

**IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT  
REQUEST FOR PROPOSAL**

E-85 PROGRAM ADMINISTRATION  
for the

IOWA DEPT. OF ECONOMIC DEVELOPMENT (IDED)  
BUSINESS DEVELOPMENT DIVISION

**SECTION A. – PURPOSE & PROPOSAL**

This Request For Proposal purpose is to solicit proposals from knowledgeable persons to administer the E-85 program authorized by 2005 Iowa Acts, House File 868, section 82. The legislation directs IDED to provide a cost-share program for financial incentives to encourage the installation or conversion of infrastructure used 1) by service stations to sell and dispense E-85 blended gasoline and, 2) on site and offsite terminal facilities which store biodiesel fuel for distribution to service stations. This legislation requires that at least 30 E-85 stations and at least 4 biodiesel blending facilities will be assisted by June 30, 2008.

The proposal for this RFP will at minimum include cost of administering the program, projected number of E-85 stations and biodiesel blending facilities to be assisted and flexible fuel automobiles potentially served by the stations and facilities, amount of assistance to provided to each station and / or facility , and estimated length of time the facilities and/ or installations to be assisted will provide E-85 or biodiesel fuels. Additionally, the criteria for deciding what facilities receive assistance and the process for making these decisions must be be a part of the Scope of Work.

**SECTION B. - PROPOSAL PROCESS**

1. **CLOSING DATE** The closing date for receipt of responses to this Request Proposal (RFP) is at 4:30 p.m. (Daylight Savings time) September 23, 2005 at the address below. It is anticipated that a final decision on the selection of a contractor will be made on or before October 7, 2005.

Joe Jones, Program Mgr. VAAPFAP  
Iowa Department of Economic Development  
Division of Business Development  
200 East Grand Avenue  
Des Moines, Iowa 50309

2. **ELIGIBLE APPLICANTS.** Applicants must meet the following minimum eligibility requirements: 1) have knowledge of the renewable fuel industry in Iowa 2) must have its principal place of operation in Iowa.

3. **SUBMISSION OF PROPOSAL** An original and two (2) copies of the proposal shall be submitted. All proposals will be considered sealed and not opened until after the closing date. The proposal shall consist of the following parts as outlined in this RFP:

(i). Cover Sheet & One Page Proposal Summary.

- (ii). Section C: Basic Data on Offerer; Qualifications and Experience.
- (iii). Section D: Budget.
- (iv). Section E: Financial Capability.
- (v). Section F: Scope of Work – Offeror’s Proposal to Implement the E-85 Program.
- (vi) Assurances, Representations and Release of Information

4. LATE PROPOSALS Proposals that do not reach the designated place, by the time and date specified will not be considered.

5. NONRESPONSIVE OR INELIGIBLE PROPOSALS Proposals which do not conform to the requirements of this RFP shall be deemed nonresponsive and not considered by the Department.

6. LATE PROPOSALS. Proposals that do not reach the designated place, by the time and date specified will not be considered.

7. REJECTION OF PROPOSALS. Proposals shall be rejected and not reviewed by the Department for any of the following reasons:

- (a) The proposal is not received at the Department on or before **4:30 p.m.(Daylight Savings time)** on **September 23, 2005** at its offices located at 200 East Grand Avenue, Des Moines, Iowa 50309.
- (b) The Offeror fails to respond to any part of this RFP or does not provide information in the format required.
- (c) The proposal is not signed by an authorized representative of the Offeror.
- (d) There is evidence that the Offeror engaged in unfair bidding procedures.
- (e) Financial insolvency of the Offeror.
- (f) The Offeror fails to comply with the minimum eligibility requirements of Section B (2) and B(3) above and is determined to be ineligible.

8. LIMITATION. This RFP does not commit the Department to award a contract or to pay costs incurred by Offeror in the preparation of a proposal to this RFP. The Department may accept other than the lowest offer, waive minor informalities, and award a contract based only on the written proposal without any discussions with Offeror.

The Department reserves the right to reject any or all proposals because of nonresponsiveness to RFP requirements, insufficient IDED funds, evidence of unfair bidding procedures, financial insolvency of Offeror, or if, in the opinion of the Department's Director, the best interests of the State will be served.

9. PERIOD OF PERFORMANCE The first period of performance will be from October 7, 2005 to June 30, 2006 with evaluation on a yearly basis. The maximum contract award will be \$325,000 per fiscal year. In the event that the Contractor selected through this RFP does not complete the contract, due to termination or any other reason, IDED reserves the right to negotiate with the next highest ranking offeror(s) to complete the contract period without releasing an additional RFP.

