

RAILROAD COMMISSION OF TEXAS

OPERATIONS DIVISION

ADDENDUM #1

DATE: 10/03/2023

RFQ#: 455-24-1003

TITLE: STATEWIDE WELL PLUGGING AND RELATED SERVICES

PROPOSAL DEADLINE: Thursday, October 26, 2023, at 2:00 PM Central Standard Time

Item 1:

The purpose of this Addendum is to publicize submitted questions with answers:

NO.	QUESTIONS	ANSWERS
1	<p>The previous 2022 RFQ stated a contract value and requested an area / list of wells the contractor would abandon for that given amount.</p> <p>Is this RFQ, reverting to contractual rates, qualifications as set out in the RFQ (including all tabs/attachments) and areas that the contractor can operate only?</p> <p>Will the state then assign the wells upon award or is the state also seeking a list of the wells in this bid by the contractor including the total estimated amount to execute?</p>	<p>1a. This solicitation is separate and distinct from any prior solicitation and should be interpreted according to its own terms. Pricing figures will not be considered in the initial evaluation of responsiveness in this RFQ.</p> <p>1b. RRC in this solicitation is not requesting a list of wells and the estimated costs to plug those wells at this time. By work order, the Commission will identify particular wells and request pricing on the plugging of those wells.</p>
2	<p>P 16; Paragraph 3.1. provides for up to 4 one year renewals. If the RRC chooses to exercise one or more of these extensions will contract pricing be open to negotiations or is the pricing submitted with the current RFQ set for up to 5 years?</p>	<p>1. RRC will consider contract pricing during the annual renewal of the contract.</p>
3	<p>Could you tell me how many copies of the HSP Quick Review forms that are required to be submitted by Monday, 9-18-23? Also, do they need to be in a 3-ring binder as the final quotes will be?</p>	<p>1. RRC encourages all vendors to read the solicitation in its entirety for response submission requirements.</p>
4	<p>Page 125, paragraph 3.1.27.5. is the \$ 1,000,000.00 Umbrella Excess Liability coverage only required for the General Commercial Liability coverage or is it intended to cover all areas. i.e. Workman's Comp, Auto, General Liability and Pollution?</p>	<p>The umbrella excess liability coverage is only intended to cover liability in excess of what is covered under a commercial general liability insurance policy.</p>

5	<p>Page 125, paragraph 3.1.27.5. Is the intent that required Pollution Coverage is always a minimum of \$ 1,000,000.00 but can be increased up to the \$ 5,000,000.00 as specified by individual Work Orders?</p>	<p>No. Not all work orders will require pollution liability coverage. If the work order does not require pollution liability insurance, pollution liability coverage requirements will not apply to that work order.</p>
6	<p>Am I required to fill out attachment 4, the HUB Subcontracting Plan or am I only required to fill out attachment 3, the Respondent's Qualifications Statement Form along with the equipment list and hourly rates?</p>	<p>Yes, to All</p>
7	<p>Can we still submit a price for this job? No. 455-24-1003 We are a minority owned business.</p>	<p>1. All vendors are encouraged to submit a response to RFQ 455-24-1003 Statewide Well Plugging solicitation</p>
8	<p>I plan on using one rig to plug for the RRC. If that rig has problems, can I bring a different rig out that was not put on the list? Or do I need to put a 2nd rig down for backup?</p>	<p>8a. Yes, you can substitute a rig, as long as the second rig has similar capabilities. List the 2nd rig, and have a remark stating it would be a replacement rig if necessary when the current one is not operating properly or is otherwise out of service.</p>
9	<p>1. The RFQ document states that these wells will be funded all or in part from the IJJA funds. Will every well have funds from IJJA associated with them? If there are wells that will have IJJA funds and those that will be funded by the state be separated at any point prior to submission? 2. If an affiliate company of registered company can assist with gas measurement services and/or potentially carbon credit acquisitions, is it required that they file a FORM P-5 with the RRC or can they work as a subcontractor of a registered company.</p>	<p>1a. Funds will be assigned for use in work orders rather than to particular wells. The funds may come from a variety of sources, one of which is the IJJA. Respondents should plan to receive work orders funded under the IJJA, but state-funded work orders may be issued. 1b. Separate purchase orders will issue for plugging and remediation operations funded under the IJJA. 2. A P-5 would not be required for this type of work, they can be a subcontractor.</p>
10	<p>We are looking over the plugging contract and have a couple question about page/s 85 and 86, and would appreciate some guidance. We're not sure on page 85 if "Organization" is Briley Well Service. On page 86 we don't have a clue as to filling that out since we haven't had or have any reason to have any Lobbying activity.</p>	<p>10a. Organization refers to the legal entity making the certification. 10b. On the Disclosure of Lobbying Activities aka SF-LLL (if applicable), the inquirer is recommended to consult the online instructions for the SF-LLL. The SF-LLL is a standard form used by federal agencies.</p>
11	<p>Inquiries Regarding RFQ 455-24-1003 1. PART I: NOTICE TO RESPONDENTS, page 6: Does "on or immediately adjacent to bodies of surface freshwater" mean possibly "in" bodies of fresh water?</p>	<p>1. Yes. 2. Consult page 3 for the definition.</p>

