



SOUTHEAST ALASKA POWER AGENCY

REQUEST FOR PROPOSALS

Southeast Alaska Power Agency Tye Lake Station Service Switchgear & 15kV Main Generator Switchgear Construction Project



March 1, 2024

SOUTHEAST ALASKA POWER AGENCY

Solicitation

The Southeast Alaska Power Agency is seeking proposals from qualified industrial electric installation contractors to procure, install, and commission new 480V double-ended, Station Service Switchgear, 15kV Main Generator Switchgear, ancillary equipment, and cables from the new equipment to the first point of termination for the Tye Lake Station Service Distribution System. The completion date for construction is on or before October 31, 2025. The Tye Lake Hydroelectric Project is located approximately 40 miles SE of Wrangell, Alaska in Bradfield Canal and is only accessible by boat or plane. Proposals are due by June 7, 2024 at 4:00 p.m. AKDT.

GENERAL PROJECT INFORMATION

Owner: Southeast Alaska Power Agency
55 Don Finney Lane
Ketchikan, Alaska 99901
P 907.228.2281 | Fax 907.225.2287 | www.seapahydro.org

For purposes of this solicitation, the Southeast Alaska Power Agency may be referred to interchangeably as Owner, SEAPA, or Agency and the terms bidder, consultant, contractor, offeror, proposer, respondent, submitter, and vendor are used interchangeably and mean a person(s) or firm(s) submitting a response. Any proposal or modification to a proposal received after the due date will not be considered and will be deemed non-responsive. Bidder is responsible for all costs and expenses of bid preparation. Bidders are advised that their bid may be subject to full public disclosure.

Submission of Proposals: Bidders shall deliver their bid and are responsible for assuring receipt of their bid by Owner prior to the deadline for submittals no later than:

June 7, 2024 at 4:00 p.m. Alaska Daylight Time (AKDT)

This Request for Proposals includes the Appendices and Attachments referenced herein, which may be downloaded from SEAPA's website at: <https://www.seapahydro.org/opportunities/bids-projects>

All submittals shall be transmitted electronically in .pdf format using direct computerized conversion to .pdf files. To preserve legibility in reproduction, printing and rescanning shall only be used for the signing of documents or similar occurrences and only with the original document. All submittals shall be clear and legible for further reproduction by the Owner. Scanned copies of original signatures will be treated in all aspects as having the same effect as an original signature. SEAPA will not accept faxed or hard copies of Bids. Submittals shall be emailed to:

ContAdmin@seapahydro.org

The e-mail subject field shall be marked with the following project name: **"TYL SS Switchgear & 15kV Main Generator Switchgear Construction Project"**. Confirmation of receipt by Owner of Bidder's electronic submittals are the responsibility of the Respondent.

Section 1.0 Introduction

The Southeast Alaska Power Agency ('SEAPA' or 'Agency') is a joint action agency organized and existing pursuant to the laws of the State of Alaska. The members of the Agency are the City of Ketchikan, the City and Borough of Wrangell, and the Petersburg Borough. Agency facilities are principally comprised of the Swan Lake and Tyee Lake hydroelectric projects in southern southeast Alaska and approximately 175 miles of transmission lines connecting Ketchikan to Wrangell and Petersburg, Alaska. In 2009, the Agency completed the Swan–Tyee Intertie Project which connected the Swan Lake and Tyee Lake hydroelectric projects. With the completion of that 57-mile segment, Ketchikan, Wrangell, and Petersburg became interconnected for the first time. The Agency's headquarters are in Ketchikan, Alaska.

Section 2.0 Project Site Information

The Tyee Hydroelectric Project is remotely located at the head of Bradfield Canal approximately 40 miles southeast of Wrangell Alaska at the head of the Bradfield Canal. Practical access is by charter aircraft (wheeled aircraft for landing on private air strip). The project is situated along the Bradfield River; watercraft access is limited to high tide shallow draft vessels. There is also a Landing Pad for helicopter access to the facility.

The project has two 12.5 MVA vertical generating units driven by Pelton type hydraulic turbines; the turbines can be isolated from the penstock by water-driven ball valves. The water passage includes an intake structure at Tyee Lake located at Elevation 1,630.5'. Water conveyance consists of a total of 8,200' of power tunnel and 1,500' of penstocks leading to the turbines.

Housing accommodations are available for Contractors at the Tyee Lake Bunkhouse, which is a three-bedroom (5 total beds), two-bath structure equipped with a full, self-serve kitchen, dining room, and entertainment area. The Bunkhouse is equipped with cooking utensils, bedding, and bath linens.

