REQUEST FOR PROPOSAL ("RFP")

LEAK DETECTION SERVICES FOR
ASPA WATER SYSTEM
April 7, 2015

RFP NO. ASPA15.1251.ESD

UTU ABE MALAE
EXECUTIVE DIRECTOR
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NOTICE TO OFFERORS
REQUEST FOR PROPOSALS (“RFP”)

ISSUANCE DATE: April 7, 2015
RFP #: ASPA15.1210.ESD
PROJECT: Leak Detection Services for ASPA Water System
CLOSING DATE/TIME: May 7, 2015 @ 2:00 p.m., American Samoa Time

The American Samoa Power Authority (ASPA) issues this Request For Proposal (RFP) to evaluate, negotiate, and contract a professional firm or contractor to provide leak detection services for ASPA water system. Qualified offerors must submit proposals in a sealed envelope, box, or other enclosure addressed to Nancy Tinitali-Mauga, ASPA Procurement Manager. The sealed envelope or box must show date and time of proposal opening and be labeled: RFP No. ASPA15.1251.ESD Leak Detection Services for ASPA Water System. Late submittals will not be opened or considered and will be determined as non-responsive. Electronic Submittals may be made by submitting electronic PDF copies of proposals to bids@aspower.com no later than the date and time as specified. All offerors shall provide sufficient written and verifiable information that responds to the requirements set forth herein. For more information about this RFP, please contact the following person(s):

Liz Puni
Contract Specialist
Materials/Procurement Management
Tel. 684.699.3057
bids@aspower.com

The American Samoa Power Authority reserves the right to:

1. Reject all proposals and reissue a new or amended RFP.
2. Request additional information from any submitting a proposal.
3. Select a firm for award based on other than "least cost" (e.g. capability to complete work in a timely fashion or proven technical capabilities).
4. Negotiate a contract with the firm selected for award.
5. Waive any non-material violations of rules set up in this RFP at its sole discretion.

Utu Abe Malae, Executive Director Date: April 7, 2015
<table>
<thead>
<tr>
<th>PROPOSAL INVITATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATED ISSUED:  April 7, 2015</td>
</tr>
<tr>
<td>INVITATION NO:  RFP NO: ASPA15.1251.ESD – Leak Detection Services for ASPA Water System</td>
</tr>
</tbody>
</table>

**INSTRUCTIONS:**

1) This REQUEST FOR PROPOSALS (RFP) shall be submitted in a sealed envelope, box, or other enclosure addressed to Nancy Tinitali-Mauga, ASPA Materials/Procurement Manager, P.O. Box PPB, Pago Pago, AS 96799. An original, one PDF electronic copy, and five (5) hard copies must be received at ASPA’s Materials Management Office no later than 2:00 pm on May 7, 2015. The envelopes or boxes must be labeled “RFP No. ASPA15.1251.ESD – Leak Detection Services for ASPA Water System”. Late submittals will not be opened or considered and will be determined as non-responsive. All Offerors shall provide sufficient written and verifiable information that responds to the requirements set forth herein, the Contract Documents, and in the Scope of Work.

2) **Pre-proposal Questions** – Any pre-proposal questions and/or clarifications shall be submitted to Liz Puni in writing at bids@aspower.com. Questions and/or clarifications are welcome and should be submitted no later than 4:00 pm on April 24, 2015.

3) ASPA shall issue addenda to address any questions and/or clarifications as necessary on April 30, 2015.

**NOTE TO OFFERORS:**

This Request for Proposal (RFP) is subject to the attached General Terms and Conditions and Scope of Work.

The undersigned offers and agrees to furnish within the time specified, the articles and services at the price stated opposite the respective terms listed on the schedule of the cost proposal. In Consideration of the expense to the American Samoa Power Authority in opening, tabulating, and evaluating this and other proposals, and other considerations such as the schedule, the undersigned agrees that this proposal shall remain firm and irrevocable for One Hundred Fifty (150) calendar days from the proposal closing date to supply any or all of the items which prices are quoted. **Furthermore, all quotes and prices from the successful Offeror must be in United States Dollars (USD).**

Signed:_______________________                          Date:________________
SPECIAL REMINDERS TO PROSPECTIVE OFFERORS

All Offerors are reminded to read and comply with the Proposal Invitation Instructions and General Terms and Conditions. The Offeror must attach a signed Proposal Transmittal Form and acknowledgement of all Proposal Conditions and Addenda. The Offeror shall ascertain that all of the following requirements of the proposal are submitted in a single proposal envelope or box and delivered prior to the specified date and time for proposal opening.

