

REQUEST FOR PROPOSAL
FOR A GUARANTEED ENERGY SAVINGS CONTRACT

CLAY COUNTY

111 E. CHESTNUT, LOUISVILLE, IL 62858

INTRODUCTION AND PURPOSE

The objective of this Request for Proposal (RFP) is to solicit innovative solutions and proposals from qualified providers for energy conservation measures at CLAY COUNTY (Owner) facilities in accordance with the Local Government Energy Conservation Act, 50 ILCS 515. These services and improvements are to be delivered on a guaranteed performance contracting basis which will allow Owner to: 1) incur no initial capital cost, 2) achieve significant long term savings which are measured and verified, 3) obtain an annual savings guarantee which will be equal to or greater than the total annual project costs, 4) obtain consistent levels of facility occupant comfort and system functionality, and 5) finance the project through an installment payment or a lease purchase arrangement over an extended contract term.

Owner will evaluate all proposals and select the qualified provider that best meets the needs of Owner. It is expected that guaranteed savings provided by the qualified provider selected pursuant to this RFP will fully offset the acquisition costs involved. Owner reserves the right to accept and/or reject any proposals or parts thereof.

Owner discloses that SmartWatt has participated with the preparation of this RFP. No investment grade energy audit was conducted.

DEFINITIONS

ENERGY CONSERVATION MEASURE (ECM), means any improvement, repair, alteration, or betterment of any building or facility owned or operated by Owner or any equipment, fixture, or furnishing to be added to or used in any such building or facility, subject to all applicable building codes, that is designed to reduce energy consumption or operating costs, and may include, without limitation, one or more of the following:

- Insulation of the building structure or systems within the building.
- Storm windows or doors, caulking or weather-stripping, multi-glazed windows or doors, heat absorbing or heat reflective glazed and coated window or door systems, additional glazing reductions in glass area, or other window and door system modifications that reduce energy consumption.
- Automated or computerized energy control system.
- Heating, ventilating or air conditioning system modifications or replacements.
- Replacement or modification of lighting fixtures to increase the energy efficiency of the lighting system without increasing the overall illumination of a facility, unless an increase in illumination is necessary to conform to the applicable state or local building code for the lighting system after the proposed modifications are made.
- Energy recovery systems.

- Energy conservation measures that provide long-term operating cost reductions.

GUARANTEED ENERGY SAVINGS CONTRACT, means a contract for: (i) the implementation of an energy audit, data collection, and other related analyses preliminary to the undertaking of energy conservation measures; (ii) the evaluation and recommendation of energy conservation measures; (iii) the implementation of one or more energy conservation measures; and (iv) the implementation of project monitoring and data collection to verify post-installation energy consumption and energy-related operating costs. The contract shall provide that all payments, except obligations on termination of the contract before its expiration, are to be made over time and that the savings are guaranteed to the extent necessary to pay the costs of the energy conservation measures. Energy savings may include energy reduction and offsetting sources of renewable energy funds including renewable energy credits and carbon credits.

INVESTMENT GRADE AUDIT, means a detailed energy and financial analysis of the benefits of implementing specific energy conservation measures based on implementation cost estimates, site-specific operating cost savings, and Owner's investment criteria which are of sufficient accuracy and certainty that financing can be secured.

QUALIFIED PROVIDER, means a person or business experienced in the design, implementation, and installation of energy conservation measures. The minimum training required for any person or employee under this paragraph shall be the satisfactory completion of at least 40 hours of course instruction dealing with energy conservation measures.

REQUEST FOR PROPOSALS (RFP), a competitive selection achieved by negotiated procurement.

PROCUREMENT PROCESS

SUBMISSION OF PROPOSALS. Submitted proposals must be sealed and delivered to the following address no later than 3:00PM on AUGUST 20, 2018:

CLAY COUNTY CLERK
Attn: BRENDA BRITTON
111 E. CHESTNUT, ROOM 106
PO BOX 160
LOUISVILLE, IL 62858

No extensions will be granted. No email, telephone, or faxed proposals will be accepted.

