

**Bentonville  
Electric Utility**

**RFQ No. 2012-03  
Qualifications**

**Metering Infrastructure (AMI) Implementation Services  
Evaluation of Qualifications**



**Water &**

**Request for  
for Advanced**

**RFQ No.: 2012-03 Closing Date: Friday February 17<sup>th</sup> 2012 Time: 3:00PM Central Time**

**Description:** This is Request for a Qualifications process. Responses to this Phase 1 of RFQ No. 2012-03 will be evaluated with the intent of establishing a “Competitive Range” of qualified proposers. Only those Firms included in the Competitive Range will be eligible to respond to future phases of this solicitation.

**Purchasing Analyst: Katherine Bertschy Phone: (479) 271-3115 Fax: (479) 271-5913**

**Email Address: [kbertschy@bentonvillear.com](mailto:kbertschy@bentonvillear.com)**

**Statement of Qualifications will be received until the closing date and time noted above by the City of Bentonville PURCHASING OFFICE at:**

City of Bentonville, Purchasing Office  
Attn: Katherine Bertschy  
117 West Central Avenue  
Bentonville, Arkansas 72712

**FOR MORE INFORMATION** on responding to this request, please refer to Part 1 “Instructions to Participants”

**SINGLE POINT OF CONTACT:** There will be only one point of contact for the entire Request for Qualifications process. The contact point is the BWEU Purchasing Office, and the contact person is the Purchasing Coordinator listed above. Any questions or issues that may arise regarding the qualifications, solicitation process, and/or the selection process shall be directed to the Purchasing Analyst listed above. BWEU’s official response to any questions or requests will be in writing through direct letters or the Addendum process. **Deviating from this public contracting requirement may cause your submission to be rejected.**

# TABLE OF CONTENTS

## Section Description Page

Legal Advertisement \_\_\_\_\_ RFQ # 2012-03

### INSTRUCTIONS TO PROPOSERS

#### 1. Proposal Preparation & Submission

- 1.1. Format
- 1.2. Conformance to Solicitation Requirements
- 1.3. Protest of Specifications or Requirements / Request for Change
- 1.4. Signature of Proposals
- 1.5. Preparation Cost
- 1.6. Proposal Submission (a) & (b)
- 1.7. Addenda
- 1.8. Proposal Modification
- 1.9. Withdrawals
- 1.10. Opening
- 1.11. Exceptions
- 1.12. Proprietary Data / Public Record
- 1.13. Reserved
- 1.14. Schedule of Events

#### 2. Background / Intent

- 2.1. Background & Intent Information

#### 3. Anticipated Scope of Services

- 3.1. Meeting AMI Technical Requirements
- 3.2. Deployment Services & Management
- 3.3. Deployment of AMI System

#### 4. Minimum Qualifications & Requirements

- 4.1. Minimum Qualifications ( Pass / Fail )
- 4.1.1. Project Experience

#### 5. Content of Response / Scored Criteria

- 5.1. Cover Letter
- 5.2. Firm Background / Experience
- 5.3. Financial Stability
- 5.4. Project Management and Control
- 5.5. Project Concept and Product(s) Roadmap
- 5.6. Additional Information

#### 6. Evaluation Process & Vendor Selection

- 6.1. Right of Rejection
- 6.2. References
- 6.3. Responsibility
- 6.4. Clarification of Response

**7. Proposal Submittal Form**

6.5 Evaluation Process

## LEGAL ADVERTISEMENT

### RFQ #2012-03

#### **Advanced Metering Infrastructure (AMI) Implementation Services Evaluation of Qualifications**

The Bentonville Water & Electric Facilities (BWEU) requests Statements of Qualifications from experienced AMI system implementers. Qualified vendors will be invited to prepare Technical and Cost proposals for deployment of an AMI system on behalf of BWEU.

