



**REQUEST FOR QUALIFICATIONS  
INDEPENDENT EVALUATOR LIST  
RFQ No.: 21-89482  
Office of Energy Infrastructure Safety  
- in partnership with -  
California Department of Forestry and Fire Protection**

November 5, 2021:

You are invited to review and respond to this Request for Qualification (RFQ). To submit a statement of qualifications (SOQ) for these services, you must comply with the instructions contained in this document as well as the requirements stated in the Scope of Work. By submitting a SOQ, the Applicant agrees to the terms and conditions stated in this RFQ.

**NOTE:** THE DEADLINE FOR SUBMITTAL OF STATEMENTS OF QUALIFICATIONS IN RESPONSE TO THIS REQUEST FOR QUALIFICATIONS IS:  
December 7, 2021 at 2:00PM PST

**Department Contact:**

Eric Waddell  
Department of General Services  
Office of Business and Acquisition Services  
707 Third Street, MS 508  
West Sacramento, CA 95605

Email: [eric.waddell@dgs.ca.gov](mailto:eric.waddell@dgs.ca.gov)  
Subject: RFQ# 21-89482 (Applications/Questions)

## TABLE OF CONTENTS

<b>1. GENERAL INFORMATION/INTRODUCTION</b> .....	1
1.1 BACKGROUND .....	1
1.2 LEGISLATIVE REVIEW .....	1
1.3 COPYRIGHT .....	2
1.4 RFQ OWNERSHIP .....	2
1.5 KEY ACTION DATES .....	2
1.6 KEY CONTACT INFORMATION .....	3
<b>2. CONFLICT OF INTEREST REQUIREMENTS</b> .....	3
2.1 GENERAL DESCRIPTION .....	3
2.2 DEFINITIONS .....	3
2.3 CONFLICT OF INTEREST REVIEW AND EVALUATION .....	4
2.4 PROHIBITIONS AND OBLIGATIONS RELATED TO CONFLICT OF INTEREST .....	4
2.5 TERMINATION / DE-ENLISTMENT CRITERIA .....	5
<b>3. SCOPE OF WORK</b> .....	5
3.1 TASK 1 – PROJECT TEAM MANAGEMENT AND QUALITY CONTROL .....	5
3.2 TASK 2 – WILDFIRE MITIGATION PLAN INITIATIVE COMPLIANCE VERIFICATION: EXECUTION OF WMP GOALS AND TARGETS .....	6
3.3 TASK 3 – WILDFIRE MITIGATION PLAN INITIATIVE FUNDING VERIFICATION: FAILURE TO FUND WMP ACTIVITIES .....	8
3.4 TASK 4 – VALIDATION OF WILDFIRE MITIGATION PLAN COMPLIANCE QUALITY ASSURANCE/QUALITY CONTROL PROGRAMS: VALIDATION OF ALL QUALITY ASSURANCE (QA) AND QUALITY CONTROL (QC) PROGRAMS FOR WMP COMPLIANCE .....	9
3.5 INDEPENDENT EVALUATOR OVERSIGHT AND WAYS OF WORKING .....	9
3.6 APPROVAL PROCESS OF FINAL DELIVERABLE - IE ANNUAL REPORT ON COMPLIANCE .....	10
<b>4. RESPONSE REQUIREMENTS FOR THIS RFQ</b> .....	10
4.1 MINIMUM QUALIFICATIONS .....	10
4.2 APPLICANT RESPONSIBILITY .....	11
4.3 SOQ SUBMITTAL REQUIREMENTS .....	11
4.3.1 ATTACHMENT A - TRANSMITTAL LETTER .....	11
4.3.2 ATTACHMENT B - INDEPENDENT EVALUATOR APPLICATION .....	12
4.3.3 ATTACHMENT C - REFERENCE SHEET .....	12
4.3.4 ATTACHMENT D - CONFLICT OF INTEREST DECLARATION .....	12
4.3.5 ATTACHMENT E - SOQ SUBMITTAL CHECKLIST .....	12
<b>5. EVALUATION PROCESS</b> .....	12
<b>6. CONTRACTING PROCESS</b> .....	13
6.1 SMALL BUSINESS AND DISABLED VETERAN BUSINESS ENTERPRISE PROGRAM .....	13
<b>7. PROJECT SUPERVISION</b> .....	13
<b>8. WITHDRAWAL AND DISPOSITION OF THIS RFQ</b> .....	14
ATTACHMENT A – Independent Evaluator Transmittal Letter .....	15
ATTACHMENT B – Independent Evaluator Application .....	16
ATTACHMENT C – Reference Sheet .....	17
ATTACHMENT D – Conflict of Interest Declaration .....	18
ATTACHMENT E – SOQ Submittal Checklist .....	19

# 1. GENERAL INFORMATION/INTRODUCTION

The Office of Energy Infrastructure Safety (Energy Safety),<sup>1</sup> in consultation with the California Department of Forestry and Fire Protection (CAL FIRE), is tasked with establishing a list of Independent Evaluators (IE) list. As a result of this Request For Qualifications (RFQ), a list of qualified firms will be created from which the electrical corporations will engage an IE for a 1 (one) year term.

The purpose of this RFQ is to develop a list of IEs qualified to review and assess electrical corporation compliance with their approved Wildfire Mitigation Plans (WMPs), assist electrical corporations in assessing their safety compliance, and perform safety inspections of new and existing electric distribution and transmission systems in high fire threat zones. Energy Safety is soliciting Statements of Qualifications (SOQs) from qualified firms interested in being on the IE list to perform the various functions outlined in the Scope of Work as noted below. Qualified firms must be able to demonstrate compliance with the Conflict of Interest (COI) terms, that are identified in Section 2 of this RFQ.