All qualified providers wishing to respond to this RFP must be present at the mandatory site walkthroughs to be held on JULY 30, 2018, promptly at 9:00AM at the COURTHOUSE, 111 E. CHESTNUT, LOUISVILLE, IL 62858.

SELECTION OF QUALIFIED PROVIDER. The selection of qualified provider to provide energy conservation measures through a guaranteed energy savings contract will be based solely on Owner's evaluation of the written information submitted in response to this RFP. Owner will notify the selected qualified provider in writing upon resolution of Owner's governing body.

DEVELOPMENT OF INVESTMENT GRADE AUDIT AGREEMENT. Owner intends to negotiate a contract for the investment grade audit. If an acceptable investment grade audit agreement cannot be negotiated with the qualified provider selected, negotiations with the next-ranked qualified provider may be initiated.

DEVELOPMENT OF GUARANTEED ENERGY SAVINGS CONTRACT AND FINANCING DOCUMENTS. After completion and acceptance of the investment grade audit, Owner intends to negotiate a guaranteed energy savings contract with the selected qualified provider in accordance with the Local Government Energy Conservation Act, 50 ILCS 515.

OWNER CONTACT PERSON. Owner's contact person for all questions related to this RFP is the following: BRENDA BRITTON, COUNTY CLERK, (618) 665-3626. Contacting other staff concerning this RFP will result in disqualification.

TIMETABLE FOR SELECTION PROCESS

| ACTION | DATE COMPLETED |
|---|-----------------------|
| Issuance of RFP | By 07/09/18 |
| Mandatory Pre-Bid Meeting | 07/30/18 |
| Submission of Proposals | 08/20/18 |
| Selection of Qualified Provider | 08/27/18 |
| Execution of Investment Grade Audit Contract | TBD |
| Investment Grade Audit | TBD |
| Execution of Contract and Financing Documents | TBD |

PROPOSAL REQUIREMENTS

Interested parties are to respond with sealed proposals (one original and one electronic copy on disc or flash drive). Proposals should be marked "RFP for Guaranteed Energy Savings Contract."

Proposals are to be prepared simply, providing straightforward and concise answers to all questions in the format requested. Repetitions of the terms and conditions of this proposal request, without additional explanation, will not be considered sufficiently responsive. The proposal document should respond completely to the requirements indicated in this request.

Proposals must be received on or before the time and date specified at the location noted below, and sealed proposals will be publicly opened and read aloud immediately thereafter at said location:

CLAY COUNTY CLERK

Attn: BRENDA BRITTON

111 E. CHESTNUT, ROOM 106

PO BOX 160

LOUISVILLE, IL 62858

Deadline: AUGUST 20, 2018 by 3:00PM

Proposals received after the time and date specified, whether delivered or mailed, will not be considered. No incomplete proposals will be considered. Proposals received from proposers that were not in attendance at the mandatory site walkthroughs will not be considered.

All submissions become the property of Owner and will not be returned to the proposer.

Contractor shall not pay less than the prevailing rates of wages to all laborers, workmen, and mechanics performing work under this contract, and shall comply with the requirements of the Illinois Wages of Employees on Public Works Act (820 ILCS 130/1-12).

PREPARATION OF PROPOSALS

Owner is not liable for any costs incurred by proposers in preparing or submitting a proposal.

MODIFICATION OR WITHDRAWAL OF PROPOSALS

A proposal response that is in the possession of Owner may be withdrawn by the proposer in person or by written request up to the time of the proposal opening. Responses to proposals may not be withdrawn after the opening.

CONFIDENTIAL INFORMATION

Documents meeting the requirements of 5 ILCS 140/7(1)(g) will be kept confidential. All other documents included in proposal submissions will be presumed subject to disclosure under the Freedom of Information Act.

