

CAPITAL AREA COUNCIL OF GOVERNMENTS REQUEST FOR PROPOSALS FOR AMBIENT AIR QUALITY MONITORING SERVICES

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 proposals (RFP) to solicit proposals from interested parties for professional services to operate and maintain 10 continuous air monitoring stations (CAMS) located in Bastrop, Caldwell, Hays, Travis, and Williamson Counties in 2024 and 2025.

Schedule

Table 1. RFP Schedule

Milestone	Date
RFP Issued	8/18/2023
Deadline for Questions and Letter of Intent	9/1/2023, 4:00 pm Central Time
Responses to Questions and Revised Posted	9/8/2023, 4:00 pm Central Time
Proposals Due	<u>9/15/2023, 4:00 pm Central Time</u>
Evaluation Completed, Recommendation Submitted to Executive Director	9/18/2023 – 9/22/2023
Executive Committee Approval	10/11/2023
Anticipated Start Date	11/1/2023

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 RFP or other communication can be sent to them. Any prospective proposers who fail to provide the division with this information assume complete responsibility in the event they do not receive communications from the division after the RFP 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) concentrations, wind speed (WS), wind direction (WD), outdoor temperature (Temp.), and relative humidity (RH). Some of these stations also monitor fine particulate matter (PM_{2.5}). These CAMS are considered research monitors, and although much of the equipment can be used for Federal Reference Method (FRM) or Federal Equivalent Method (FEM) monitoring required for assessing compliance with the National Ambient Air Quality Standards (NAAQS), these monitors are not used for that purpose. Instead, they are used to supplement the state’s regulatory monitoring network within the region.

CAPCOG will be receiving funding appropriated by the Texas Legislature through the Texas Commission on Environmental Quality (TCEQ) and through two grants from the U.S. Environmental Protection Agency (EPA) to conduct O₃ and PM_{2.5} monitoring within the Austin-Round Rock-San Marcos MSA in 2024 and 2025 and is seeking proposals from qualified vendors to maintain and operate CAPCOG’s monitors during this period.

Project Description

CAPCOG is seeking a contractor to operate and maintain CAPCOG’s O₃ and PM_{2.5} monitoring stations located in Bastrop, Caldwell, Hays, Travis, and Williamson Counties in 2024 and 2025. These projects are broken down into three distinct tasks corresponding to CAPCOG’s different funding sources, and a number of sub-tasks within each task.

Task 1: O₃ Monitoring

Task 1 involves operation and maintenance of CAPCOG’s ten (10) O₃ monitoring stations listed below:

Table 2. CAPCOG Continuous Air Monitoring Stations

TCEQ Site Number	EPA AQS Number	Address	Property Owner
CAMS 614	482090614	29400 Ranch Road 12, Dripping Springs, TX	Dripping Springs Independent School District
CAMS 690	484910690	500 Overlook Drive, Georgetown, TX	U.S. Army Corps of Engineers
CAMS 1604	480551604	214 Bufkin Lane, Lockhart, TX	City of Lockhart
CAMS 1612	480211612	25 American Legion Drive, Bastrop, TX	City of Bastrop
CAMS 1613	480211613	900 W. 2nd St, Elgin, TX	Elgin Independent School District
CAMS 1619	484531619	2401 Holly Street, Austin, TX	City of Austin
CAMS 1620	484911620	1116 E. Austin Avenue, Round Rock, TX	City of Round Rock
CAMS 1629	484911629	1213 Davis Street, Taylor, TX	City of Taylor
CAMS 1630	482091630	700 Lehman Rd, Kyle, TX	City of Kyle
CAMS 1675	482091675	599 Staples Road, San Marcos, TX	City of San Marcos

Proposals are due by email to ahoekzema@capcog.org by 4 pm, September 15, 2023

Site visits will not be allowed for proposers to view the CAMS and equipment prior to the closure of this RFP. However, additional details about these sites, including site photos and precise site coordinates can be found on TCEQ's website at: <https://www17.tceq.texas.gov/tamis/index.cfm>.

The contractor must comply with all conditions imposed on CAPCOG in each of these site leases, including adding the site owner as an "other insured" party on their liability coverages as specified in these agreements. Additionally, for CAMS 1619 (East Austin), the contractor will need to have a recent criminal background check and will need to get an ID badge from Austin Energy's office at 2500 Montopolis Drive, Austin, TX 78741.

Task 1 is broken down into the following sub-tasks:

1.1. Site set-up (2/1/2024 – 2/28/2024):

- a. Powering on the station's O₃ analyzers, meteorological instruments, phone system, modem, battery backup, and air conditioning equipment (if applicable);
- b. Testing equipment to verify that they are working properly;
- c. Calibrating O₃ analyzers and meteorological equipment (as described under the "calibrations" section of this RFP);
- d. Verify that data is being transmitted to and received by TCEQ's LEADS and EPA's AirNow via DR DAS' Envidas Ultimate Software;
- e. Taking a start-of-season inventory of each station;
- f. Notifying CAPCOG and TCEQ that the stations are operational; and
- g. Verifying that data is being reported out to TCEQ's and EPA's AirNow website.