This is Request for Qualifications process. Responses to this RFQ No. 2012-03 will be evaluated with the intent of establishing a "Competitive Range" of qualified proposers. Only those Firms included in the Competitive Range will be eligible to respond to future phases of this solicitation. No contract award will be made during this phase of the solicitation.

Submittals shall be delivered to Katherine Bertschy, Purchasing Office, 117 West Central, Bentonville, AR 72712, before, **3:00 p.m.** Pacific Time, **Friday February 17<sup>th</sup> 2012.**

**PROPOSALS SENT VIA U.S. MAIL SHOULD BE SENT TO: 117 West Central, Bentonville AR 72712**

Proposals will not be accepted after this hour and date.

RFQ documents may be obtained from the Purchasing Department at the address above, by calling (479) 271-3115, or may be downloaded from the City of Bentonville's Website

All Proposals shall be submitted as set forth in Section 1 - Instructions to Participants, and shall be responsible for submitting their Statement of Qualifications, in the manner, format, and to the delivery point as required by the Solicitation Document.

No submittal may be withdrawn after the hour set for the opening thereof until the elapse of 90 days from the set deadline for submittals.

BWEU reserves the right to waive any or all informalities and irregularities; may cancel the Request for Qualifications; and may reject any or all submittals pursuant to BWEU.

Dated this 3<sup>rd</sup> of February, 2012

Katherine Bertschy  
Purchasing Department

# 1. INSTRUCTIONS TO PARTICIPANTS

All submittals (as well as the resulting contract) are subject to the provisions and requirements of the City of Bentonville

## PROPOSAL PREPARATION

- 1.1 **FORMAT** Submittals shall be typewritten or prepared in ink and shall be submitted on the form provided in the Request for Qualifications. No oral, telegraphic, telephone or facsimile submittals shall be accepted.
- 1.2 **CONFORMANCE TO SOLICITATION REQUIREMENTS** Submittals shall conform to the requirements of the Request for Qualifications. All necessary attachments (Company Residency Information, Independent Counsel Certification, etc.) shall be submitted with the proposals and in the required format. Failure to comply with all requirements may result in proposal rejection.
- 1.3 **PROTEST OF SPECIFICATIONS OR REQUIREMENTS / REQUEST FOR CHANGE**  
Participating Firms may submit a written protest of any specification or requirement contained in an RFQ and may request a change to any specification or requirement contained in the RFQ, no later than 5 p.m. on the day which is seven (7) calendar days prior to the deadline set for acceptance of Qualifications. Each protest and request for change must include the reasons for the protest or request, any proposed changes, and any and all evidence and documented factual information that supports Participants protest.

BWEU will not consider any protest or request for change that is received at any time after the deadline. A Firm may submit a protest, in writing, to: City of Bentonville, Attn: Katherine Bertschy, Purchasing Office, 117 West Central, Bentonville AR 72712.

Envelopes containing protests shall be marked as follows:

RFQ REQUIREMENT(S) PROTEST RFQ #2012-03 ATTN: Katherine Bertschy,  
Purchasing Office

- 1.4 **SIGNATURE ON SUBMITTAL:** An authorized representative of the Firm shall sign submittals in ink. This signature certifies that the response is made without connection with any person or firm submitting qualifications for the same services and is in all respects fair and made without collusion or fraud. The signature also certifies that the Submitting Firm has read, fully understands, and agrees with all requirements and obligations. No consideration will be given to any claim resulting from responding without fully comprehending all requirements of the RFQ.
- 1.5 **PREPARATION COSTS** Firms submitting Qualifications are responsible for all costs they may incur in connection with submitting a response which includes, but is not limited to: submittal preparation, the submittal, travel, expenses, interviews, presentations, evaluation of qualifications or any other expense associated with participation this RFQ.

## QUALIFICATION SUBMISSION

### 1.6 QUALIFICATION SUBMISSION

- (A) Qualification submissions, containing a minimum of **one (1) signed original and six (6) printed copies** shall be received by the City of Bentonville Purchasing Department prior to closing. No response received after the RFQ closing date and time will be considered. To ensure that your response receives priority treatment within our mailing system, your qualifications should be labeled with the following information:

**RFQ 2012-03 – ATTN: Katherine Bertschy Due Date: February 17<sup>th</sup> 3:00 PM**

**City of Bentonville Purchasing Office 117 W. Central Ave, Bentonville AR. 72717**

Participants are responsible for submitting Qualifications in the manner, format, and to the delivery point as required by the Solicitation Document.

### (B) REQUIRED PAGES & CONTENT OF QUALIFICATION RESPONSE

Proposer **MUST** complete, sign, and return the following pages with their RFQ response: **COVER LETTER SECTION 7 – Proposal Form RESPONSE TO ALL MINIMUM QUALIFICATIONS & REQUIREMENTS** listed in Section 4 **RESPONSE TO ALL EVALUATION CRITERIA** listed in Section 5 **TERMINATION FOR DEFAULT STATEMENT:** Proposers shall indicate if they have had a contract terminated for default in the last five years. Termination for default is defined as notice to stop performance that was delivered to the Proposer due to the Proposer's non-performance or poor performance and the issue of performance was either (a) not litigated due to inaction on the part of the Proposer, or (b) litigated and determined that the Proposer was in default. **(Include in Cover Letter)**

**NOTE:** If a Proposer has had a contract terminated for default in this period, then the Proposer shall submit full details including the other party's name, address and phone number. BWEU will evaluate the facts and may, at its sole discretion, reject the proposal on the grounds of proposers past performance.

**ATTACHMENT D – CERTIFICATION STATEMENT FOR INDEPENDENT CONTRACTOR**

- 1.7 **WITHDRAWALS:** Statements of Qualifications may be withdrawn if requested, in writing, on firm letterhead signed by an authorized representative and received by the City of Bentonville Purchasing Office prior to RFQ closing time. Submittals may also be withdrawn in person before RFQ closing time upon presentation of appropriate identification.
- 1.8 **OPENING:** Unless otherwise provided by Law or Rule, responses to this Request for Qualifications shall be publicly opened at the scheduled closing date and time at the BWEU Purchasing department located at 117 W. Central Ave. Bentonville, AR 72712. Participants who attend the RFQ opening shall be informed only of the names of Firms submitting qualifications. No other information shall be available at that time. Award decisions will NOT be made at the opening.
- 1.9 **EXCEPTIONS** Any exceptions to the requirements of this solicitation **MUST** be submitted in accordance with Item 1.3 **PROTEST OF SPECIFICATIONS OR REQUIREMENTS / REQUEST FOR CHANGE**. Exceptions that are not submitted in compliance with this process, or submitted with your response may cause your submittal to be ruled non-responsive and rejected.

**1.10 PROPRIETARY DATA/PUBLIC RECORD** This Request for Qualifications, together with copies of all documents pertaining to the award of a contract, shall be kept by BWEU and made a part of a file or record, which shall be open to public inspection.

***Note:** Firms submitting requested financial statements should submit these documents with their proposal in a separate, sealed envelope plainly marked CONFIDENTIAL. These documents will not be disclosed under Bentonville Public Records Law.*

### **1.11 SCHEDULE OF EVENTS**

The schedule of events set out herein represent the City of Bentonville Water & Electric Utilities best estimate of the schedule that will be followed. If a component of this schedule, such as the opening date, is delayed, the rest of the schedule will be shifted by the same number of days.

The approximate schedule is as follows:

Action	Anticipated Date
Request for Qualification Released	02/03/12
Last Date for Request for Changes / Protests of Qualifications or Requirements	02/10/12
Closing Date (last day to submit qualifications to EWEB)	02/17/12
Responses Evaluated	02/21/12
Notice of "Competitive Range"	02/29/12

## 2. BACKGROUND / INTENT

### 2.1 BACKGROUND & INTENT INFORMATION

The City of Bentonville Water & Electric Utilities (BWEU) is a municipal utility that provides Water & Electric services to the citizens of Bentonville. BWEU is, therefore, an Arkansas local government bound by the laws of the state of Arkansas. BWEU presently deploys and reads approximately 19,504 electric and 18,038 water meters on a monthly basis. BWEU employs approximately 75 persons in a wide variety of labor, technical, professional administrative, supervisory and management positions. In addition to providing Water & Electric services within the City of Bentonville.

