 2024
Question Period closes; 12:00 noon (for inquiries on RFP clarification)	April 3, 2024
DDEC provides final vendor Q&A document on ddec.pr.gov (estimated)	April 15, 2024
Proposal Deadline closes at 3:00pm (AST)	April 25, 2024

Correspondence and Communications

Inquiries and communications regarding the RFP must be submitted to DEDC by the following electronic mail: rfpenergia@ddec.pr.gov. The proponent is responsible for obtaining any needed clarification of the RFP requirements, while the RFP is open until Q&A period closes. Email is the only method of contact.

Allowed and Prohibited Communications

Only questions and requests for clarifications on this RFP submitted by prospective Proposers of this RFP are allowed. Other than these communications for clarifications purposes, communications by prospective Proposers with officials and/or representatives of the DEDC, and other Government Entities, or other relevant entities of the Federal Government, regarding any matter related to the contents of this RFP or this qualification and 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 e-mails sent to addresses not specified in this RFP will not be addressed by DDEC.

Submission of Inquiries

Each prospective Proposer may submit written questions as to the intent of clarity of this RFP, its attachments, and its Exhibits. Proposers must submit all questions in writing on or before the submission deadline established in this RFP to the electronic mailing address specified in Section 6.4 of this RFP. Inquiries shall be submitted by prospective Proposers using the document titled Form for the Submission of Inquiries included as Appendix J.

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. Questions may be in Spanish or English.

Responses to all Proposers' questions will be distributed as an Addendum to this RFP on or before the date established in Table 1 in this RFP.

Representations for Proposal Submission

All costs associated with the Proposal in response to this RFP are the sole responsibility of Proposer. Neither DEDC, the Government of Puerto Rico, nor any of its government entities or its instrumentalities, 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 individual, or firm, is assured of obtaining any work because of this RFP process.

DDEC reserves the right, without limitations, to reject partially or completely any and 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 DEDC, will be served by such action. DEDC further reserves the right, without limitations, to make such investigations as it deems necessary as to the qualifications or perceived conflicts of interest of any and all firms 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. In the event that any or all Proposals are rejected, DEDC reserves the right, without limitations, to re-solicit Proposals.

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

DDEC reserves the right, without limitations, to: (i) grant more than one contract and/or select more than one qualified Proposer; (ii) amend the Contract(s) of the Selected Proposer(s) to, among others, extend its original duration, as further explained in this RFP, or to extend its scope to include work.

Proposal Modification or Withdrawal

A Proposer may modify or withdraw a Proposal at any time before the Proposal Due Date. The withdrawal must be submitted in writing to the electronic mailing address specified in Section 6.4. of this RFP and directed to the Evaluation Committee of DEDC. Timely withdrawal of a Proposal does not prejudice the right of a Proposer 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, corrections or withdrawal of Proposals may be permitted only if the Proposer can show clear and convincing evidence that a mistake of a non-judgmental character was made, the nature of the mistake, and the Proposal price intended.

All decisions to allow correction or withdrawal of a Proposal shall be supported by a written determination signed by DEDC's Contracting Officer or Procurement Director, as delegated official after the Proposal Due Date. Changes in prices or other provisions of Proposals prejudicial to the interest of the DEDC or fair competition will not be permitted.

Ownership of Proposals

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

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 or registered in compliance with the applicable laws of Puerto Rico. Such entities must show that they are in "good standing" at the time of Proposal submission. In the event the Proposer is a foreign legal entity, including US-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. Such entities must show that they are in "good standing" within their jurisdiction at the time of Proposal submission. If a Contract is awarded to a foreign entity Proposer, said Proposer should request authorization to do business in Puerto Rico before the execution of the contract.

Federal Grant Requirements/Penalties

The procurement of proposals undertaken in compliance with the federal guidelines outlined in the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards Final Rule" (also known as the Super-circular or Omni-circular). All contractor(s) selected under this RFP must follow the guidelines outlined in this circular. This final guidance supersedes requirements from OMB Circulars A-21, A-87, A-110, and A-122; Circulars A-89, A-102, and A-133, and the guidance and advice in Circular 1-50 on Single Audit Act follow-up and the final guidance located in Title 2 of the Code of Federal Regulations.

