



STATE OF TENNESSEE  
TENNESSEE REGULATORY AUTHORITY

REQUEST FOR INFORMATION  
FOR  
UNDERGROUND UTILITY DAMAGE PREVENTION AND COMPLIANCE TRAINING

RFI # UUEB0001  
September 13, 2016

**1. STATEMENT OF PURPOSE:**

The State of Tennessee, Tennessee Underground Utility Damage Enforcement Board ("Board") through the Tennessee Regulatory Authority ("TRA") issues this Request for Information ("RFI") for the purpose of soliciting information concerning the availability of vendors capable of providing a specific and tailored compliance training program.

The Board seeks to explore contracting with a provider that can provide timely compliance training. This RFI seeks to determine whether there are interested and available vendors that can provide information toward the creation and management of a compliance training program designed to educate and encourage compliance with the legal requirements of Tennessee law with respect to preventing damage to underground utilities during excavation and demolition activities.

We appreciate your input and participation in this process.

**2. BACKGROUND:**

In 2015, the Tennessee General Assembly authorized the creation of the Board to enforce the Underground Utility Damage Prevention Act ("Act") codified in Chapter 31 of Title 65 of the Tennessee Code Annotated. The Board is composed of appointed members from specific stakeholder groups and includes an *ex officio* member from Tennessee 811, Inc.

From the appointed members of the Board, a three member Executive Committee is elected to serve as the enforcement arm of the Board with respect to complaints of alleged violations of the Act.

For a first time violation of the Act, the violator shall complete a course of training concerning compliance with the Act as determined by the Executive Committee. By Statute, the General Assembly has required that any violator required to complete a course of training shall be responsible for paying for the cost of the training. Any contract between the Board and a training provider will be a no-cost contract. No state funds will be used to pay a vendor to provide training.

The Board's Underground Damage Prevention Fund ("Fund") is funded by civil penalties collected from the Board's enforcement of violations of the Act. Violators of the Act become eligible for being assessed civil penalties, in most circumstances, for second offenses of the Act. At this time, the Board has not issued a civil penalty and the Board's Fund has a balance of zero. A vendor is expected to recover the cost of the training program from the violator that has been issued a citation through the Executive Committee.

The Board is new and is in the early stages of becoming operational. At this time, the volume of complaints that may be filed with the Board is unknown. Therefore, it is unknown how many alleged violators would be required to be subject to compliance training.

#### Training Services Scope:

The Board has adopted the following criteria for a Training Program intended to educate and encourage compliance with the Act:

- (1) Training must educate a violator in the requirements of the Act, the functions and duties of Tennessee 811 and a brief overview of the Board.
- (2) Training should be conducted in-person and the training provider should have the ability to verify attendance and completion of the training program by the violator. The Board is not interested in online or correspondence based training programs. The Board is interested in quality training rather than in dictating a specific requirement of "X" number of hours of training.
- (3) The ability to schedule and provide training on a regional basis throughout the State of Tennessee as needed. The Board expects a violator would be able to travel a reasonable distance to the designated training location, complete the training and return home, within an eight to ten hour period of time. The Board expects a vendor to have the ability to provide training during regular business hours or in the evening.
- (4) The ability to provide training in a bi-lingual manner (i.e. Spanish) in order to fully train violators for whom English is not their primary language.
- (5) The training should be educational and encourage compliance with the Act while the cost of the training paid by the violator should be reasonable.

**3. COMMUNICATIONS:**

- 3.1. Please submit your response to this RFI to:  
Chris Eaton  
Tennessee Regulatory Authority  
502 Deaderick Street, 4<sup>th</sup> Floor  
(615) 770-6990  
(615) 741-5015
  
- 3.2. Please feel free to contact the TRA with any questions regarding this RFI. The main point of contact will be:  
Ryan McGehee  
Tennessee Regulatory Authority  
502 Deaderick Street, 4<sup>th</sup> Floor  
(615) 770-1078  
(615) 741-9934
  
- 3.3. Please reference RFI # **UUDEB0001** with all communications to this RFI.

**4. RFI SCHEDULE OF EVENTS:**

EVENT		TIME (Central Time Zone)	DATE (all dates are State business days)
1.	RFI Issued	2:00 p.m.	September, 13, 2016
2.	RFI Response Deadline	4:30 p.m.	September 30, 2016

**5. GENERAL INFORMATION:**

- 5.1. Please note that responding to this RFI is not a prerequisite for responding to any future solicitations related to this project and a response to this RFI will not create any contract rights. Responses to this RFI will become property of the State.
  
- 5.2. The information gathered during this RFI is part of an ongoing procurement. In order to prevent an unfair advantage among potential respondents, the RFI responses will not be available until after the completion of evaluation of any responses, proposals, or bids resulting from a Request for Qualifications, Request for Proposals, Invitation to Bid or other procurement method. In the event that the state chooses not to go further in the procurement process and responses are never evaluated, the responses to the procurement including the responses to the RFI, will be considered confidential by the State.

5.3. The State will not pay for any costs associated with responding to this RFI.

**6. INFORMATIONAL FORMS:**

The State is requesting the following information from all interested parties. Please fill out the following forms:

<b>RFI # UUEB0001</b>	
<b>TECHNICAL INFORMATIONAL FORM</b>	
<b>1.</b>	<b>RESPONDENT LEGAL ENTITY NAME:</b>
<b>2.</b>	<b>RESPONDENT CONTACT PERSON:</b> Name, Title: Address: Phone Number: Email:
<b>3.</b>	<b>PROVIDE A BRIEF DESCRIPTION OF EXPERIENCE PROVIDING SIMILAR SCOPE OF TRAINING AND THE QUALIFICATIONS OF YOU OR YOUR ORGANIZATION TO PROVIDE THE TRAINING DESCRIBED HEREIN.</b>
<b>4.</b>	<b>IF YOU HAVE PROVIDED SIMILAR TRAINING THAT THIS RFI HAS DESCRIBED, PROVIDE ANY WRITTEN MATERIALS OR HANDOUTS THAT HAVE BEEN PROVIDED TO TRAINEES</b>
<b>5.</b>	<b>DESCRIBE THE CURRICULUM YOU WOULD EMPLOY FOR A TRAINING PROGRAM AS DESCRIBED BY THIS RFI</b>
<b>6.</b>	<b>DESCRIBE HOW OFTEN TRAINING COULD BE PROVIDED AT LOCATIONS WITHIN THE GEOGRAPHICAL REGIONS OF WESTERN, MIDDLE AND EASTERN TENNESSEE.</b>

7. GIVEN THAT THE VOLUME OF COMPLAINTS THE BOARD WILL RECEIVE AND THE NUMBER OF VIOLATORS THAT WILL BE SUBJECT TO TRAINING IS UNKNOWN, DESCRIBE HOW YOU WOULD ADMINISTER AND SCHEDULE TRAINING AT A REASONABLE COST.

#### **COST INFORMATIONAL FORM**

1. Describe what pricing units you typically utilize for the training program as described herein (e.g., per hour, each, etc.):
2. Describe the typical price range for similar training programs you have provided:
3. Describe the manner in which you will collect the cost of the training program from violators.

#### **ADDITIONAL CONSIDERATIONS**

1. Please provide input on alternative approaches or additional things to consider that might benefit the State: