

CAPITAL AREA COUNCIL OF GOVERNMENTS REQUEST FOR QUOTES FOR AMBIENT AIR QUALITY MONITORING EQUIPMENT

General Information

The Capital Area Council of Governments (CAPCOG) is a regional planning commission and political subdivision of the State of Texas organized and operating under the Texas Regional Planning Act of 1965, as amended, Chapter 391 of the Local Government Code. CAPCOG serves a 10-county region in Central Texas that includes Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis, and Williamson Counties. CAPCOG is issuing this request for quotes (RFQ) to solicit bids from interested parties for equipment used for collecting and quality-assuring ambient ozone (O₃) and fine particulate matter (PM_{2.5}) air pollution in the region.

Schedule

Table 1. RFQ Schedule

Milestone	Date
RFQ Issued	8/14/2023
RFQ Correction Issued	8/28/2023
Quotes Due	<u>8/30/2023, 4:00 pm Central Time</u>
Quote Evaluation	8/31/2023 – 9/6/2023
Executive Committee Approval	9/13/2023
Target Equipment Delivery Date	11/30/2023

Notice

Prospective proposers who have received this document from a source other than CAPCOG should immediately contact the CAPCOG and provide their name, company, and email address in order that any addendum(s) to the RFQ or other communication can be sent to them. Any prospective bidders who fail to provide CAPCOG with this information assume complete responsibility in the event they do not receive communications from CAPCOG after the RFQ issue date.

Background

CAPCOG owns ten (10) continuous air quality monitoring stations (CAMS) across the five-county Austin-Round Rock-San Marcos Metropolitan Statistical Area (MSA), which includes Bastrop, Caldwell, Hays, Travis, and Williamson counties. CAPCOG uses these stations to monitor ozone (O₃) and fine particulate matter (PM_{2.5}) air pollution levels. CAPCOG is seeking proposals from vendors for various types of equipment to support CAPCOG monitoring operations in 2024 and 2025. The equipment that CAPCOG is seeking proposals for include the following:

1. Continuous PM_{2.5} monitors (up to 7);
2. Speciated PM_{2.5} monitors (2);
3. Data loggers (10);
4. O₃ primary standard (1); and
5. Automated multi-gas calibrator equipment (up to 6).

Vendors are not required to submit proposals for all equipment types, and each equipment type will be evaluated separately. Note that CAPCOG is a tax-exempt organization, so prices quoted should not include any sales tax.

Note on Correction Issued 8/28/2023

CAPCOG issued a correction to the RFQ on 8/28/2023 to fix the following errors:

1. There were references to January 31, 2023, delivery dates that should have read January 31, 2024; this has been corrected.
2. There was a typo in the reference to the number of continuous PM_{2.5} monitors CAPCOG is seeking – it read “CAPCOG is seeking quotes for to seven (7) air quality monitors,” that should have read, “CAPCOG is seeking quotes for up to seven (7) air quality monitors,”

Note on Quantities and Scalability

CAPCOG will need to evaluate a range of options for the quantities of equipment it will purchase. Unless a vendor provides multiple quotes for different quantities due to there being price breaks at certain levels of purchase within the ranges identified in this RFQ, CAPCOG will assume that all prices quoted can be scaled linearly. For example, if a vendor provides a quote for 7 continuous PM_{2.5} monitors, and CAPCOG decides to only purchase one, CAPCOG will assume (and the vendor will be held to) a price at 1/7 of the total for all 7 monitors. If the per-unit costs (including shipping) changes, the vendor must note the way that the price is scaled so that CAPCOG can independently calculate the total if it chooses to purchase a smaller quantity.

Selection Criteria

Each equipment type will be evaluated based on best value to CAPCOG. CAPCOG air quality program staff will assign scores as follows:

1. **Equipment quality:** **60 points**
 - a. Evaluated holistically by a selection committee that will include CAPCOG staff and potentially some members of CAPCOG’s Clean Air Coalition Advisory Committee;
 - b. Among the factors that the committee will consider will be:
 - i. Accuracy
 - ii. Precision
 - iii. Ease of use

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- iv. Ease of maintenance
 - v. Durability
 - vi. Data reporting capabilities
 - vii. Warranty provisions
 - viii. References and demonstrated in-field use
2. **Delivery time guarantee if ordered by September 15, 2023:** **20 points**
- a. November 30, 2023 = 20 points
 - b. December 31, 2023 = 10 points
 - c. January 31, 2023 = 5 points
 - d. After January 31, 2024 = 0 points
3. **Price:** **20 points**
- a. Lowest-priced quote = 20 points
 - b. Highest priced quote = 0 points
 - c. Other prices will be scaled based on position within the range from the lowest to the highest

Continuous PM_{2.5} Monitors

CAPCOG is seeking quotes for up to seven (7) air quality monitors capable of continuously sampling the total mass of PM_{2.5} to support one of two EPA grants CAPCOG received. Data must be available and reported no less frequently than hourly. Equipment must be designated as U.S. EPA Federal Equivalent Method (FEM) or Federal Reference Method (FRM). CAPCOG's proposed start date for this project is January 1, 2024, so it is important to CAPCOG to receive this equipment by November 30, 2023, if possible, since delays beyond that may cause CAPCOG to delay the start of data collection. CAPCOG may need to scale down the total number of monitors purchased, but it expects to purchase at least five (5).