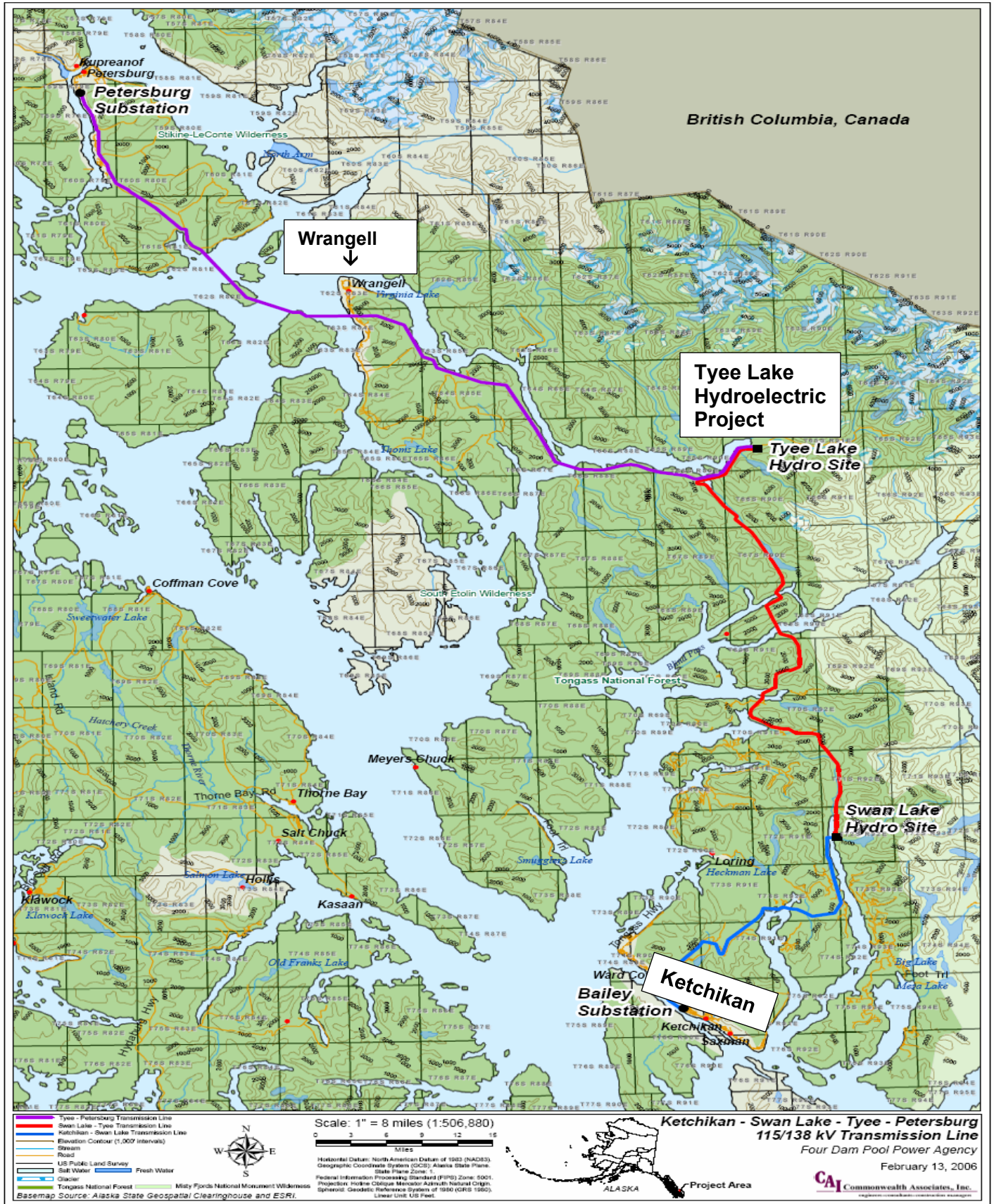
The successful contractor will be required to make one (1) site visit to the Tyee Lake Facility and will be responsible for all travel costs/accommodations to and from the facility. This includes personnel, food, materials, equipment, and any items required to meet the intended tasks and goals of this Project.

If lodging at the facility, Contractor is responsible for all:

- food and its preparation
- janitorial duties (housing accommodations must be left in as good or better condition than found)
- transportation costs for personnel and equipment to and from the facility
- necessary hand tools, power tools, test equipment, labor, and consumables, etc. required to successfully complete the scope of work for this project

The Tyee Hydroelectric facility is a Dry Camp. No alcohol or non-prescribed drugs are permitted at this site. Abuse of this rule will subject Contractor to immediate removal from the project site at the Contractor's expense.

The following is a region map provided for project general location reference:



Section 3.0 Project Background

The Tyee Lake Station Service Switchgear is nearing 40 years of age and approaching the end of its useful life. The main station service transformers do not have differential protection or arc flash mitigation appurtenances (fiber optic sensors, arc flash mitigation appurtenances (ARMS) switches, faster operating times, etc.) and were identified as “Extreme Danger” with an energy level of 65.3 Cal/cm² in the last Arc Flash hazard analysis. Auto-trip and transfer functionality, including emergency power transfers to diesel generators does not exist on the existing switchgear. All feeder and sub-feeder cables are also at the end of their useful life with increased probability of failure.

This project would provide construction of a new Station 480V double-ended Station Service Switchgear, breakers, feeder and sub-feeder cables, fiber optic ARC Flash protected busbars, ARMS, Operations Manuals and Training. The new Station Switchgear is designed with redundancy and isolation in metal-clad rated gear to provided reliability, redundancy, and increased safety to onsite personnel with reduced incident energy levels (Arc Flash).

This project includes procurement and installation of new 15kV main generator switchgear and 15kV cables.

