

APPENDIX 1

ABBREVIATIONS AND DEFINITIONS

For purposes of this RFP, the following abbreviations or terms have the meanings indicated below:

1. **Administration** – Maryland Energy Administration (MEA)
2. **Advanced Degree** – A Master’s or Doctorate Degree.
3. **Business Day(s)** – The official working days of the week to include Monday through Friday. Official working days exclude State Holidays (see definition of “Normal State Business Hours” below).
4. **COMAR** – Code of Maryland Regulations available on-line at www.dsd.state.md.us.
5. **Contract(s)** – The Contract(s) awarded to the successful Offeror(s) pursuant to this RFP. The Contract(s) will be in the form of **Attachment M**.
6. **Contract Commencement** - The date the Contract is signed by the MEA following any required approvals of the Contract, including approval by the Board of Public Works, if such approval is required.
7. **Contract Manager** – The State representative for this Contract who is primarily responsible for Contract administration functions, including issuing written direction, invoice approval, monitoring this Contract to ensure compliance with the terms and conditions of the Contract, monitoring MBE and VSBE compliance, and achieving completion of the Contract on budget, on time, and within scope. The Contract Manager may authorize in writing one or more State representatives to act on behalf of the Contract Manager in the performance of the Contract Manager’s responsibilities.
8. **Contractor** – The selected Offeror that is awarded a Contract by the State.
9. **Cost Contract** – A contract which provides for reimbursement for specified allowable costs but no fee.
10. **Department or MEA** – Maryland Energy Administration.
11. **eMM** – eMaryland Marketplace accessible on the Maryland Department of General Services website at <https://emaryland.buyspeed.com/bso/> (see RFP Section 4.2).
12. **Fixed Hourly Labor Category Rates** – These are the fully loaded, fixed hourly rates for all contracted labor as established in the Contract. These rates will be utilized by the Contractor(s) upon proposing and executing services under a Contract and task orders (TO). The rates quoted in a Contractor’s task order in response to a TO request may bill up to but not exceed the fixed Fully Loaded Fixed Hourly Labor Category Rates in the Contract for the applicable Labor Category.
13. **Fully Loaded** – means the costs associated with a specific fixed hourly labor rate that includes all profit and direct and indirect costs associated with performing a TO. The indirect costs shall include all costs that would normally be considered General and Administrative costs and/or

routine travel costs, or which in any way are allocated by the Contractor against direct labor hours as a means of calculating profit or recouping costs which cannot be directly attributable to a TO.

14. **Go-Live Date** – The date, as specified in the Notice to Proceed, when the Contractor must begin providing all services required by this solicitation.
15. **Key Personnel** – All personnel identified by the Offeror in its Proposal in the Project Manager, Senior Program Analyst, and Senior Energy Engineer labor categories are considered to be essential to the work being performed under the Contract or in the Contractor’s proposed Task Order. See RFP Sections 3.10 and 5.4.2.7.
16. **Liquidated Damages** – Financial restitution assessed on the Contractor as compensation upon a determination by the State that the Contractor failed to make good faith efforts to comply with one or more of the specified MBE Program requirements or pertinent MBE Contract provisions as follows:
 - a. Failure to submit each monthly payment report in full compliance with COMAR 21.11.03.13B(3): \$0 per day until the monthly report is submitted as required.
 - b. Failure to include in its agreements with MBE subcontractors a provision requiring submission of payment reports in full compliance with COMAR 21.11.03.13B(4): \$1,000 per MBE subcontractor.
 - c. Failure to comply with COMAR 21.11.03.12 in terminating, canceling, or changing the scope of work/value of a contract with an MBE subcontractor and/or amendment of the MBE participation schedule: the difference between the dollar value of the MBE participation commitment on the MBE participation schedule for that specific MBE firm and the dollar value of the work performed by that MBE firm for the Contract.
 - d. Failure to meet the Contractor’s total MBE participation goal and sub-goal commitments: the difference between the dollar value of the total MBE participation commitment on the MBE participation schedule and the MBE participation actually achieved.
 - e. Failure to promptly pay all undisputed amounts to a subcontractor in full compliance with the prompt payment provisions of the Contract: \$0 per day until the undisputed amount due to the subcontractor is paid.
17. **Local Time** – Time in the Eastern Time Zone as observed by the State of Maryland. Unless otherwise specified, all stated times shall be Local Time, even if not expressly designated as such.
18. **MEA** – Maryland Energy Administration, 1800 Washington Blvd, Suite 755, Baltimore, MD 21230.
19. **Minority Business Enterprise (MBE)** – Any legal entity certified as defined at COMAR 21.01.02.01B(54) which is certified by the Maryland Department of Transportation under COMAR 21.11.03.
20. **Net Zero Energy School** – a School whose total annual energy generation is equivalent (or greater) than the total annual energy usage and where all energy sources (electricity, natural gas, propane, etc.) are considered.
21. **Non-Routine Travel** – Non-routine travel is defined as travel authorized by an MEA task order that is beyond the 50 mile radius of MEA’s location or the Contractor’s facility, whichever is closer to the consulting worksite. In the case of a subcontractor working on a specific task order, non-routine travel is defined as travel authorized by an MEA task order that is beyond the 50 mile radius of MEA, the Contractor’s facility, or the subcontractor’s facility, whichever is closer to the consulting worksite.