The funds to award the contract(s) are governed by SEP; local, state, and federal laws, regulations, and directives; and 2 CFR *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*. The selected service provider(s) must be

knowledgeable of the allowable costs for this funding stream in order to avoid the potential for disallowed costs.

Under the direction of the EPP-DEDC, the winning Respondent will develop and agree the scope and delivery of this work, taking account the presented needs and most importantly the timeframe within which the work must be completed.

6. GENERAL INSTRUCTIONS

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

7.1. Proposal Format

All proposals should follow the format provided. Responses will be reviewed for completeness before detailed evaluation. Any response submitted in a manner that makes evaluation unnecessarily time-consuming may be eliminated from further consideration. Elaborated proposals are not necessary. Quality, substance, brevity, clarity and responsiveness to the DEDC's needs are essential and required.

- Take the time to use language that is clear and concise and responds to the rating factors listed below. “*Over-written*” submissions will reflect negatively to the Proposer’s ability to prioritize and communicate in an effective manner.
- Proposals shall be type written in English or Spanish, on standard 8 ½” x 11” paper. Pages shall have a one-inch margin and the font shall be 12-point pitch size.
- 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.
- All names must be included below each signature.
- Proposals’ cover page shall include the Proposer’s name, contact information, mailing address, the RFP submission date and the Project Title.
- 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 version.
- Written content of the Proposal can be presented in double line spacing. Insertion of tables, graphs, calculations and projections may be written in single line spacing, as needed. Larger paper (up to 11" x 17") and smaller fonts are permissible for charts, diagrams, spreadsheets, etc.

7.2 Technical Proposal Organization

Table of Contents:

The Proposal shall contain a Table of Contents to facilitate the DEDC's consideration and evaluation. It is the Respondent's responsibility to ensure that all sections of the Proposal, including all Attachments, are identified and easy to locate. The Table of Contents should read as follows:

Cover Page:

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

Transmittal Letter:

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 (Project Approach), complying with the requirements of this RFP, demonstrate its understanding of the needs hereunder and the Respondent's commitment to performing the services by the provisions of this RFP.

Tab 1: Executive Summary:

This part of the response to the RFP should be limited to a brief narrative highlighting the Respondent's Proposal. It should succinctly include qualifications and experience regarding the Respondent's ability to do the work requested in this RFP. The section should limit technical jargon and marketing information and focus instead on qualifications, experience, assumptions and a summary of the Respondent's ability to meet the business partnering requirements of the DEDC, as stated in this RFP. The Executive Summary should be limited to a maximum of five pages (Times Roman, size 12, single space).

Tab 2: Company Information:

- 1) Name of the Company or Entity
- 2) Corporate Registration Number in the State Department (if applicable)
- 3) Postal Address
- 4) Telephones
- 5) Facsimile
- 6) Email address
- 7) Name, Position and Signature of the Authorized Representative or Contractor
- 8) Direct phone, cell phone and email address of the Authorized Representative
- 9) Employer Social Security Number
- 10) Number of the Merchant-Treasury Registration Certificate

11) Policy Number-State Insurance Fund

12) Organization chart of the firm

Respondents are expected to address the following information items within this section of the Solution Proposal:

Background Information: The Respondent shall submit a brief history describing its experience providing services, similar to the ones specified herein.

Type of Organization: The Respondent shall specify the type of organization, D/B/A, Corporation, Partnership, Joint Venture or Sole Proprietorship.

Description of the Organization's History: If applicable, the Respondent shall describe the Respondent organization's history, including the ownership, operations, management and staff, subsidiaries, affiliations and office locations of the organization.