The intent of this Project is to remove the existing switchgear, transformers and all associated circuits to the first point of termination, which must be disposed by the contractor, and procurement, installation, and commissioning of new 480V double-ended metal-enclosed switchgear, dry-type transformers, panelboards, ancillary equipment and all required cables from the new switchgear to the first point of termination. Auto-transfer-trip schemes, auto-emergency generator start-stop schemes, diesel generator protective relays, new current transformers (CTs), new potential transformers (PTs), new analog/digital amp/voltage/watt meters and programmable logic controllers (PLCs) to be used for integration into the existing onsite SCADA system will also be required.

PCB content in the existing transformers is not anticipated.

Section 4.0 Scope of Services

The respondent’s bid must include the necessary materials, equipment, tools, labor, travel, lodging, meals, transportation and other associated costs and services to develop the following scope and deliverables:

4.1 The work of this RFP shall be performed in accordance with the following appendices which are incorporated herein by reference:

100% Technical Specifications	Appendix A
100% Design Drawings	Appendix B
Bill of Materials¹	Appendix C
Reference Drawings	Appendix D
Submittal Register	Appendix E

¹ Eaton’s Detail Bill of Material (‘BOM’) dated 06.23.2023 (valid for 30 days) for the Project is included as a reference only to reduce ambiguity and provide clarity on costs. Bidders must provide its firm-fixed prices for materials, testing/commissioning, and training on Contractor’s Cost Table (Attachment 1 hereto). See Section 26 23 10.00 26, subsections 3.3 and 3.4 of Technical Specifications for requirements of field engineering service personnel and Contractor furnished training of Agency personnel.

See Section 01 11 10, Summary of Work, in the Technical Specifications (Appendix A hereto) for a summary of the description of work.

All Electrical and Structural Engineer (ESE) services required in this RFP shall be performed by licensed Electrical and Structural Engineers registered in the State of Alaska.

Contractor shall be fully responsible for determining if the standards or provisions cited in the Technical Specifications and Drawings have been revised or updated. Any such conflicts between the website and the identified standard or provision shall be brought to the attention of SEAPA's Contracts Administrator in writing requesting direction.

- 4.2 Contractor is responsible for removal of the existing switchgear, transformers, and all associated circuits, debris, and construction material from the Tyee Lake Hydroelectric Project site.
- 4.3 **Note: Access by barge to the Tyee Lake Facility is dependent upon tides.** See photo below for barge landing areas. Contractor must determine whether tides are sufficient for barge accessibility.



Photo of Barge Landing Areas (Note: Access by Barge is dependent upon tides.)

The following is a photo of the layout of the Tyee Hydroelectric Facility:



Section 5.0
Schedule of Events

5.1 Project Dates/Times. The following is a list of dates/times with respect to this RFP:

RFP Release Date	March 1, 2024
Site Inspection	Must be coordinated with Owner ²
Pre-Bid Conference	March 22, 2024 at 2PM AKDT
Final Date for Bidder Inquiries/Clarifications	May 24, 2024
Proposals Due	June 7, 2024
Notice of Recommendation of Award	June 12, 2024
Board Meeting Date for Award of Contract	June 26-27, 2024
Contract Conformance Period	July 9-19, 2024
2024 Procurement Completion Date	December 31, 2024
2025 Construction Completion Date	October 31, 2025

5.2 Site Inspection

Owner strongly recommends that interested Bidders participate in a pre-bid site inspection to become familiar with and be satisfied as to the general local and site conditions that may affect cost, progress, and performance of the work. The successful contractor will assume any and all risk of increased performance cost caused by observable site conditions. The site inspection must be coordinated with Owner.

All expenses of the recommended pre-bid site inspection are the Bidder’s responsibility.

² Contact SEAPA’s Contracts Administrator at ContAdmin@seapahydro.org or 907.228.2015 to coordinate a site visit.

5.3 Pre-Bid Conference

A pre-bid conference is scheduled for the bidders' convenience to answer questions or request clarifications and will be held at the offices of the Southeast Alaska Power Agency, 55 Don Finney Lane, Ketchikan, Alaska on March 22, 2024 at 2:00 p.m. AKDT. The conference may be electronically recorded to appropriately document the discussion to facilitate a written response to all inquiries. Respondents who are unable to attend in person may attend telephonically by dialing: **1-800-315-6338 or 1-913-904-9376 (Access Code 73272#)**

Following the pre-bid conference, written responses to all inquiries will be prepared and posted in the form of an Addendum to the RFP on SEAPA's website at <https://www.seapahydro.org/opportunities/bids-projects>.

Section 6.0 Preparation of Bid | Bid Requirements

6.1 Preparation of Bid

Respondents are required to examine this RFP, specifications, and all attachments and addendums, if any, pertaining to the services requested. Failure to do so will be at the Respondent's own risk. It is assumed that the Respondent has made full investigation to be fully informed of the extent and character of the services requested and of the requirements of the specifications. No warranty is made or implied as to the information contained in the RFP, specifications, or instructions. Respondents are responsible for implementation of all health and safety measures taken to complete the required services. SEAPA assumes no responsibility for the health and safety of Respondent, Respondent employees, or other associated personnel.