- Proposal Transmittal Form (Attachment A)
- Scope of Work (Attachment B)
- Proposal Cost Form (Attachment C)
- Offeror Qualification Sheet (Attachment D)

All required forms must be signed and returned with the proposal envelope. Failure to comply with these requirements may result in disqualification or rejection of the proposal.

I, ________________________________, the duly authorized representative of ________________________________, acknowledge receipt of this special reminder to prospective Offerors together with RFP NO. ASPA15.1251.ESD Leak Detection Services for ASPA Water System as of this date _____________, 2015, and addenda (listed below) issued by ASPA.

_________________________________
Signature of Offeror’s Representative

Addenda: __________________________
SIGNIFICANT DATES

The following are the significant dates for the RFP and the anticipated Contract and Scheduling Dates:

April 7, 2015  Issuance Date
April 24, 2015  Deadline for submitting questions/inquiries/clarifications
May 7, 2015  Closing Date (2:00 p.m. American Samoa time)
May 8, 2015  Procurement to review proposals for completion & compliance
May 11, 2015  Source Evaluation Board (SEB) 1st meeting to review proposals
May 18, 2015  SEB submit recommendations to Procurement Manager
May 22, 2015  Inform Successful Offeror
June 1, 2015  Notice to Proceed (send to Contractor)

**Dates are subject to change.**
I. INTRODUCTION: The American Samoa Power Authority (ASPA) in order to comply with American Samoa Code Annotated (ASCA) §15.0108 and other regulatory requirements, hereby issues this request for proposals for Leak Detection Services for ASPA Water System.

The American Samoa Power Authority (ASPA) invites professional consulting firms to submit formal, written proposals to provide Leak Detection Services for ASPA Water System. The complete description of required services and deliverables is listed in the Scope of Work, which is incorporated herein as if fully set forth.

This invitation is an open and competitive process in which ASPA, hereby invites sealed proposals from qualified Offerors.

II. BACKGROUND: American Samoa is composed of several islands including Tutuila, Tau, Ofu, Olosega, and Aunuu. In the 2010 census the islands had a combined population of approximately 55,000 with nearly 52,000 residing on Tutuila. Nearly 20 miles long and between one and six miles wide, Tutuila is the largest island of the group with the remaining islands each significantly smaller. The islands are located approximately 2400 miles southwest of Hawaii and 1800 miles northeast of New Zealand.

III. AUTHORITY: ASPA, which generates and distributes electrical power and provides water, wastewater, solid waste services for the islands of American Samoa, a Territory of the United States. ASPA, a semi-autonomous agency of the American Samoa Government (ASG), was formally established through the ASG legislative act on January 1, 1981. Prior to that date, ASPA was operated as a division of ASG’s Department of Public Works. The separate, semi-autonomous power authority was established to provide better accountability and operating efficiency.

ASPA is governed by a five-member Board of Directors appointed by the Governor and confirmed by the legislature. The first three members serve four-year staggered terms, and the fourth and fifth members serve four-year concurrent terms. All rates charged by ASPA are developed and promulgated in accordance with ASG Administrative Procedures Act 4.1001 and the Public Utility Regulatory Policies Act (PURPA) for electricity.