Organizational Documentation: Certifications depending on the type of organization. The Respondent shall submit copies of the Certificate of Incorporation, Partnership Agreement or Joint Venture, Board Certification to participate in the RFP, RUP; and any other organizational document deemed necessary.

Financial and Responsibility Information: All Respondents shall submit financial information (statements shall be audited) (See Section **7.1.3. FINANCIAL REQUIREMENTS**) that will enable the DEDC to evaluate its financial capacity to perform under the contract.

Tab 3: Approach to Scope of Services (Strategy and Methods)

Respondents are expected to address the following information items within this section of the Proposal:

- Overall description of the proposed solution
- Overall description of the approach and methodology to cover DEDC professional service needs.
- Detailed scope of services to be provided
- Risk management approach
- The purpose of this section is to provide all the information needed by the DEDC to fathom the implications of the proposed services.

Although the DEDC recognizes that it may require additional information from specific Respondents concerning this section of the Proposal, it must be evident that Respondents have made a reasonable effort to formulate a responsible project approach.

Tab 4: Resumes of Key Staff and Consultants

Provide a personnel roster and resumes of key staff who shall be assigned by the Respondent to perform duties or services under the contract. Include an estimated number of hours to be worked on the contract for each person. Provide a resume, including education, licenses, valid certifications, background, accomplishments and any other pertinent information of the Respondent, key staff and consultants. Provide an organizational chart highlighting the key people who shall be assigned to accomplish the work required by this RFP, illustrating the lines of authority. And designate the individual responsible for the completion of each service component and deliverable of the RFP.

The Respondent 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.

Tab 5: References for Services Performed

The Respondent will provide at least three recent references (within the last five years), including client names, contact persons, phone numbers and a description of services provided.

Tab 6: Attachments

Provide any relevant information that your company would like to include.

7.3. Proposal Execution

An authorized representative of the Respondent shall duly execute the Proposal. To constitute proper execution, the Proposal shall be in strict compliance with the following:

- **Individuals:** Proposals submitted by Individuals shall be signed by them. 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 Proposer thereto.
- **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 Proposer shall be attached to the Proposal, as evidence of the representative’s authority to sign the Proposal and to bind the Proposer.
- **Corporations:** Proposals submitted by for-profit and non-profit 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.
- **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 the proposal submission.

7.4. Proposal Submission

Proposals are to be submitted on the Proposal Due Date. Responses to the RFP submitted after the prescribed deadline will not be accepted.

Proposal Due Date: April 25, 2024

Time: 3:00pm

Any Proposal received after this date and time shall be recorded as late and retained unopened in the procurement file.

The DEDC expressly reserves the right to extend or otherwise amend the Proposal Due Date via Addendum.

7.4.1. Emailed Submissions:

Through email will be the only method to receive bids / proposals / responses (collectively known as submissions) from vendors (i.e., bidders, proponents or Respondents) for all types of solicitation methods and contracts.

- Proposals must be saved in PDF format. The format must be “text searchable” and no scanned or “image” only document.
- The PDF file must be 25 megabytes or smaller.
- The PDF file must be submitted via email to rfpenergia@ddec.pr.gov.
- RFP number and company name must be included in the subject line of the email.
- The PDF file shall be named using the following format: RFP-DDEC-EPP- 2024-001 Company Name. PDF.
- Proposals must be received by the DEDC on or before the due date and time specified in each RFP.
- The DEDC will not consider any proposals that are submitted to an email address different from the one specified in the instructions. **NOTE: the email used to receive the RFP guide requests and submit questions regarding the RFP is the same email to submit the Proposal.**
- The DEDC recommends Respondents to send **one** email with their complete submission whenever possible, and if it is not possible, clearly explain what the DEDC should consider as the final and full submission.
- The DEDC may request the Respondent to clarify which of the emailed documents should be considered as their final and full submission. However, the Respondent will not be able to submit additional information in response to this clarification.
- Only the emails received on time are going to be considered, which may mean that only some of the emailed documents are considered if a submission is sent in multiple emails.
- There are risks associated with sending submissions via email, including but not limited to delays in transmission between the sender's computer and the DEDC's electronic mail system.
- The DEDC recommends that the email be sent with a delivery receipt request.
- If an email is rejected or if an automated email is not received confirming that the email was received, contact Yelitza Torres at (787) 758-4747 ext. 5664.
- Any email containing a virus or malware will be rejected.