It is assumed that at the time of submittal of their bid that each Bidder will become familiar with any weather and shipping conditions that may, in any manner, affect cost and/or delivery, and study and carefully correlate their observations with the bid specifications. Failure to do so will not relieve the successful contractor of the obligation to complete the contemplated work. Each bid must be submitted as required by these instructions and include the forms prescribed herein. Bids shall be submitted complete, including all bid forms and other documents, as required. Complete sets of bidding documents shall be used in preparing bids; neither SEAPA nor the Owner's Representative assume any responsibility for error or misinterpretations resulting from the use of incomplete sets of bidding documents.

The successful contractor shall be an independent contractor, not an employee or subsidiary of the Agency. Nothing in the contract documents shall create any contractual relationship between SEAPA and any of the contractor's subcontractors, suppliers, or other persons or organizations, nor shall it create any obligation on the part of SEAPA to pay or see to the payment of any monies due any such subcontractor, supplier, or other person or organization except as may otherwise be required by regulatory requirements. SEAPA will not undertake to settle any differences between or among the contractor, subcontractors, suppliers, or other persons or organizations.

6.2 Bid Requirements

The bid proposal must include the following:

- 6.2.1 *Contractor's Cost Table & Proposed Payment Schedule Form*. Bidders shall complete the Contractor's Cost Table & Proposed Payment Schedule Form (**Attachment 1**), which shall set forth a statement of intent by the bidder to perform the work required by the Bid

Documents for firm-fixed unit prices in U.S. Dollars as indicated on the Cost Table. Bidders shall break down the price of the work into the bid units indicated on the Cost Table. The firm fixed prices submitted by the Bidder shall include all design services, mobilization costs, procurement, construction, and demobilization to complete the Work under the contract.

The bids shall also include all taxes applicable to the goods and services that are provided under the contract. For purposes of goods and services to be provided to the Owner, such goods and services shall be deemed to have been sold and delivered to the Owner at the Project site.

Include the following on the Contractor's Cost Table & Proposed Payment Schedule Form:

- (a) Bidder must attach its Time and Materials Rate Sheet to the Cost Table that will be in effect through to completion of the Project in the event of Change Order Request(s). The Time and Materials Rate Sheet must state the effective date for the rates and costs submitted.
- (b) Bidders Proposed Payment Schedule. Bidders shall submit their proposed payments covering deliverables/milestones according to a payment amount or percentage of the firm fixed price. It is not SEAPA's intent to make payments that are purely time-based; payments should be tied to the acceptance by SEAPA of agreed upon project deliverables/milestones. SEAPA reserves the right to negotiate the final payment schedule with the successful contractor.

6.2.2 *General Information Form.* Bidder must complete and submit the attached *General Information Form (Attachment 2)*.

6.2.3 *Bidder Experience Record and References Form.* Bidders must submit descriptions of at least five (5) previously completed projects within the last ten (10) years for which your firm/team has provided construction services of a nature, quality, size, and scope specifically similar to those required in this RFP which should include projects performed at a remote location (off hard-linked road systems) and demonstrate experience with Southeast Alaska weather or adverse weather conditions on the attached *Bidder Experience Record and References Form (Attachment 3)*. Owner reserves the right to reject any bid if the evidence submitted by or investigation of such Bidder fails to satisfy Owner that such Bidder is properly qualified to carry out the obligations of the contract and to complete the work contemplated for this project. Bidders must also include on the form references for each project that Owner may contact and their contact information and complete the requirements of Section 8.0 herein.

6.2.4 *List of Subcontractors.* Bidders must submit a list of all subcontractors who will provide greater than five percent (5%) of the work on this project and an approximate percentage of their individual participation. The proposer may not subcontract greater than fifty percent (50%) of the project without prior written approval by SEAPA. If a Bidder intends to use a subcontractor, the Bidder must submit their list of subcontractors with their bid who will be used on the Project on the *List of Subcontractors Form (Attachment 4)*. All subcontractors doing work on the Project are subject to SEAPA approval. The substitution of one subcontractor for another may only be made at the discretion and prior written approval of SEAPA. Contractor must agree to pay subcontractor(s) for services rendered by the contract to be awarded. SEAPA will not issue separate payments from the main contract to subcontractor(s).

- 6.2.5 *Procurement, and Construction Schedule.* Bidders must review the 12-page Submittal Register attached at the end of the Technical Specifications (pdf pages 238-249) (**Appendix A**) hereto, and submit their proposed Procurement and Construction Schedule for the Project. The construction phase of the Project will be weighted with Points awarded for a schedule that demonstrates the installation of major pieces of equipment, main unit generator outages, testing, and commissioning.
- 6.2.6 *Assumptions, Clarifications and Exceptions List Form.* The proposal submittal shall include any assumptions, clarifications, and exceptions made in the development of the proposal on the *Assumptions, Clarifications and Exceptions List Form* (**Attachment 5**).
- 6.2.7 *Alcohol and Drug Free Work Place Acknowledgment of Policy Form.* Bidder shall submit to SEAPA acknowledgment that they have an alcohol and drug abuse policy. A typical *Alcohol and Drug Free Workplace Acknowledgment of Policy Form* is attached as **Attachment 6**. The Tyee Lake Hydroelectric Project is a drug and alcohol-free facility. The possession and/or use of drugs, alcohol and other controlled substances are prohibited on all areas of the Tyee Lake Hydroelectric Project. Violation of this requirement will result in immediate removal of involved individuals from the project.
- 6.2.8 *Bid Bond Form.* Bids must be accompanied by a certified check or cashier's check drawn on a bank in good standing, or a bid bond issued by a surety authorized to issue such bonds in U.S. Dollars in the amount of at least five percent (5%) of the total amount of the bid submitted payable to the Southeast Alaska Power Agency. Bid Bonds shall be submitted on the *Bid Bond Form* (**Attachment 7**) or a similar standard form used by a surety company. The Attorney-in-Fact (resident agent) who executes bonds on behalf of the surety must attach a notarized copy of a Power of Attorney as evidence of authority to bind the surety on the date of execution of the bond.

