



Grant Administrator

Solar for All – Greenhouse Gas Reduction Fund

Request for Proposals

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Confidentiality Clause:

All information, data, documents, and materials provided or disclosed by the Puerto Rico Office of Management and Budget (OMB) during the Request for Proposals (RFP) process, including but not limited to the RFP document itself, evaluation criteria, and any subsequent discussions or communications, shall be treated as confidential and proprietary.

Proponents shall not disclose, reproduce, distribute, or use any of the confidential information for any purpose other than preparing their proposal in response to this RFP. This obligation of confidentiality shall remain in effect indefinitely, even if the Proponent's proposal is not selected, or the RFP process is terminated.

Proponents shall take all necessary measures to prevent the unauthorized disclosure of confidential information and shall ensure that their employees, agents, or subcontractors adhere to this confidentiality clause.

The OMB reserves the right to request the return or destruction of any confidential information provided to the Proponents at any time during or after the RFP process.

By submitting a proposal in response to this RFP, Proponents acknowledge and agree to abide by the terms and conditions of this confidentiality clause.

1. Objective

The Puerto Rico Office of Management and Budget (OMB) seeks a Proponent which can provide Grant Administration Services, as defined in Section 3.1 of this RFP, for the following program:

- Solar for All (SFA)
 - EPA-R-HQ-SFA-23-01
 - \$156,120,000.00

The Selected Proponent Shall:

- Work with the OMB and any other personnel on all matters that may arise in connection with the engagement as per the terms of this RFP and the contract to be executed between the parties;
- Assume sole responsibility for the complete effort required to provide the Grant Administrator Services, as defined in Section 3.1 of this RFP;
- Refrain from assigning, transferring, conveying, or otherwise disposing of the contract, or its rights, titles, or interest therein, or its power to execute such agreement, to any other person, firm, partnership, company or corporation without the prior consent and approval in writing of the OMB;
- Comply with applicable federal, state, Commonwealth and foreign laws and regulations governing projects initiated or supported by the Commonwealth and/or the US Government.

2. Background

2.1. Federal Funds Management and Compliance

The National Initiatives Support Office of the OMB, oversees the management of federal funds under the OMB's administration. This division develops and implements policies, provides technical assistance to other administrative areas, and ensures compliance with established guidelines and regulations to maximize the utilization of federal funds. Additionally, it is responsible for coordinating and evaluating proposals for the preparation of the Single Audit as required by the federal government.

2.2. Solar for All (SFA) – Greenhouse Gas Reduction Fund – Environmental Protection Agency (EPA)

On the 22nd of April of 2024, the EPA announced that the OMB 's proposal for the Solar for All program had been selected. The Puerto Rico Solar for All Coalition, managed by the OMB, brings together four subrecipient entities to deploy solar and storage systems that will provide financial and resiliency benefits to thousands of low-income and disadvantaged households. The program will reduce greenhouse gas emissions and other air pollutants, deliver benefits to low-income and disadvantaged communities, and mobilize financing and private capital to stimulate the deployment of additional projects. The program will also advance and support workforce development within the solar field and engage residents in program planning and implementation. Given the vulnerability and instability of Puerto Rico's power grid, a major emphasis will be increasing resiliency for delivering power during grid outages.

3. Scope of Work & Deliverables

3.1. Scope of Work (SOW)

The Government Parties are hereby seeking proposals from duly competent firms that can provide the following professional services in connection with the Solar for All Program, the Projects, and any other similar endeavor as reasonably required by the Government Parties (the “Grant Administrator Services”, or “Scope of Works”):

- Provide Grant Administrator Services for the OMB, including, but not limited to, the following areas: (i) Development of program procedures; (ii) Grant Agreement(s) processing; (iii) Project Management Structuring; (iv) Program reporting, monitoring, and compliance; (v) Program disbursement(s) & financial management; and (viii) collaborating with relevant stakeholders.
- Implement compliance and financial management standards, grant monitoring capabilities, and provide ongoing monitoring, reporting, and performance management.
- Ensure regulatory, legal, and environmental compliance of grant projects.
- Support the Government Parties in the development of request for proposals (RFP), request for quotes (RFQ), work plans, budgets, Quality Assurance Plans for environmental data, financial and performance reports, grant closeout procedures and provide necessary support during the grant administration closeout process.
- Provide assistance in the development of a performance-based disbursement plan and support the OMB in disbursing funds to selected subgrantees pursuant to established disbursement guidelines.
- Conduct and coordinate ongoing monitoring of subgrantee projects to ensure contract and regulatory compliance, including levying of established penalties for non-compliance with construction and service milestones.
- Conduct handoff procedures for performance-based disbursement agreements as established in subgrantee’s contracts, including, as necessary, technical training and legal transfer of oversight responsibility to the successor entity.
- Monitor ongoing subgrantee’s reporting, data collection and other accountability measures to ensure that funded projects deliver the promised services (key performance indicators) as well as evaluate overall progress towards identified goals.