- The DEDC’s designated staff will not open any emailed attachments prior to the closing of the submission period and, if one or more files cannot be opened (e.g., are corrupted), the Respondents will not have an opportunity to resend such files after closing.
- The Respondent is responsible for the choice of the method ("channel") they use to submit the Proposal. The DEDC does not assume any responsibility for delayed or rejected emails or for any files that cannot be opened.
- The Respondent acknowledges that all risks associated with emailed submissions are their sole responsibility and that late submissions, regardless of the reason, will be rejected.
- The COST PLAN must be submitted as a separate file. The file shall be titled as COST PLAN with the RFP number and the proponent’s full name. None of the financial proposal data is disclosed in other documents of the submission.

8. TECHNICAL REQUIREMENTS

Each complete package of a Proposal shall comply with the technical information specified in the following sections.

8.1. Mandatory Requirements

Exhibit A provides a checklist of the documents and forms that must be submitted in a satisfactory manner to show evidence of satisfying Mandatory Requirements.

Proposers shall comply with the following Mandatory Requirements for their Proposals to be evaluated on their Qualification and Work Approach Requirements. Mandatory Requirements will be scored as either “Pass” or “Fail”. If the Proposal meets all Mandatory Requirements of this RFP, the Proposal will “Pass” the Mandatory Requirements evaluation.

If the Proposal does not meet all Mandatory Requirements of this RFP, the Proposal will “Fail” the Mandatory Requirements evaluation. **Failure to comply with each of the Mandatory Requirements of this RFP will result in the disqualification of the Proposer.** However, the DEDC reserves the right to waive minor irregularities and minor instances of noncompliance.

Mandatory Requirements for this RFP are as follows:

8.1.1. Proposal Submission

The Proposal must be submitted within the closing date and time for Proposals, as established in Section 7.4 of this RFP.

8.1.2. Organizational Documents

Include all documents that demonstrate that the Proposer:

1. Is properly organized and/or registered and in compliance with the laws of its place of incorporation.
2. Is in “good standing” with the Government of Puerto Rico or with their jurisdiction of incorporation.

(See Exhibit A for the mandatory documents required.)

8.1.3. Financial Requirements

The Proposer shall demonstrate in the Proposal that has adequate financial resources to perform the services under the contract. Accordingly, the Proposer shall provide the following financial information to allow the DEDC to evaluate its financial capability:

The Respondents that generate over \$1 million annual revenue must provide the audited financial statements that include, as minimum, income statement and balance sheet. Those generating less than \$1 million annually may submit a reviewed financial statement if an audited report is not available. All Respondents shall submit the availability of bank credit or other information that will enable the DEDC to evaluate its financial capacity to perform under the contract.

The financial information requested is based upon circumstances existing at the time the RFP is released. The DDEC reserves the right, without limitations, to: (i) modify the requirements of the information; (ii) request additional information or clarification during the evaluation process and, if appropriate, (iii) modify the minimum score requirements; all in the best interest of the DEDC’s action plans.

8.1.4. Conflicts of Interest:

Pursuant to Act 12 of July 24, 1985, as amended, Act 237 of August 31, 2004 and/or 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 pleaded guilty in a state of 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 the terms stated in Act 2-2018.

8.2. Qualifications

The DEDC will evaluate proposals based on the Qualification Criteria listed below. It will rank order submissions and determine which Proposal submissions best align with the needs of the EPP. Respondents must have at least three (3) years of experience performing services like those described in this RFP.

Respondents shall ensure that they submitted sufficient information to demonstrate the knowledge, experience, and expertise necessary to complete the tasks and provided the services specified herein, to allow the DEDC to determine their qualifications based on the provided information.