BWEU has studied AMR and AMI technologies and has developed a business case analysis that indicates sufficient benefit to solicit proposals. Critical assumptions described in the business case include:

- BWEU expects an AMI implementation to cover both Water & Electric meters, to be deployed over a 3-5 month period.
- BWEU prefers a single AMI system and network to serve both Water & Electric. This system must have the ability to include future Smart Water infrastructures, we suggest you provide us with future system capabilities for both Water & Electric
- Backhaul communication for collectors should be either GPRS, Wi-Fi, Ethernet or Fiber Optic.
- BWEU is looking for an AMI system that will allow for real time On-Demand reads for both Water & Electric as well as real time meter disconnects on both Water & Electric meters.
- AMI system shall use domestic equipment.
- AMI system should have the ability to include acoustic listening devices for leak detection in the water infrastructure.
- AMI system should provide real time alerts via email or SMS messages to utility staff or consumers.
- Vendor's AMI system will provide an Outage Management System function that delivers GIS mapping and display of all Electric meter infrastructure including transformer health. OMS must have interactive alerts for both outages & restorations.
- BWEU plans to implement TOU (time of use) in the future, and requires the AMI system to have a flexible TOU implementation. BWEU would like the option to calculate TOU in the end point or at the system headend.
- BWEU assumes that the selected AMI implementer would deploy about 100% of electric meters, replace about 40% of water meters and retrofit about 60% of existing water meters with AMI nodes. This assumes that the proposers will deploy L+G AMI rated electric solid state meters, water meter retrofits on Sensus registers, and a small percentage of water meter / node installations.
- BWEU desires to provide its customers access to meter data through a web-based portal

in order to deliver information about both Water & Electric consumption. Customer portal must have the ability to provide comparison reports to previous time periods (by day, week, or month) and allow for consumption budgets to be set with email alerts, and allow consumption versus temperature and precipitation conditions.

- BWEU currently uses
- SunGard Public Sector. The AMI system chosen will provide an integration path to the utility billing system
- BWEU will be interested in hosting their AMI data with dedicated server located at utility office.
- In order to provide better customer service, the City of Bentonville will be negotiating a contract with DataVoice. The system will need to integrate using at a minimum of the following Multispeak 3.0 Methods:
  - Interface 2A (MR-CB)
    1. Get AMR Supported Meters
  - Interface 5 (OA-OD)
    1. Ping URL
    2. Get Methods
    3. OD Event Notification
  - Interface 5 (OD-OA)
    1. Ping URL
    2. Get Methods
    3. Initiate Outage Detection Event Request

Vendor shall also provide any additional data their system can provide to DataVoice as BWEU's OMS and mapping vendor.

- It is very important that the AMI system provide the ability to capture & display the following electrical readings on your User Interface and migrated to billing:
  - KVAR
  - KVARh
  - KVAh
  - KVA
  - Energy Net (KWH)
  - kW Demand
  - Instant Voltage (Instant current readings for three phase meters) & Consumption.
  - Power Factor (average from previous month, and peak PF from current reads). Peak Power Factor can be a calculated value from Peak KW and Peak KVA reads.
  - CT meter installations must be able to display the billing reads (meter read with multiplier for PTs and CTs applied). Current and Voltage multiplying factors shall be displayed.
  - Presentation of the engineering information must be able to be customizable to present the data to suit BEUD's needs.
  - Engineering data units shall be configurable and shall contain commas in the format of the numbering.