- Develop dashboards and/or reports illustrating key results and progress towards identified goals.
- Develop a reliable mechanism for the Government Parties to retain all records, documents, and communications of any kind (including electronic disk or print form) that relates in any manner to grant awards and project procurement and performance.
- Assist in the creation of the PR Coalitions SFA Workforce Development Plan.
- Incidental and/or related endeavors under the Scope of Work, as reasonably requested by the Government Parties.

3.2. Deliverables

Deliverables shall be considered those tangibles and resulting work products which are to be delivered to the OMB, such as draft documents, data, meetings, presentations, and reports (collectively, the “Deliverables”). Deliverables shall include detailed narrative including assumptions and clarifications, and any other information or documentation that was used to reach the conclusions as established in the corresponding Deliverables, which must also establish each resource that participated in their development.

Deliverables shall be in an editable format such as Word, Excel, PowerPoint, Adobe Illustrator, Photoshop, Indesign, or Visio and/or other formats. All Deliverables and resulting work products from this RFP and/or related to the Scope of Work will become the property of the OMB.

Proponents shall certify the accuracy of its Deliverables to the OMB. Proponents shall outline the types of Deliverables and timelines they produce, in performing the services being procured through this RFP, as assigned by the OMB (through Task Orders, or otherwise, as applicable). At a minimum, the Deliverables to be provided may include such items as:

- Revised Workplan & Budget for EPA approval
 - Implementation Period
- Quality Assurance Plans – Initial submission & approval, and annual reviews
 - Quality Management Plan (QMP) describing their Quality Program in terms of the organizational structure, functional responsibilities of management and staff, lines of authority, and required interfaces for those planning, implementing, and assessing all activities conducted.
 - Quality Assurance Project Plans (QAPPs), which are planning documents related to a grant award that describe in comprehensive

detail the necessary Quality Assurance/Quality Control requirements and other technical activities that must be implemented to ensure that the results of the work performed will satisfy the stated performance and acceptance criteria.

- Federal Reports
 - Semi-annual
 - Performance
 - Transactions
 - Projects
 - Annual
 - Federal Financial Report
 - MBE/WBE
- Request for Proposals (RFP) for contractual processes included in SFA application.
- Subaward processing.
- Comprehensive reports on actions taken and advice given.
- Work papers and analysis providing information about the process used to develop Deliverables.
- Deficiencies, errors and/or limitations identified, if any, in existing processes and recommendations for improvements, as well as potential efficiencies to be gained (if any) after review.
- Discussion of any potential concerns from pertinent US Government agencies and/or findings, as well as a corrective plan of action (if applicable).
- Analysis and recommendations with regards to applicant's management.
- Quarterly reports on Scope of Work activities.
- Reporting and updating timelines.
- Grant Administrator Services work plans, timeframes, and budget tools.
- Proposed system(s) and template(s) used to capture and report information.

The Deliverables will be considered complete only when presented in their entirety to the Government Parties and only for the purpose stated herein.

4. RFP Process

4.1. RFP Schedule/Timeline Target Dates

Description	Date
Release of RFP	September 24, 2024
Deadline for Written Questions	October 4, 2024
Responses to Questions Provided	October 11, 2024
RFP Proposal Due	October 18, 2024

RFP Timeline and target dates may change subject to the sole discretion of the OMB.

4.2. Questions and Responses

Prospective Proponents may submit questions regarding this RFP by email to **rfp@ogp.pr.gov** with “Solar for All (SFA) GA RFP” in the email’s subject line. Any correspondence questions that do not comply with this requirement or are sent to any other email address will not receive a response. When submitting questions, please specify which section of the RFP you are referencing and quote the language that prompted the question. The OMB reserves the right to group similar questions when providing answers.