	<ol style="list-style-type: none"> 2. PART I: NOTICE TO RESPONDENTS, 3.1.19.3, page 19: What are examples of changed conditions in this section? 3. Attachment 3, page 43, RESPONDENT’S PREVIOUS <u>RRC</u> WORK EXPERIENCE (last line): Which names are we supposed to list? 4. Attachment 5, SPECIFICATIONS: EQUIPMENT, MATERIALS, SERVICES, 3. PLUGGING EQUIPMENT RATE #3, Note: What do you mean by how the equipment will be sorted to the STATEWIDE RATE SUBMISSION SHEET? 5. Attachment 5, SPECIFICATIONS: EQUIPMENT, MATERIALS, SERVICES, 8, MUD: “This charge does not include transportation charges.” Therefore, we should charge those under trucking from bulk purchase site to our storage facilities and from there to jobsites. Is this a correct assumption? 6. Attachment 5, SPECIFICATIONS: EQUIPMENT, MATERIALS, SERVICES, 29, TUBING: Does the tubing string charge include the work string? 7. Attachment 6, SAMPLE CONTRACT, 3.02. SERVICES, f., page 50: If we complete the work and it is approved or accepted as completed according to the procedure with inspectors present, how is it we should have further liability, much less perpetually? 	<ol style="list-style-type: none"> 3. As applicable, respondent shall list the name of the solicitation or contract for which the past RRC work was performed. 4. As a vendor, if you want to submit “unique” Rig specs and equipment that don’t fit close enough into the established rates. You can “create” your own specs and if RRC accepts we would use those instead of what’s in rig rate 1/2/3. 5. Trucking would be from wherever the material is located at the time it was needed, to the job site. 6. This is more of a “specialty” charge if the standard work string that comes included with the rig rate is not applicable for the job. 7. RRC declines to comment on future liability. It is recommended that inquirer consult independent legal counsel.
12	<p>Please clarify these items:</p> <ol style="list-style-type: none"> 1. Can the Plug & Abandon company use vendors other than what we have listed in the HSP? 2. Is the 2 3/8” work-string (12,000’) to be included in the hourly rate of the plugging rig(s)? 3. Is the charge for trucking for the work-string to be included in rig move charges(Trucking)? 4. What is the 1”/1 ¼”/1 ½” tubing to be used for: this will make a difference in the thread requirements, therefore the cost? 5. In Attachment 5: Item 15, is the wireline the same as braided-line? 	<ol style="list-style-type: none"> 1. Yes, provided that the awarded vendor makes a good faith effort to implement the HSP, and the subcontractor complies with all applicable flow-down terms and conditions. 2. Yes 3. If the work string is already included in the rig requirements, it is included in the movement rate. 4. If the well requires a slim hole tubing where the standard tbg wouldn’t work. 5. Yes
13	<p>Please find our questions below relating to the subject RFQ:</p> <ol style="list-style-type: none"> 1. Section 2 Services, Generally, pg. 5-6 – When listing our project experience, may we include projects relative to the Related Services scope, alongside Well Plugging projects, to meet the Respondent’s Experience Record’s three (3) project requirement? 2. Section 3.2 Minimum Qualifications, pg. 6 – In addition to listing our Company’s project experience as the Prime contractor, may we utilize the project experience of our teaming partner/subcontractors? 3. Attachment 5, Sample Equipment List, pg. 56 - Please provide clarification that, in addition to the Sample Equipment list, there is a requirement to submit 	<ol style="list-style-type: none"> 1. Yes. Respondents are invited to list any project experience that may be relevant. 2. Yes, but only to the extent that the Respondent substantially and directly participated in the project in which the subcontractor was employed. A general contractor cannot claim a subcontractor’s experience on a project if that general contractor subcontracted all tasks on a project worksite.