The bid security must be approved by Owner as to form and sufficiency. If the check or bond is found to be flawed, the Bidder must correct the flaw within ten (10) working days or the Bid will receive no further consideration.

Since bids are to be received electronically, a copy of the certified check, cashier's check, or a copy of the bid bond, must be submitted with Bidder's proposal and the original submitted to Owner on or immediately after the bid due date at the following address:

Southeast Alaska Power Agency
55 Don Finney Lane, Ketchikan, Alaska 99901
Attn. Sharon Thompson, Contracts Administrator

Confirmation of receipt by Owner is the responsibility of the respondent. No bid will be considered responsive unless accompanied by this bid security.

Return of Bid Bonds. The Bids Bonds of the Bidders will be returned, without interest, following completion of contract conformance with the successful contractor.

- 6.2.9 Bidders must submit a signed and notarized *Non-Collusion Affidavit* on the form attached hereto as **Attachment 8**.
- 6.2.10 *Addendum Acknowledgment and Signature Page Form.* Bidder must complete and submit the attached *Addendum Acknowledgment and Signature Page Form* (**Attachment 9**).

Failure to acknowledge receipt of addendums may render the bid non-responsive. If no addendums are issued, you may write "none" on the form.

- 6.2.11 *Safety Program/Record.* Bidders must submit with their bids a description of their active, ongoing safety accountability program, list any site areas of concern, and state approach for these areas of concern. Add a description of leading and lagging (include recordable lost time incident records for the last five years) indicator use and reference any Safety Award(s) or documentation of being recognized for any Safety Program.
- 6.2.12 *State of Alaska Licenses.* Bidder, and their subcontractors, if any and if applicable, shall submit evidence of their valid State of Alaska licenses with their proposal. The evidence of Alaska licensing shall include copies of the following:
1. Alaska General Contractor's License;
 2. Alaska Business Registration; and,
 2. Alaska Business License.
- Any bidder or contractor not validly licensed is subject to the penalties imposed by the laws of the State of Alaska and the bid proposal of such bidders may be rejected.
- 6.2.13 *Index of Drawings and Deliverables.* Bidder must submit an index of the drawings and/or deliverables necessary to document the bid.
- 6.2.14 *Capacity.* Bidders must submit with their bid their company's capacity to complete the required work and to do so within the currently estimated project schedule.
- 6.2.15 *Additional Items or Information.* Submit additional items or information you judge to be pertinent or beneficial to the Agency in evaluating your proposal.
- 6.2.16 *Confidential Information.* Bidders must clearly identify all confidential information in their bids. However, bidders should take care to designate as confidential only those portions of their bid that genuinely warrants confidential treatment. SEAPA discourages the practice of marking each and every page of a bid as "confidential". SEAPA will make reasonable efforts to protect any such confidential information that is clearly marked as confidential; however, Bidders are advised that their bid proposals and any subsequent contracts may be subject to full public disclosure per the Agency's policies.
- 6.2.17 *Limitation on Pages Submitted.* There will be no limitation of the number of pages submitted with the proposal, however SEAPA is not interested in non-pertinent information, brochures, or standard website advertising down loads. The proposal will be evaluated on information submitted, non-pertinent information will be viewed as a deduction in proposal evaluation.
- 6.2.18 *Qualifications Submission.* Bidders must also submit with their proposal a Statement of Qualifications and include all items in Section 8.0, below (Qualifications Submission).

Section 7.0

Checklist for Qualifications Submission

7.1 Required Statement of Qualifications Items

Submitters must include the following mandatory checklist items () as part of their Statement of Qualifications ("SOQ").

- Cover Letter** (1 page)
Include a Cover Letter with the complete name and address of the prime firm/company and the name, mailing address, business/cell phone number(s), email addresses of the person SEAPA should contact regarding the Qualification.
- Table of Contents** (1-2 pages)
Provide a Table of Contents with the SOQ.
- Executive Summary** (1 page)
A brief narrative statement or understanding of the scope of work, key challenges and the submitter's overall vision and approach for the successful development of a high-quality Project consistent with the minimum criteria outlined in this RFP.
- Project Background and Understanding** (1 page)
Include a brief description of the firm/team's knowledge of the Project background and context.
- Project Approach and Action Plan** (2-3 pages)
Provide a detailed statement of the firm/team's proposed Approach and Action Plan to successfully complete the Work. The firm/team's plan of action should include both functional and personnel organization which indicates the firm/team's specific approach to accomplishing the Project Scope. Describe any challenges anticipated for performing the requested services that may impact the scope or schedule and the proposed solutions to address these concerns. Include references where such solutions were utilized in the past.

