

Palos Heights District #128

**Request for Proposals (RFP)
For
Guaranteed Energy Savings Contract Project**

**Palos Heights District #128
12809 S. McVickers Avenue,
Palos Heights, IL 60463**

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GUARANTEED ENERGY SAVINGS CONTRACT

TIMELINE

Palos Heights District #128

<u>Date</u>	<u>Action Item</u>
01/16/18	RFP is published in the Capital Development Board Procurement Bulletin and posted on the Capital Development Board website.
01/17/18 01/18/18 01/19/18 01/24/18	Walkthroughs of District facilities (3pm-7pm) 4 days
02/16/18	Proposals are received at Administration Building (2pm).
02/21/18	Board approves the selection of Qualified Provider recommended by Administration.
03/14/18	Contract Approval

Legal notifications/announcements for issuing RFP

- The requests for proposals (RFP) shall be announced in the Illinois Procurement Bulletin and through at least one public notice, at least **30 days** before the proposals are due. Publication and Posting of an RFP on the Illinois Procurement Bulletin requires the public entity to send an email with an attachment of the RFP document to Nicki.Patterson@Illinois.gov

Request for Proposals for a Guaranteed Facility Improvement Program

"Notice is hereby given that Palos Heights District #128 is requesting qualified providers to submit proposed energy conservation measures through a Guaranteed Energy Savings Contract pursuant to Article 19b of the Illinois School Code (105 ILCS 5/19b-1 et. seq.) The contract shall meet the requirements of Article 19b of the Illinois School Code – "School Energy Conservation Measures," as well as those listed in this RFP.

The District's objective in issuing this Request for Proposal (RFP) is to provide a transparent and open means through which to select a single qualified provider to potentially implement a Guaranteed Energy Savings (G.E.S.) Contract on behalf of the District.

The District discloses that CTS Group, Inc. assisted in the preparation of this RFP, with the final document being reviewed and produced by the District. A copy of this disclosure is also published in the Capital Development Board Procurement Bulletin along with this RFP.

Proposals will be received no later than 2:00pm local time February 16, 2018 at 12809 S. McVickers Avenue, Palos Heights, IL 60463. **EXTENSIONS WILL NOT BE GRANTED AND NO LATE PROPOSALS WILL BE ACCEPTED.** The District is requesting that each qualified provider submit four (4) printed copies and one (1) electronic copy of its proposal. All proposals submitted shall be sealed. Proposals submitted in any other manner or form will not be considered. Proposals will be publicly opened and announced immediately following the proposal due date and time. Proposal must be in accordance with Article 19b of the School Code and this RFP. For more information, contact Kim Anoman, by E-Mail only, at kanoman@palos128.org.

Qualified providers interested in making a proposal must inspect and evaluate the District's facilities on the date and time specified in the Guaranteed Energy Savings Contract Timeline Section of this RFP. All such inspections and evaluations shall be at no cost to the District.

All proposals shall be deemed final, conclusive and irrevocable. Once opened no proposal shall be subject to correction or amendment for any error or miscalculation. No proposal shall be withdrawn without the consent of the Board of Education after the date and time established for their receipt. All proposals shall be valid for a minimum of sixty (60) days after the date established for their receipt. Respondents must satisfy themselves, upon examination of these requirements, as to the intent of the requirements. After the submission of a proposal, no complaint or claim that there was any misunderstanding regarding the proposal will be entertained from any party.

The proposed project must result in a minimum annual energy and operational savings guarantee, as well as defined levels of occupant comfort, maintenance, monitoring, training, or other services. The goal of any G.E.S. project is to achieve savings sufficient to cover all

project costs including lease or installment payment and fees for maintenance, monitoring, training, and other services, on an annual basis, for the duration of the contract term.

The successful provider shall be required to submit a 100% Performance and Material Payment Bond upon award of a G.E.S. Contract along with a Certificate of Insurance acceptable to the District. The District may elect to implement similar facility improvements to those proposed, throughout the duration of the contract with the qualified provider, pursuant to the contract.

The Board of Education reserves the right to reject any or all proposals, to waive informalities or irregularities as specified elsewhere in this RFP, and to accept the proposal(s) which in, its sole and absolute discretion is/are considered to be in the best interests of the District. Any such decision shall be considered final.