## 1.1 BACKGROUND

In accordance with Public Utilities Code (PU Code) 8386.3(c)(2)(A), before March 1, 2021, and before each March 1 thereafter, the Wildfire Safety Division (“WSD”, now Energy Safety) in consultation with CAL FIRE, shall make available a list of qualified IEs with experience in assessing the safe operation of electrical infrastructure. Each electrical corporation shall engage an IE listed pursuant to subparagraph (A) to review and assess the electrical corporation’s compliance with its approved WMP. The engaged IE shall consult with, and operate under the direction of, Energy Safety. Costs incurred for hiring listed IEs shall be the sole responsibility of the electrical corporation and not Energy Safety or CAL FIRE.

## 1.2 LEGISLATIVE REVIEW

PU Code 8386.3(c)(2)(B)(i), (ii), (iii) and (iv) state, “(i)...The independent evaluator shall issue a report on July 1 of each year in which a report required by paragraph (1) is filed. As a part of the independent evaluator’s report, the independent evaluator shall determine whether the electrical corporation failed to fund any activities included in its plan.

(ii) The Wildfire Safety Division shall consider the independent evaluator’s findings, but the independent evaluator’s findings are not binding on the division, except as otherwise specified.

(iii) The independent evaluator’s findings shall be used by the Wildfire Safety Division to carry out its obligations under Article 1 (commencing with Section 451) of Chapter 3 of Part 1 of Division 1.

(iv) The independent evaluator’s findings shall not apply to events that occurred before the initial plan is approved for the electrical corporation.”

California is facing unprecedented wildfire risk, including continued threat of utility-related wildfires. Energy Safety is responsible for monitoring electrical corporation’s compliance with safety requirements set forth in the California Public Utilities Code and WMPs. The IEs will work in conjunction with Energy Safety to provide additional safety and compliance assurance, with a specific focus on electric overhead facilities located in high fire threat district areas (as defined by CPUC [Fire-Threat Map](#)) and electric operations as they relate to implementing all related activities described in the respective electrical corporation’s approved WMP. A list of IEs will be

---

<sup>1</sup> Pursuant to Public Utilities Code Section 326(b), on July 1, 2021, the Wildfire Safety Division (WSD) transitioned from the Commission into the Office of Energy Infrastructure Safety under the California Natural Resources Agency. Energy Safety “is the successor to” and “is vested with all of the duties, powers, and responsibilities of the Wildfire Safety Division” (Government Code Section 15475). Any reference to the WSD in statute or otherwise is synonymous with Energy Safety.

generated from the responses collected from this RFQ.

Throughout the IE's approval term (i.e. – date IE added to IE list to date of renewal/expiration), the IEs must maintain a team that has adequate time available and the necessary expertise to adequately cover all tasks outlined in this RFQ and the Scope of Work, and meet the expectations set by Energy Safety staff.

### **1.3 COPYRIGHT**

By submitting a response, the Applicant agrees that Energy Safety may copy the response for purposes of facilitating evaluations or to respond to requests for public records. The Applicant represents that such copying will not violate any copyrights in the materials submitted. The Applicant understands that Energy Safety will publish company information on the internet so that Energy Safety employees, CAL FIRE employees, and electrical corporations have access to the most accurate information.

### **1.4 RFQ OWNERSHIP**

Energy Safety and CAL FIRE will not be responsible for any costs incurred by the Applicant or their associates in preparing, delivering, or presenting responses to this RFQ. By submitting a response to this RFQ, the Applicant accepts that Energy Safety will keep a copy of the response and all other documentation and correspondence received from the Applicant. Once submitted, the Applicant responses will be the property of the State of California and will not be returned.

### **1.5 KEY ACTION DATES**

The following table indicates the key dates of this RFQ process. Any SOQs received after the Final Due date and time may be rejected. Key Action Dates subsequent to the "Final SOQ Due Date" are subject to change at Energy Safety's discretion without issuing an addendum to this RFQ. If the RFQ is modified prior to the Final SOQ Due Date, Energy Safety will issue an addendum via the Cal eProcure website.

**NOTE:** Questions regarding how electrical corporations intend to hire/pay for/work with listed IEs will not be addressed via this solicitation and/or the Questions and Answers Addendum.

**Table 1 Key Action Dates** on next page.

**Table 1 Key Action Dates**

<b>PU Code (If applicable)</b>	<b>Key Actions/ Summary of Requirement</b>	<b>Due Date</b>
	RFQ released; Posted on Cal eProcure website	<b>November 5, 2021</b>
	Deadline for Submission of Written Questions	<b>November 19, 2021</b>
	Responses to Written Questions Posted on Cal eProcure	<b>November 30, 2021</b>
	<b>Final SOQ Submission Date</b>	<b>December 7, 2021</b>
	SOQ Responsiveness Evaluation Completed By	<b>December 17, 2021</b>
	Qualified IE List Posted for Public Comment	<b>December 20, 2021</b>
	Final Public Comments Submission Date	<b>January 3, 2022</b>
8386.3(c)(2)(A)	IE list published on Energy Safety's e-Filing System under the 2021 IE case for use by electrical corporations	<b>February 28, 2022</b>
8386.3(c)(1)	Electrical corporations to submit Annual Report on Compliance (ARC) addressing compliance with its respective WMP during the prior compliance period (i.e., calendar year)	March 31, 2022
	Draft IE ARCs submitted to Energy Safety for review	June 10, 2022
8386.3(c)(2)(B)(i)	Final IE ARCs published on Energy Safety's e-Filing System under the 2021 Independent Evaluator case	June 30, 2022
	Stakeholder comment on final IE ARCs	July 22, 2022
	Electrical Corporation response to final IE ARC report	July 29, 2022