10. PROPOSAL REVIEW. The Department will initially review all proposals received for completeness. Completed proposals will be evaluated and rated by IDED

staff and Iowa Department of Natural Resources (IDNR) staff in consultation with the Iowa Corn Growers, Iowa Renewable Fuels Association and the Iowa Soybean Association . If any of the above three organizations is an applicant they cannot be part of the consultation. The following criteria, not necessarily listed in order of importance, will be used to evaluate proposals:

- Offeror's project approach and methodology;
- Quality of project work plan;
- Description of the proposed deliverables;
- Project management and internal controls;
- Firm's and staff qualifications and experience;
- Business references;
- Administrative capacity to provide the services;
- Financial capability; and
- Project costs.

These criteria are general in nature and may be used to develop a more detailed evaluation work sheet. The Department reserves the right to evaluate financial capability of any or all Offerors to satisfactorily complete the requirements of this RFP.

11. **NONDISCRIMINATION** The Department does not discriminate in the contract award process on the basis of sex, age, race, religion, color, national origin or disability.

12. **PERIOD OF PERFORMANCE.** The first period of performance will be from October 7, 2005 to June 30, 2006 with evaluation on a yearly basis. The maximum contract award will be \$325,000 per fiscal year. In the event that the Contractor selected through this RFP does not complete the contract, due to termination or any other reason, IDED reserves the right to negotiate with the next highest ranking Offeror(s) to complete the contract period without releasing an additional RFP.

13. **OPTION TO EXTEND.** Based on the availability of funds, effective contract performance and the needs of the Department the contract may be extended without issuing another RFP on a fiscal year basis with a final closing date of June 30, 2008

14. **PUBLIC RECORDS AND REQUESTS FOR CONFIDENTIAL TREATMENT.**

(a) The Department may treat all information submitted by a Offeror as public information following the conclusion of the selection process unless the Offeror properly requests that information be treated as confidential at the time of submitting the bid proposal.

(b) The Department's release of information is governed by Iowa Code chapter 22. Offerors are encouraged to familiarize themselves with chapter 22 before submitting a proposal. The Department will copy public records as required to comply with the public records laws.

(c) Any request for confidential treatment of information must be included in the transmittal letter with the Offeror's proposal. In addition, the Offeror must enumerate the specific grounds in Iowa Code Chapter 22 or other applicable law which support treatment of the material as confidential and explain why disclosure is not in the best interest of the public. The request for confidential treatment of information must also include the name,

address, and telephone number of the person authorized by the Offeror to respond to any inquiries by the Department concerning the confidential status of the materials. Any proposal submitted which contains confidential information must be conspicuously marked on the outside as containing confidential information, and each page upon which confidential information appears must be conspicuously marked as containing confidential information. Identification of the entire proposal as confidential may be deemed non-responsive and disqualify the Offeror.

(d) If the Offeror designates any portion of the RFP as confidential, the Offeror must submit one copy of the proposal from which the confidential information has been excised. This excised copy is in addition to the number of copies requested in section 3 of this RFP. The confidential material must be excised in such a way as to allow the public to determine the general nature of the material removed and to retain as much of the proposal as possible. The Department will treat the information marked confidential as confidential information to the extent such information is determined confidential under Iowa Code Chapter 22 or other applicable law by a court of competent jurisdiction.

(e) The Offeror's failure to request confidential treatment of material will be deemed by the Department as a waiver of any right to confidentiality, which the Offeror may have had.

15. DISPOSITION OF BID PROPOSALS. All proposals become the property of the Department and shall not be returned to the Offeror unless all proposals are rejected or the RFP is cancelled. In either event, Offerors will be asked to send prepaid shipping instruments to the Department for return of the proposals submitted. In the event the Department does not receive shipping instruments, the Department will destroy the proposals. Otherwise, at the conclusion of the selection process, the contents of all proposals will be in the public domain and be open to inspection by interested parties subject to exceptions provided in Iowa Code Chapter 22 or other applicable law.

16. IDED CONTACT PERSON. Any questions concerning this RFP should be directed to Joe Jones, Program Mgr. VAAPFAP, at (515) 242-4801 or [joe.jones@iowalifechanging.com](mailto:joe.jones@iowalifechanging.com).

#### SECTION C. - BASIC DATA ON OFFEROR; QUALIFICATIONS AND EXPERIENCE.

- All proposals must include the following basic data about the Offeror:
- Name, telephone number and address, including e-mail address, of Offeror.
- Name and title of individual authorized to bind the Offeror and submit the proposal.
- Name, e-mail address and telephone number of person IDED may contact during the proposal evaluation process.
- Form of business - e.g. sole proprietorship, partnership, corporation, Not-for Profit organization. If a non-Iowa corporation, indicate state of incorporation.