- The AMI Firm selected will provide the city with a system wide propagation study that reflects the number of AMI related collectors needed to operate the system. Including repeaters if needed.

### 3. ANTICIPATED SCOPE OF SERVICES

**Qualified Firms will demonstrate capability of meeting requirements in three specific groups of work:**

#### 3.1 Meeting AMI Technology Requirements

- Provision of electrical metering for residential, commercial and industrial applications, must be able to provide reactive power reading ( KVAR & KVARh ) both in meter and user interface.
- Provision of water metering for residential and commercial applications.
- **For Future use** Providing communication capabilities, including devices such as customer Home Area Network (Thermostat and load limiting switches), Remote Disconnect Water meter & Remote Disconnect Electric meters.
- Providing AMI head-end, Meter Data Management, Outage Management, Time of Use and Customer Portal
- Designing a fully functional AMI communications network, including backhaul and any chosen multi-purpose functions
- Provide real-time on demand reading for both water and electric meters with minimal latency.

#### 3.2 Deployment Services & Management

- Project Management
- Training
- Documentation / Scope of work / Time Line of deployment with milestone time line
- Support for both software and hardware
- Software licensing & Maintenance program
- Software integration
- City of Bentonville will host all AMI data, what support will your company offer?

#### 3.3 Deployment of AMI System

- Head-end server/software (Head-end) installation
- Communications network design and construction
- Electric meter deployment
- Water meter replacement and/or water module retrofit
- Integrate AMI Head-end with City of Bentonville's CIS to ensure reliability of meter-to-cash processes
- Integrate AMI Head-end with City of Bentonville's DataVoice system

## 4. MINIMUM QUALIFICATIONS & REQUIREMENTS

### 4.1 **MINIMUM QUALIFICATIONS (Pass / Fail)**

Following are the minimum Qualifications and Requirements that shall be met by all Proposers. Proposers shall respond to each of the minimum Qualifications and Requirements in writing, in a brief and concise manner.

Response to the minimum Qualifications and Requirements will not receive point values but shall be evaluated on a **pass** or **fail** basis. Only qualifications that meet all of the minimum Qualifications and Requirements will be evaluated on the Content of Response (Section 5).

#### 4.1.1 Project Experience

Information Required: Describe no less than 3 references(s) where you can demonstrate lead in similar projects utilizing two way technology, solid state electric meters, multi-vendor water meter nodes:

- 4.1.1 Brief description of the project
- 4.1.2 Utility organization type - Investor-owned, municipal, cooperative, or other (describe)
- 4.1.3 Project organization, including uses of sub-contracting, owner provided services, etc.
- 4.1.4 Metering types automated (water, solid state electric – electrical mechanical will not be accepted.)
- 4.1.5 Total number of commercial & industrial meters in each project
- 4.1.6 Describe GIS & Outage Management System deployment on these 3 projects
- 4.1.7 Can the system provide Time of Use data for billing, and describe that process
- 4.1.8 The City of Bentonville currently uses L+G electric solid state meters, as an option the city may choose to retrofit its existing population to AMI capabilities. Please describe firms past experience utilizing L+G solid state meters. And also provide 3 references that currently use L+G solid state meters with your technology
- 4.1.9 Start and finish dates for the contract
- 4.1.11 A short description of the specific services provided to the client
- 4.1.12 Provide relevant references within the client organization that are familiar with the work performed by firm. Include name, current phone number and current email address.

Requirement: Proposer must have led or substantially participated in a minimum of 3 projects to design and deploy AMI systems serving Water & Electric within last 3 years. These projects must have Solid State Electric Meters for residential, commercial & industrial meters

## 5. CONTENT OF RESPONSE / SCORED CRITERIA

**Written Statement of Qualifications will be evaluated. Designation of “Competitive Range” will be based on participants qualifications and experience as described below.**

Responses to the Request for Qualifications must be complete, timely, and submitted in conformance with the RFQ requirements. Responses must clearly address all items listed below and shall be organized in the order listed in this Section 5, preferably by re-stating the Criteria, then responding below.