**1.6 KEY CONTACT INFORMATION**

Eric Waddell  
 Email: eric.waddell@dgs.ca.gov  
 Mailing Address:  
 DGS, 707 Third Street, MS 508  
 West Sacramento, CA 95605

**2. CONFLICT OF INTEREST REQUIREMENTS**

**2.1 GENERAL DESCRIPTION**

Throughout the term of this RFQ and subsequent award of contracts, successful IEs and associated team members shall read and abide by the Conflict of Interest provisions specified by the Fair Political Practices Commission (FPPC) as identified in the Conflict of Interest presentation located at <http://www.fppc.ca.gov>. Any current Energy Safety contractor able to review IE reports shall be considered to have a conflict of interest for the purpose of this solicitation. This would include Energy Safety contractors providing compliance assurance and forensic accounting audit support.

**2.2 DEFINITIONS**

- a. "Conflict of Interest" means: a) any activity or interest prohibited by any applicable Federal or State law, including the Political Reform Act, relating to conflicts of interest and any regulation under them; b) party to an applicable Energy Safety proceeding or related; c) any financial interest or relationship that may impair the ability of the individual or firm to deliver fair unbiased work for the State.

- b. "Covered Entities" means any Applicant or parties, including those associated to a proceeding with influence on or interest in the outcome for a project undergoing an IE audit where the Energy Safety is a Lead or Responsible Agency, or the successor proceeding(s) to those proceedings.
- c. "Listed Independent Evaluator" means a firm(s) that has been accepted by Energy Safety to appear on the list of IEs that may receive a contract to conduct safety compliance and safety inspection assignments resulting from this RFQ. The IE includes all Team Members.
- d. "Team Member" includes a) any firm (either as a prime or sub) whether incorporated or not, including a sole proprietorship ("firm Team Member"); and b) any individual, whether an employee, independent consultant or other ("Individual Team Member"). An exception to "Team Member" for the purpose of this Conflict of Interest section is any firm or individual that may incidentally perform work in conjunction to being a Listed IE, but for whom no direct work, supervisory work, or indirect work under this RFQ or any resulting Agreement involves or is expected to involve the exercise of judgment (e.g. reprographics subcontractors or event management subcontractor firms may not be subject to conflict of interest provisions.)

### **2.3 CONFLICT OF INTEREST REVIEW AND EVALUATION**

- a. Energy Safety may score the proposers to this RFQ based on the presence or absence of potential conflicts.
- b. Energy Safety may conditionally include an IE on the list with specific restrictions excluding a particular electrical corporation if there is a Conflict of Interest issue with only that electrical corporation but the IE is otherwise qualified.
- c. Energy Safety may terminate an IE's enlistment, or any team members' portion therein, if a Conflict of Interest issue arises and is confirmed. See Termination / De-Enlistment section 2.5 below.
- d. Energy Safety may request and agree to reasonable mitigation plans to reduce or eliminate any harm, or potential harm, from Conflicts of Interest.

### **2.4 PROHIBITIONS AND OBLIGATIONS RELATED TO CONFLICT OF INTEREST**

#### **a. Prohibitions**

During the duration of any contract between a qualified IE and an electrical corporation, the IE and any Team Member shall not engage in any activity that would constitute a Conflict of Interest.

#### **b. Obligations**

For the term of this RFQ and subsequent award of any contracts pursuant to being identified as an IE, all Team Members will be obligated to:

- i. Comply with the requirements herein for all proposed Team Members unless expressly excluded.
- ii. Avoid any activity, agreement, business investment, or interest that leads to a Conflict of Interest or the perception of a Conflict of Interest during the terms of an electrical corporation Agreement and IE enlistment period.
- iii. Avoid any activity, agreement, business investment, or interest that impairs their ability to act independently and serve Energy Safety pursuant to Public Utilities Code Section 8386 et. seq, particularly an activity with an electrical corporation and/or an activity related to the specific project.

- iv. Avoid any activity that impairs their ability to provide impartial, technically sound, objective assistance, such that the Team Member can provide unbiased work products.
- v. Avoid any activity that may provide an opportunity to benefit from having access to confidential information related to this work and/or use information gained in the course of this project to provide an unfair competitive advantage to a Team Member.
- vi. Comply with notice and disclosure obligations described below, including signing Conflict of Interest statements at the firm and individual level.
- vii. Comply with any and all applicable Conflict of Interest Laws and the Conflict of Interest terms of this RFQ or any resulting Agreement, including maintaining Conflict of Interest Procedures at the firm level.

## **2.5 TERMINATION / DE-ENLISTMENT CRITERIA**

Energy Safety will routinely review both the Independent Evaluators' work products and Conflict of Interest provisions to ensure that the Independent Evaluator continues operating consistently with the requirements set forth in the Public Utilities Code, Section 8386.3. Energy Safety may initiate an investigation if it is brought to attention through internal or external sources that the Independent Evaluator is acting inconsistent with the expectation of this solicitation or the authorizing statute.