22. **Normal State Business Hours** - Normal State business hours are 8:00 a.m. – 5:00 p.m. Monday through Friday except State Holidays, which can be found at: www.dbm.maryland.gov – keyword: State Holidays.
23. **Notice to Proceed (NTP)** – A written notice from the Procurement Officer that, subject to the conditions of the Contract, work under the Contract is to begin as of a specified date. The start date listed in the NTP is the Go-Live Date, and is the official start date of the Contract for the actual delivery of services as described in this solicitation. After Contract Commencement, additional NTPs may be issued by either the Procurement Officer or the MEA Contract Manager regarding the start date for any service included within this solicitation with a delayed or non-specified implementation date.
24. **Offeror** – An entity that submits a Proposal in response to this RFP.
25. **Price Adjustment** – Adjustment to the Fixed Hourly Labor Category Rates as specified in Attachment G which may be allowed only if the State exercises its unilateral right to exercise the contract option year(s). The adjustment is made by using the United States Bureau of Labor Statistics (BLS), Consumer Price Index. The price adjustment shall not exceed the CPI calculation or 3% whichever is less. The United States Bureau of Labor Statistics, Consumer Price Index shall be used as follows:
- a. The adjustment shall be calculated by using the most recent [Table 1. Consumer Price Index for All Urban Consumers \(CPI-U\): U.S. city average](#), by expenditure category using the "All" category.
 - b. The following example illustrates the computation of percent change using data available during February 2013:
 - CPI for most currently available year period (December 2012) 229.601
 - Less CPI for previous period (December 2011) 225.672
 - Equals index point change 3.929
 - Divided by previous period CPI 225.672
 - Equals 0.0174
 - Result multiplied by 100 (0.0174 x 100)
 - Equals percent change 1.74%
 - c. In the event that the BLS discontinues the use of the index described above, adjustments shall be based upon the most comparable successor index to the CPI. The determination as to which index is most comparable shall be at the sole discretion of the State.
26. **Procurement Officer** – The person authorized by the Maryland Energy Administration (the Administration) to issue and administer this RFP, administer the evaluation and selection of the winning proposal, and administer the resulting contract in accordance with the State’s Procurement Law as set forth in Division II of the State Finance and Procurement Article of the Annotated Code of Maryland. Prior to the award of any Contract, the sole point of contact in the State for purposes of this solicitation. After Contract award, the Procurement Officer has responsibilities as detailed in the Contract (Attachment M), and is the only State representative who can authorize changes to the Contract. The Administration may change the Procurement Officer at any time by written notice to the Contractor.
27. **Program Cost Account (PCA)** – The accounting tracking number assigned by the MEA to an energy program.

28. **Project Manager** – Until the time of award of a Contract by MEA, this is the person designated as the point-of-contact in the Offeror’s proposal with the authority to represent a Contractor and to resolve contract matters on behalf of the Contractor. After the issuance of award(s) by MEA, the Project Manager role will be defined for Subject Matter Area I by RFP Section 2.4.3.2 and for Subject Matter Area II by RFP Section 2.5.3.2.
29. **Proposal** – As appropriate, either or both of an Offeror’s Technical or Financial Proposal.
30. **Request for Proposals (RFP)** – This Request for Proposals for Energy Technical Services Provider for the Maryland Energy Administration, Project Number **DEXR7400002**, August 10, 2017, including any amendments.
31. **Routine Travel** – Routine travel is defined as travel authorized by an MEA task order that is within a 50 mile radius of the MEA’s location of 1800 Washington Blvd, Baltimore, MD 21230 or a facility of the Contractor, whichever is closer to the consulting work site. For any travel completed by a subcontractor, routine travel is defined as travel authorized by an MEA task order that is within a 50 mile radius of the MEA’s location of 1800 Washington Blvd, Baltimore, MD 21230, a facility of the Contractor, or a facility of the subcontractor, whichever is closer to the consulting work site.
32. **State** – The State of Maryland.
33. **Task Order (TO)** - Task Order is a supplementary contractual and obligating instrument used during execution of an indefinite quantity contract to establish specific work detail, quantity, deliverables, pricing and timing for an assigned task.
34. **Total Proposal Price** - The Offeror’s total proposed price for services in response to this solicitation, included in the Financial Proposal with Attachment B – Financial Proposal Form, and used in the financial evaluation of Proposals (see RFP Section 5.5).
35. **Veteran-owned Small Business Enterprise (VSBE)** – A business that is verified by the Center for Verification and Evaluation (CVE) of the United States Department of Veterans Affairs as a veteran-owned small business. See Code of Maryland Regulations (COMAR) 21.11.13.