### 5.1 COVER LETTER

The cover letter shall not exceed one page in total length and must include a statement that the Firm accepts ALL terms and conditions contained in this solicitation and a statement indicating if Firm has had a contract terminated for default in the last five years. **(See Section 1.7(b))** The cover letter should identify the contact person and provide their contact information for matters relating to this RFQ.

### 5.2 FIRM BACKGROUND / EXPERIENCE

Information Required: Please provide firm's background and history, including the number of years' experience in providing AMI systems and deployment services and the scope of services currently being provided other utilities. Describe the firm's strengths and weakness, along with any special capabilities that may be appropriate to this project. Describe the firm's position in the AMI market space.

Valued: Proposers that can demonstrate a strong history of providing AMI services to Water & Electric utilities; convey accurate assessments of their position in the market place and relative strengths and weaknesses of their firms; convey prior experience working successfully with other contractors to be included in the Statement of Qualifications.

### 5.3 FINANCIAL STABILITY

Information Required: The Firm must provide a P & L statement & financial statements covering the past 24 months. The financial statement need not be certified but must be accurate and signed by a representative from the Firm authorized to release this information. Include information identifying the firm's annual volume of work, financial and bonding capabilities; speak to the firm's stability in the marketplace. Please submit information regarding any legal action currently pending or recent (within the past 5 years) involving your company, including the case name and number, court in which it was filed, whether your company is Plaintiff or Defendant and a brief description of the subject matter of the case.

Valued: Firms that can provide reliable, trustworthy financial disclosures that contain indicators of long-term financial stability.

### 5.4 PROPOSED TECHNOLOGY REQUIREMENTS

Technology: The purpose of this RFQ is to locate the best fitting technology that will provide the City of Bentonville with an AMI system that can be designed around our needs. BWEU is looking to implement a solution that will accommodate all of our demands and the desires to improve and strengthen our relationship with our water and electric customers. NOTE, *see anticipated scope of services under section 3*

Valued: Firms that establish the ability to provide a system that will meet the criteria's and needs of the city

**5.5 PROJECT CONCEPT and PRODUCT(s) ROADMAP**

Information Required: Describe in concept the system (or systems) that are propose to deploy to meet BWEU's requirements. Include roadmap(s) for metering, AMI system(s) and communication network(s) that is anticipated including a technical proposal.

Valued: Firms that can demonstrate product development plans and technology deployment methodology will fit the City of Bentonville's current and future needs.

**5.6 ADDITIONAL INFORMATION**

Provide additional information important or relevant to the requirements of this RFQ.

## 6. EVALUATION PROCESS & VENDOR SELECTION

### 6.1 Right of Rejection

Firms must comply with all of the terms of the RFQ, and all applicable local, state, and federal laws, administrative rules, and regulations. The Purchasing Analyst may reject any submittal that does not comply with all of the material and substantial terms, conditions, and performance requirements of the RFQ.

Firms may not make stipulations or restrict the rights of BWEU. If a Firm does so, BWEU may determine the proposal to be a non-responsive counter-offer and the submittal may be rejected.

BWEU may waive minor informalities that: do not affect responsiveness, are merely a matter of form or format, do not change the relative standing or otherwise prejudice other offers, do not change the meaning or scope of the RFQ, are trivial, negligible, or immaterial in nature, do not reflect a material change in the work, or, do not constitute a substantial reservation against a requirement or provision,

BWEU reserves the right to refrain from making an award if it determines that to be in its best interest.

### 6.2 References BWEU reserves the right to investigate any and all references and the past performance information provided in the submittal with respect to Respondent's successful performance of similar projects, compliance with specifications and contractual obligations, completion or delivery of a project on schedule, and lawful payment of employees and workers.

BWEU reserves the right to check any and all sources for information and to include sources other than the references provided in the submittal. BWEU may consider information available from any such source including government bodies and regulatory authorities in evaluating respondents.