Based on the severity of any infractions discovered in the investigation, Energy Safety may either notify the electrical corporation and the Independent Evaluator of required corrective actions or may recommend that the Independent Evaluator be removed from the list of qualified Independent Evaluators. Parties will have 30-days to submit responses to Energy Safety on any recommendations to de-enlist an Independent Evaluator. The final determination will be made by the Director of Energy Safety after review of stakeholder and public comments.

## **3. SCOPE OF WORK**

This section contains a generalized version of the roles, responsibilities, and varied tasks expected of the independent evaluator. No work shall be performed without prior approval by the assigned Energy Safety Program Manager or designee.

Although the independent evaluator functions as Energy Safety's delegate for assessing WMP compliance, Energy Safety has the final authority over determining whether an electrical corporation is in compliance with their WMP, the various Public Utilities Codes (PU Code), and any other rules, guidelines, or regulations within Energy Safety's authority. As an Energy Safety delegate, the independent evaluator shall abide by any interpretation of the rules and regulators made by Energy Safety. Additionally, all independent evaluator team members shall be approved by Energy Safety, including additions or replacement team members through a process established by the Energy Safety Program Manager or designee.

The independent evaluator shall perform administrative functions, complete a series of specific plan reviews, review data, records, and documents, conduct site-inspections, and conduct interviews, as necessary, to review electrical corporation compliance with approved WMPs in accordance with the tasks outlined in this scope of work. Required independent evaluator tasks include Tasks 1-4, below.

### **3.1 TASK 1 – PROJECT TEAM MANAGEMENT AND QUALITY CONTROL**

The IE shall:

1. Attend and participate in Energy Safety team meetings as requested by Energy Safety. The majority of these meetings will be hosted via Microsoft Teams or other virtual

meeting platforms.

2. Establish a Program Management Office (PMO) and develop all standard PMO processes and procedures, including but not limited to project charter, project plans, project tracking, governance plan, communication plan, forms and templates, deliverable timelines, cost tracking, project risk analysis and other project support functions as required by Energy Safety.
3. Develop procedures required to establish the IE's audit and field inspection program, including process for coordinating audit and field inspections with electrical corporations, audit and inspection scheduling, auditor/inspector assignments, guidelines for performing work in the field, documentation requirements, issue escalation and other supporting processes as required by Energy Safety.
4. Supervise and manage IE's personnel, including daily management and tracking of all IE's personnel location and work assignments.
5. Plan, organize, review, monitor, train and provide general direction to IE staff.
6. Confirm completion of the necessary technical and safety training necessary for evaluating work associated with the construction, operation, and maintenance of electrical lines and equipment in various environments.
7. Ensure IE personnel has the appropriate Personal Protective Equipment (PPE) required by electrical corporations and Energy Safety.
8. Ensure IE personnel has the appropriate inspection tools that include but are not limited to: mobile devices, laptops, cameras, global positioning systems (GPS), rangefinders, flashlights, and measuring devices.
9. Monitor the health and safety of personnel working in a hazardous environment (i.e., electrical safety risks).
10. Ensure that all files and documentation shall adhere to Energy Safety standards of the Microsoft Suite of products including Microsoft Project, and, where appropriate, established GIS products.
11. Coordinate with the electrical corporations operating the electric infrastructure being inspected, Energy Safety, and other parties as required by Energy Safety. IE shall maintain open and clear communication, in accordance with the methods, format, and instructions provided by Energy Safety.

### **3.2 TASK 2 – WILDFIRE MITIGATION PLAN INITIATIVE COMPLIANCE VERIFICATION: EXECUTION OF WMP GOALS AND TARGETS**

To satisfy the requirement of 8386.3(c)(2)(B)(i), each electrical corporation shall engage an IE listed to review and assess the electrical corporation's compliance with its WMP.

The IE shall:

1. Obtain from electrical corporations a categorized list (as detailed in Table 2 below) of all WMP initiatives and accompanying goals and targets that are in scope for the IE review.
2. On an as-needed basis, request additional documentation and conduct subject matter expert (SME) interviews.
3. Select sample to field verify (Energy Safety shall have final approval over sample selection).
4. Confirm electrical corporation adherence to applicable standards and protocols for completing such work and verify specific items for each WMP initiative category. Refer



to Table 2 below for Categories and Specific Verifications to be performed by IE.

5. Extrapolate verification results across entire sample population to evaluate whether performance goal/target met.
6. Timely report to the electrical corporation any issues that pose an imminent safety hazard and include documentation of any such issues and reports in its Annual Report on Compliance (ARC).
7. Include a subsection for each WMP initiative category in Table 2 in the Task 2 section of its IE (ARC) and discuss its assessment and findings.

**Table 2 WMP Initiative Categorization & IE Verifications Required** on next page.

**Table 3 WMP Initiative Categorization & IE Verifications Required**

<p><b>Category 1</b> Large volume (≥100 units) + quantifiable goal/target + field verifiable WMP initiative.</p> <p><u>Specific verifications to be performed by IE:</u></p> <ul style="list-style-type: none"><li>• Installation</li><li>• Work quality (i.e., adherence to applicable standards and protocols)</li></ul>
<p><b>Category 2</b> Large volume (≥100 units) + quantifiable goal/target + non-field verifiable WMP initiatives.</p> <p><u>Specific verifications to be performed by IE:</u></p> <ul style="list-style-type: none"><li>• Work completion/performance</li></ul>
<p><b>Category 3</b> Small volume (&lt;100 units) + quantifiable goal/target WMP initiatives.</p> <p><u>Specific verifications to be performed by IE:</u></p> <ul style="list-style-type: none"><li>• Installation or work completion/performance</li><li>• Work quality (if installation)</li></ul>
<p><b>Category 4</b> Qualitative goal/target WMP initiatives.</p> <p><u>Specific verifications to be performed by IE:</u></p> <ul style="list-style-type: none"><li>• Work completion/performance</li></ul>

**3.3 TASK 3 – WILDFIRE MITIGATION PLAN INITIATIVE FUNDING VERIFICATION: FAILURE TO FUND WMP ACTIVITIES**

In addition to determining whether the electrical corporation complied with its WMP goals and targets, the IE shall determine whether the electrical corporation failed to fund any activities included in its WMP (8386.3(c)(2)(B)(i)).