If the Proposer intends to subcontract some of the proposed work from another firm or consultant, similar information should be provided for each subcontractor. **The maximum points for Qualifications Criteria are 55 points.**

To evaluate the Qualifications Criteria, Proposals must comply with each of the following requirements:

8.2.1. Experience and Qualifications (Maximum of 15 Points)

- Describe your experience providing the services described in this RFP.
- Include three references.
- Evidence that the Respondent possesses the knowledge and capability of the individual consultant or legal entities necessary to perform adequately and meet contract requirements. Evidence should be based on past performance and client references.

8.2.2. Profile of Firm (Maximum of 15 Points)

- Applicants must submit a Profile that must include how the firm qualifies to render the proposed services and the firm's Statement of Values and Key Factor for Success. May not exceed five (5) pages.

8.2.3 Organizational Chart (Maximum of 15 Points)

- Proposers must provide an organizational chart identifying team members and flow of authority that reflects the Staffing Plan for the deployment of the proposed scope of work. Identify key staff within the Respondent's organization that has been or will be instrumental in providing sound management experience and direction to the organization in the performance of the services under the Agreement.
- Must include the individual resume or summary of qualifications for the key staff assigned to this Project, addressing their experience and capabilities to perform the required work. No more than two pages per resume.

- The Proposal shall identify and include any professional memberships, licenses, certifications, or accreditations held by the company, the company executives or the critical staff personnel.

8.2.4. Financial Analysis (Maximum of 10 Points)

Proposer's financial statements will be evaluated using basic financial analysis to determine if the Proposer is financially stable.

8.3 Approach to Scope of Services (Strategies and Methods)

Proposers shall draft and submit their approach as part of the Proposal. The **Work Approach will have a maximum score of 30 points**. The document must clearly identify the following:

- The Proposer's approach or plan for developing and/or implementing each element of the Scope of Services.
- The Proposer's capabilities and abilities to provide responsive coordination for Scope of Services. Include a brief description of how the Proposer will address the required tasks.

9. COST PROPOSAL REQUIREMENTS

9.1 Budget (Cost Requirements of the Proposal)

Reasonable pricing will be considered as part of the evaluation, but it is not the sole or determining factor in selecting the successful Proposer (s).

The Respondents must clearly and unambiguously establish a fixed budget to complete the delivery of the services within the time frame established by the EPP. Include in the preceding all meetings, staff time coordination, and required project expenses. **The Budget will have a maximum score of 15 points.**

The Cost Proposals must be accompanied by a narrative to the budget submission that clarifies all significant plans and assumptions related to the budget.

Respondents are expected to establish the cost for the entire Case Management Services, by stating the number of workdays per services, milestone, or deliverable (as per the proposed services approach and methodology) and establishing the corresponding cost at the same level.

Finally, the Cost Proposal must state that the costs quoted are valid for one hundred and eighty (180) days from the proposal submission date. Also, once the contract is awarded, the charges quoted must be accurate for the duration of the contracted services.

Note: The Respondent shall be solely responsible for all expenses incurred in preparing a response to this RFP and shall be responsible for all costs associated with any presentations or demonstrations, contract negotiation and related expenses related to this request and any proposals made.

9.2 Proposer’s compensation

Proposer’s compensation will be determined as follows:

Proposers will be compensated based on unit prices for each milestone of work achieved. The unit prices provided will include all expenses and any other additional fees applicable to the services requested.

After the Qualifications and Work Approach have been evaluated and initial Cost Proposals are reviewed, the DEDC may exercise its option to negotiate compensation with the Proposer(s).

The bidder must use the following table to calculate the cost, include costs for the services already detailed and include any other additional costs:

Services	Cost per Hour

Note: The bidder will have to consider in its costs that there may be (activation of services) emergency services that will be required with less than 24 hours to perform.