Include in the Project Approach, a brief narrative of the firm/team's understanding of the logistics for mobilization and equipment arrival at a remote facility, sequencing of work to minimize main unit generator outages, and the construction team's approach to the goals and objectives of the Project.

- Firm/Team Qualifications and Experience** (4-6 pages)
Section shall include a brief description and history for each firm/company on the proposed team including number of years the firm/company has been in business and its growth history, experiences in projects with SEAPA and any past or current experience with Station Service Switchgear Construction. Indicate:
 1. Company / Firm Name
 2. Physical Address – and if different, mailing address and zip code.
 3. Email address and name of primary contact at each company/firm.
 4. Main telephone number and direct telephone number(s) for contacts.
 5. Number of years in business for each company/firm.
 6. Form of firm/company ownership including state of residency or incorporation. Include description of the submitter's/company structure: i.e., sole proprietorship, partnership, corporation, limited liability company, joint venture, or other structure.
 7. List any active or pending litigation with owners, subcontractors and other construction-related entities and explain. List and briefly describe any and all legal actions for the past three (3) years in which respondent has been a debtor in bankruptcy, a defendant in a lawsuit for deficient performance under a contract or agreement; a respondent in an administrative action for deficient performance, or a defendant in a criminal action. **Failure to fully comply with this item will be grounds for elimination from the RFP process.**
 8. Has the firm/company ever failed to complete any work awarded to it or has it been removed from any project awarded to the firm? If so, explain.

Project Team Personnel Selection (1-2 pages)

Provide an explanation of Project team selection to accompany a list of licensed contractors and licensed subcontractors, if applicable, whom bidder proposes to use for the Project's procurement and construction as noted in the Proposed Personnel section below.

Proposed Personnel (8-10 pages)

Provide general information about personnel capability and a list of qualified and available staff and resources including classifications, number of employees, respondent's ability to provide sufficient qualified personnel for this Project upon award, the locations and staffing of relevant offices and an organizational chart of staff including the percentage of time they will be assigned to the project. Describe specific roles and responsibilities identifying experience and ability for key personnel. (Note: any proposed subcontractor must also include additional submitted resume and/or project experience information per the requirements listed in this section for similar disciplines/trades.)

1. Provide a list of licensed contractors and licensed subcontractors bidder proposes to use for the Project's procurement and construction including a detailed list of key personnel as noted below:
2. The key personnel, at a minimum, are the proposed supporting structural and electrical engineers, project superintendent, project manager, project director, estimator, preconstruction manager, and the executive in charge. Submit a resume for each individual with relevant information as described below including title, education, previous work experience, their experience within an operating hydroelectric facility and their experience with 480V switchgear for station service systems, applicable training and certifications, previous projects with the firm/company and length of service with the firm/company. At this stage, the firm/companies may list more than one person qualified and available for the proposed Project.

Conclusion and Statement of Why the Proposing Firm Should be Selected (1 page)

This section provides each firm/team the opportunity to provide specific information that differentiates them from others in the RFP process.

Qualification Appendix Attachments

Include copies of all applicable licenses for firm/team and key personnel, which should include:

- Alaska General Contractor(s) License
- Alaska Business Registration
- Alaska Business License
- Professional Structural Engineering License(s) for each Structural Engineer proposed to perform the Work
- Professional Electrical Engineering License for each Electrical Engineer proposed to perform the Work

Please do not place or ask to place in the appendix any additional information not explicitly required to be placed there.

Section 8.0 **Weapons**

Firearms and other weapons are not allowed on site unless specifically approved, on a case-by-case basis, by SEAPA's Designated Representative. Upon approval, possession of weapons within the Tyee Lake Hydroelectric Project boundaries is permitted, but discharge of firearms or use of other weapons is not allowed except for the protection of human life. Any discharge of weapons must be immediately reported to SEAPA's Representative.

Section 9.0

Modified Proposals

Any proposal may be modified provided such modification is received prior to the due date for submission of proposals and submitted in the same manner as the original proposal. Provide a cover letter with the modified proposal, indicating it is a modified proposal and that the original proposal is being withdrawn.

Section 10.0

Addendums

Changes or amendments to this RFP made prior to bid opening shall be issued in writing via addendum and posted on SEAPA's website at <https://www.seapahydro.org/opportunities/bids-projects>. No oral statement of any person shall modify or otherwise change or affect the terms, conditions or specifications stated in the RFP. Bidder is responsible for ensuring that the attached *Addendum Acknowledgment and Signature Page Form* reflects any addenda that may issue prior to the bid due date regardless of when the bid is submitted. SEAPA recommends Bidders consult with SEAPA prior to the bid due date to assure that all addenda have been received. If any addenda issue and the bidder fails to acknowledge their receipt on the bid form, the failure to acknowledge shall render the bid non-responsive.

Section 11.0

Contract

Sample Contract No. 24004 is attached as **Attachment 10** hereto. Bidders must carefully review all terms in this Sample Contract, which includes the insurance requirements for this Project, and state any assumptions, clarifications, and exceptions to any terms and requirements stated in the contract on the form provided as **Attachment 5**. SEAPA reserves the right to negotiate the final contract with the successful bidder.