The IE shall:

1. Use all available information, including approved WMPs and associated filings (e.g., Quarterly Initiative Update (QIU), Quarterly Notifications (QNs), Quarterly Data Reports (QDRs), WMP Progress Reports, etc.) and memorandum account information, to determine utility projections for funding of WMP activities. Memorandum account information includes but is not limited to Wildfire Mitigation Plan Memorandum Account (WMPMA), Fire Risk Mitigation Memorandum Account (FRMMA), Fire Hazard Prevention Memorandum Account (FHPMA), and Catastrophic Event Memorandum Account (CEMA).
2. On an as-needed basis, request additional documentation or SME interviews to determine funding projections.
3. Document all instances in which WMP activities were funded less than 100 percent, as well as request and document electrical corporation explanation for all such instances.
4. Formulate Task 3 section of the IE ARC in accordance with Generally Accepted Auditing Standards / Generally Accepted Government Auditing Standards (GAAS/GAGAS).

### **3.4 TASK 4 – VALIDATION OF WILDFIRE MITIGATION PLAN COMPLIANCE QUALITY ASSURANCE/QUALITY CONTROL PROGRAMS: VALIDATION OF ALL QUALITY ASSURANCE (QA) AND QUALITY CONTROL (QC) PROGRAMS FOR WMP COMPLIANCE**

Pursuant to 8386.2(c)(2)(B)(i), IEs operate under the direction of Energy Safety. In accordance with directing such operations, Energy Safety requires each IE to list, describe, and validate electrical corporation quality assurance and quality control programs for ensuring WMP compliance.

The IE shall:

1. Obtain from electrical corporations a complete list of existing QA and QC programs with detailed descriptions.
2. On an as-needed basis, request additional documentation and conduct SME interviews.
3. Review all documentation and perform interviews, as needed, to validate QA and QC programs.
4. Include a description of all WMP compliance QA and QC programs in the final IE ARC.

### **3.5 INDEPENDENT EVALUATOR OVERSIGHT AND WAYS OF WORKING**

1. Energy Safety expects the IE to have all necessary and appropriate tools and systems to meet the requirements of performing an independent evaluation of electrical corporation compliance with its WMP.
2. IE shall ensure its staff performing field inspections have all necessary and appropriate capabilities and training to perform such work.
3. Consistent with the WMP discovery period, the IE shall instruct electrical corporations to provide data request responses within three (3) business days.
4. The IE shall not make any determination of substantial compliance with WMPs. Determining substantial compliance is the explicit authority of Energy Safety.
5. The IE shall review work quality and adherence to applicable protocols and procedures, in addition to verification of work completion/installation.
6. The IE shall ensure the following contract terms are **not** included in the executed agreement between the IE and electrical corporation:
  - a. Electrical corporation holds sole discretion to terminate the IE and/or team member
  - b. Electrical corporation holds sole discretion to change scope of work
  - c. Electrical corporation holds sole authority to approve any/all deliverables
  - d. Energy Safety is named as the authority to approve invoices
  - e. Drafts of IE work product are sent to electrical corporation for review
  - f. The IE solely takes direction from the electrical corporation
7. Costs incurred for hiring listed IEs shall be the sole responsibility of the electrical corporation and not Energy Safety or CAL FIRE.
8. IEs are to view the above Tasks as minimum expectations and are encouraged to expand evaluation criteria within the scope of statute, when possible.
9. All electronic communications (i.e. – email) containing exchanges of information and/or documents material to the IE's evaluation of WMP compliance between the IE and

electrical corporation shall include a copy to a designated Energy Safety representative and the following inbox: [Compliance@energysafety.ca.gov](mailto:Compliance@energysafety.ca.gov)

### **3.6 APPROVAL PROCESS OF FINAL DELIVERABLE - IE ANNUAL REPORT ON COMPLIANCE**

1. The IE shall submit to Energy Safety the draft IE ARC for review by the date identified in Table 1. Any necessary revisions shall be addressed by the IE prior to the final submittal of the IE ARC. **The electrical corporation shall not review the IE ARC report in its draft form.**
2. The final IE ARC shall be delivered to Energy Safety by the date identified in Table 1 via an agreed upon submission method.
3. Energy Safety will post the final IE ARC publicly on the applicable IE docket within the Energy Safety e-Filing System.
4. After posting of the final IE ARC, the electrical corporations will have thirty (30) days to respond to the IE findings. Any electrical corporation responses shall be submitted to the applicable IE docket within the Energy Safety e-Filing System.
5. Energy Safety shall receive all draft deliverables and approve all final deliverables.