- Sealed proposals must be opened by a member of the Board of Education or employee of the District at a public opening.
- The Board of Education shall select the qualified provider that best meets the overall needs of the District
- The Board of Education shall provide public notice of the meeting at which it proposes to award a guaranteed energy savings contract. The public notice shall be given at least **10 days** prior to the meeting, if different than the date in this solicitation. The Board currently anticipates that it will rank the qualified providers that have submitted a proper proposal in response to this Request (in order of preference), and may select a qualified provider pursuant to said proposals at its February 21, 2018 special meeting, any such selection to be subject to and contingent upon the negotiation of an agreement between the Board and such provider for energy conservation measures through a guaranteed energy savings contract. **The Board reserves the right to change the date for selection set forth above, as well as the right to reject all such proposals and decline to select a provider. The Board's selection of a qualified provider, if any, will be expressly contingent upon negotiation of an agreement for energy conservation measures through a guaranteed energy savings contract. In the event that the Board is, for any reason, unable to negotiate such a contract with a selected qualified provider, it may proceed to select the next-ranked qualified provider, subject to negotiation of such a contract.**

Confidentiality

- a) Respondents should be aware the District is subject to the Illinois Freedom of Information Act and cannot guarantee that any document provided by a respondent will be considered exempt from public disclosure.
- b) If a proposal includes any proprietary data or information that the respondent does not want disclosed to the public, such data or information must be specifically identified as such on every page on which it is found. If the District receives a request for disclosure of information marked as confidential, the District may choose to withhold such information from disclosure at the request of the respondent provided that the respondent agrees to reimburse the District for all costs, expenses, and fees, including attorney fees that the District incurs as a result of such request.

Minimum Requirements to be Considered a Qualified Provider

- a) Proven ability to provide comprehensive energy services and innovative solutions for school districts and area vocational centers, which may include any improvement, repair, alteration, or betterment of any building or facility owned or operated by a school district or area vocational center or any equipment, fixture, or furnishing to be added to, or used in, any such building or facility. The specific nature of these items will be determined between the successful qualified provider and the District.
- b) Proven ability to provide a more comfortable and healthy indoor environment for building occupants. This may include repair or modernization of existing environmental systems. The specific nature of repairs or modernizations will be determined between the successful qualified provider and the District.
- c) Ability to demonstrate successful implementation of no less than 5 (five) guaranteed energy savings contracts within the last 5 years including no less than 5 (five) in public educational institutions in Illinois.
- d) Provide evidence that it is a "qualified provider" as that term is defined in Section 19b-1.3 of the School Code (105 ILCS 5/19b-1.3).
- e) Respondent must be an accredited member of the National Association of Energy Service Companies (NAESCO) or by an equivalent organization with a similar accreditation process that includes: A non-biased committee review of: the precise nature of the applicant's business; the range of measures and services offered to customers; the availability of a performance-based project approach; ethical business practice commitment; project engineering; and design, financing, project management, operations, and maintenance capabilities; and, the capability of verifying and monitoring energy cost savings
- f) Certifies by submission of a proposal, that it does not engage in discriminatory practices regarding employment or delivery of or access to services and programming and that it fully complies with the requirements of federal and State civil rights laws, including but not limited to: the Illinois Civil Rights Act of 2003, P.A. 93-0425; Illinois Human Rights Act, 775 ILCS 5/1-101 et seq.; the Americans with Disabilities Act, 42 U.S.C.12101 et seq., and the Rehabilitation Act of 1973, as amended, 29 USC 701 et seq., the Prevailing Wage Act, the Public Construction Bond Act, the Public Works Preference Act (repealed on June 16, 2010 by Public Act 96-929), the Employment of Illinois Workers on Public Works Act, the Freedom of Information Act, the Open Meetings Act, the Illinois Architecture Practice Act of 1989, the Professional Engineering Practice Act of 1989, the Structural Engineering Practice Act of 1989, and the Contractor Unified License and Permit Bond Act, as well as the rules and regulations promulgated thereunder. A qualified provider submitting a proposal in response to this RFP acknowledges and agrees that the District may declare any contract awarded pursuant to this RFP void if this certification proves false in any respect.

General Terms and Conditions

- a) All costs associated with developing or submitting a proposal in response to this RFP, or to provide oral or written clarification of its content shall be borne by the respondent. The District assumes no responsibility for these costs. This RFP does not commit the District

to pay any costs incurred in preparation or submission of a response or in anticipation of a contract.

