REQUEST FOR PROPOSALS

OPC-2013-3

Legal services for the

Electricity reliability and undergrounding power lines

Sponsored by the

Office of the People's Counsel for the District of Columbia

RFP Issue Date:	October 25th, 2012
Proposal Due Date:	November 8th, 2012

RFP No. OPC-2013-3

SECTION 1 - SCOPE OF WORK

I. Introduction

The Office of the People's Counsel for the District of Columbia ("OPC") or ("Office") the statutory representative for District of Columbia ratepayers and consumers, pursuant to D.C. Official Code § 34-804, seeks legal services from qualified firms and individuals with knowledge and expertise in area of consumer

The selected offeror should have substantive knowledge in the area of dealing with the legal aspects electric reliability and undergrounding of power lines.

II. Background

Following the Derecho storm on June 29th that left thousands of District residents without power for more than 5 days, the Mayor signed an Executive Order creating the .District of Columbia Power Line Undergrounding Task Force ("Undergrounding Task Force"). The purpose of the task force is to advise the Mayor on the general causes of storm related power outages in the District, actions that may be taken to reduce future storm related outages and the undergrounding of power lines. The Office has been named as one of the members of this task force.

The Undergrounding Task Force will deal with a range of issues all relating to electric reliability. Over the past ten years, the Office has actively participated in a number of proceedings before the District of Columbia Public Service Commission ("Commission") dealing with the issue of electric reliability.

Legal Tasks

Investigate the general causes of storm-related power outages in the District;

Obtain and examine information related to major storm-related power outages in the District in the past ten (10) years, including the number of customers impacted by the outages and the duration of the outages;

Investigate the cost and feasibility of undergrounding existing overhead power lines in the District, including undergrounding all power lines, undergrounding only mainline primary lines, and undergrounding targeted assets, and the impacts of undergrounding on reliability and restoration time;

Examine other potential impacts of the undergrounding of power lines, including impacts on the environment, infrastructure, health and safety, and quality of life;

Examine options that may be taken instead of or in addition to undergrounding power lines to reduce the number of customers impacted by power outages due to storms and to reduce the duration of such power outages; and

Transmit to the Mayor by December 31, 2012, a written report setting forth the findings and recommendations of the Task Force

OPC recognizes that there are limited circumstances where, for unforeseeable reasons, the scope of work will necessarily expand beyond that reasonably contemplated in the original proposal. Therefore, the Office will consider written requests for additional compensation addressed to the Office at least fourteen (14) business days prior to commencing the work for which additional compensation is sought to enable the Office to consider the request. No work may be commenced until the Office and the successful offeror have executed a contract amendment for the additional compensation.

SECTION 2 – INDEPENDENT CAPACITY; NON-ASSIGNABILITY

The successful offeror and any agents and employees thereof shall, in the performance of work under the proposal and this RFP, act in an independent capacity and not as officers or employees of the District of Columbia government. The successful offeror shall not assign nor transfer any interest under the contract resulting from this RFP without the prior written consent of OPC.

SECTION 3 – INDEMNIFICATION

The successful offeror agrees to indemnify, defend, and hold harmless the Office of the People's Counsel and the District of Columbia government, its officers, employees and agents from any and all claims and/or losses accruing or resulting to persons, firms, or corporations who may be injured or damaged by the successful offeror in the performance of its duties and responsibilities under the proposal accepted by OPC and also from and against any liability, including costs and expenses, for violation of proprietary rights, copyrights, or rights of privacy or confidentiality arising out of the publication, translation, reproduction, delivery, performance, use or disposition of any data furnished pursuant to this engagement or based on any libelous or otherwise unlawful matter ciontained in such data.

SECTION 4 – ACCESS TO RECORDS

The successful offeror agrees that OPC, through its authorized agents and employees, shall have the right to examine and audit such books, records, and other documents in the possession or control of the successful offeror as necessary to verify the fees, charges and expenses billed to the Office under this engagement.

SECTION 5 – CONFIDENTIALITY OF PROPOSALS, WORK PAPERS AND MATERIALS

The proposal submitted in response to this RFP shall be considered a public document and will be available for public inspection upon receipt by OPC. The successful offeror agrees that the Office shall own and have unlimited right to all interim and final written testimony, exhibits, or reports, and that the successful offeror shall not assert any rights or establish any claim under existing copyright, patent, or data law as to such material or processes. The successful offeror further agrees that upon request it will submit to the Office original or legible copies of all work papers created by the successful offeror in support of its testimony, exhibits, or reports during the course of this engagement.

SECTION 6 – TERMS AND CONDITIONS

This RFP does not bind or otherwise commit OPC to enter into a contract or to pay any cost incurred in the preparation of a proposal in response to this request. OPC reserves the right to accept or reject any or all proposals received, to negotiate with all qualified sources, or to cancel or modify this RFP in whole or in part. OPC reserves the right to request additional written data, information, oral discussion, or presentations in support of any written proposal or portion thereof which is deemed necessary to clarify any aspect of a proposal.