## **4. RESPONSE REQUIREMENTS FOR THIS RFQ**

### **4.1 MINIMUM QUALIFICATIONS**

The Applicant's team shall fulfill the following minimum qualifications and provide documentation to verify each qualification as required:

1. The Applicant shall have an established headquarters or office in California.
2. The Applicant's team shall meet the minimum licensing and certification requirements and shall include a copy of the licenses and certifications with its SOQ.
3. The Applicant shall work statewide, in coordination with various electrical corporations, their crews and Energy Safety staff, and shall be available to perform timely inspection of work being performed.
4. The Applicant's personnel performing field inspection(s) shall:
  - a. Possess a valid Driver's license,
  - b. Have the skillset and ability to drive safely in all weather and road conditions.
5. The Applicant shall certify their ability to provide the number of personnel they estimate to bring to the project (via Cover Letter).
6. The Applicant shall demonstrate, at all times, that they can and will effectively manage time and resources across multiple projects, setting work plan schedule and workflow, and respond to Energy Safety and/or electrical corporation needs in a timely and competent manner.
7. The Applicant and affiliates shall read and understand the Conflict of Interest provisions specified by the Fair Political Practices Commission (FPPC) as identified in the Conflict of Interest presentation located at <http://www.fppc.ca.gov>. Applicant and all affiliates shall submit Conflict of Interest declarations with their SOQ.
8. The Applicant shall identify all subcontractors proposed for participation in the scope of work, and the roles/responsibilities that would be assigned to each affiliate (via application).

9. If enlisted as an IE, the Applicant's team agrees to sign a Confidentiality/Nondisclosure agreement with Energy Safety for the use of data.
10. The Applicant shall adhere to the State of California Professional Engineers Act (Business and Professions Code sections 6700-6799). The Professional Engineers Act includes requirement for licensure to practice civil engineering, electrical engineering, and mechanical engineering (section 6730) and requires a licensed engineer in the State of California to certify engineering work.
11. The Applicant shall demonstrate familiarity with applying Generally Accepted Auditing Standards / Generally Accepted Government Auditing Standards (GAAS/GAGAS).
12. The Applicant or affiliates shall include team members that have extensive experience with assessing the safe operation of electrical infrastructure, which may include team members with Qualified Electrical Worker (QEW) (or equivalent) qualifications.
13. The Applicant shall certify all personnel meet all appropriate safety requirements for the work being performed, including adhering to all active and relevant local, state, and federal COVID-19 protocols.

All Minimum Qualifications certified by the Applicant may be subject to verification by Energy Safety.

#### **4.2 APPLICANT RESPONSIBILITY**

Applicants are solely responsible for understanding this RFQ and all the required terms, conditions, evaluation criteria, etc. before submitting their SOQ. If the RFQ is modified prior to the final due date, Energy Safety will issue an addendum posted on Cal eProcure. All costs resulting from the applicant's participation in the RFQ process are at the applicant's expense. If the applicant fails to meet any of the RFQ requirements or comply with Energy Safety requests, Energy Safety can reject, disqualify or remove the firm from the process. Energy Safety is not committed or obligated to award an agreement resulting from this RFQ.

#### **4.3 SOQ SUBMITTAL REQUIREMENTS**

One (1) complete copy of the SOQ and supplemental documentation shall be submitted in PDF format via email to: [eric.waddell@dgs.ca.gov](mailto:eric.waddell@dgs.ca.gov). If the submission is incomplete or is not received by deadlines specified in the Key Action Dates, then the submission may be deemed non-responsive.

#### **SOQS MUST BE IN THE FOLLOWING FORMAT AND CONTAIN ALL THE INFORMATION LISTED BELOW:**

##### **4.3.1 ATTACHMENT A - TRANSMITTAL LETTER**

Using the template provided (**Attachment A – Independent Evaluator Transmittal Letter**), elaborate on the following:

1. A brief background outlining the qualifications of the firm and any associated team members, the location of the firm's headquarters as well as the location of the primary office where the work will be performed.
2. Identify the names of the key project managers, as well as their office locations, and the details of their previous experience with Energy Safety and electrical corporations, if any. Since these individuals are the primary point of contact with Energy Safety staff and electrical corporations, their qualifications and experience with Energy Safety and electrical corporations will be carefully evaluated. If the work is to be shared among other firms and offices in different locations, indicate where each office is located, what work is to be performed in each office, and who will be doing the work.

3. A brief, summary description of the work to be performed by each team member, and their technical qualifications and previous experience with Energy Safety and electrical corporations, if any. It is imperative that firms selected for the 2021 IE list maintain a roster of highly qualified and capable team members that can demonstrate the ability to provide an expertise in the changing wildfire landscape in California, as well as maintain no conflicts of interest for the specific projects to be evaluated.
4. A list of the person(s) authorized to act on behalf of the firm during the selection process.
5. A statement of good faith indicating that a well-qualified project manager and supporting technical team will be available to perform work at various times during the term of the IE enlistment period and subsequent electrical corporation agreements, and that substitution of staff will only be done when absolutely necessary due to a change in employment status (or similar) and must be approved in advance by Energy Safety. The new IE program manager must be acceptable to Energy Safety and have similar qualifications and experience to the original.
6. No supplemental documentation elaborating on the points above (1-5) shall be submitted by the applicant. If included, they will not be reviewed and/or considered. No alternative business letter templates shall be utilized/submitted, only the **Attachment A – Independent Evaluator Transmittal Letter** shall be considered.