10. PROCUREMENT AND AWARD PROCESS

10.1 Receipt of Proposals

Proposals will be dated, and time stamped immediately upon their receipt at the DDEC's Office as evidence of timely delivery.

Only Proposals timely received will be considered and evaluated. No Respondent may modify, withdraw, or cancel his Proposal or any part thereof after the Proposal Due Date, except as required in writing by the DEDC, this RFP and the applicable legal and regulatory requirements.

Submittal of Proposals shall serve as evidence of a Respondent's acceptance of the terms, conditions and disclaimers of this RFP and the rights and options reserved hereunder by the DEDC.

All proposals shall remain valid for a period of one hundred and eighty (180) days after the date specified for the receipt of proposals.

Following the receipt, the response of all Proposers will be reviewed to determine that: (i) each Proposal has been submitted following the requirements of this RFP; (ii) each Proposal is complete and (iii) all required documentation was included with the Proposal. Proposals will be evaluated by the DEDC, as described in the following sections.

10.2 Evaluation Committee

The Evaluation Committee appointed by the Secretary of the DEDC will review and score the different sections of this RFP, as well as make final recommendations to the Secretary. The Committee shall conduct a comprehensive, fair, and impartial evaluation of Proposals received in response to this RFP.

Following receipt, the responses of all Proposers will be reviewed for completeness and analyzed based upon the criteria described in this RFP. An initial evaluation will consider the Mandatory Requirements of the Proposal. Those who meet the Mandatory Requirements will then be evaluated by the Evaluation Committee for Qualification, Work Approach and Budget or Cost Requirements of the Proposals.

The Evaluation Committee may request clarifications to Proposers, to assist in gaining additional understanding of the Proposals. 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 the original Proposal.

Technical Committees may be convened by the Evaluation Committee, as deemed necessary.

The Evaluation Committee shall then prepare a written evaluation report to document the ranking of the Proposals by technical and cost merits. The Evaluation Committee report will be submitted to the Secretary of Economic Development with the corresponding recommendation for adjudication.

10.3 Errors and Omissions in Proposals

The DEDC reserves the right, without limitations, to reject a Proposal that contains an error or omission. It 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, without opening clarifications for all Proposers.

10.4 Proposal Scoring

Proposers will be awarded points based on their qualifications and work approach requirements. **Table 2** presents the maximum points for the requirements of Proposals. For details regarding the distribution of points for each technical aspect of the Proposal, refer to the corresponding section.

Table 2: Proposal Scoring Criteria	Maximum Points
Mandatory Requirements (Section 8.1)	Pass/Fail
Qualifications (Section 8.2)	55 points
Approach to Scope of Services (Section 8.3)	30 Points
Cost Proposal (Budget) (Section 9)	15 Points
Total Maximum Scoring	100 points

To be considered a “Qualified Proposer”, Proposers need to obtain a score greater than or equal to seventy-five (75) points in the evaluation of their Proposals.

10.5 Interviews and Proposal Refinements

The DEDC reserves the option to engage in interviews with Proposers that it considers viable candidates, to discuss questions and/or considerations that can provide better clarity to refine proposals.

10.6 Negotiations

After the corresponding evaluation of the Proposals, The DEDC will select all Qualified Proposers for negotiations. Negotiations are exchanges between the DEDC and Proposers that are undertaken with the intent of allowing the Proposers to revise their Proposals.

If the DEDC is not satisfied with the price offer of the Respondent, they will recommend continuing further discussions/negotiations.

The primary object of discussions is to maximize the DEDC’s ability to obtain the best value, based on the requirements and the evaluation factors outlined in the RFP. The DEDC’s Evaluation Committee may request and receive the best and final offers.

10.7 Selection and Award

Proposer(s) to be selected for the award will be based on the Proposal Scoring stated in Section 9.4 and the negotiations from Section 9.6. The DEDC, based on the overall Proposals received and their evaluation results, shall determine the number of successful proposers that represent the best interest of the overall programs implementation and the people of Puerto Rico.