1.2. Installation of Automated Calibration Equipment

1.3. Routine Maintenance (starting 3/1);

1.4. Routine Manual Calibrations (starting 3/1);

1.5. Operation of Automated Calibration Equipment

1.6. Data Validation (starting 3/1);

1.7. Installation of New Equipment (following receipt at a regularly scheduled visit);

1.8. Monthly Reports (within 10 days of the end of each month); and

1.9. Operational Contingencies

Subtask 1.1: O₃ Site Set-Ups

Prior to March 1, 2024, the contractor will need to complete site set-ups for O₃ equipment at the ten existing monitoring stations and the meteorological. Site set-ups will include:

- Powering on the station's O₃ analyzers, meteorological instruments, phone system, modem, battery back-up, and air conditioning equipment (if applicable);
- Testing equipment to verify that they are working properly;
- Calibrating O₃ analyzers and meteorological equipment (as described under the "calibrations" section of this RFP);
- Verify that data is being transmitted to and received by TCEQ's LEADS and EPA's AirNow via DR DAS' Envidas Ultimate software;¹
- Taking a start-of-season inventory of each station;
- Notifying the TCEQ and CAPCOG that the stations are operational; and
- Verifying that data is being reported out to TCEQ's and EPA's AirNow website.

¹ <http://dr-das.com/software/Details/ultimate.html>

CAPCOG does not currently own is not planning on providing an O₃ transfer standard for this project. However, CAPCOG is considering purchasing one and the proposal should include a scenario in which a transfer standard is available and describe the work that would be required from the vendor to set up the transfer standard for use in the project each year.

Subtask 1.2: Installation of Automated Calibration Equipment

CAPCOG plans to purchase up to six automated multi-gas calibrators to use for O₃ monitoring and have them available at the outset of the 2024 O₃ season. While the exact number and location of these are not yet known, the proposal should include a per-site cost of installing and configuring this equipment.

Subtask 1.3: O₃ Site Routine Maintenance

Starting on March 1, 2024, the contractor will maintain ten monitoring stations owned by CAPCOG. Maintenance includes all preventative maintenance procedures TCEQ uses for its monitoring stations as described in CAPCOG's 2022-2023 Quality Assurance Project Plan (QAPP). This also includes any general site maintenance such as periodic mowing, weeding, etc. Any non-routine maintenance required as a result of problems that may arise throughout the performance period will be accounted for under the "operational contingencies" subtask.

Subtask 1.4: O₃ Site Routine Manual Calibrations

In addition to performing an initial calibration in February, the contractor will be required to perform manual five-point calibrations on each O₃ analyzer every month in accordance with CAPCOG's QAPP. These calibrations should involve testing five O₃ concentrations reported by the analyzers deployed in the field against known O₃ reference concentrations during an already-scheduled O₃ routine maintenance visit. If the tests show that data quality objectives are not being met, the contractor will notify CAPCOG and take remedial steps to correct the problem. Manual calibrations should not occur any sooner than 15 days apart or any later than 45 days apart at the same station. Depending on how many units of automated calibration equipment CAPCOG purchases and the time frame for delivery, CAPCOG expects to need to perform manual calibrations at four or five of CAPCOG's ten monitoring stations. Note that CAPCOG may adjust this quantity at its own discretion prior to executing a contract based on its needs and equipment availability.

Subtask 1.5: O₃ Site Operation of Automated Calibration Equipment

At the CAPCOG's O₃ monitoring stations where the contractor installed automated calibration equipment, the contractor will be required to carry out whatever work is required to operate the calibration equipment to ensure regular, accurate, and precise calibrations are performed at the site each month.

Subtask 1.6: Data Validation

The contractor will check that data is being reported and that it is valid and will perform whatever analyses are necessary to determine whether data reported to CAPCOG, TCEQ, and EPA are valid or not. The contractor will be required to flag data in EPA's AirNow and TCEQ's LEADS system if there are issues with the data that may make it invalid or otherwise warrant exclusion. The contractor is expected to have familiarity with TCEQ's LEADS system, EPA's AirNow system, and DR DAS' Envidas Ultimate reporting software². If the contractor is unfamiliar with DR DAS' Envidas Ultimate reporting software, contractor must commit to train with DR DAS to learn the software at its own cost by November 30, 2023. Data validation procedures are described in CAPCOG's 2022-2023 QAPP and will involve:

² <http://dr-das.com/software/Details/ultimate.html>

- Daily reviews of sampling data that is reported to air quality data reporting systems (LEADS and AirNow) in order to confirm that all data is being collected and reported properly and that none of the instruments are reporting anomalous data that do not compare well to other stations; and
- Monthly review of the entire previous month's data and making any needed entries in the air quality data reporting systems.

Subtask 1.7: Monthly Reports

Monthly activity reports will be required to be submitted to CAPCOG by the 10th of each month along with each monthly invoice that documents the contractor's work on Subtasks 1.1 – 1.6. Reports should include data completeness statistics, results of calibrations, operator logs, any deviations from the approved QAPP, data validation procedures employed, and any other information needed for CAPCOG to verify that the data quality objectives were met and issues were addressed. Copies of recent reports submitted by CAPCOG's 2023 contractor are available to review for reference.

Subtask 1.8: Operational Contingencies

Issues may arise in the operation and maintenance of monitoring stations throughout the year that may require additional site visits and work by the contractor beyond what is identified in Subtasks 1.1 – 1.5, above, in order to ensure that data quality objectives are met. The proposal should identify what types of remedial actions that contractor would commit to perform under this subtask without needing additional funding (i.e., what types of remedial actions would be considered "in-scope") and what types of actions would be considered out-of-scope.

Under CAPCOG's current, the contractor is provided a \$300/month contingency allowance, with a requirement that it document any such contingencies in the monthly bill and will only be reimbursed for documented expenses, with any unused amount rolling over to the next month. For anything beyond that allowance, CAPCOG required prior approval of contingency work through a submitted estimate to the CAPCOG contract representative and a subsequent approval email to the contractor.

General Trouble-Shooting

In addition to these subtasks, the contractor will be expected to provide general troubleshooting and consulting services to CAPCOG as needed to complete this project. For example, if CAPCOG needs to purchase replacement equipment or relocate equipment currently installed, the contractor will be expected to advise CAPCOG on logistical requirements that would enable CAPCOG to make informed decisions about the best way to proceed.