4.3. Blackout Period and Prohibited Communications

The Blackout Period is a specified period during a competitive procurement process in which any Proponent, bidder, or its employees, agents, or representatives is prohibited from communicating with any OMB employee or any OMB contractor involved in any step in the procurement process about this procurement. The Blackout Period applies not only to the OMB employees but also to any current contractors of the OMB. “Involvement” in the procurement process includes but may not be limited to project management, design, development, implementation, procurement management, development of specifications, and evaluation of proposals for a particular procurement. This solicitation designates the contact person, and all communications to and from potential Proponents and/or their representatives during the blackout period must be in accordance with this RFP’s defined method of communication with the RFP Coordinator. The Blackout Period begins when the OMB first issued a Public Notice of Intent to Issue this RFP. The blackout period will end when both parties sign a contract.

If a prospective Proponent is a current OMB contractor, OMB employees and the prospective Proponent may contact each other concerning their existing contract and duties only. Under no circumstances can OMB employees or current contractors discuss this RFP or the corresponding procurement process or status.

Any bidder, Proponent, or OMB contractor who violates the Blackout Period may be excluded from the awarding contract and/or may be liable to OMB in damages and/or subject to any other remedy allowed under law, including but not limited to a ban in participating in any procurements issued by or for OMB.

Communications with other representatives of the Government of Puerto Rico or relevant entities of the Federal Government regarding any matter related to the contents of this RFP are prohibited during the submission and selection processes.

Failure to comply with these communication restrictions will result in the rejection of the Proponent's proposal.

4.4. Proposal Submission Deadline

Proposals should be submitted via email by **11:59 pm on Friday, 18th of October of 2024**. It is the sole responsibility of the submitting Proponent to ensure that its proposal is received before the submission deadline. Submitting Proponents shall bear all risks associated with delays in delivery. Any proposals received after the scheduled closing date and time for receipt of proposals may not be accepted at OMB discretion.

4.5. Changes to Proposals

Should a Proponent choose to amend its submitted proposal, it may only do so by submitting, before the submission deadline, an entire revised proposal marked as "Amended Proposal." The OMB will consider submitted amended proposals to replace and supersede all earlier submissions.

4.6. Proposal Evaluation Criteria

Proposals will be evaluated in accordance with the following evaluation criteria:

<i>Number</i>	<i>Criterion</i>	<i>Points (maximum points to be awarded to each category)</i>
1.	Compliance with Proposal Structure <ul style="list-style-type: none"> o Formatting requirements o Margins o Font Size • Number of pages • Required components 	10 Proponents who do not follow instructions will receive zero (0)
2.	Qualifications and Experience	20
3.	Work Approach and Organization	35
4.	Proposed Personnel and Experience	15
5.	Cost Proposal	20
6.	Local Parties	Bonus of 5 pts.

4.7. Evaluation Process

The OMB will evaluate the proposals according to the criteria specified in Section 4.6 and Section 5. The OMB may select one Proponent or select a combination of Proponents (with or without interviews) or conduct interviews with Proponents consisting of those Proponents reasonably likely, in the opinion of the OMB, to be awarded the contract. Any interview may include discussions about services offered, conflicts of interest with other clients, fees/compensation amount or structure. Interviews may take place through written correspondence, telephone, video conference, and/or face-to-face interviews at OMB’s sole discretion.

The OMB reserves the right not to convene interviews or discussions and to make an award based on initial proposals received. References may be contacted at any point in the evaluation process.

After a Proponent has been selected, the OMB will negotiate a contract for execution. If a satisfactory contract cannot be negotiated, the OMB may, at its sole discretion, begin contract negotiations with the next qualified Proponent who submitted a proposal. Proponents are further notified that the OMB may disqualify any Proponent with whom the OMB cannot satisfactorily negotiate a contract.

Submitted proposals will be reviewed and evaluated for completeness and compliance with the requirements outlined in this RFP. Proposals will be evaluated by an Evaluation Committee, composed of OMB personnel and any additional

members with technical expertise that may be required to evaluate the technical aspects of submitted proposals.

Members will review and score the proposals following the evaluation criteria described above. Point assignments for each criterion will be at the discretion of each Committee member and will be based on their knowledge, experience, expertise, and the rubric approved for this RFP.