Speciated PM_{2.5} Monitors

CAPCOG is seeking quotes for two air quality monitors capable of collecting 24-hour PM_{2.5} samples at intervals ranging from 3 to 24 days that can be analyzed to provide speciated data on the composition of the PM_{2.5} for one of two EPA grants CAPCOG received. One of the samplers will need to use a Teflon filter and one will need to use a quartz filter. CAPCOG's proposed start date for this project is January 1, 2024, so it is important to CAPCOG to receive this equipment by November 30, 2023, if possible, since delays beyond that may cause CAPCOG to delay the start of data collection. Vendor may include related supplies (such as the required filters) in any quote provided to CAPCOG, but those will be evaluated separately.

Data Loggers

CAPCOG is seeking quotes for up to ten (10) data loggers to store air pollution and meteorological data collected at CAPCOG's 10 continuous air monitoring stations, and must be capable of transmitting the data through a wireless modem to CAPCOG's server, which in turn reports the data to EPA's AirNow system and to TCEQ. Therefore, data must be stored in formats consistent with EPA's AirNow system. Delivery of at least five units by November 30, 2023, would be important to being able to support CAPCOG's upcoming PM_{2.5} monitoring, while delivery by January 31, 2024, would be important to being able to support CAPCOG's 2024 O₃ monitoring.

O₃ Primary Standard

CAPCOG is seeking quotes for one (1) O₃ primary standard device to assist CAPCOG with quality assurance and quality control (QA and QC) of CAPCOG's O₃ monitoring network. Delivery by January 31, 2023, would be important to being able to support CAPCOG's 2024 O₃ monitoring.

Automated Multi-Gas Calibrator Equipment

CAPCOG is seeking quotes for equipment capable of conducting frequent calibration checks and calibrations of CAPCOG's O₃ monitoring equipment at up to six O₃ monitoring sites. Currently, CAPCOG contractors perform manual calibrations monthly at each CAPCOG site, and CAPCOG desires to be able to conduct automated calibration checks and calibrations throughout the month in order to enhance data quality. Delivery by January 31, 2024, would be important to being able to support CAPCOG's 2024 O₃ monitoring.

Method of Payment

Payment shall be made for goods within 30 days of receipt of an invoice and acceptance of goods by CAPCOG.

Submission of Quotes

Quotes must be submitted to CAPCOG via e-mail to ahoekzema@capcog.org and received by CAPCOG no later than 4:00 pm Central Time, Wednesday, August 30, 2023. CAPCOG is not liable for any costs incurred by a vendor in preparing and submitting quotes.

Updates and Additional Information

Updates and additional information related to this RFQ may be obtained from CAPCOG's "Doing Business with CAPCOG" webpage at <https://www.capcog.org/divisions/administrative-services#doing-business>. Any questions regarding this RFQ may be e-mailed to Andrew Hoekzema at ahoekzema@capcog.org by 4:00 pm Central Time, Thursday, August 24, 2023. CAPCOG will post answers to any questions on the "Doing Business with CAPCOG" page shortly thereafter.

Format and Content

Quotes shall be in Adobe PDF or Microsoft Word, with any supplemental attachments being in either PDF, Word, or another Microsoft Office file type.

Required Elements in the Quote

Below is a list of require elements in each quote submitted:

1. Company name;
2. Physical address;
3. Point of contact name and title;
4. Point of contact phone number;
5. Point of contact e-mail address;
6. Date;
7. Statement that the quote is valid through 11/28/2023;
8. Model number;
9. Unit price and any information on price breaks based on quantity;

Quotes are due by email to ahoekzema@capcog.org by 4 pm, August 30, 2023

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10. Shipping costs, including any differences in shipping costs based on quantity;
11. Date that the vendor can guarantee delivery;
12. Product information and specifications (including citation for FEM/FRM for continuous PM_{2.5} monitoring equipment);
13. Any warranty offered;
14. A list of at least 3 other customers who have purchased the equipment and can vouch for its quality, along with a point of contact and contact information.

Additional Information

CAPCOG may request in writing additional information from a proposer relating to the quote and the vendor agrees to furnish it within a reasonable time.