Data Quality Objectives

Data quality objectives that will be used for this Task can be found in Table 6-1 of CAPCOG's 2022-2023 QAPP. Since CAPCOG's O₃ monitoring is primarily concerned with collecting data on peak O₃ concentrations, calibration and preventative maintenance should be scheduled in such a way as to minimize the possibility that they would cause data loss during a peak 8-hour O₃ concentration, especially when O₃ is predicted to be "moderate" or worse. In general, this would mean avoiding 10 am to 6 pm for any such work if O₃ levels are predicted to be "moderate" and rescheduling the work to a different day if O₃ is predicted to be "unhealthy for sensitive groups" or worse.

Task 2 (Required): Continuous PM_{2.5} Monitoring

CAPCOG is currently procuring continuous PM_{2.5} monitoring equipment. This equipment will meet EPA's Federal Reference Methods (FRM)/Federal Equivalent Methods (FEM) standards for PM_{2.5} monitoring.

CAPCOG expects that there will be between five and seven continuous PM_{2.5} monitoring sites across the region.

PM_{2.5} monitoring may occur at an existing CAPCOG site or a new site. Please include quotes for both a scenario in which the continuous PM_{2.5} monitoring equipment is co-located with existing O₃ monitoring equipment, thereby requiring fewer trips to the site solely for PM_{2.5}-related activities, and a scenario in which the continuous PM_{2.5} monitoring equipment is located on its own. Since the location of the continuous PM_{2.5} sites are unknown at this time, the quote should account for the possibility that they may be located anywhere within the Austin-Round Rock-San Marcos MSA. The quote should be a per-site cost, and once CAPCOG determines how many of each PM_{2.5} monitoring sites it plans to field, it will use these rates to set the “not-to-exceed” amount for this task.

While the contractor is not required to maintain the PurpleAir PM_{2.5} sensors, during any visit to a CAMS site the contractor will be expected to ensure that the sensors are turned on and connected to the Wi-Fi from. The sensors will be left to run for the entire year.

Task 2 is broken down into the following sub-tasks:

- 2.1. Continuous PM_{2.5} QAPP (by 12/31/2023);
- 2.2. Site set-up (by 12/31/2023);
- 2.3. Routine Maintenance and Calibrations (1/1/2024 – 12/31/2025);
- 2.4. Data Validation (1/1/2024 – 12/31/2025);
- 2.5. Monthly Reports (within 10 days of the end of each month);
- 2.6. Training (spring 2024); and
- 2.7. Operational Contingencies.

Subtask 2.1: Continuous PM_{2.5} QAPP

The contractor will assist CAPCOG in the development of a QAPP that details how continuous PM_{2.5} monitoring will meet the requirements of a Category III QAPP for Measurement projects.³ This continuous PM_{2.5} monitoring specific QAPP will be similar in scope and scale to the existing 2022-2023 QAPP for O₃ monitoring. The QAPP should describe, at minimum:

- Project Description and Objectives;
- Organization and Responsibilities;
- Scientific Approach;
- Sampling Procedures;
- Measurement Procedures;
- Quality Metrics (QA/QC Checks);
- Data Analysis, Interpretation, and Management; and
- Reporting.

Subtask 2.2: Continuous PM_{2.5} Site Set-Ups

Prior to Jan. 1, 2024, the contractor will need to complete installation and site set-ups of PM_{2.5} equipment at five to seven monitoring stations. CAPCOG is currently selecting the sites for continuous

³ <https://wayback.archive-it.org/414/20190906232309/https://www.tceq.texas.gov/assets/public/implementation/air/am/contracts/reports/ga/MeasurementQAPPNRMRL.pdf>

PM_{2.5} monitoring but expects that the majority of the PM_{2.5} sites will be co-located with an existing O₃ monitoring site detailed in Table 2.

Site set-ups will include:

- Installation of PM_{2.5} monitoring equipment;
- Setup calibration of equipment;
- Testing equipment to verify that they are working properly;
- Verification that data is being transmitted to and received by TCEQ's LEADS and EPA's AirNow via DR DAS' Envidas Ultimate software;⁴
- Taking a start-of-season inventory of each station;
- Notifying the TCEQ and CAPCOG that the stations are operational; and
- Verifying that data is being reported out to TCEQ's and EPA's AirNow website.

Subtask 2.3: Continuous PM_{2.5} Routine Maintenance and Calibrations

Starting on January 1, 2024, the contractor will maintain all continuous PM_{2.5} monitoring stations owned by CAPCOG. Maintenance will include all preventative maintenance and calibration procedures detailed in continuous PM_{2.5} monitoring specific QAPP from subtask 2.1, EPA's model specific SOPs⁵ or in the model specific manual(s) can be reference for greater understanding of expected maintenance and calibration work. This also includes any general site maintenance such as periodic mowing, weeding, etc. Any non-routine maintenance required as a result of problems that may arise throughout the performance period will be accounted for under the "operational contingencies" subtask.

Subtask 2.4: Continuous PM_{2.5} Data Validation

The contractor will check that data is being reported, that it is valid, and will perform whatever analyses are necessary to determine whether data reported to CAPCOG, TCEQ, and EPA are valid or not. The contractor will be required to flag data in EPA's AirNow and TCEQ's LEADS system if there are issues with the data that may make it invalid or otherwise warrant exclusion. The contractor is expected to have familiarity with TCEQ's LEADS system, EPA's AirNow system, and DR DAS' Envidas Ultimate reporting software⁶. If the contractor is unfamiliar with DR DAS' Envidas Ultimate reporting software, contractor must commit to train with DR DAS to learn the software at its own cost by November 30, 2023.. The total time for the training will be decided upon contract execution. Data validation procedures will involve:

- Daily reviews of sampling data that is reported to air quality data reporting systems (LEADS and AirNow) in order to confirm that all data is being collected and reported properly and that none of the instruments are reporting anomalous data that do not compare well to other stations; and
- Monthly review of the entire previous month's data and making any needed entries in the air quality data reporting systems.