MANDATORY ELIGIBILITY REQUIREMENTS

Owner is interested in working with an expert firm that has been thoroughly vetted by the U.S. Department of Energy (DOE) as best qualified to design and implement energy savings performance contracts. For that reason, Owner is enforcing the following mandatory eligibility requirements for qualified providers responding to this RFP:

Proposer(s) **MUST** have a proven track record of completing design-build energy conservation projects for a minimum of ten years.

Proposer(s) **MUST** be approved by the DOE and hold a 2017 DOE Indefinite Delivery, Indefinite Quantity (IDIQ) energy savings performance contract at the time of proposal submittal.

Proposer(s) **MUST** guarantee State, Federal, and Utility Incentives that may be available to the County, and reduce from the financed project total.

QUALIFIED PROVIDER SELECTION

Owner intends to negotiate the investment grade audit contract with the firm that best meets the needs of Owner. The exercise of this discretion will be final.

Owner hereby notifies all proposers that minority business enterprises will be afforded full opportunity to submit proposals in response to this request and will not be discriminated against on the grounds of race, religion, color, sex, national origin, or ancestry in consideration of an award. Proposer hereby agrees that should proposer be awarded a contract, proposer will not discriminate against any person who performs work there under because of race, religion, color, sex, national origin, or ancestry.

Owner reserves the right to reject any or all proposals, and to waive any informalities or technical defects in proposals if determined to be in the best interests of Owner to do so.

SCOPE OF SERVICES REQUESTED

Owner is seeking to establish the specific qualifications of the responding qualified providers to provide the comprehensive array of energy services required to deliver a comprehensive guaranteed energy savings project. These services may include, but are not limited to:

- Performance of an investment grade energy audit and analysis
- Design and specification of equipment and systems to be used in providing energy efficiency improvements
- Services associated with the procurement of new equipment
- Project management of the installation
- System commissioning
- Training of facility, custodial, and administrative staff on energy efficient practices
- Services in connection with arranging financing for the project
- Measurement and verification of energy savings
- Energy savings guarantee
- Identification of available financial incentives or rate reductions

EVALUATION CRITERIA

Owner will select the qualified provider with the most responsive proposal, which in the judgment of Owner best meets its needs. The criteria for making this evaluation will be based on the following 100% scale:

| | |
|-------------------------------|-------------|
| Cover Letter | Pass/Fail |
| Firm Profile | 20% |
| Qualifications and Capability | 50% |
| General Approach | 30% |
| Total Points in Scale | 100% |

PROPOSAL FORMAT

Utilize the format provided below for proposal responses. Please number and re-state each subheading and question, followed by your response. Number all pages. Please limit your response to the size limits provided for each subheading as indicated, excluding appendices. Qualified providers that do not include all requested data or include additional unrequested data will be rejected and disqualified from the evaluation process.

1. COVER LETTER (2 pages maximum)

Provide a concise summary of your value proposition for this project. State that you meet all minimum requirements of the RFP, or list any applicable exceptions. Failure to list applicable exceptions will be grounds for disqualification. Include contact information and binding signature by an authorized representative of your company.