- b) The District may enter into a contract with the qualified provider that best meets the needs of the District, as determined solely by the District.
- c) The District reserves the right to reject any and all proposals and to be the sole judge of the value and merit of the proposals submitted.
- d) The District reserves the right to award one, more than one, or no contract(s) in response to this RFP. The District reserves the right to waive informalities and irregularities in the submissions received, other than the "Minimum Requirements to be Considered a Qualified provider" or failure to disclose past/current litigation or termination as defined in the section titled "Provider Profile" items 6 and 7.
- e) A contract with a qualified provider, if awarded, will be awarded to the respondent(s) whose submittal(s) is deemed to be in the best interests of the District, as determined by the selection committee and upon approval of the District's Board of Education.
- f) The District reserves the right to contact any respondent for clarification, interviews, or to negotiate if such is deemed desirable by the District.
- h) Requests for site visits and introductory meetings other than those outlined in the "Guaranteed Energy Savings Contract Timeline" section of this RFP will NOT be allowed. The respondent shall collect and remit all Illinois use tax that may be required by law to be collected due to the performance of the services described in the proposal.
- i) The respondent shall provide all certifications required by the District evidencing its compliance with applicable law, including but not limited to certifications that it has in effect a written sexual harassment policy in full compliance with Section 2-105A(4) of the *Illinois Human Rights Act*, as amended, 775 ILCS 5/2-105A(4), and a drug-free workplace policy and practice in full compliance with Section 3 of the *Illinois Drug-Free Workplace Act*, as amended, 30 ILCS 580/3.
- j) Time is of the essence in the performance of any contract awarded by the District.
- k) Any respondent that is awarded a contract with the District shall, at its expense, maintain worker's compensation, vehicle, general liability, and umbrella coverage in such amounts and with companies satisfactory to the District. Such Insurance shall include the Board of Education, its members, officers, employees and agents, as additional insureds.
- l) Any respondent that is awarded a contract with the District shall as part of said contract, indemnify, hold harmless and defend the District, members of the Board of Education, officers, employees, student teachers, and agents against all suits, actions, legal proceedings, claims and demands and against all damages, losses, costs, expenses and attorney's fees in any matter caused by, arising from, incidental to, connected with or growing out of the performance of this contract. This obligation shall not be limited by the amount of any insurance maintained by the respondent.

- m) No person may be employed by any respondent that is awarded a contract with the District who has been convicted of committing or attempting to commit any one or more of the offenses listed in the Illinois School Code. No employees of any such respondent shall use any tobacco products on school grounds.

PROPOSAL CONTENT & FORMAT

Proposals must be submitted in the format outlined in this section. The District reserves the right to eliminate from further consideration any proposal deemed to be substantially or materially unresponsive to the requests for information contained herein.

A. Table of Contents

Responses shall include a table of contents properly indicating the section and page numbers of the requested information.

B. Executive Summary

Responses shall include a concise abstract stating the respondent's overview of the project, the challenges faced by the District and areas the respondent's proposal can impact. Project pricing/breakdown must be included in the summary.

C. Provider Profile

This section shall include the following information on the qualified provider.

1. ESCO Information- Complete Exhibit A-, ESCO Information Form, provided.
2. Resumes of all key project personnel
3. References- List completed Guaranteed Energy Savings Contracts (GESCs) where similar solutions to those proposed for this project have been implemented in the last five (5) years.
4. Provide proof of Accreditation in the National Association of Energy Services Companies (NAESCO), or equivalent organization with similar accreditation processes.
5. Provide the name of the member of the team with LEED AP certification
6. Litigation- List any projects with which the qualified provider has been involved in litigation or arbitration during the past 5 years arising out of any work for any school district or vocational area center; the status of such litigation or arbitration, or if concluded, the outcome of the litigation or arbitration. Provide a summary detailing the litigation/arbitration. Omission of past litigation or arbitration (as defined in this section) will result in disqualification.

List if an installation contract between the qualified provider (under current or previous names) and an Illinois school district or vocational area center that has been terminated within the last five (5) years, and the name and contact information for the school district or vocational area center. Provide a summary detailing the circumstances of the termination. Omission of this information (as defined in this section) will result in disqualification.

D. Technical Approach

Section D shall contain the following information about the respondent's technical approach to meet the District's energy efficiency, operating cost reduction and comfort objectives.

1. **Needs & Solutions:** Include a "Needs & Solutions" section explaining facility needs and solutions the respondent recommends for all proposed improvements.

Scope of Work: Proposals shall include any and all improvements the respondent feels would be of benefit to the District which may include but are not limited to roofing, tuckpointing, parking lots, doors, windows, flooring, lighting, domestic water, HVAC and fire protection devices.