- Whether the business is owned or controlled by a parent corporation. If yes, provide the name and address of the parent corporation, nearest offices and managing office where the project staff assigned to this project will be located.

#### SECTION D. - FINANCIAL CAPABILITY

The Offeror must supply the following financial information to the Department:

- Bank affiliation(s)
- Balance sheets and income statements for the past three years.
- Bank affidavit verifying financial stability
- A chart of the Offeror's organization showing the level of organizational responsibility of key project staff member. Also chart how projects flow through the agency, using an example.
- A list of personnel to be assigned to this RFP, their functions in the project, length of tenure, and a detailed resume of each.
- Documented experience in performing similar projects by providing IDED a list of clients for whom the representative has provided similar services during the past three years. These clients may be contacted as references.
- Describe experiences, if any, with state work authorizations and billing procedures.
- Recent annual financial report or bank references for evaluation of financial capability to satisfactorily complete the requirements of this RFP.
- Whether the Offeror is a small business or certified targeted small business as defined in Iowa Code (2005) section 15.102.
- Information concerning terminations, litigation and debarment. Offeror shall provide answers to the following questions:
  - (a) During the last five (5) years, has the Offeror had a contract for services terminated for any reason? If so, provide full details related to the termination.
  - (b) During the last five (5) years, describe any order, judgment or decree of any Federal or State authority barring, suspending or otherwise limiting the right of the Offeror to engage in any business, practice or activity.
  - (c) During the last five (5) years, list and summarize pending or threatened litigation, administrative or regulatory proceedings, or similar matters that could affect the ability of the Offeror to perform the required services. The Offeror must also state whether it or any owners, officers, or primary partners have ever been convicted of a felony. Failure to disclose these matters may result in rejection of the bid proposal or in termination of any subsequent contract. This is a continuing disclosure requirement. Any such matter commencing after submission of a bid proposal, and with respect to the successful Offeror after the execution of a contract, must be disclosed in a timely manner in a written statement to the Department.

- (d) During the last five (5) years, have any irregularities been discovered in any of the accounts maintained by the Offeror on behalf of others? If so, describe the circumstances of irregularities.

#### SECTION E. - BUDGET.

The maximum amount of this contract for the 2005-06 fiscal year (July 1, 2005 to June 30, 2006) is \$325,000 per year. No more than 10% of this amount shall be used by Offeror for staffing and administration costs.

The Offeror must provide a detailed breakdown of the expected costs for services including hourly rates for services and the estimated number of E-85 gas stations to be assisted over a 3 year period and the amount of assistance at each facility.

#### **SECTION F. – SCOPE OF WORK - OFFEROR’S PROPOSAL TO IMPLEMENT THE E-85 GRANT PROGRAM.**

The recent legislation authorizes a cost-share program for financial incentives for the installation or conversion of infrastructure used by service stations to sell and dispense E-85 blended gasoline and for the installation or conversion of infrastructure required to establish on-site and off-site terminal facilities that store biodiesel for distribution to service stations. This new program shall provide for an addition of at least thirty (30) new or converted E-85 retail outlets and four new or converted on-site or off-site terminal.

Provide the following information:

- How Offeror proposes to administer the program.
- An estimate of the number of E-85 stations and biodiesel blending facilities to be assisted.
- The amount of assistance that will be provided to each station or facility.
- Criteria for deciding what facilities receive assistance.
- The process for making these decisions.

## ASSURANCES, REPRESENTATIONS AND RELEASE OF INFORMATION

The Offeror, hereby assures and represents with respect to this proposal that:

1. It possesses legal authority to submit this proposal; that a resolution, motion or similar action has been duly adopted or passed as an official act of the Offeror's governing entity authorizing the submittal of this proposal, including all assurances, representations contained herein, and directing and authorizing the person signing below to act in connection with the application and to provide additional information as may be required.
2. It will comply with all applicable federal and state equal opportunity and affirmative action requirements.
3. The all statements and information made or furnished to the Iowa Department of Economic Development are true and correct in all material respects. Offeror acknowledges that supplying any information determined to be false, misleading or deceptive will be grounds for disqualification from consideration.
4. It authorizes IDED to research the company's history, make credit checks, contact the company's financial institution, contact former and current clients of the company, and perform other related activities necessary for reasonable evaluation of this proposal.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type or Print Name, Title

This form must be signed by an authorized representative of the Offeror and submitted to IDED along with Offeror's proposal.

RFP : E-85 Program Administration for the IDED Business Development Division  
DEPARTMENT : Iowa Department of Economic Development  
RFP RELEASE DATE: September 8, 2005