5. Proposal Structure and Requirements

5.1. Submission Format

Proposals are to be no longer than 40 pages in length. Exhibits and resumes will not count towards the 40-page limit. Proposal font size shall not be less than 11 points, and pages shall have a 1-inch margin. Tables, charts, and other exhibit documents need not follow these size and margin guidelines but must be clearly legible.

5.2. Proposal Structure

1. **Cover Page (1 page):** Identify the name of the RFP, the Proponent name, the point of contact of the Proponent and associated contact information, and the date of submittal.
2. **Transmittal Letter (maximum of 3 pages):** Provide a brief overview of the key elements of the submitted proposal and reasons why the proposal should be selected. Include a statement certifying that they have read and understood the requirements outlined in this RFP (and any addenda that may be released) and agree to comply with those requirements. This letter should be signed by an official with legal authority to bind the Proponent. The Proponent shall briefly describe their experience with such requirements and affirmatively represent and certify that they will adhere to any applicable federal and state requirements.
3. **Proponent's Qualifications and Experience (with the elements specified in the Qualifications and Experience section) (maximum of 8 pages):** Describe the history and experience of the entity as it relates to the proposed scope of work. The Proponent must provide availability, qualifications, roles, and responsibilities for all team members, including the principal, company

official(s), and other personnel the Proponent anticipates will be assigned to work on behalf of the OMB. This requirement includes, but is not limited to, the Proponent's anticipated subcontractors or teaming partners.

4. **Proposed Work Approach and Organization (maximum of 15 pages):** Proponent explains how it plans to meet the tasks and deliverables specified in the Scope of Work section. This section must include:
 - o A list of subcontractors, if any, and their respective roles and responsibilities separated by task.

5. **Cost Proposal (maximum of 5 pages):** The Proponent must provide a detailed pricing proposal. The Proponent should describe any fixed fees or hourly billing rates, fees, or other compensation that the Proponent may seek from the OMB for services, inclusive of staff time, equipment, materials, travel, administrative/clerical, overhead, and other out-of-pocket expenses, if applicable to this contract.
 - o If a teaming arrangement is proposed, teaming partner or subcontractor costs should be broken out separately.
 - o If any discounts or downward adjustments are made available, the proponent should describe the conditions for such discounts. This should include the conditions or criteria for qualifying for such discounts, providing transparency and clarity regarding potential cost savings. The compensation structure can include (i) fixed price or (ii) hourly rates, in which case the Proponent must specify the rate increments for each professional who will or is expected to perform the services outlined herein and a not-to-exceed amount.

6. **Other Matters Deemed Relevant by Respondent (If Applicable - maximum of 5 pages):** Respondents may submit additional information they consider necessary and appropriate for the consideration of the OMB, relative to the requirements of this RFP. For example, if the firm has experience with Solar Technology.

7. **Local Parties (maximum of 3 pages):** To promote and foster the participation of local parties in providing professional services and local expertise, explain their expected role and how they will add value to the work and team proposed. Should the Proponent involve local parties, they should identify local parties

involved and provide further information on the expected level of participation in the activities and interactions included as part of the proposed work approach.

8. **Financial Information (will not count toward page limit):** Proponents must provide audited financial statements for the last three (3) fiscal years, showing how it manages its resources and demonstrating that it has the financial capability to carry out the Scope of Work, as determined by the OMB. Financial statements must include the following: Opinion Letter (i.e., Auditor's Report), Balance Sheet, Income Statement, Statement of Cash Flows, and the corresponding footnotes. Furthermore, financial statements must be prepared in accordance with U.S. Generally Accepted Accounting Principles ("US-GAAP"), or International Financial Reporting Standards ("IFRS"; the latter, only for applicable entities). Under no circumstances the Government Parties will accept audited financial statements prior to the calendar year 2020.

Proponents are advised that any failure to disclose a prior or pending material change(s) in its financial condition may result in disqualification from further participation in the selection process.

6. Grant Terms and Conditions

6.1. Conflict of Interest

Proponents are required to review all applicable conflict of interest laws. You may not contact or receive information outside of this RFP process. If it is discovered that the Proponent contacted and received information from anyone other than the email address specified above and under the process specified herein regarding this solicitation, the OMB may, in its sole discretion, disqualify your proposal from further consideration. All contact regarding this RFP or any matter relating to it must be in writing and may be emailed to rfp@ogp.pr.gov with the words "Grant Management Solution RFP" in the email's subject line.