The Proposer(s) to be awarded the RFP shall be recommended by the Evaluation Committee. After the final recommendation from the Evaluation Committee, the Secretary of the DEDC will issue the Award Notice.

Award will be made to the responsible and responsive Respondent whose Proposal represents the best value to the DEDC, taking all elements (including price and technical score) into consideration. Award will be made at fair and reasonable prices only. The DEDC reserves the right to select a proposal other than the lowest price from a Respondent within the competitive range.

A proposal must conform to the material requirements of the RFP. If the Proposal does not conform to the solicitation, it will be rejected because it is considered non-responsive.

The Secretary of Economic Development shall review the Report of the Evaluation Committee and shall identify the Respondent(s) that should be selected to provide the services requested by this RFP. The determination of a Respondent's selection will be based on the merits of the Proposal presented, following the evaluation criteria. However, the Secretary of Economic Development, taking into consideration the Respondent's Proposal and the Evaluation Committee recommendation, shall identify for selection the Respondent(s) as deemed most advantageous to the DEDC's interests and objectives.

10.8 Award without Negotiation

If, after the initial evaluation of Proposals, there is a clear winner and there is no need to negotiate or obtain further clarification or information from that Respondent (e.g., the price is reasonable), the Secretary of Economic Development may proceed directly to award, provided that the RFP clearly stated that award could be made without negotiations.

10.9 Notice of Selection

The DEDC will issue a written notice of selection to the successful Proposer(s) through certified mail to the address provided as part of the Proposal (the "Notice of Selection"). The Notice of Selection will establish the selected Proposer(s) obligation to submit any applicable post-award documentation.

10.10 Execution of Agreements

The DEDC will seek to execute a Service Agreement with the selected Proposer(s). If an agreement cannot be reached, the DEDC may terminate negotiations with the chosen Respondent(s) and proceed to the next-highest rated Respondent until an agreement determined to be fair and reasonable to both parties is obtained.

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

10.11 Rejection of Proposals and Cancellation of RFP

Issuance of this RFP does not constitute a commitment by the Government of Puerto Rico and/or the DEDC to award a contract. The DEDC reserves the right, without limitations, to accept or reject, in whole or in 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 DEDC or the impacted communities.

The DEDC reserves the right, without limitations, to disregard or waive any noncompliance, informalities and/or irregularities in the Proposals received in response to this RFP, not otherwise identified as Mandatory Requirements and Qualifications in this RFP when, in its opinion, the public interest, the best interest of the Government of Puerto Rico, the DEDC or of the impacted communities will be served by such action.

10.12 Confidentiality of Responses and Proprietary Information

Upon completion of the RFP process, the DEDC will make public 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 DEDC 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 DEDC 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 DEDC.

The DEDC 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 DEDC 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.

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

10.13 DEDC Options

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

- To reject any Respondent that has a poor performance record, as demonstrated by past work performed for the DEDC, specifically from the standpoint of work quality and progress.
- To reject any Proposal due to uncompleted work, which, in the judgment of the DEDC, 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 the DEDC or any other public or private entity declared in default.
- To conduct further investigations regarding the technical and financial qualifications of Respondents from any sources deemed necessary, which might be others than those identified in the Proposal.
- 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.
- To cancel, without prejudice, any selection of Respondents before the execution of the Agreements.
- To reject Proposals from a Respondent shown to be submitting Proposals under different names for the same services.
- To reject Proposals upon evidence of collusion among several or all Respondents.
- To take any action affecting the RFP process or the subject matter of this RFP, that would be in the best interests of the DEDC.
- Failure to provide any of the above-requested information shall be considered a substantial defect. All documents and products created by the Respondent's and their sub-consultants shall become the exclusive property of the DEDC.
- By submitting a Proposal, each Respondent agrees, if the Proposal is accepted, to enter a contract with the DEDC for the term outlined in this RFP.

- 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 the Respondent and the DEDC before the selection, together with this RFP and any addenda hereto, will serve as confirmations of the Respondent's acceptance of all terms and conditions therein.