SECTION 7 – TERMINATION OF AGREEMENT

It is understood and agreed that if, through any cause or for any reason, the successful offeror fails to fulfill in a timely and professional manner the obligations under the successful proposal, or violates any of the terms of this RFP or contract entered into pursuant to this RFP, the Office shall have the right to terminate the contract by giving written notice of termination. In the event of such termination, all finished or unfinished documents, data, studies, testimony, exhibits, or other material prepared or being prepared pursuant to this engagement shall, at the option of the Office, become OPC's property and the successful offeror shall be entitled to receive just and equitable compensation for any reasonably satisfactory work performed.

SECTION 8 – TIMING/DEADLINE FOR SUBMISSION OF PROPOSALS

The times stated in this document refer to Eastern Standard Time (EST). The closing date for proposals is **no later than 4:00 p.m. EST on Thursday, November 8, 2012. Please submit your response under seal to:**

Naunihal Singh Gumer
Director of Regulatory Finance
Office of the People's Counsel for the District of Columbia
1133 15th Street, N.W. Suite 500
Washington, D.C. 20005
ngumer@opc-dc.gov

SECTION 9– ELIGIBLE OFFERORS

To be eligible, the offeror must demonstrate technical capabilities, competence, and resources to perform the duties as delineated in the Scope of Work in Section 1 of this RFP.

SECTION 10 – PROPOSAL REQUIREMENTS

Proposals submitted in response to this request must meet the following conditions to be considered for selection. Faxed proposals will not be accepted under any circumstances.

PROPOSALS MUST BE WRITTEN ENTIRELY ON 8½" x 11" PAPER. PROPOSALS MUST INCLUDE ALL NECESSARY APPENDICES AND ATTACHMENTS.

Proposals must be accompanied with a cover page that clearly states the name of the offeror and the name and address of the firm or individual, as well as the telephone number, fax number, and e-mail address of the person who may be contacted directly regarding the proposal. Proposals must be signed by a principal, officer or partner authorized to bind the offeror contractually. A proposal must be submitted in the format outlined herein. Pages of the proposal must be numbered.

SECTION 11 – LIST OF ATTACHMENTS

Attachment A Special Provisions

ATTACHMENT A

SECTION A: PROPOSAL REQUIREMENTS

A.1. List of Required Documentation

Offerors will be required to submit the following information with their proposals:

a. An executive summary that provides an overview
b. A statement of the offeror's experience
c. A list of key individuals and their resumes
d. A list of credentials
e. A list of area (s) of expertise
f. A list of years of experience
g. A detailed cost and price proposal

A.2 Work Plan(s)

Offerors must briefly describe clearly and specifically their proposals for carrying out the responsibilities associated with the Scope of Work in Section 1 of this RFP. Additionally, offerors should be prepared to clearly and completely describe in detail their proposals as soon as possible after the contract award, including a timeline for all deliverables. The timeline must identify the key milestones, tasks, activities and events outlined in the Scope of Work.

A.3 Prior Experience and Qualifications

Offerors must describe their prior experience and qualifications with respect to their knowledge and expertise in the implementation of advanced metering infrastructure and the education of utility consumers about advanced metering infrastructure and the smart grid. The offeror should have specialized knowledge of customer service issues as relates to AMI and the smart grid.

A.4 Personnel

Offerors must identify the persons who will perform tasks outlined in the Scope of Work set forth in this RFP and provide a detailed resume for each individual that describes the qualifications applicable to the performance of the tasks for which the individual will be responsible. Please include an organizational chart showing reporting relationships of team personnel. OPC must be notified of any personnel changes if individuals assigned to work on this project(s) are relieved of their responsibilities or reassigned. Offerors must designate one individual as the project manager and this individual shall be responsible for project management, reporting, coordination, and accountability for the entire project.

A.5 Budget

Offerors must justify all costs in terms of activities and objects of expenditure to ensure the costs are reasonable and necessary to the project as outlined in the Scope of Work in this RFP. Financial resources must be adequately and appropriately allocated among cost categories in a cost-effective and prudent business manner to accomplish the RFP objectives and activities. Services to be purchased from other agencies; subcontractors; consultants; and others must be specified.

Proposals must provide the total charges to be provided for the services rendered in the following format listing the hourly rate for every person.

NAME	BILLING RATE	HOURS	EXPENSES	TOTAL
Partner/Principal				
Project Manager (if any)				
All others (by name)				
All other fees or expenses				

Each proposal must contain the following statement:

> **The Office of the People's Counsel shall pay (offeror) as full compensation for all authorized work performed and accepted including all costs, fees and expenses, an amount not to exceed $ _____.**

The Office reserves the right to disallow expenses charged for this engagement if OPC determines such expenses are unreasonable. The successful offeror must make every effort to minimize the cost of hotels, meals and transportation.

A.6 Statement Regarding Potential Conflicts of Interest

Each offeror must identify any relationships between itself or its employees and the companies under the jurisdiction of the Public Service Commission of the District of Columbia, or any parent, subsidiary, or affiliate of such companies. The extent, nature, and time aspects must be identified. If there are or have been no such relationships, a statement to that effect shall be included in the proposal. Failure to provide the statement on potential conflicts of interest will automatically disqualify the offeror.