Use of Copyrighted Material in Response

CAPCOG reserves an irrevocable, nonexclusive, and royalty-free right to use, reproduce, and copy, for a governmental purpose, all copyrighted material included in the Statement of Work.

Amendment or Withdrawal of Quote

Prior to the due date, a vendor may withdraw its quote if there is a material mistake and may submit a corrected quote. For a period of 90 days following the due date, a proposer may not withdraw or amend its quote. CAPCOG may waive an error in or omission from a quote if the error or omission is not material.

Award of Purchase Orders

CAPCOG will award one or more contracts to the combination of vendors that it determines will provide the best value to CAPCOG. Approval of the purchase orders is subject to CAPCOG's Executive Committee. CAPCOG reserves the right to reject any or all quotes. If CAPCOG rejects all proposals, it may solicit new quotes if CAPCOG determines that it is in its best interest to do so.

Resolution of Protested Solicitation or Contract Award

An unsuccessful bidder/offeree/quoter may protest the procurement process by following the procedure as available on the CAPCOG website, <https://www.capcog.org/divisions/administrative-services#doing-business>. The protest must be made within **five** business days of the date the basis of the protest to the procurement process became known or should have become known to the protester, whichever is earlier. The protest must be submitted in writing to CAPCOG, to the attention of the contact person, and identify and be signed by the protester. A protest shall be submitted to CAPCOG to the attention of Betty Voights, Executive Director, at 6800 Burleson Road, Building 310, Suite 165, Austin, TX 78744.

State of Texas Purchasing Requirements

Due to the use of state funding in this contract, the following requirements from the State of Texas Purchasing Guide apply to purchase orders awarded pursuant to this procurement, and by virtue of providing a quote in response to this RFQ, vendor is agreeing to the following terms:

1. If the total amount of this Agreement is in excess of \$100,000, and if the VENDOR is required to make a certification pursuant to Texas Government Code, Section 2274.002 (as added by Acts 2021, 87th Leg., R.S., S.B. 13, § 2), the VENDOR certifies that it does not boycott energy companies and will not boycott energy companies during the term of this Agreement. If the

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VENDOR does not make that certification, the VENDOR must state why the certification is not required.

2. The VENDOR represents that neither the VENDOR, nor any affiliate of the VENDOR, (i) is an entity listed by the Texas Comptroller of Public Accounts under Texas Government Code, Sections 2252.153 or 2270.0201; (ii) constitutes a "scrutinized company" as defined by Texas Government Code, Section 2270.0001 (9); or (iii) has contracts with, provides supplies or services to, or is otherwise engaged in business with Iran, Sudan, or a foreign terrorist organization, as prohibited by Texas Government Code, Section 2252.152.
3. VENDOR understands that CAPCOG will adhere to the President's Executive Order (EO) 13224, Executive Order on Terrorist Financing - Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism, and VENDOR certifies that it and its principals are eligible to participate in this Agreement and have not been subjected to suspension, debarment, or similar ineligibility determined by any federal, state, or local governmental entity; that it is in compliance with Texas statutes and rules; and that it is not listed on the federal government's terrorism watch list.
4. If the total amount of this Agreement is in excess of \$100,000, and if the VENDOR is required to make a certification pursuant to Texas Government Code, Section 2274.002 (as added by Acts 2021, 87th Leg., R.S., S.B. 19, § 1), the VENDOR certifies that it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and will not discriminate during the term of this Agreement against a firearm entity or firearm trade association. If the VENDOR does not make that certification, the VENDOR must state why the certification is not required.
5. If the total amount of this Agreement is in excess of \$100,000, and if the VENDOR is required to make a certification pursuant to Texas Government Code, Section 2271.002, the VENDOR certifies that the VENDOR: (1) does not boycott Israel; and (2) will not boycott Israel during the term of this Agreement.
6. If the total amount of this Agreement is in excess of \$100,000, VENDOR certifies that it will not use and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant, or any other award covered by 31 U.S.C. § 1352. VENDOR also agrees to disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award or contract.
7. If the total amount of this Agreement is in excess of \$150,000, the VENDOR certifies it will comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. §§ 7401-7671q) and the Federal Water Pollution Control Act (33 U.S.C. §§ 1251-1387).
8. The VENDOR represents and warrants that it will comply with Section 6002 of the federal Solid Waste Disposal Act (42 USC§ 6962), as amended by the Resource Conservation and Recovery Act, and Title 40, Pa11 247 of the Code of Federal Regulations.
9. To the extent applicable, VENDOR represents and warrants that it will buy Texas products, services, and materials for use in providing the services authorized herein when such products, services, and materials are available at a comparable price and in a comparable period of time when compared to non-Texas products, services, and materials.