Subtask 2.5: Continuous PM_{2.5} Reporting

Monthly activity reports will be required to be submitted to CAPCOG by the 10th of each month along with each monthly invoice that documents the contractor's work on Subtasks 2.2 – 2.4. Reports should include data completeness statistics, results of calibrations, operator logs, any deviations from the

⁴ <http://dr-das.com/software/Details/ultimate.html>

⁵ <https://www.epa.gov/amtic/amtic-pm25-monitoring-network>

⁶ <http://dr-das.com/software/Details/ultimate.html>

approved QAPP, data validation procedures employed, and any other information needed for CAPCOG to verify that the data quality objectives were met, and issues were addressed.

Subtask 2.6: Continuous PM_{2.5} Training

The operator will develop and provide training to staff, students, and faculty at CAPCOG, St. Edward's University and Huston-Tillotson University on the operation and maintenance of continuous PM_{2.5} monitors. The operator should also identify or develop training guidance materials to provide to participants. This training should occur in spring 2024.

Subtask 2.7: Operational Contingencies

Issues may arise in the operation and maintenance of monitoring stations throughout the year that may require additional site visits and work by the contractor beyond what is identified in Subtasks 2.2 – 2.4, above, in order to ensure that data quality objectives are met. The proposal should identify what types of remedial actions that contractor would commit to perform under this subtask without needing additional funding (i.e., what types of remedial actions would be considered "in-scope") and what types of actions would be considered out-of-scope.

General Trouble-Shooting

In addition to these subtasks, the contractor will be expected to provide general troubleshooting and consulting services to CAPCOG as needed to complete this project. For example, if CAPCOG needs to purchase replacement equipment or relocate equipment currently installed, the contractor will be expected to advise CAPCOG on logistical requirements that would enable CAPCOG to make informed decisions about the best way to proceed.

Task 3 (Required): Speciated PM_{2.5} Monitoring

CAPCOG is currently procuring speciated PM_{2.5} monitoring equipment. This equipment will meet EPA's Federal Reference Methods (FRM)/Federal Equivalent Methods (FEM) standards for PM_{2.5} monitoring. CAPCOG expects that there will be speciated PM_{2.5} monitors at one site in the region. One of the monitors will collect filter samples using a Teflon filter and one with a quartz filter. The contractor will be expected to ship collected samples the laboratory selected by CAPCOG and install new filters supplied by this laboratory.

Task 3 is broken down into the following sub-tasks:

- 3.1. QAPP development (by 12/31/2023);
- 3.2. Site set-up (by 12/31/2023);
- 3.3. Routine Maintenance and Calibrations (1/1/2024 – 12/31/2025);
- 3.4. Speciated PM_{2.5} Sample Collection and Shipment (1/1/2024 – 12/31/2025);
- 3.5. Data Validation (1/1/2024 – 12/31/2025);
- 3.6. Monthly Reports (within 10 days of the end of each month);
- 3.7. Training (spring 2024 and summer 2025); and
- 3.8. Operational contingencies.

Since this monitoring may occur at an existing CAPCOG site or a new site, please include quotes for both a scenario in which the speciated PM_{2.5} monitoring equipment is co-located with existing O₃ monitoring equipment, thereby requiring fewer trips to the site solely for PM_{2.5}-related activities, and a scenario in which the speciated PM_{2.5} monitoring equipment is located on its own. Since the location of the site is unknown at this time, the quote should account for the possibility that it would be located anywhere

within the Austin-Round Rock-San Marcos MSA, although it would most likely be located in Central or Eastern Austin where average annual PM_{2.5} concentrations have tended to be the highest.

Subtask 3.1: Speciated PM_{2.5} QAPP

The contractor will assist CAPCOG in the development of a QAPP that details how speciated PM_{2.5} monitoring will meet the requirements of a Category III QAPP for Measurement projects.⁷ This speciated PM_{2.5} monitoring specific QAPP will be similar in scope and scale to the existing 2022-2023 QAPP for O₃ monitoring. The QAPP should describe, at minimum:

- Project Description and Objectives;
- Organization and Responsibilities;
- Scientific Approach;
- Sampling Procedures;
- Measurement Procedures;
- Quality Metrics (QA/QC Checks);
- Data Analysis, Interpretation, and Management; and
- Reporting.

Subtask 3.2: Speciated PM_{2.5} Site Set-Ups

Prior to Jan. 1, 2024, the contractor will need to complete installation and site set-ups for the speciated PM_{2.5} equipment at one monitoring stations. CAPCOG is currently selecting the sites for the speciated PM_{2.5} monitoring but expects the PM_{2.5} monitor will be co-located with an existing O₃ monitoring site detailed in Table 2.

Site set-ups will include:

- Installation of PM_{2.5} monitoring equipment;
- Setup calibration of equipment;
- Testing equipment to verify that they are working properly;
- Taking a start-of-season inventory; and
- Notifying the CAPCOG that the stations are operational.

