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| Oklahoma Pinwheel Logo |  | Amendment of Solicitation |

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| **Date of Issuance:** | 09/09/2022 |  **Solicitation No.** | 1850000146 |
|  **Requisition No.** | 1850008597 |  **Amendment No.** | 2 |
| Hour and date specified for receipt of offers is changed: | [x]  No  | [ ]  Yes, to: |  |       |       | CST |
| Pursuant to OAC 260:115-7-30(d), this document shall serve as official notice of amendment to the solicitation identified above. Such notice is being provided to all suppliers to which the original solicitation was sent. Suppliers submitting bids or quotations shall acknowledge receipt of this solicitation amendment prior to the hour and date specified in the solicitation as follows:(1) Sign and return a copy of this amendment with the solicitation response being submitted; or,(2) If the supplier has already submitted a response, this acknowledgement must be signed and returned prior to the solicitation deadline. All amendment acknowledgements submitted separately shall have the solicitation number and bid opening date in the subject line of the email. |
|  **ISSUED FROM:**  |
|  | Kimberley Coulter |  | N/A  |  | Kimberley.Coulter@omes.ok.gov |
|  | Contracting Officer |  | Phone Number |  | E-Mail Address |
|  |  |  |
|  | **RETURN TO:** | OMESCPeBID@omes.ok.gov |
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| **Description of Amendment:** |
| a. This is to incorporate the following: |
| On behalf of the State of Oklahoma, the Office of Management and Enterprise Services (OMES) gives notice of the following questions concerning this solicitation, received during the Wiki QA period, which closed on 09/06/2022. All questions and procurement/agency responses are detailed below:1. The number, location, status (i.e. under pressure, cased, open, etc.) of the wells to be included in this project? There are currently +1000 wells with State Funds orders, this number will change sometimes daily. These wells are statewide. The number of under pressure, cased, open, etc is not available at this time. OCC staff will determine most of this with assistance from the manager of this RFP once they have been chosen.
2. What percentage of the wells are temporarily abandoned versus permanently plugged and would require re-plugging? Estimate 1% will be replugged.
3. Are any of the wells purging or breached? Not at this point.
4. On Certification for Competitive Bid and/or Contract; What is the applicable Agency # for Corporation Commission, Oklahoma – OCC ? 185
5. Bidder Instructions, Sec 8.1.I, 8.1.C.v, 8.1.D.i.e, 8.1.K
6. Can the state please clarify the difference between “consultants”, “contractors”, “subcontractors”, “third-party vendors”, and “personnel”.
	1. Consultants are defined as subject-matter experts not currently employed as a full or part-time staff member of the bidding entity.
	2. Contractor- the entity to which the bid will be awarded. OCC will engage in a separate contractual agreement with successful bidder upon award.
	3. Sub-contractors- any person or entity to which the awarded bidder engages to perform work on their behalf under the terms of the signed agreement.
	4. Third-party vendor- a person or entity that is independent of OCC that does not have a direct relationship to an OCC-regulated oil and gas operator, that can perform the terms of the contract in an unbiased manner to avoid ethical conflicts.
	5. Personnel- individuals currently employed by the awarded vendor in a full or part-time capacity.
7. For which of the above categories does Bidder need to provide service agreements and/or specific company detail (i.e. resumes)?
	1. Any consultants or sub-contractors assigned to the project outside the bidder’s personnel
	2. Contractor and their entity’s personnel assigned to the project
8. If/when specifics are provided, what flexibility will the Bidder have to add and/or edit its resources upon receipt of the contract?
	1. OCC’s Director of Administration or designee, would need to approve any consultant or sub-contractor prior to work commencing.
9. Has a budget been established for the activities associated with this solicitation? Yes, the initial grant is $25 Million with a Minimum of 90% required to plug, restore and test for methane and a maximum of 10% for administrative.
10. The instructions provided within 8.1.F may result in very different pricing across respondents. Will the State consider providing a list of anticipated milestones, positions, and/or associated hours to help facilitate a more comparable cost comparison? These would be what the bidders think it would take to get the requirements of the RFP completed.
11. Document Attachment C – Agency Terms: The document does not contain any Agency Terms; Is this document complete? There are no additional specific agency terms. Please disregard.
12. Bidder Instructions, Page 6, ii: Develop and maintain a database that (d) Is compatible with the OCC’s current database system; Can the State provide a list of the current software/systems with which the developed database must be compatible? OCC databases are Microsoft SQL based.
13. Bidder Instructions, Page 9, 8.1.L: A performance bond, pursuant to OAC 260:115-7-3(g)(2)(C) of $25,000,000.00 will be required; Is the performance bond required to be in place before the bid is submitted to be eligible? No.
14. Bidder Instructions, Page 8, 8.1.G: Describe the Bidder’s financial stability and economic capability to perform the contract requirements. As referenced in subsection 8.2.K, three years of audited financial statements are required to be included in the Bid; For a bidder which has recently been restricted to include investment partners and therefore does not have three years of audited financial statements specific to current company, are there alternative documents which can be provided to verify financial stability and economic capability to perform the contract requirements?
	1. As referenced in 8.1.J., each requirement would be reviewed to determine the bidding entity’s overall financial stability. If entity has not been operational for three complete years, please provide the audited financial statements that are available notating when the operations began. Entity should also include tax returns for previous years of operation.
15. Section 8.1 (L) of the RFP solicitation indicates that a performance bond pursuant to OAC 260:115-7-3(g)(2)(C) of $25,000,000.00 will be required.
16. Will OMES please provide the text associated with the OAC as (g)(2)(C) of OAC 260:115-7-3 as the text appears to have been stricken from the rule.