Section 12.0

Terms of Bid and Awarded Contract

12.1 Price Validity Upon Submission of Bid

Submission of a bid signifies that the quoted services and prices are valid from the date bids are submitted through to completion of the project.

12.2. Price Validity Following Contract Conformance

Following contract conformance, a fully executed contract between Agency and the successful contractor signifies that the quoted services and prices submitted by the successful contractor are valid through to completion of the Project, which is stated to be upon SEAPA's signed and dated Notice of Completion issued to the contractor.

Section 13.0

Acceptance of Proposal Contents

The contents of this RFP will become contractual obligations if a contract ensues.

Section 14.0

Evaluation Criteria

Proposals timely received by SEAPA will be carefully reviewed and a shortlist may be created. Selection

will be made primarily based on the following criteria:

Item	Scoring Criteria	Points
1	Price	30
2	Experience/Qualifications	20
3	Construction Approach	20
4	Safety Record	25
5	Proposed Schedule	5
Total		100

Price: 30 Points

Price will be evaluated with consideration to each item in the Cost Table. The Agency will make comparisons and grade each proposed Cost Table item based on other proposals.

Experience/Qualifications: 20 Points

Points for this criterion will be awarded based on the Contractor's overall experience with hydroelectric station service switchgear. Examples submitted will be evaluated for applicability. A list of projects for evaluation should include contact information for the Agency to determine successful and satisfactory completion. All subcontractors must be identified. Experience in the list of projects and contact information will be considered as well.

Construction Approach: 20 Points

Points for this criterion will be awarded based on the qualifications, experience, and demonstrated ability of the construction team's project personnel. Responses should have identified each key individual, their experience with construction within an operating hydroelectric facility and their experience with 480V switchgear for station service systems. The superintendent's experience related to this type of work will be considered. The required submittal of a brief narrative (see requirement under Section 8.1, above (Project Approach and Action Plan) of the team's understanding of the logistics for mobilization and equipment arrival at a remote facility, sequencing of work to minimize main unit generator outages, and the construction team's approach to the goals and objectives of the Project, will also be considered.

Safety Record: 25 Points

Points for this criterion will be awarded based upon Bidder's active, ongoing safety accountability program, listed site areas of concern, approach for these areas of concern, leading and lagging (include recordable lost time incident records for the last five years) indicator use, and any Safety Award(s) or documentation of being recognized for any Safety Program.

Proposed Schedule: 5 Points

Points will be awarded for a schedule that demonstrates procurement, installation of major pieces of equipment, main unit generator outages, testing, and commissioning.

Section 15.0
Award of Contract

15.1 Appeals

- 15.1.1. Appeals Process. Unless Owner elects to reject all bids, Bidders shall be given a notice of recommendation of award of the bid.

Any Bidder which has any objection to the recommended award of bid and which claims to be the lowest responsible Bidder may file a written notification of appeal with SEAPA's CEO. The notification of appeal shall specifically state all of the reasons for the appeal, the specific action requested by the Bidder, the specific parts of the bid or bid documents on which the appeal is based, the reasons the Bidder claims to be the lowest responsible Bidder, and all statements, documents, and other relevant materials which the Bidder will submit in support of its appeal. The notification of appeal shall be received by SEAPA within five (5) calendar days from the date the notice of intent to award was delivered to the Bidder which filed the notification of appeal. It is the Bidder's responsibility to assure that SEAPA has received Bidder's appeal. In no event, however, shall a Bidder have less than two (2) weekdays from the time the Bidder receives the notice of intent to award until the time it is required to have filed a notification of appeal.

- 15.1.2. Response to Appeal. The Board shall hear any appeal, and responses or information from other Bidders. The Board shall issue a final determination as to such an appeal within sixty (60) business days of receipt of such appeal. The Board may then, without further opportunity for appeal, award the contract to the Bidder.

- 15.1.3. Failure to Follow Appeal Procedure. A Bidder which objects to the notice of intent to award a bid, but which fails to timely and completely file a notification of appeal with SEAPA under the terms hereunder shall have no right to appeal or contest the award of bid, and shall have no claim or cause of action relating to the bid process, the bid documents and specifications, the bids themselves, or the award. A Bidder which has submitted the bid recommended for award but which does not respond to a notification of appeal by either submitting a written response to each of the reasons for appeal, or by presenting such response when the appeal is heard, shall have no right to appeal or contest the results of an appeal ruling, and shall have no claim or cause of action relating to the bid process, the bid documents and specifications, the bids themselves or the award. The Board may, in its discretion, consider any objection whether or not a complete and timely notification of appeal or response has been filed or presented but any such consideration shall be final and not subject to appeal, contest, claim or cause of action.

- 15.1.4. General. Owner's staff will present their recommendation of award to SEAPA's Board of Directors at a Regular Board Meeting currently scheduled for **June 26-27, 2024**. The Board of Directors will determine whether the contract will be awarded to the recommended proposer. In the event the selected proposer is unable or unwilling to alter the scope or budget or key personnel proposed or any other aspect of the proposal necessary to meet the Owner's requirements or is not agreeable to the terms and conditions of the Owner's contract for services, negotiations will then be initiated with the next ranked proposer. Proposers are advised that the project may not be awarded to the lowest-price Bidder.