Subtask 3.3: Speciated PM_{2.5} Routine Maintenance and Calibrations

Starting on January 1, 2024, the contractor will maintain all speciated PM_{2.5} monitoring stations owned by CAPCOG in accordance with the speciated PM_{2.5} monitoring specific QAPP from subtask 3.1, the model specific manual(s) can be reference for greater understanding of expected maintenance and calibration work. This includes all preventative maintenance and calibration procedures detailed in the model specific manual(s) for the monitors as well as EPA's Quality Assurance Guidance Document 2.12 - Monitoring PM_{2.5} in Ambient Air⁸. This also includes any general site maintenance such as periodic mowing, weeding, etc. Any non-routine maintenance required as a result of problems that may arise throughout the performance period will be accounted for under the "operational contingencies" subtask.

⁷ <https://wayback.archive-it.org/414/20190906232309/https://www.tceq.texas.gov/assets/public/implementation/air/am/contracts/reports/qa/MeasurementQAPPNRMRL.pdf>

⁸ <https://www.epa.gov/sites/default/files/2021-03/documents/p100oi8x.pdf>

Subtask 3.4: Speciated PM_{2.5} Sample Collection and Shipment

The contractor will be responsible for promptly shipping sampling containers to the laboratory, or, if there is a delay in shipping the samples to the laboratory, placing them in a refrigerator until they can be shipped. All shipping procedures including temperature, shipping time, and shipping container should meet EPA's Quality Assurance Guidance Document 2.12 - Monitoring PM_{2.5} in Ambient Air⁹. CAPCOG anticipates 24-hour PM_{2.5} samples collected every six days for two years for a total of 122 samples.

Subtask 3.5: Speciated PM_{2.5} Data Validation

The laboratory will provide the contractor and CAPCOG with speciated data at least quarterly. The contractor will be responsible to ensure that data is loaded to the EPA Air Quality System (AQS) site and TCEQ's Texas Air Monitoring Information System (TAMIS) database. The contractor will check that data is being reported, that it is valid, and will perform whatever analyses are necessary to determine whether data reported to CAPCOG, TCEQ, and EPA are valid or not.

Subtask 3.6: Speciated PM_{2.5} Reporting

Monthly activity reports will be required to be submitted to CAPCOG by the 10th of each month along with each monthly invoice that documents the contractor's work on Subtasks 3.2 – 3.5. Reports should include data completeness statistics, results of calibrations, operator logs, any deviations from the approved QAPP, data validation procedures employed, and any other information needed for CAPCOG to verify that the data quality objectives were met, and issues were addressed.

Subtask 3.7: Speciated PM_{2.5} Training

The operator will develop and provide training to staff, students, and faculty at CAPCOG, St. Edward's University and Huston-Tillotson University on the operation and maintenance of speciated PM_{2.5} monitors. The operator should also identify or develop training guidance materials to provide to participants. This training should occur in spring 2024.

Subtask 3.8: Operational Contingencies

Issues may arise in the operation and maintenance of monitoring stations throughout the year that may require additional site visits and work by the contractor beyond what is identified in Subtasks 3.2 – 3.6, above, in order to ensure that data quality objectives are met. The proposal should identify what types of remedial actions that contractor would commit to perform under this subtask without needing additional funding (i.e., what types of remedial actions would be considered "in-scope") and what types of actions would be considered out-of-scope.

General Trouble-Shooting

In addition to these subtasks, the contractor will be expected to provide general troubleshooting and consulting services to CAPCOG as needed to complete this project. For example, if CAPCOG needs to purchase replacement equipment or relocate equipment currently installed, the contractor will be expected to advise CAPCOG on logistical requirements that would enable CAPCOG to make informed decisions about the best way to proceed.

⁹ <https://www.epa.gov/sites/default/files/2021-03/documents/p100oi8x.pdf>

Optional Tasks

The following tasks are listed as “optional” in that CAPCOG may or may not include them in this contract, or, if included in the contract, may or may not exercise the option to proceed with them. However, in order to evaluate each vendor’s proposal, the proposal should include a price or rate for each optional task.

4. Updating CAPCOG’s O₃ Monitoring QAPP to include automated calibrations;
5. Manual Calibrations of St. Edwards University O₃ Monitoring station;
6. Establishing a new O₃ monitoring station;
7. Installation and Maintenance of Nitrogen Oxides (NO_x) Monitor at an Existing O₃ Monitoring Site;
8. Site decommissioning;
9. Independent Audit of O₃ Calibrations;
10. PM Sensor Maintenance;
11. Equipment leasing; and
12. Other tasks.

Task 4 (Optional): Updating CAPCOG’s O₃ Monitoring QAPP to include automated calibrations

CAPCOG will need to update its QAPP to account for the use of automated calibrating equipment at some of its sites prior to the 2024 O₃ season. If CAPCOG needs or desires assistance in updating this QAPP, it will exercise the option in the contract to use the vendor’s services for this purpose. The proposal should therefore include a quote for the # of labor hours and rate or rates applicable to those hours to perform this update.

Task 5 (Optional): Manual Calibrations of St. Edwards University O₃ Monitoring Station

St. Edwards University owns its own O₃ monitoring station and while they are capable of performing routine maintenance on this station, CAPCOG pays for the cost of conducting monthly manual calibrations at this site. Unlike Task 1.4, which involves performing monthly calibrations during site visits already scheduled for routine maintenance, performance of this task will require stand-alone visits to this location. Calibrations will be expected to occur in accordance with the same procedures and timeframe used by CAPCOG for its own sites.

Task 6 (Optional): Establishing New O₃ Monitoring Stations

CAPCOG may decide to establish new O₃ monitoring stations during the performance period of this contract. If so, the contractor will be required to transport the required equipment, including a cargo trailer (if needed) to the new location and completely set-up the sites, including the installation and connection of all the equipment necessary to collect and transmit O₃ and meteorological data. CAPCOG will make arrangements for cellular and electric service to the stations, but the contractor may need to be on-site when connections are established and help ensure that installation of utilities are successful. The contractor will be required to set-up the site in accordance with Subtask 1.1. In order to enable CAPCOG to fully understand these costs and incorporate them into the contract, please include a quote that includes the complete set-up of a new site and the monthly costs for Subtasks 1.2 – 1.5 for this new site with the understanding that the location could be anywhere within the five-county Austin-Round Rock-San Marcos MSA.