### 6.3 Responsibility BWEU reserves the right to investigate and evaluate, at any time prior to award and execution of the Contract, the apparent successful Firm's responsibility for performing the Contract. Submission of a signed submittal shall constitute approval for BWEU to obtain any information BWEU deems necessary to conduct the evaluation. BWEU reserves the right to request additional information or documentation from the successful respondent prior to award of a contract. Such information may include, but is not limited to, current and recent balance sheets, income statements, cash flow statements, or a performance bond from an acceptable surety. Failure to provide this information will result in the rescission of BWEU's Intent to Award.

BWEU may postpone the award of the Contract after announcement of the apparent successful Firm in order to complete its investigation and evaluation. Failure of the apparent successful Firm to demonstrate responsibility shall render the Firm non-responsible.

### 6.4 Clarification of Response At any time during the evaluation process BWEU reserves the right to request clarification of any item in any response, or to request additional information necessary to properly evaluate a particular response. All requests for clarification and responses shall be in writing.

During the evaluation of Qualifications, Firms must respond to any request for clarification from the Evaluation Committee within 24 hours of request (Monday through Friday). Inability of the Evaluation Committee to reach a Firm for clarification and/or failure of a Firm to respond within the time stated may result in rejection of that Firm's Submittal.

## 6.5 Evaluation Process

- 6.5.1 Written Qualifications will be evaluated for compliance with the Minimum Qualification requirements found in Section 4 (pass / fail). Qualifications that do not meet any of the Minimum Qualifications will be rejected.
- 6.5.2 All responsive, responsible submittals that meet all of the Minimum Qualifications found in Section 4 will be evaluated and will be assigned based on the Firms qualifications and experience as described in Section 5.
- 6.5.3 Submittals that do not include all of the [minimum] information required, or that do not clearly demonstrate that they meet the minimum requirements outlined in Section 4 may be deemed nonresponsive and may be rejected.
- 6.5.4 Points will be assigned to the criteria listed in Section 5 (above) and the average score for each Respondent will be documented. BWEU may elect to eliminate Firms at this time based on written proposal evaluation.
- 6.5.5 The highest-ranked Respondents will be determined to be in the Competitive Range of Qualified Vendors. All respondents will be notified by BWEU, in writing, of their standing. Those Firms who are not included in the Competitive Range of Qualified Vendors will be eliminated from further consideration. **There will be no protest allowed for Respondent elimination from further negotiation.**

## 7. QUALIFICATIONS SUBMITTAL FORM

Submittals should be prepared and organized in a clear and concise manner, and must include all information required by this RFQ. Headers, Titles or Tabs should be used to identify required information. Responses to the Evaluation Criteria found in Section 5 shall be organized in the order listed in Section 5, preferably by re-stating the Criteria, then responding below.

THE FOLLOWING INFORMATION MUST BE RETURNED WITH YOUR RESPONSE: (Place a check in front of the item indicating inclusion in your response)

- **TERMINATION FOR DEFAULT:** Proposers shall indicate if they have had a contract terminated for default in the last five years. (See Section 1.7 (B)) **(Include in Cover Letter)**
- **RESPONSE TO ALL MINIMUM QUALIFICATIONS & REQUIREMENTS** listed in Section 4
- **RESPONSE TO ALL EVALUATION CRITERIA** listed in Section 5
- **SECTION 7** – Proposal Submittal Form
- **ATTACHMENT D** – Certification Statement for Independent Contractor

### SUBMITTAL SIGNATURE / EXECUTION

#### **ASSURANCES:**

The undersigned attests that: S/he has read and understands all instructions, requirements, addenda, site conditions, and terms and conditions contained herein (including the attachments and Exhibits listed in this solicitation).

S/he has the authority and/or responsibility to submit a proposal and to bind her/his organization in all phases of this RFQ process.

The information provided is true and accurate to the best of her/his knowledge.