IV. SCOPE OF WORK: (See Attachment B)

V. DATE/TIME/PLACE FOR PROPOSAL SUBMITTAL: Each Offeror must submit their proposals in a sealed envelope addressed to the Materials/Procurement Manager. An original and five (5) copies of the Offeror’s proposal must be received at the ASPA Materials Management Office no later than 2:00 p.m. May 7, 2015. Late submittals will not be opened or considered and will be determined as non-responsive. All Offerors shall provide sufficient written and verifiable information that responds to the requirements set forth herein and in the Scope of Work.
The Offerors may submit the proposals through three (3) means.

i. **Electronic File Transfer**: The Offeror may submit the proposal using the electronic mail facility. This will enable the Offerors to upload proposal file by email attachment. The proposals must be uploaded by 2:00 PM on May 7, 2015, American Samoa Time.

ii. **In Person Delivery**: Offerors may deliver the proposal in person at the ASPA Offices at the Tafuna Power Plant compound (Security Guard at the main gate will direct Offerors and/or Representative to the Procurement Office inside the compound) in Tafuna. Proposal must be received by 2:00 PM on May 7, 2015, American Samoa Time.

VI. **PRE-PROPOSAL QUESTIONS**: Any pre-proposal questions and/or clarifications shall be submitted in writing to the Procurement Manager Nancy Tinitali-Mauga by email at bids@aspower. Pre-proposal questions must be received no later than April 24, 2015. ASPA will then issue addenda to address any questions and/or clarifications as may be necessary. ASPA reserves the right to issue addenda for any changes to this RFP. Offerors will be requested to send a signed Receipt of Addenda to ASPA for each addendum that may be issued.

VII. **PROPOSAL PREPARATION INSTRUCTIONS**

A. The proposal must contain four (4) parts as follow:

1. **Company's Profile and Portfolio**
2. **Technical:**
   a. Offeror must describe the approach that will be undertaken to achieve the goals and objectives of the Scope of Work.
3. **Prior Related Experience/Past Performance:**
   a. A description of the Offeror's related experience must be provided.
   b. A dossier of personnel qualifications and professional credentials as requested on the Attachment D, The Offeror Qualification Sheet, must be listed.
   c. Attachment D must include a list of three or more references and a project history to document a minimum of five (5) years of specifically related experience.
4. **Proposed Price:**
   a. The Offeror's price submittal shall be presented in a breakdown format.
   b. The proposed price breakdown should identify all costs (e.g. analyzing, reporting, travel, etc.)
   c. The proposed price shall be provided in a separate sealed envelope from the rest of the proposal.

B. OFFERORS shall prepare their proposals in detail accordingly.
VIII. CONTRACT TERM
   a. The term for this contract is ninety (90) calendar days or as negotiated with the winning firm.
   b. The contract term shall be initiated by the issuance of a Notice to Proceed by ASPA at which time a contract completion date will be established.
   c. ASPA will retain the sole option to renew or extend the contract after its initial term.

IX. TYPE OF CONTRACT: The Contractor will provide services to ASPA under a negotiated fixed fee agreement. The successful Offeror shall furnish the necessary personnel, materials, insurances, licenses, equipment, ground transportation to and from work areas, required materials or services, and otherwise do all things necessary to perform the work and services specified in the Scope of Work and to the satisfaction of ASPA.

   The Contractor must at all times comply with all applicable workman’s compensation, occupational disease, and occupational health and safety laws, statutes, and regulations to the full extent applicable. ASPA will not be held responsible in any way for claims filed by the successful Offeror or its employees for services performed under the terms of this RFP or the contract.

   The Contractor shall be an independent contractor and not an agent or employee of the American Samoa Power Authority. ASPA will not be held responsible in any way for claims filed by the Contractor or its employees for services performed under the terms of this RFP or the contract.

X. BASIS FOR SELECTION: Proposals will be evaluated by a Source Evaluation Board (SEB). SEB members shall be approved by the Executive Director. Submission of a proposal shall constitute a waiver of any challenge or dispute of the SEB members, as well as the choice of methodology set forth on the SEB score sheets. The award will be made by ASPA in accordance with the evaluation criteria set forth herein and with ASPA’s Procurement Rules.