Task 7 (Optional): Installation and Maintenance of Nitrogen Oxides (NO_x) Monitor at an Existing O₃ Monitoring Site

CAPCOG may decide to establish research-grade NO_x monitors at new or existing O₃ monitoring sites. If so, the contractor will be required to install and maintain any equipment that is needed to operate a NO_x monitor. Please include a quote that contains the cost for the installation, monthly maintenance of a NO_x research grade monitor, and NO_x data validation.

Task 8 (Optional): Site Decommissioning

If CAPCOG needs to decommission one or more of its sites due to a loss of funding or other reason, we will need to know what the cost to do so will be and include a provision in the contract enabling us to do so if needed. Therefore, please include the following quotes:

- The cost to decommission an O₃-only monitoring station (i.e., provide the cost to decommission an O₃ site assuming no co-located samplers);
- The marginal costs to decommission each of the following equipment types co-located at an O₃ monitoring station:
 - Continuous PM_{2.5} equipment;
 - Speciated PM_{2.5} (assuming two monitoring devices); and
 - NO_x monitoring equipment;
- The costs to decommission a continuous PM_{2.5}-only station; and
- The costs to decommission a speciated PM_{2.5}-only station.

Note that the total cost of decommissioning all sites and equipment will be included in the final “not-to-exceed” amount for this contract, but only so that proceeding with this task does not require a contract amendment.

Task 9 (Optional): Independent Audit of O₃ Calibrations

Yearly audit of O₃ calibration tests using a different primary standard than was previously used to calibrate the analyzers. The auditor may be an individual within company that is not normally responsible for regular maintenance and operation of the O₃ analyzers, however, a truly independent audits by an individual from an external party is preferred.

CAPCOG may contract with a separate vendor to conduct this task, if this occurs, the vendor being audited will be required to fully cooperate with any such audits. The costs for this task should separate out the independent auditor’s cost from the added labor involved with the regular staff that may be required to facilitate an independent audit.

Indicate in the proposal if contractor is willing to be considered for a contract to only perform the independent audit if not contracted to perform required tasks 1-3.

Task 10 (Optional): PM Sensor Maintenance

CAPCOG currently operates PurpleAir PM sensors¹⁰ at all our the CAPCOG owned monitoring sites. In addition, CAPCOG plans to install up to 20 more of these sensors across the region as part of one of CAPCOG’s two EPA grants. Under this optional task, the contractor will aid the maintenance of the PM sensor network across the region by providing general troubleshooting and consulting services to CAPCOG and our PM sensor stakeholders. If a sensor needs parts or replacement the contractor will

¹⁰ <https://www2.purpleair.com/>

notify CAPCOG, the costs of the parts or replacement unit is not in the scope of this task. Costs for this task should be based on the cost per visit under the following scenarios:

- Nonroutine – a sensor that is not at CAPCOG monitoring site or not serviced during a routine visit to a CAPCOG monitoring site; or
- Routine - a sensor at a CAPCOG monitoring site serviced during a routine visit.

Task 11 (Optional): Equipment Leasing

While CAPCOG expects to have all equipment available needed for this project, it can sometimes be useful to have access to additional equipment if there are issues with existing equipment. If a vendor has access to equipment that it owns or that it can lease that it could in turn lease to CAPCOG to support this project, please include a pricing list for each equipment type it is able to lease to CAPCOG.

Task 12 (Optional): Other Tasks

Throughout the course of monitoring, various other tasks not explicitly identified above may need to be performed. Please include a pricing schedule for any time or materials that the vendor would charge to CAPCOG for such tasks, which would be charged under contingency allowances under each task or through work orders.

Insurance Requirements

The selected contractor must maintain the minimum insurance coverages, consistent with CAPCOG’s site lease agreements.

Table 3. Insurance Coverage Requirements

Coverage	Amount
Commercial General Liability – Each Occurrence	\$500,000
Commercial General Liability – Annual Aggregate	\$2,000,000
Commercial General Liability – Personal and Advertising Injury	\$100,000
Commercial General Liability – Excess Liability Coverage	\$1,000,000
Worker’s Compensation – Bodily Injury (per employee)	\$100,000
Worker’s Compensation – Disease (per employee per disease)	\$300,000
Automobile Liability – Combined Bodily Injury and Property Damage	\$1,000,000

In order to demonstrate that the proposer meets all of these requirements, proposers must provide:

- A copy of the certificate for current commercial liability;
- A copy of the certificate for current workers’ compensation; and
- A copy of the certificate for current automobile insurance coverage.

Format and Content

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

The proposal is limited to 25 pages (front and back), not including a cover page/letter and attachments. All applications must be submitted in Microsoft Word Format with margins not less than one inch. The budget must also be submitted in Microsoft Excel based on the template provided. Text type must be 11 point or larger. Below is a summary of required information. Proposals should be organized accordingly.

- 1) Executive Summary (1 page)

- 2) Organizational Profile (1 page)
- 3) Work Plan (12-13 pages)
- 4) Budget Narrative (5-6 pages)
- 5) Management Plan and Key Staff (3-4 pages)
- 6) References (1 page)
- 7) Attachments (required certification forms)
- 8) Budget (required Excel template)

Executive Summary

Provide a 1-page overview of how the project will meet the goals of the proposal.