6.2. Contract Conditions

The contents of the proposal prepared by the Selected Proponent, with any amendment approved by the OMB, will become part of the agreement that could be executed with such Proponent as a result of this RFP process.

The contract will include those clauses required when contracting services similar to those procured under this RFP and those included in contracts with the Government, such as contractual provisions requiring:

- Sole Registry of Professional Services Providers Certification (“RUP”, for its Spanish acronym), issued by ASG pursuant to the Regulation for Sole Registry of Professional Services Providers, Regulation No. 9302E, issued on August 26, 2021.
- All data generated and systems used during the rendering of the Grant Administrator Services, must comply with the public policies of data and technology issued by the Puerto Rico Innovation and Technology Service (“PRITS”), pursuant to Act No. 75-2019.
- Original certifications demonstrating that respondent has complied with its responsibility in the filing of tax returns and payment of its taxes, including sale and use tax as applicable, to the Commonwealth of Puerto Rico, to the US Government, and to the state or jurisdiction where its base of operations resides, to the extent applicable.
- Registration on www.sam.gov with an active status and assigned a Unique Entity Identifier (UEI).
- Proponents should not be debarred or suspended by the federal government.
- Proponents should not be registered on the Office of the Inspector General’s list of excluded individuals/entities.
- Commercial Registration Certification, issued by the Puerto Rico Department of Treasury (i.e., ‘Departamento de Hacienda’).
- Certification of Compliance issued by the Puerto Rico Child Support Administration (“ASUME”). Corporations must file their request for said certification with the Employer Unit of ASUME. The same indicates that the employer complies with the orders issued in his name as employer to retain the salary of employees as a result of amounts owed for child support.
- Sworn statement, signed by the President or Chief Executive Office authorized to act on behalf of respondent, indicating that respondent, its subsidiaries, affiliates and/or parent companies, and their respective shareholders, directors, partners, officers, executives, or principals have neither been convicted nor has

probable cause for their arrest been found against any of them, nor are they being investigated under any administrative, judicial or legislative procedure, whether within or outside of Puerto Rico, or any other legal provision penalizing crimes against the treasury and the public trust, and that the person signing the statement has not been investigated, arrested, convicted, or found guilty or sentenced as a result of said criminal conduct.

- Certification of Employer Registration and of Debt in Respect of Unemployment Insurance and Disability Insurance issued by the Workplace Safety Bureau, Tax Division, Collection Unit of the Puerto Rico Department of Labor and Human Resources. The same shall indicate that the contractor does not have a debt with the Disability Insurance and Unemployment Insurance Programs. If the person is not an employer, it shall indicate that the person is not registered as an Employer and therefore does not have any debt. •
- Certification of Employer Registration and of Debt in Respect of Driver's Insurance issued by the Persons with Non-Occupational Disabilities and Driver's Insurance Bureau of the Department of Labor and Human Resources. The same shall indicate that the contractor does not have a debt with the Non-Occupational Disability Insurance and Driver's Insurance Programs. If the person is not an employer, it shall indicate that the person is not registered as an Employer and therefore does not have any debt.
- No debt Certification and copy of current policy issued by the Puerto Rico State Insurance Fund.
- Certification of Existence or Certification of Authorization to do business in Puerto Rico. The Certification of Existence indicates that the applicant is incorporated under the laws of Puerto Rico and is issued by Puerto Rico's State Department. The Certification of authorization to do business in Puerto Rico applies to foreign companies. It indicates that the applicant is authorized to do business in Puerto Rico and is issued by the Puerto Rico State Department. The certification indicates the date of issuance and authorization to do business in Puerto Rico.

All certifications must be current, that is, issued within thirty (30) days from the date the Selected Proponent executes the corresponding agreement with OMB. The Selected Proponent will be contractually required to abide by the laws of Puerto Rico as governing laws under the agreement. The OMB shall reserve the right to terminate any contract entered into as a result of this RFP at any time, provided that written notice has been given at least thirty (30) days prior to such proposed termination date.

6.3. Federal Funds Requirements

The OMB anticipates that some or all of the costs incurred under the contract that could be awarded pursuant to this RFP could be funded, partially and/or in whole, with federal funds. Consequently, any contract executed in relation to this RFP shall be governed by certain federal terms and conditions for federal grants, including any applicable circulars issued by the US Government Office of Management and Budget ("US-OMB").

Moreover, in the event any federal funding is used in the contract that could be awarded pursuant to this RFP, this procurement process is intended to be conducted in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, as codified under 2 C.F.R. Part 200, et seq., issued by the US-OMB pursuant to the authority granted under 31 U.S.C. 503 ("Federal Uniform Administrative Requirements"), which outlines the methods of procurement to be followed by non-federal entities, among other things.

Furthermore, said potential contract shall be also governed by any specific terms and conditions set forth by the awarding federal agency.

7. Disclosures

7.1. Reservation of Rights

This RFP is a solicitation for proposals only. It is not intended as an offer to enter into a contract or a promise to engage in any formal competitive bidding or negotiations. At its sole discretion, the OMB may accept or reject any or all proposals submitted in response to this RFP. The OMB may also, in its sole discretion and at any moment, make no award for this RFP, vacate, or cancel this RFP in its entirety. In addition, the OMB may, at its sole discretion, only elect to proceed with contract negotiations for some of the services included in the proposal. The OMB further reserves its right to waive minor errors and omissions in proposals, request additional information or revisions to offers, and negotiate with any or all Proponents.

The OMB shall not be liable for any costs incurred by the Proponent in connection with the preparation and submission of any proposal and/or any other action undertaken by the Proponent. The OMB reserves the right to waive inconsequential disparities in a submitted proposal. The OMB has the right to amend the RFP, in whole or in part, by written addendum at any time. The OMB is responsible only for what is

expressly stated in the solicitation document and any authorized written addenda. Such an addendum shall be made available to each Proponent, whose records indicate the OMB has received this RFP. Should such an addendum require additional information not previously requested, failure to address the requirements of such an addendum may result in the proposal being found non-responsive and not being considered, as determined in the sole discretion of the OMB. The OMB is not responsible for and shall not be bound by any representations otherwise made by any individual acting or purporting to act on its behalf. The OMB has the right to reissue the RFP at a future date.

7.2. Confidentiality and Public Records

Responses to this RFP shall become the exclusive property of the OMB. The recommended Proponent's proposal will become a matter of public record when contract negotiations are complete, and an agreement is executed by the OMB. Exceptions to disclosure may be available to those parts or portions of proposals that are justifiably and reasonably defined as business or trade secrets and marked by the Proponent as "Trade Secret," "Confidential," or "Proprietary." The OMB shall not, in any way, be liable or responsible for disclosing any such record or any parts thereof if disclosure is required or permitted by law.

In the event the OMB receives an information request for any of the aforementioned documents, information, records, and/or contents of a proposal marked "Confidential," "Trade Secrets," or "Proprietary," Proponent agrees to defend and indemnify the OMB from all costs and expenses, including reasonable attorneys' fees, incurred in connection with any action, proceedings, or liability arising in connection with the information request.

A blanket statement of confidentiality or the marking of each page of the proposal as confidential shall not be deemed sufficient notice of an information request exemption, and a Proponent who indiscriminately and without justification identifies most or all of its proposal as exempt from disclosure or submits a redacted copy may be deemed non-responsive.

A Proponent's failure to request confidential treatment of material according to this section and the relevant laws will be deemed by the OMB as a waiver of any right to confidentiality that the Proponent may have had, and the OMB shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof.

7.3. Right of Reconsideration and Judicial Review

Petition for Reconsideration

Any Proponent adversely affected by the selection may file a reconsideration before the OMB within ten (10) days after the Notice of Award is sent by electronic mail,.

Motions for reconsideration shall be sent to **rfp@ogp.pr.gov**.

The OMB shall adjudicate petitions for reconsideration within ten (10) days after receipt. The final adjudication of any petition for reconsideration, protest, or request for review, as the case may be, shall constitute the final determination of the OMB for purposes of the Proponent's right to seek judicial review and the term to request judicial review shall begin to lapse on the date in which notice of the final determination is sent. Suppose the OMB does not resolve, address, or otherwise resolve the petition for reconsideration, protest, or request for review, respectively, within the corresponding term provided above. In that case, the same shall be considered rejected, and the term for requesting judicial review before the Puerto Rico Court of Appeals shall begin to lapse upon that date.

Any party adversely affected by a final decision or order by the OMB may seek judicial review before the Puerto Rico Court of Appeals within twenty (20) days from the date on which a copy of the notice of the final decision of the OMB is filed. Filing an appeal for judicial review will not paralyze or stay the award of the contested RFP.