   A determination shall be made by the SEB of those responsible Offerors whose proposals are susceptible of being selected for award. The determination shall be included in the contract file. Discussions may be conducted by the SEB with those responsible Offerors whose proposals are determined to be responsive and responsible to the RFP. These discussions shall only be conducted for the purpose of obtaining clarification from the Offeror on its proposal to ensure full understanding of and responsiveness to the RFP requirements. Discussions shall be conducted individually with each offeror and care shall be exercised to ensure that no information derived from a competing offeror’s proposals is disclosed. All Offerors with whom discussions are conducted shall be accorded an opportunity to revise their proposals in response to specific clarifications based on the discussions. Unless the Materials/Procurement Manager determines that satisfactory evidence exists that a mistake has been made, as set forth in Procurement Rules §3-115, Offerors will not be permitted to revise their proposals after proposal opening.
The results of the evaluation will be documented, and written recommendation by the SEB will be sent to the Materials/Procurement Manager. Recommendation for award is sent to the Executive Director for approval.

ASPA reserves the right to make the award to the offeror that submits the proposal, which meets the requirements set forth herein and is in the best interests of ASPA after taking into consideration the aforementioned factors. ASPA also reserves the right to select portions of a proposal, or to reject any and all proposals.

**XI. EVALUATION CRITERIA:** Proposals will be evaluated and ranked by the Source Evaluation Board according to the following point system:

- Technical: 0-30 points possible
- Experience: 0-30 points possible
- Contract Price: 0-40 points possible
- Total: 100 points (best possible score)

ASPA reserves the right to make the contract award to the Offeror that submits the proposal which best meets the requirements set forth herein and which is in the best interests of ASPA after taking into consideration the aforementioned factors.

**XII. ATTACHMENTS**

A. Attachment A is the Proposal Transmittal Form
B. Attachment B is the Scope of Work.
C. Attachment C is the Proposal Cost Form.
D. Attachment D is the Offeror’s Qualification Form.

**XIII. QUALIFICATION OF OFFERORS:** ASPA may make such investigations as it deems necessary to determine the ability of the Offeror to perform the work and the Offeror shall furnish to ASPA such information and data for this purpose as ASPA may request, or else the Contractor may be deemed non-responsive. The Offeror shall submit at least that information require by the section entitled Attachment D, the Offeror’s Qualification Form.

**XIV. MULTIPLE PROPOSALS – COLLUSION:** If more than one Proposal is submitted by any one party or in the name of its clerk, partner or other person, all Proposals submitted by said party may be rejected by ASPA. This shall not prevent a Contractor from submitting alternate Proposals when called for. A party who has quoted prices on materials to a Contractor is not thereby disqualified from quoting prices to other Contractor or from submitting a Proposal directly for the materials or work.

If ASPA believes that collusion exists amongst any OFFEROR, none of the participants in such collusion will be considered. Proposals in which the prices are unreasonable or unrealistic may be rejected at ASPA’s sole discretion.
XV. BUSINESS LICENSE: An Offeror from elsewhere than American Samoa shall be appropriately licensed in accordance with the state and/or country of the OFFEROR’S origin and shall be skilled and regularly engaged in the general type and size of work called for under this RFP. The successful Offeror shall possess a currently valid American Samoa Business License prior to the execution of the contract.

XVI. CONTRACT DOCUMENTS: The contract documents (the “Contract Documents”) which govern all work set forth by this RFP consist of the following:

1. This RFP;
2. All addenda to this RFP;
3. Any submissions pursuant to any issued addenda;
4. Any clarifications as may result from Proposal evaluations; and
5. The Contract (or the “Agreement”).

XVII. WITHDRAWAL OF PROPOSAL: Any Proposal may be withdrawn prior to the scheduled time for the opening of Proposals by notifying ASPA in a written request. No Proposal may be withdrawn after the time scheduled for opening of Proposals.

XVIII. OPENING AND EVALUATION OF PROPOSALS: In accordance with Procurement Rule § 3-110, Proposals will be opened and recorded as part of the record for the Source Evaluation Board on the date and at the time indicated above at the Materials Management Office in Tafuna or in another place designated by the ASPA Procurement Manager in writing.

XIX. EXECUTION OF CONTRACT: The Contractor shall, after receiving the Notice of Award, sign and deliver to ASPA the Contract, together with other documents as required by ASPA.

XX. ASSIGNMENT: The Contractor shall not assign, transfer, convey or otherwise dispose of the Contract, or his right, title or interest therein, or his power to execute such Contract, to any other persons, firm or corporation without previous consent in writing of ASPA.