	<p>specifications for equipment, materials and services as shown on the following pages for “Plugging Equipment Rate(s)”. As the RRC is likely aware, the equipment, crew sizes, etc. will vary depending on well locations, well characteristics and associated work requirements.</p>	<p>3. The different specs/equipment are to be used as general guidelines. After Rate #3, there is a Note that addresses this concern.</p>
<p>14</p>	<p>would like to submit the below questions for RFQ Solicitation No. 455-24-1003, Statewide Well Plugging & Related Services:</p> <ol style="list-style-type: none"> 1. Is there room for negotiation of the terms regarding section 3.1.26, Personal Injury and Property Damage? We propose changing the language from “30 days of notice” to “30 days from final determination of fault”. (Page 24, Section 3.1.26) 2. How many vendors are expected to be hired for statewide and per district? (General) 3. Will vendors be bidding for well packages one at a time or in groups? (General) 4. What is the expected budget for 2024? Is this project only covering phase 1 of the DOI (federal) funds, state funds, or all state and federal funded programs? (General) 5. Which of the weighted criteria is allocated to pricing? How much of that percentage is price? (Page 15, Section 2.10.2) 6. Is it possible to further breakdown the percentage for each of the tabs included in the weighted criteria or what specifically from that tab is being evaluated at what percentage? (Page 15, Section 2.10.2) 7. Is an insurance carrier A.M. Best rating of A-XV acceptable? (Page 24, Section 3.1.2.7.1) 8. Page 10, Section 2.7.1, Electronic submittal, requests a zipped folder of a PDF of each tab. Page 10, section 2.7.2 requests a single PDF document on two USBs (one for complete response and one for redacted response). Which format is required of the electronic submission, zipped file of each tab or one PDF of the response? Are there three USBs? <ol style="list-style-type: none"> a. To further clarify, please note the following tabs per Page 11, Section 2.9: Title Page (Tab A), Executive Summary (Tab B), Experience and Qualifications (Tab C), Respondent’s Approach to Performing Work Under The Contract (Tab D), Respondent’s Equipment List and Specifications (Tab E), and Respondent’s Submittals (Tab F). There is also a note under Tab F (Page 13, Section 2.9.6) that denotes each attachment being a separate PDF, with additional attachments of 8, 9, and 10 on Page 14, Section 2.9.6.6. This format would denote a zip folder with 14 separate PDFs. Is this correct? 	<ol style="list-style-type: none"> 1. Exceptions to standard terms and conditions are disfavored and may have an impact on whether a contract is awarded. 2. Unknown, RRC cannot speculate at this time on the number of vendors that may be hired. Will vary based on vendor submittals and their capability in rig count. 3. Vendors will ‘bid’ their movement rates on work orders. Some regions may also ask for bids on turnkey work orders. 4. Funding from a variety of sources (state funds and fed funds-IIJA) may be used for this solicitation. RRC cannot speculate on budget figures at this juncture. 5. Pricing is not a component of the weighted criteria in Section 2.10.2. Pricing will be negotiated after responses are evaluated to determine the highly qualified Respondents. 6. Weighted criteria will be evaluated in their totality. 7. The A.M. Best rating must be equal to or better than the minimum required rating. 8. RRC encourages all vendors to read the solicitation in its entirety for response submission requirements. 8a. RRC encourages all vendors to read the solicitation in its entirety for response submission requirements.
<p>15</p>	<p>Please accept the questions below as Submission for Written Inquiries:</p>	<p>15. No. Subcontractors do not need to complete an HSP submission. The general contractor responding to this RFQ is</p>

	<p>Currently we offer the required services for this solicitation ie Vacuum Services and Mobility Equipment. For the IJA Program the subcontractors have to be a part of eComply. Do these subcontractors have to be HUB certified and a part of the HSP submission that is required in this Solicitation?</p> <p>Additionally, once the submission of Written Inquiries is completed will receipt of the responses become part of the RFQ attachments to be returned?</p>	<p>responsible for complying with the HUB program.</p> <p>The responses herein will be incorporated as an addendum to this RFQ.</p>
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All other aspects of **RFQ# 455-24-1003** remain as is.

Jesse Herrera, CPPB, CTCM, CTCD
Contract Administration Manager
Contract Management
Phone: 512-463-6736
Email: jesse.herrera@rrc.texas.gov

RECEIPT OF ADDENDUM #1 OF RFQ# 455-24-1003