Reference Information - Other contractual requirements

General Terms of CAPCOG Purchase Orders

This purchase will be subject to the general terms of CAPCOG purchase orders, a copy of which is posted on CAPCOG's website at: <https://www.capcog.org/divisions/administrative-services#doing-business>.

Section 1.113 CAPCOG Procurement Policies: Public Access to Procurement Information

Public Access to Procurement Information: Procurement information shall be a public record to the extent provided by the Texas Public Information Act and the Freedom of Information Act, as applicable, and shall be available to the public as provided therein. If a proposal contains information that the bidder considers proprietary and does not want disclosed to the public or used for any purpose other than the evaluation of the offer, all such information must be indicated and clearly marked on each page of the proprietary or confidential document(s).

The information submitted during a procurement process is protected from disclosure until a contract is awarded. All proposals are open for public inspection after the contract is awarded, but proprietary and confidential information in the proposals are not open for public inspection.

Equal Opportunity/Non-Discrimination

All contracts awarded by CAPCOG are subject to the provisions listed below.

1. The VENDOR will not discriminate against any employee or applicant for employment because of race, color, sex, religion, national origin, age or disability. The VENDOR will take action to ensure that employees or applicants for employment are treated fairly during employment or the application process, regardless of race, color, sex, religion, national origin, age, or disability. The VENDOR agrees to post in conspicuous places available to employees and applicants for employment notices (provided by an appropriate agency) of federal government nondiscrimination provisions.
2. The VENDOR will state, in all solicitations or advertisements for employment (by or on behalf of the VENDOR), that all qualified applicants will receive consideration for employment regardless of race, color, sex, religion, national origin, age, or disability.

Small, Disadvantaged, Minority, Women-Owned and Historically Underutilized Businesses: Federal Assistance or Contract Procurement Requirements

6-101. Policy Statement

It shall be the policy of CAPCOG to assist small, DBE, MBE, women-owned businesses and HUBs in learning how to do business with CAPCOG. It shall be the further policy of CAPCOG that these sources shall have the maximum feasible opportunity to compete.

6-102. Bidder/Offeror Statement

Every solicitation for procurement must require that each bidder or offeror include a statement that the bidder or offeror will comply with this Policy.

- 6-103. To ensure that CAPCOG's policy to assure that small, MBEs, DBEs, women-owned businesses, and HUBs are utilized, CAPCOG and its VENDORS and subcontractors should take the following affirmative steps:

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1. Include qualified small, MBEs, DBEs, women-owned businesses, and HUBs on the Bidders' List. State lists may be utilized to locate such businesses by contacting the General Services Commission;
 2. Assure that small, MBEs, DBEs, women-owned businesses, and HUBs are solicited whenever they may be potential sources. In this regard, CAPCOG should investigate new sources and advertise when feasible in minority publications;
 3. When economically feasible, and where not in contravention of competitive bidding requirements, CAPCOG should divide the total requirements into smaller tasks or quantities so as to permit maximum small, MBE, DBE, women-owned businesses and HUB participation;
 4. Use the services and assistance of the Small Business Administration, the Office of Minority Business Enterprise of the Department of Commerce, the Minority Business Development Agency in the Department of Labor, the Texas General Services Commission and other similar agencies for locating such businesses;
 5. Require that prime VENDORS take affirmative and meaningful steps towards retaining small, MBE, DBE, women-owned businesses and HUB subcontractors;
 6. Procure goods and services from labor surplus areas;
 7. If feasible, establish delivery schedules that encourage small, MBEs, DBEs, women-owned businesses, and HUBs to participate; and,
 8. Advertise, at least annually, in a newspaper of general circulation for small, MBEs, DBEs, women-owned businesses and HUBs to be added to the Bidders' List.
- 6-104. For such affirmative steps to be meaningful, CAPCOG should review all solicitations, offers and bids to confirm that such affirmative action steps have been taken. In addition, steps should be taken to ensure that once a contract is awarded to a small, MBE, DBE, women-owned business, and/or HUB, or that the award is given to a VENDOR with such a subcontractor, that such business is retained during the entire performance of the contract.
- 6-105. Failure of a VENDOR to take meaningful affirmative steps at soliciting and retaining small, MBEs, DBEs, women-owned businesses and HUBs may be considered as a factor in evaluating future bids under non-compliance with public policies; however, this factor may not be a consideration in procurements involving purely state or local funds as Texas law requires awards to be made to the lowest responsible bidder.
- 6-106. For procurements costing more than \$3,500 but less than \$50,000 the Division Director shall contact at least two HUBs on a rotating basis, based on information provided by the Texas General Services Commission. If the list fails to identify a historically underutilized business in the area, CAPCOG is exempt from this section.