XXI. TIME IS OF THE ESSENCE: The time is of the essence in completing the work to be performed under the Contract. Delays and extensions of time may be allowed only in writing signed by both parties as in accordance with the provisions of the Agreement.

XXII. RFP CONDITIONS: This RFP does not commit ASPA to award a contract or to pay any cost incurred in the preparation of a proposal. The American Samoa Power Authority reserves the right to do the following:

1. Reject any Offeror for being non responsive to the Proposal requirements which are contained in this RFP;
2. Reject all proposals and reissue an amended RFP;
3. Request additional information from any Offeror submitting a proposal;
4. Select a Offeror for award based on other than "least cost" criteria (e.g., capability to complete work in a timely fashion or substantive and relevant work experience);
5. Negotiate a contract with the Offeror selected for award; and
6. Waive any non-material violations of rules contained in this RFP.

ASPA reserves the right to issue any addendum to this RFP. Contractor shall send ASPA a signed form confirming receipt of any addenda, and shall submit supporting/additional information as required by any addenda. In the event that any Contractors fails to acknowledge receipt of any such Addendum in the space provided, his Proposal shall be considered irregular and will be accepted by ASPA only if it is in ASPA's best interest. In the event that Addenda are not received until after the Contractor has submitted his Proposal, a supplementary Proposal may be submitted revising the original Proposal. Such supplementary proposals must be received by ASPA prior to the scheduled time for opening of Proposals.

XXIII. INDEMNITY PROVISION: The Contractor shall indemnify and hold harmless the American Samoa Power Authority and the American Samoa Government from and against any and all claims, damages, losses, and expenses including attorney's fees arising out of or resulting from the performance of this project, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease, death or damage to property of whatsoever nature, including the loss of use resulting therefrom, and whether or not is caused in whole or in part by any negligent act or omission of the Contractor, its sub-Contractors, or anyone employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by the negligence of ASPA and/or the strict liability of ASPA, its agents and employees.

XXIV. OFFEROR'S QUALIFICATION DATA: It is the intention of ASPA to award a Contract only to a Contractor who is able to furnish satisfactory evidence that it has the requisite experience and ability and that it has sufficient capital, facilities and plant to enable it to prosecute the work successfully and promptly and to complete it within the term set forth in the Contract.

The Contractor shall submit as part of the total Proposal package, the following information:

a. Name of organization;
b. Address and phone number of home office, principal place of business and locations and contact information for any branch offices;
c. Type of business structure, e.g., corporation, partnership, joint venture, proprietorship;
d. Place of organization or state of incorporation;
e. Name and addresses for all owners for businesses other than corporations;
f. For corporations, list the names and addresses of directors, officers and stockholders with twenty (20) percent ownership interest or greater;
g. Places, including individual states and territories of the United States, where registered as a foreign corporation;
h. List all countries and all states, territories and possessions of the United States in which similar consulting work has been performed in the last three (3) years, including:

i. Name of awarding agency or owner for which work was performed;
ii. Nature and scope of contract, including total dollar value;
iii. Dates of performance;
iv. Whether performance was completed within the specified time under the contract and, if not, why not; and
v. Whether contract was performed under joint venture, and if so, with whom and under what arrangement.

i. The Name or names of supervisory personnel employed on the work under this Contract, including the experience record for each that indicates the degree of responsibility and type of work supervised;

j. The names and addresses of three references.
ATTACHMENT A

PROPOSAL TRANSMITTAL FORM

Date: __________________________

AMERICAN SAMOA POWER AUTHORITY

American Samoa Government

The undersigned (hereinafter called an Offeror), proposes and agrees to furnish all the necessary information to

“RFP NO. ASPA15.1251.ESD – Leak Detection Services for ASPA Water System”

in accordance with the Scope of Work, General Terms and Conditions, and other procurement requirements specified in this document for the prices states in the itemized proposal form(s) attached hereto, plus any and all sums to be added and/or deducted resulting from all extra and/or omitted work in accordance with the unit and/or lump sum prices stated in the itemized proposal form attached hereto.