#### **4.3.2 ATTACHMENT B - INDEPENDENT EVALUATOR APPLICATION**

Using the template provided (**Attachment B – Independent Evaluator Application**), complete each section of the application following the instructions provided within. All sections of the application must be completed. Failure to complete all sections of the application may cause the Applicant’s submittal to be rejected from the evaluation process. No alternative application templates shall be utilized/submitted, only the **Attachment B – Independent Evaluator Application** shall be considered.

#### **4.3.3 ATTACHMENT C - REFERENCE SHEET**

Using the template provided (**Attachment C – Reference Sheet**), complete each section of the reference sheet. A maximum of three (3) references is allowed for this RFQ. No alternative reference templates shall be utilized/submitted, only the **Attachment C – Reference Sheet** shall be considered.

#### **4.3.4 ATTACHMENT D - CONFLICT OF INTEREST DECLARATION**

Using the template provided (**Attachment D – Conflict-of-Interest Declaration**), follow the instructions and complete the Conflict-of-Interest declaration. No alternative declaration templates shall be utilized/submitted, only the **Attachment D – Conflict of Interest Declaration** shall be considered.

#### **4.3.5 ATTACHMENT E - SOQ SUBMITTAL CHECKLIST**

Using the template provided (**Attachment E – SOQ Submittal Checklist**), complete the checklist. No alternative checklist templates shall be utilized/submitted, only the **Attachment E – SOQ Submittal Checklist** shall be considered.

### **5. EVALUATION PROCESS**

1. Energy Safety will evaluate each Applicant’s SOQ to determine how qualified it is to perform the tasks enumerated in Section 3, as well as the requirements of PU Code 8386.3. A selection panel comprised of Energy Safety and CAL FIRE personnel will make the final selection of IEs. This finalized list will be posted for public comment in accordance with the dates outlined in **Table 1**. After the public comment period has closed, the finalized IE list will be published to Energy Safety’s website. IEs will be

notified in writing that they have been approved to participate as an IE and may be solicited by electrical corporations for work.

2. No submission of rates or costs associated with the Applicant or team member's services shall be submitted with the Applicant's response to this RFQ. Any submission of rates or costs shall not be considered during the evaluation of the Applicant's submittal.
3. Following every IE term, an evaluation will be performed to verify the IE is meeting the expectations as outlined in this RFQ, legislation, statutes, and regulations. Based on these evaluations, Energy Safety and CAL FIRE will make recommendations to continue or to discontinue the use of specific IEs.

## **6. CONTRACTING PROCESS**

If selected for the 2021 IE list, firms will enter into an agreement directly with the electrical corporation and not Energy Safety or CAL FIRE. Additional proposals or quotes may be required by the electrical corporation in order to execute an agreement. Agreements with electrical corporations will be negotiated directly between qualified IEs and electrical corporations. Any deviation from approved application requires approval from Energy Safety to remain on the qualified IE list – regardless of contract status with electrical corporation(s). Maintaining status on IE list is required to perform any work for electrical corporations under the IE provisions in PUC 8386.3.

### **6.1 SMALL BUSINESS AND DISABLED VETERAN BUSINESS ENTERPRISE PROGRAM**

The Office of Energy Infrastructure Safety is committed to supporting the state's Small Businesses (SBs) and Disabled Veteran Business Enterprises (DVBES). For more information on how to become SB and/or DVBE certified, please contact DGS's Small Business Advocate:

DGS SB/DVBE ADVOCATE  
(279) 946-8131; Kathryn.Hill@dgs.ca.gov

## **7. PROJECT SUPERVISION**

Public Utilities Code (PUC) Section 8386.3 (c)(2)(B)(i) requires each electrical corporation to engage an IE from the list developed by Energy Safety and CAL FIRE. This PUC section also states, "The engaged independent evaluator shall consult with, and operate under the direction of, the Wildfire Safety Division..." Energy Safety will communicate regularly with the engaged IE on priorities, consistency, draft findings, deliverables and overall performance. Energy Safety may communicate with the electrical corporation and the engaged IE, or directly with the IE, as necessary. No information requested by Energy Safety shall be edited, redacted, or otherwise restricted by the electrical corporation. Failure of the IE to consult with and operate under the direction of Energy Safety may result in a formal review per Section 2.5 of this RFQ.

## **8. WITHDRAWAL AND DISPOSITION OF THIS RFQ**

It is Energy Safety's policy not to solicit SOQs unless there is a bona fide intent to draft a list of qualified firms for work needing to be performed. Energy Safety reserves the right to withdraw this RFQ at any time, and to accept or reject all SOQs received in response to this RFQ. This RFQ does not commit Energy Safety to approve a contractor or to be responsible or liable in any manner for any risks, costs or expenses incurred in the preparation of a SOQ in response to this RFQ.

Upon the creation of the IE list, all documents submitted in response to this RFQ will become the property of the State of California and will be regarded as public records under the California Public Records Act (Government Code Section 6250 et seq.) and subject to review by the public. The State cannot prevent the disclosure of public documents. It is strongly advised that sensitive, confidential, or privileged information is not disclosed in this SOQ.



# ATTACHMENT A – Independent Evaluator Transmittal Letter



OFFICE OF ENERGY INFRASTRUCTURE SAFETY  
Official Independent Evaluator Cover Letter  
FOR APPLICANT USE ONLY

---

DATE

Utilize this space to prepare the Transmittal Letter that will be submitted with the Statement of Qualifications.

**SAMPLE**

# ATTACHMENT B – Independent Evaluator Application



## RFQ K# Independent Evaluator Application (Attachment B)

INSTRUCTION: Please complete the Application and submit with SOQ.