2. FIRM PROFILE (6 pages maximum)

2.1. State your firm type (corporation, partnership, sole proprietorship, joint venture).

- 2.2. State the number of years your firm has been in business under its present business name.
- 2.3. Indicate all other names by which your organization has been known and the length of time known by each name.
- 2.4. State that your firm is authorized to transact business in the State of Illinois, and include evidence of authorization to transact business from the Illinois Secretary of State.
- 2.5. Provide an organizational chart illustrating your overall company structure, including any parent and sister companies. Indicate which branches, divisions, or business units are responsible for providing energy conservation projects.
- 2.6. List all projects with which your firm has entered into litigation during the past ten years associated with a guaranteed energy savings contract. Provide a brief summary detailing the litigation. Omission of any past litigation will result in disqualification.
- 2.7. The selected qualified provider must have the financial stability to survive a twenty year guarantee period. Provide an appendix with copies of most recent audited financials (income statement and balance sheet) as evidence of financial stability. List the name, address, and telephone number of the certified public accountant that performed the audit of your financial statement. List a banking reference, including the financial institution, address, contact person, and phone number.
- 2.8. If a guaranteed energy savings contract is approved, the selected qualified provider shall give a sufficient bond to Owner for the installation and faithful performance of all energy conservation measures included in the contract. List the name, address, and telephone number of a bonding reference, and attach a letter from your surety indicating current bonding capacity.
- 2.9. Provide a sample Certificate of Insurance as evidence of professional liability insurance of at least \$5,000,000, worker's compensation insurance of at least \$1,000,000 each accident for bodily injury and \$1,000,000 each employee for bodily injury by disease, auto insurance of at least \$1,000,000 per accident for any automobile, and umbrella liability of at least \$10,000,000 each occurrence.
- 2.10. Outline your company's approach to measuring customer service, and provide your customer service results for projects completed during the previous fiscal year.
- 2.11. Summarize your company's approach to safety. Include as an appendix your company's safety policy.

3. QUALIFICATIONS AND CAPABILITY (10 pages maximum)

- 3.1. State the number of years your firm has offered design-build energy conservation projects. Owner requires a minimum of ten years.
- 3.2. Owner is interested in working with a company whose focus is based primarily on energy conservation projects. State the percentage of your company's revenues that are related to implementing design-build energy conservation projects.
- 3.3. Owner is interested in working with a company that will serve as an unbiased expert for energy conservation measure identification and equipment selection. State the percentage of your company's

revenues that are related to the manufacturing of particular energy conservation measure products or equipment.

3.4. Owner is interested in working with a firm that has been thoroughly vetted by the U.S. Department of Energy (DOE) as best qualified to implement energy savings performance contracts. Provide evidence that your firm holds a 2017 U.S. DOE Indefinite Delivery, Indefinite Quantity energy savings performance contract.

3.5. Conversion to LED lighting with adaptive lighting controls is anticipated to be a critical component of project scope. Provide evidence that your firm is capable of designing and self-performing the installation of all lighting-related energy conservation measures using in-house staff. Owner reserves the right to require the lighting-related measures be installed by in-house staff during contract negotiations if it is determined to be in the best interests of Owner to do so.

3.6. Indicate the types of full-time, in-house personnel employed by your firm that provide professional services related to energy conservation projects.

3.7. Identify all full time employees that will serve as key personnel for this project. Provide an organizational chart for the Project Team and indicate the project phases in which each key personnel member will be involved.

3.8. Describe three projects completed or under contract with county governments in the United States that exemplify the ability to provide the technical and financial services for a project similar to this one. Include the county's name, description of services provided, project start/end dates, contract value, and contact information for the project reference.

4. GENERAL APPROACH (15 pages maximum)

4.1. Executive Summary: in one page or less, describe your firm's general approach to energy savings performance contracts, including differentiating characteristics.

4.2. Describe your approach for project financing and obtaining other sources of funding for energy conservation projects.

4.3. Describe your recommended approach to the investment grade audit. Include in the appendix a sample investment grade audit report that was prepared by your company in the past 12 months for a similar project.

4.4. Describe your approach for material specifications and subcontractor selection.

4.5. Describe your approach for construction management. Include any in-house software tools that can be used for project management and reporting.

4.6. Describe your approach for commissioning of new systems.

4.7. Describe your approach for providing training on new equipment and systems.

4.8. Describe your approach for managing warranties and maintenance of new equipment.

4.9. Describe your approach for ongoing M&V services over the course of the guarantee period. Owner requires budget neutrality each and every year of the guarantee term, and does not intend on including capital cost avoidance in the savings guarantee.