The undersigned has read and understands the proposal requirements, and is familiar with and knowledgeable of the local conditions at the place where the work is to be performed. We have read the RFP Instructions and General Terms and Conditions attached to ascertain that all of the requirements of the proposal are submitted in the proposal envelope at the date and time for proposal opening.

Signed ___________________________  Seal ___________________________

Date: ____________________________
ATTACHMENT B

SCOPE OF WORK

(SEE SEPARATE ATTACHMENT)
ATTACHMENT C

PROPOSAL COST FORM

<table>
<thead>
<tr>
<th>Description</th>
<th>Qty</th>
<th>Unit Cost (per mile)</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water mains</td>
<td>40</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water laterals</td>
<td>44</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL:** $______________________

(in words:____________________________________________________)

Price shall include labor, transportation, Supplies/materials, protective gear, tools, Supervision and commissioning and all other costs required for the successful completion of the project.
Offeror shall propose a total cost as mentioned above.

Offeror Name: __________________________________________________________
Phone Number: _________________________________________________________
Fax Number: _____________________________________________________________
Email Address: ___________________________________________________________
Business License Number: ________________________________________________

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ATTACHMENT D
OFFEROR’S QUALIFICATION SHEET

1. NAME OF ORGANIZATION:

2. ADDRESS:

3. TELEPHONE:
   Home Office
   Business Telephone
   Email Address
   Fax Number
   Taxpayer ID Number

4. CONTACT PERSON:

5. TYPE OF BUSINESS:
   ____ Corporation  ____ Partnership  ____ Proprietorship  ____ Joint Venture

   Note: For Corporations – Articles of Incorporation Certification must be on record with the Treasurer of American Samoa. Copies of partnership agreements and articles of incorporation must be submitted to the revenue branch with application form and relevant documents. Aliens cannot operate sole ownership enterprises and partnerships with aliens are subject to immigration board review.

   Place of Organization or State of Incorporation:

   ____________________________________________________________

   Owner’s Names and Addresses (if not a Corporation):

   ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________

   For Corporations: Names and Addresses of Directors, Officers, and Stockholders with 20% or greater interest in the company

   ____________________________________________________________
Individual States and Territories of the United States where company is registered as a foreign corporation

6. List three projects of a similar nature, which have been completed by the Offeror within the last five (5) years, the total dollar amount of each project and the owner/contract person as a reference.

a. Name of Awarding Agency or Owner for which work was performed:

Nature and Scope of Contract:

______________________________

Name, Address, and Phone Number of Agency Contact Person:

______________________________

______________________________

Total Dollar Value: ________________________________

Date Completed ________________

If not completed, why?

______________________________

______________________________

______________________________

Was the contract performed under joint venture, if so with whom and under what arrangement?

______________________________
b. Name of Awarding Agency or Owner for which work was performed:


Nature and Scope of Contract:


Name, Address, and Phone Number of Agency Contact Person:


Total Dollar Value: _______________________________________

Date Completed __________________

If not completed, why?


Was the contract performed under joint venture, if so with whom and under what arrangement?


c. Name of Awarding Agency or Owner for which work was performed:


Nature and Scope of Contract:


Name, Address, and Phone Number of Agency Contact Person:
Total Dollar Value: ____________________________

Date Completed ____________________

If not completed, why?

_____________________________________

_____________________________________

_____________________________________

Was the contract performed under joint venture, if so with whom and under what arrangement?

_____________________________________

_____________________________________

_____________________________________

d. Name of Awarding Agency or Owner for which work was performed:

_____________________________________

Nature and Scope of Contract:

_____________________________________

Name, Address, and Phone Number of Agency Contact Person:

_____________________________________

_____________________________________

_____________________________________

Total Dollar Value: ____________________________

Date Completed ____________________

If not completed, why?

_____________________________________

_____________________________________

_____________________________________

Was the contract performed under joint venture, if so with whom and under what arrangement?

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7. List the name or names of supervisory personnel proposed to be employed on the work under this Contract, including the experience record for each that indicates the degree of responsibility and type of work supervised.

8. List the names and addresses of three (3) references, at least one of which should be a bank or other lending institution, governmental agency, or bonding company.