S/he understands that any false statement may disqualify this offer from further consideration or may be cause for contract termination.

S/he has not and will not discriminate against a subcontractor in the awarding of a subcontract because the subcontractor is a disadvantaged minority, women or emerging small business enterprise certified under Arkansas State Law.

S/he represents and warrants to BWEU that S/he has the power and authority to enter into and perform any resulting Contract and that this Contract, when executed by BWEU, shall be a valid and binding obligation of Contractor enforceable in accordance with its terms.

Participating Firm, by signing this Submittal represents and warrants that Firm's performance under any resulting contract creates no potential or actual conflict of interest, including but not limited to conflicts of interest as defined in ORS 244.020. Participating Firm further warrants that no state or federal law or BWEU rule prevents Firm's lawful performance of any resulting contract. If Firm is currently performing work for BWEU or another governmental entity, Firm's participation in other public contracts does not create a potential or actual conflict of interest in performance of this contract.

**PARTICIPATING FIRM INFORMATION:**

Company Name: \_\_\_\_\_

Company Address (from which work will be performed): \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

FEDERAL ID NUMBER: \_\_\_\_\_

e-mail address: \_\_\_\_\_

Name: \_\_\_\_\_ Title \_\_\_\_\_

Please print or type Name

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

\_\_\_\_\_

# ATTACHMENT D CERTIFICATION STATEMENT FOR INDEPENDENT CONTRACTOR

(Contractor completes if Contractor is not a corporation)

**Business Designation:** Contractor is a Corporation  **OR (check one & complete form):**  
 Professional Corporation  Partnership  Limited Partnership  Limited Liability Company   
Limited Liability Partnership  Sole Proprietorship  Other

## A. CONTRACTOR IS INDEPENDENT CONTRACTOR. Contractor certifies he/she meets the following standards:

1. I am registered in the State of Arkansas to provide labor or services for which such registration is required.
2. I have filed federal and state income tax returns in the name of my business or a business Schedule C as part of the personal income tax return, for the previous year, or expect to file federal and state income tax returns, for labor or services performed as an independent contractor in the previous year.
3. I will furnish the tools or equipment necessary for the contracted labor or services.
4. I have the authority to hire and fire employees who perform the labor or services.
5. I represent to the public that the labor or services are to be provided by my independently established business as four (4) or more of the following circumstances exist. **(Please check four or more of the following:)**
  - A. The labor or services are primarily carried out at a location that is separate from my residence or is primarily carried out in a specific portion of my residence, which is set aside as the location of the business.
  - B. Commercial advertising or business cards are purchased for the business, or I have a trade association membership;
  - C. Telephone listing is used for the business that is separate from the personal residence listing.
  - D. Labor or services are performed only pursuant to written contracts.
  - E. Labor or services are performed for two or more different persons within a period of one year.
  - F. I assume financial responsibility for defective workmanship or for service not provided as evidenced by the ownership of performance bonds, warranties, errors and omission insurance or liability insurance relating to the labor or services to be provided.

Contractor Signature Date

Firm Name: \_\_\_\_\_

**(BWEU completes B below when Contractor completes Section A above.)**

## B. BWEU APPROVAL.

**City of Bentonville's Independent Contractor standards.** As used in various provisions of Bentonville's chapters an individual or business entity that performs labor or services for remuneration shall be considered to perform the labor or services as an "independent contractor" if the standards of this section are met. BWEU certifies the contracted work meets the following standards:

1. The Contractor is free from direction and control over the means and manner of providing the labor or services, subject only to the specifications of the desired results.
2. The Contractor is responsible for obtaining all assumed business registrations or professional occupation licenses required by state law or local ordinances.
3. The Contractor furnishes the tools or equipment necessary for the contracted labor or services.
4. The Contractor has the authority to hire and fire employees to perform the labor or services.
5. Payment to the Contractor is made upon completion of the performance or is made on the basis of a periodic retainer.

BWEU Signature Date