11. ADMINISTRATIVE PROCEDURE AND APPELLATE REMEDIES

Any person, party or entity that considers itself having been adversely affected by the Award Notice or award determination of the Secretary of the DEDC, made in relation to this RFP, may file a petition for reconsideration before the Secretary within the twenty (20) days from the date on which the copy of the Award Notice is duly notified, as established in Act 38-2017, known as the Uniform Administrative Procedures of the Government of Puerto Rico Act. This is a jurisdictional term not subject to any extension. Failure to timely file the petition for reconsideration will preclude the Secretary of the DEDC from considering the same.

The applicable terms for the filing of a judicial review petition before Puerto Rico's Court of Appeals in relation to this action or lack of action by the Secretary of the DEDC, shall be those established in Act 38-2017 for bids procedures, particularly, in Sections 3.19 and 4.2. Simultaneously with the filing of the petition for reconsideration, the petitioner shall submit a copy of the petition to all the parties in the procedure and to the Secretary of the DEDC.

The mere filing of a petition for reconsideration before the DEDC's Secretary or filing of a judicial review petition before Puerto Rico's Court of Appeals will not have the effect of halting the contested award.

12. CONTRACT

12.1 Type of Contract

The DEDC expects to award a contract for the delivery of services for the selected suppliers(s) for the services. Fees will be paid after the firm's monthly report is submitted to the DEDC, which will evaluate and recommend the payments to be issued.

12.2 Contract Period

The DEDC intends to execute a contract with the Proposer(s) selected under this solicitation. The professional services contract will have effectiveness of one-year. This period includes all administrative tasks, the startup of services, the services included in the Proposal and the final payment upon completion.

12.3 Performance Period

The Performance Period for this Agreement is for a maximum of one year, including holidays, from the day stated in the contract. The time is included in the Contract Period and is not to be considered as in addition to the Contract Period. The duration of the services will be as per the Statement Work and as agreed to by the parties.

12.4 Payments

Payments shall be issued for services provided, previously approved by the DEDC. It is the Selected Proposer's responsibility to provide all services, as set forth under the Scope of Work detailed in this RFP.

Payment will be made upon presentation of invoice evidenced by the services provided and duly authorized by the DEDC. Selected Proposer must submit all required invoice supporting documents, including but not limited to, monthly reports, timesheets, expense plans, work projections and any other documentation that supports the services provided. Invoices must be submitted within the first ten (10) calendar days from the end of the period for the services being invoiced.

If the DEDC finds the submitted invoice and supporting documents acceptable, then the invoice will be approved and processed for payment promptly after submission of the invoice. The DEDC reserves the right to review the correctness of invoices and perform audits as it deems necessary.

The Selected Proposer shall submit monthly invoices for the agreed fees or in accordance with the contractual clauses reached. Invoices must be detailed, specified, and itemized, accompanied by a description of the services provided, as previously approved by the DEDC. In addition, it shall be noted that no public servant of the contracting entity is a party or has interest on the profits or benefits product from the contract, regarding the invoice. If it does have an interest in some part in the profits or benefits of the contract, it must specify that a waiver has been mediated.

The DEDC shall request from the Selected Proposer all the necessary information related to the invoiced expenses, to verify them, before ordering the release of payment.

The Selected Proposer will deliver the original invoice to the DEDC as per the terms of the contract. Such an invoice must be properly completed and certified by the Selected Proposer. Upon receipt, the designated office within the DEDC will process it for certification, per the Internal Revenue Code of Puerto Rico, following the standards and regulations established by enforcement agencies of the Government of Puerto Rico.

Thank you for your interest in participating in the Professional Services: Electric Vehicle Market Study.

END OF RFP

Exhibit A

Mandatory Requirements Checklist

(As per section 8.1)

Document	Included (Yes / No)
Proposal Submission Before Due Date	
Organizational Documents	
Financial Requirements	
Conflicts of Interest	
RUP Certification	