 (g) Agency acquisitions over $25,000.00 and not exceeding an agency acquisition threshold amount.(1) Basic requirements. State agencies that have an internal or statutorily designated CPO and approved internal purchasing procedures pursuant to the requirements of 260:115-5-3 and 260:115-5-7 shall make acquisitions exceeding $25,000.00 but not exceeding the agency’s approved acquisition threshold amount and make all acquisitions pursuant to all applicable requirements of the Purchasing Act, any other applicable state laws and rules and by means of a formal method of competitive solicitation utilizing a sealed bid process.(2) Certifications, verifications and other required documents(C) Bonds and sureties. Bidders may be required to submit a bid bond, performance bond, or other type of approved surety with the bid.(i) Form of bond. The bid bond, performance bond or other type of surety shall be subject to the approval of the acquiring state agency. For bonds requiring a cash deposit, the amount specified by the acquiring state agency shall be paid by certified check or cashier’s check.(ii) Irrevocable letter of credit. In lieu of bonds specified in this subsection, the acquiring state agency may approve submission of an irrevocable letter of credit.(iii) Bond or surety return. When the acquiring state agency specifies a bid contain a bid bond, performance bond, or other type of surety, the state agency shall retain the bond or surety until the successful completion of the purpose for which the bond or surety was drawn.(iv) Verification of registration and status with Secretary of State. Prior to the award of a contract, the acquiring state agency must verify, pursuant to applicable provisions of law, that the supplier is registered with the Secretary of State and franchise tax payment status pursuant to 68 O.S. § 1203 and § 1204. Documentation of verification of registration and status with the Secretary of State must include, at a minimum, a copy of the entity summary information from the Secretary of State’s website or the supplier’s statement providing specific details supporting the exemption claimed, must be filed in the acquisition file1. Is it the intent of OMES that the Bidder (Program Project Manager) carry the performance bond, in addition to the insurance requirements, when this total contract value is only a minor percentage of the bond requested? Yes.
2. Is it the intent of OMES to require the pluggers and subcontractors to carry a performance bond? No. They are required to have liability insurance and to be on the OMES vendors list.
3. To clarify, the Bidder (Program Project Manager) will not be required to contract directly with the pluggers and other potential subcontractors but coordinate with the entities that already maintain contract with the OCC? Correct on the pluggers or subcontractors of the pluggers for the plugging, but will on the Davis Bacon part.

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| b. All other terms and conditions remain unchanged. |
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| Supplier Company Name (**PRINT**) |  | Date |
|       |  |       |  |  |
| Authorized Representative Name (**PRINT**) |  | Title |  | Authorized Representative Signature |