All boxes must be populated. If an area is left blank, please explain.

**Do Not Submit Costs or Rates For Services Referenced Below**

Applicant Name:

The Applicant's Team must meet the following minimum requirements. Please provide the name(s) of the firm(s) that will assume the role or function referenced below. Applicant shall provide a copy of the licenses and certificates for applicable team members documented below. If the Applicant plans to assume the role or function, this must be documented below. Scroll down to complete sections A through I below.

### A. Project Management Office (PMO) Lead

Requirement(s): Firm(s) or individual(s) must have at minimum three (3) years of experience leading project management office(s).

Please name the Firm(s) or individual(s) that will assume this role/responsibility. Provide a brief description/narrative explaining how the requirements are being met. Additional fields have been provided for your convenience. If they are not needed, please indicate "N/A".

Firm or Individual Name:

Firm or Individual Name:

Firm or Individual Name:

Firm or Individual Name:

Justification:


### B. Lead Electrical Engineer

Requirement(s): Firm(s) or individual(s) must possess an Electrical Engineering license issued by the State of California, have verifiable knowledge and experience in electrical engineering, and be fully competent and proficient in reviewing construction documents.

Please name the Firm(s) or individual(s) that will assume this role/responsibility. Provide a brief description/narrative explaining how the requirements are being met. Additional fields have been provided for your convenience. If they are not needed, please indicate "N/A".

**SAMPLE**

# ATTACHMENT C – Reference Sheet



**RFQ K# Reference Sheet (Attachment C)**  
**INSTRUCTION: Please complete the Reference Sheet and submit with application.**

**Applicant Name:**

---

**Reference 1**

**Name of Firm:**

**Street Address (City, State, Zip):**

**Contact Person:**  **Telephone Number:**

**Dates of Service:**  **Value or Cost of Service:**

**Brief Description of Service Provided:**

---

**Reference 2**

**Name of Firm:**

**Street Address (City, State, Zip):**

**Contact Person:**  **Telephone Number:**

**Dates of Service:**  **Value or Cost of Service:**

**Brief Description of Service Provided:**

---

**Reference 3**

**Name of Firm:**

SAMPLE

# ATTACHMENT D – Conflict of Interest Declaration



## RFQ K# Conflict of Interest Declaration (Attachment D)

INSTRUCTION: Please complete the Conflict of Interest Declaration and submit with application.

Applicant Name:

Applicants need to be aware of the following provisions regarding current or former state employees and disclose any disqualifying interests from the following provisions:

### Current State Employees (Public Contract Code §10410):

1. No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.
2. No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

### Former State Employees (Public Contract Code §10411):

1. For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements, or any part of the decision-making process relevant to the contract while employed in his or her capacity for any state agency.
2. For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency in which she was employed in that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

Firewall provisions were established and Independent Evaluators are selected to best tailor the firewall provisions to the specific structure of the organization. Applicants also need to disclose the following:

1. Prior contracts during the last three years with the Covered Entities or any parent, subsidiary, or affiliate thereof. Provide the total amount of payments, duration, and nature of service;
2. Any current contracts, proposals, business relationship with, or any financial interest in any of the Covered Entities. (List the entity's name, the nature, the scope, and duration of the relationship or interest and its total monetary value.);
3. Work performed within the last three years for entities planning, developing, constructing or operating the delivery of ancillary services to California consumers (including marketing, brokering, and financial instruments). (Provide the client name, total amount of payments, duration, and nature of services provided.).

By submitting this Conflict of Interest Statement with its statement of qualifications, the Applicant named below hereby attests that:

1. The Applicant and its proposed team members, and/or anyone performing the scope of work indicated in RFQ#, are in compliance with Public Contract Code §10410 and §10411, which applies to current and former State employees.
2. The Applicant and its proposed team members, and/or anyone performing the scope of work indicated in RFQ#, agrees to refrain from entering into any relationship that could result in a conflict of interest.
3. The Applicant and its proposed team members, and/or anyone performing the scope of work indicated in RFQ#, have provided a full disclosure and additional information regarding any and all potential conflicts of interest under the terms of this RFQ.
4. The Applicant shall provide a statement, signed by the principal of each team member's firm that the conditions specified in Section 2 - Conflict of Interest Requirements relating to automatic disqualification do not exist for any proposed team member.
5. The Applicant shall notify the Office of Energy Infrastructure Safety promptly of any potential conflict of interest, including those

# ATTACHMENT E – SOQ Submittal Checklist



## RFQ K# SOQ Submittal Checklist (Attachment E)

INSTRUCTION: Please complete the Checklist and submit with application.

Applicant Name:

Required Document(s)	Status
<b>Transmittal Letter</b> Completed (All content included on Page 1, Signed on Page 2)	<input type="checkbox"/> Completed and included with application
<b>Application</b> Completed (All boxes populated with content)	<input type="checkbox"/> Completed and included with application
<b>References</b> All applicable references to demonstrate qualifications (Maximum )	<input type="checkbox"/> Completed and included with application
<b>Conflict of Interest Declaration (for Applicant and all Team Members)</b> Completed (Applicant name inserted and all necessary statements included)	<input type="checkbox"/> Completed and included with application
<b>RFQ Checklist</b> Completed (Applicant name inserted and all boxes checked)	<input type="checkbox"/> Completed and included with application

**THIS BOX IS FOR ENERGY SALES USE ONLY**

Notes:  Reviewer Names:

Pass/Fail (circle one):  
Yes  No

**SAMPLE**