- 15.1.5. Notice of Award. SEAPA will issue a Notice of Award to the successful Bidder following the Board Meeting. The Notice of Award will set forth the deadline for receipt of Performance and Payment Bonds, and a Certificate of Insurance. Contract negotiations will commence following the Notice of Award.

- 15.1.6. Return of Documents. Following contract negotiations and conformance, the successful Bidder shall execute the Contract and submit it to Owner within a time period to be specified by Owner. A final fully executed Contract will be returned to the successful Bidder, together with Bidder's Bid Bond.

15.1.7. Notice to Proceed. After contract conformance has been successfully completed, a Notice to Proceed shall issue and Contractor shall proceed with the Work.

Section 16.0

Requirements of Laws, Regulations, Licenses, Permits, and Taxes

It is the bidder's responsibility to be familiar with all Federal, State, Borough and City laws, ordinances, statutes, and regulations, which in any manner may affect the work, and they will be deemed to be included in the bid documents the same as though herein written out in full. The bidder shall not be excused in the performance of the work or any part thereof because of the bidder's misunderstanding or lack of familiarity with such laws.

All required Federal, State, and local sales and use taxes shall be paid by the bidder as required by the laws and statutes of the State and of any of its political subdivisions and shall be included in the prices quoted in the bid.

The successful bidder shall, at no cost to SEAPA, procure all necessary licenses, permits, applications, variances, approvals and other documents needed to conduct the work under this contract. Additionally, the successful contractor shall ensure that all subcontractors procure all necessary licenses and permits needed to conduct their respective jobs under the Project contract.

Section 17.0

Reservation of Rights

The Agency reserves the right to accept other than the apparent lowest-priced bid, and to reject any bid in whole or in part, or to reject all bids, with or without notice or reasons, waive any informalities, and if no bid is accepted, to abandon the work or to have the work performed in such other manner as the Agency may elect. SEAPA also reserves the right to terminate this RFP and issue a subsequent solicitation and/or remedy technical errors in the RFP process. This RFP does not commit SEAPA to enter into any contract, award any services related to this RFP, nor does the RFP obligate SEAPA to pay any costs incurred in preparation or submission of a proposal or in anticipation of a contract.

If selected, respondent will be required to comply with the requirements established herein, unless otherwise agreed to in writing by SEAPA and respondent. The successful respondent must be able to formally invoice SEAPA for services rendered.

Section 18.0

Bid Bond | Performance Bond | Payment Bond

18.1 Bid Bond - See Section 6.2.8 herein.

18.2 Performance Bond

The successful bidder will be required to furnish a Performance Bond with SEAPA. The bond shall be one hundred percent (100%) of the total contract amount. See the Performance Bond form in the Sample Contract No. 24004 (**Attachment 10**). The surety furnishing this bond shall have sound financial standing and a record of service satisfactory to SEAPA, and if applicable, shall be authorized to do business in the State of Alaska.

The attorney-in-fact (resident agent) who executes performance bonds on behalf of the surety must attach a notarized copy of the power-of-attorney as evidence of the authority to bind the surety on the dates of execution of the bonds.

18.3 Payment Bond

The successful bidder will be required to furnish a Payment Bond with SEAPA. The bond shall be one hundred percent (100%) of the total contract amount security to subcontractors and materials suppliers to ensure payment for their work, labor, and/or materials on the project. See the Performance Bond form in the Sample Contract No. 24004 (**Attachment 10**). The surety furnishing this bond shall have sound financial standing and a record of service satisfactory to SEAPA, and if applicable, shall be authorized to do business in the State of Alaska.

The attorney-in-fact (resident agent) who executes payment bonds on behalf of the surety must attach a notarized copy of the power-of-attorney as evidence of the authority to bind the surety on the dates of execution of the bond.

Section 19.0 **Bidder Inquiries**

Questions and/or clarifications must be submitted in writing, via email, until **May 24, 2024 at 4:00 P.M. AKDT** to the following: ContAdmin@seapahydro.org. Questions received after the stated deadline will not be answered.

Section 20.0 **English Language Requirements**

The English language shall be used in all drawings, bulletins and catalog information submitted with the bid, as well as in all subsequent correspondence and submittals by the successful bidder. Items to include but not be limited to packaging lists, paints, labels, etc.

Factory test personnel or engineering field personnel, if required on Owner's premises during delivery, shall speak technical and conversational English without the need for an interpreter.

Section 21.0 **Appendices and Attachments to this RFP**

Appendices:

- A. Technical Specifications
- B. Design Drawings
- C. Bill of Materials
- D. Reference Drawings
- E. Submittal Register

Attachments:

- 1. Contractor's Cost Table & Proposed Payment Schedule Form
- 2. General Information Form
- 3. Bidder Experience Record and References Form
- 4. List of Subcontractors Form
- 5. Assumptions Clarifications & Exceptions Form
- 6. Alcohol & Drug Free Acknowledgment of Policy Form
- 7. Bid Bond Form
- 8. Non-Collusion Affidavit Form
- 9. Addendum Acknowledgment and Signature Page Form
- 10. Sample Contract No. 24004