Organizational Profile

Provide a 1-page description of your organization in terms of its history, primary business, and former and current customers. Please include, at a minimum:

- Ownership information, including any Historically Underutilized Business (HUB) vendor information;
- U.S. Government SAM Entity Identification Number (if available; if unavailable, explicitly state so);
- Physical Address;
- Mailing Address;
- Primary contact name;
- Office phone number for primary contact;
- Cell phone number for primary contact;
- Fax number for primary contact; and
- E-mail address for primary contact.

Work Plan

Provide a work plan that describes your technical approach to complete the scope of work, including optional tasks. Focus in particular on how specifically how you would complete the work beyond the descriptions of the work included in this RFP. For example, explain how your firm would ensure that monthly O₃ calibrations were completed on-time such that they avoided interfering with a potential high 8-hour O₃ measurement, or the exact data validation procedures that your firm would use. The work plan should include details such as the estimated number of hours of work that would be required to complete the work and any other types of inputs that would be required under this contract. These estimates should be able to tie directly to the costs in the budget narrative.

Management Plan and Qualifications

Describe the role of key staff in the project including the identification of the project manager. Provide detail on the proportion of time each staff member will allocate to each part of the project. Provide a summary of each individual's work history and qualifications to complete work on this project. Describe other qualified staff available to complete the project if one of the individuals listed in the proposal terminates employment with the contractor or is otherwise unavailable prior to completion of the project. Full resumes should not be included in this section. Make sure to directly address which staff, if any, have training or experience in working with TCEQ's LEADS, EPA's AirNow system, and DR DAS's Envidas software.

Provide at least three (3) references (complete with contact information) that can vouch for your organization's ability to complete the work. For each reference, include a brief description of the project or projects that the person would be able to speak about. If the vendor has previously completed work for CAPCOG, do not list CAPCOG personnel references.

Budget

Provide a budget narrative for this project with enough detail that cost effectiveness can be evaluated. Budget components should include a breakdown of activities at each monitoring site on a monthly basis and costs of report preparation. Proposals should use the accompanying the Excel workbook to present the costs for each task in highlighted areas. All per-unit costs presented in the budget narrative will be used as the basis for the contract entered into and any extensions, if approved by CAPCOG. The excel spreadsheet must be filled out with budget numbers and submitted along with the proposal.

In addition to these defined costs, the proposal should also include other relevant cost estimates if additional work is required beyond this defined scope of work. For instance, if a piece of equipment needs to be repaired, additional staff time may be required. This would be billable at whatever rate was provided in the proposal. These costs should be consistent with the costs quoted in the budget table. At a minimum, this should include:

- Hourly labor rates; and
- The estimated number of hours required for typical types of repairs for O₃ analyzers and meteorological equipment used in this project.

Note that the budget spreadsheet is configured to calculate a "not-to-exceed" total for the contract, though CAPCOG reserves the right to modify quantities as needed prior to executing a contract, depending on funding availability and other factors.

Required Certifications

Five (5) certification forms are required for this project. Four are to be completed and submitted to CAPCOG directly. These four forms are provided as attachments to this RFP.

1. Certification of Compliance with Small, Disadvantaged, Minority, Women-Owned, And Historically Underutilized Business Policy
2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion for Lower-Tier Covered Transactions
3. Certification Regarding Lobbying
4. Conflict of Interest Questionnaire (IF APPLICABLE) - Chapter 176 of the Texas Local Government Code requires vendors and consultants contracting or seeking to contract with CAPCOG to file a conflict of interest questionnaire (CIQ) if they have an employment or other business relationship with an CAPCOG officer or an officer's close family member.

The fifth form must be completed online:

5. Certificate of Interested Parties Form – Form 1295 (sample provided)

Texas law states that a governmental entity or state agency may not enter certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The required form and instructions are located at the Texas Ethics Commission Website.

Updates and Additional Information

Updates and additional information related to this RFP 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 RFP may be e-mailed to Andrew Hoekzema at ahoekzema@capcog.org by 4:00 pm Central Time, Friday, September 1, 2023. CAPCOG will post answers to any questions on the “Doing Business with CAPCOG” page shortly thereafter.

Submission of Proposals

CAPCOG will need to budget time for the review of proposals and therefore must have some advance notice of the number of submissions we expect to receive. Therefore, proposers will be required to submit a “letter of intent” via e-mail to ahoekzema@capcog.org by 4:00 pm on Friday, September 1, 2023, simply stating that the firm intends to submit a proposals in response to this RFP.

Proposals must be submitted to CAPCOG via e-mail to ahoekzema@capcog.org and received by CAPCOG no later than 4:00 pm Central Time, Friday, September 15, 2023.

CAPCOG is not liable for any costs incurred by a proposer in preparing and submitting proposals.

Selection Process

Following receipt of proposals, CAPCOG staff will review proposals to ensure all required information was provided.

Selection Criteria

CAPCOG staff will then distribute proposals to a selection committee that will include members of CAPCOG staff and members of CAPCOG’s Clean Air Coalition Advisory Committee (CACAC). The selection committee will evaluate proposals based on the following criteria:

- | | |
|--|-----------|
| 1. Work Plan for Tasks 1-3: | 20 points |
| 2. Management Plan and Qualifications: | 40 points |
| 3. Cost for Tasks 1-3: | 30 points |
| 4. Contingency Tasks: | 10 points |

The **work plan for Tasks 1-2** will be evaluated based on how well the proposed approach describes the work that will be completed and the likelihood that the proposed approach would successfully fulfill CAPCOG’s expectations for this contract.

The **management plan and qualifications** will be evaluated based on the demonstrated capability of the vendor to carry out the work described in this RFP. Key factors that will be considered include:

- Experience working with the specific instruments that will be used in this contract;
- Experience working with TCEQ’s LEADS system and EPA’s AirNow system for data reporting and validation;
- Prior performance in CAPCOG projects, if applicable;
- Availability of staff to respond to problems quickly when they occur; and
- Strength and relevancy of references.

Upon receipt of a proposal, CAPCOG staff will call each reference to notify that person that he or she was listed as a reference and that CAPCOG would be sending that person an e-mail with some questions:

- You have been listed as a reference for [vendor] for an air quality monitoring proposal. Do you know

Proposals are due by email to ahoekzema@capcog.org by 4 pm, September 15, 2023

- [vendor]?
- What projects has [vendor] completed that you have knowledge of and would be able to evaluate the performance for?
- Overall, how would you evaluate [vendor's] performance for these projects?
- Were there any problems that arose in [vendor's] performance?

CAPCOG staff will provide a summary of its evaluation of its current contractor's performance to the review committee for consideration as part of this review process as well. CAPCOG will post this performance review online prior at least 1 week prior to the close date for this RFP as a reference for potential proposers.

The **budget for Tasks 1-3** will be scored based on the level of detail provided, the costs quoted, and the reasonableness of the proposal's approach to contingency costs. Half of this score will be based strictly on the base price quoted for completing Tasks 1-3, with the lowest-cost proposal receiving 15 points, the highest-cost proposal receiving 0 points, and all other proposals being scored in line with this scale. The remaining 15 points will be awarded based on the selection committee's evaluation of the level of detail provided and reasonableness of the proposal's approach to contingency costs.

The **optional task score** will be based on the level of detail provided, the costs quoted, and the overall value the selection committee places on each optional task relative to the costs quoted.

Selection Committee Scoring

A total of 100 points is possible for each proposal. Committee members will score each proposal, and then CAPCOG staff will tally the average score for each proposal. CAPCOG will and present the results back to the selection committee to determine if they wish to conduct interviews with the top two candidates.

Executive Committee Approval

CAPCOG staff will present the selection committee's recommendation to the Executive Committee and request the Executive Committee's approval to award a contract based on the selection committee's recommendation. CAPCOG expects to present the selection committee's recommendation at the October 11, 2023, Executive Committee meeting and enter into a contract with the selected vendor shortly thereafter.

Additional Information

CAPCOG may request in writing additional information from a proposer relating to the proposal and the proposer 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 Proposal

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

Award of Contract

CAPCOG will award this contract to the proposer that it determines will provide the best value. Approval of the contract is subject to CAPCOG's Executive Committee. Once the contract is awarded, CAPCOG reserves the right to negotiate its terms with the successful proposer, and – if negotiations fail, negotiate terms with another proposer who provided a responsive proposal. A proposer selected because of this solicitation and the staff proposed for the audit may be subject to criminal background checks as a condition to entering a contract.

CAPCOG is posting a draft contract on our website at <https://www.capcog.org/divisions/administrative-services#doing-business>. CAPCOG expects to adapt the successful proposal to serve as the scope of work ("Attachment A") in the awarded contract. Unless a proposer asks a question about any of the contract provisions

CAPCOG reserves the right to reject any or all proposals. If CAPCOG rejects all proposals, it may solicit new proposals if CAPCOG determines that it is in its best interest to do so.

Performance Period

CAPCOG expects the performance period for this contract to be from 11/1/2023 – 12/31/2025, with the option to extend the contract for two one-year periods for 1/1/2026 – 12/31/2026 and 1/1/2027 – 12/31/2027.

Related Documents incorporated into this RFP

The following related documents are incorporated into this RFP by reference and are being posted on the "Doing Business with CAPCOG" page in order to enable bidders to review these documents prior to applying.

1. Budget spreadsheet;
2. CAPCOG's 2022-2023 O₃ Monitoring QAPP;
3. CAPCOG's Continuous PM_{2.5} Grant from EPA
4. CAPCOG's Speciated PM_{2.5} Grant from EPA
5. CAPCOG's Existing monitoring site leases
6. The most recent equipment inventory available for CAPCOG monitoring equipment and stations
7. Required certification forms
8. Draft contract template
9. Current monitoring contract
 - Original contract
 - Amendment 1

Invoicing and Payment

Payment shall be made for services rendered and billed by the contractor and received by CAPCOG on a cost reimbursement methodology upon the completion of satisfactorily executed deliverables.

Contractor must submit invoices to CAPCOG by the tenth day of each month for any work completed in the previous calendar month along with a report on activities completed in the prior month. The on-going costs for maintenance of the site must be a fixed monthly amount. Payment shall be made for services rendered and billed by the contractor and received by CAPCOG.

Resolution of Protested Solicitation or Contract Award

An unsuccessful bidder/offeror/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.

Potential Changes in Contracts Post-Award

Changes in state and/or federal legislation, rules, or regulations may result in a requirement to renegotiate contracts at any time prior to or during the contract period. Substantive changes to project content, procedures, or budgets during the life of the contract may be accomplished by negotiating these modifications with CAPCOG. CAPCOG will also pursue any necessary and appropriate contract modifications should legal or other changes occur in the project to sufficiently alter the original terms of the contract. No further solicitations or Requests for Proposals will be required in such cases.

Reference Information - Other contractual requirements

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 CONTRACTOR will not discriminate against any employee or applicant for employment because of race, color, sex, religion, national origin, age or disability. The CONTRACTOR 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 CONTRACTOR 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 CONTRACTOR will state, in all solicitations or advertisements for employment (by or on behalf of the CONTRACTOR), 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 contractors and subcontractors should take the following affirmative steps:

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 contractors 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.O

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 contractor with such a subcontractor, that such business is retained during the entire performance of the contract.

6-105. Failure of a contractor 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.