2. **Asbestos and Hazardous Material Abatement:** Explain the approach the respondent will utilize to address any asbestos abatement. Include any expectations of the District including bidding, who will hold the contracts, process for abatement contractor selection, etc. **Base Project Identification:** The respondent is to identify a recommended phase one project (Base Project). This project is to be the minimum scope utilized for the required Cash Flow Analysis. All equipment is assumed to be new and complete. Any equipment that is to be rebuilt is to be CLEARLY identified. Improvements should be identified for the specific school where the respondent identifies needs and appropriate solutions.

3. **Documentation:** For the "Base Project" and/or any work recommended for the first year, provide the following documentation for the scope of work being proposed:-

Equipment/Material Table providing: manufacturer, type, model, size, and quantity for all equipment provided.

4. **Engineering Approach:** Describe your firm's approach to the technical design of this project.
5. **Energy Engineering:** Provide a detailed explanation of how the respondent intends to calculate energy savings and what types of guarantees will be offered for each facility improvement and the methodology to be used for measurement and verification (utility bill analysis, actual measurements and stipulated savings and the cost of each option).
6. **Contractor Selection:** Described the process the respondent utilizes to obtain contractors and what criteria will be used to make contractor selections.
7. **Equipment Selection:** Described the process the respondent utilizes to obtain the equipment to be used on the project and specifically what criteria will be used to make equipment selections.

8. **Installation Approach:** Describe how the respondent intends to implement the installation phase of the project in terms of approach, priorities, philosophies, timelines, and change-orders.
9. **Commissioning:** Describe, in detail, the commissioning processes the respondent intends to utilize to commission the project. Provide actual documents for past projects where a similar approach was utilized.
10. **Measurement & Verification:** Described in detail the measurement and verification processes the respondent intends to utilize to insure the building operates at peak performance both at the completion of the installation phase and throughout the contract term. Provide actual guaranteed savings reports from past projects where this same approach was utilized showing how both energy and operational savings were calculated.
11. **Additional Information:** Any additional information about the respondent's technical approach to the project may be included in the proposal.

E. Financial Aspects

Section E shall contain the financial components of the proposed work as identified below.

1. **Pricing:** Describe in detail the process the respondent intends to utilize to obtain the best prices for the District both initially and if additional work is required. Explain the benefits of this approach.
 - a) Include the respondent's estimated cost/budget and guaranteed energy savings amount for all proposed improvements for each facility in the project.
 - b) Respondent agrees by submission of a response, to provide final pricing for all Energy Conservation Measures proposed, (prior to contract) utilizing the Open Book Model Form (Exhibit B) attached. This pricing will be considered "Not to Exceed" pricing for each ECM proposed.
 - c) Include the cost and guaranteed energy savings amount for all proposed improvements for each facility.
 - d) Provide the Measurement and Verification Cost for all recommended facility improvements. ***Respondents must provide an option for utilizing the Option "B" approach (based on IPMVP standards) for savings guarantee for all electrical savings associated with mechanical savings, and a yearly cost for the Measurement & Verification associated with this option.** Additionally, Respondents must provide an option for utilizing the Option "C" approach (based on IPMVP standards) for savings guarantees for ALL gas savings guarantees. Lighting, Windows, and Roofing may utilize Option "A" for the energy guarantee.
 - e) Provide the pricing model or approach, for any future work.

2. **Cash Flow Analysis:** Complete a *Cash Flow Analysis* illustrating how the project financially meets the criteria of Illinois School Code (105 ILCS 5/19b-2 through 19b-4, inclusive).
3. **Energy Savings:** Explain how the respondent intends to maximize energy savings and the advantage to the respondent's approach.
4. **Energy Guarantee:** Provide an example of at least one energy guarantee that was not met, how the respondent resolved the issue, and contact information for the customer.
5. **Project Funding:** Project funding will be developed by the District after selection of the provider.

F. Implementation Plan

1. Include in your proposal an implementation plan, including dates, describing how the respondent intends to execute the project to meet the timelines set forth in these specifications. Project to be executed in 2018 and must be completed prior to start of the 2018-2019 school year.
2. Describe in detail your approach to project management for this energy conservation program, including a staffing plan, and identifying key project management personnel.

EVALUATION CRITERIA

A District evaluation team will evaluate all proposals and recommend an award subject to approval by the School Board. The District reserves the right to, but is not obligated to, request and require that the proposing firm provide an oral presentation of its proposal at a date and time to be determined. If required by the District, it is anticipated that such presentation, will not exceed one (1) hour. The written proposal and oral presentation (if required) will be the basis for determining the successful firm. The District may reject any proposals that do NOT meet the minimum criteria described in this RFP, and may at their discretion deduct points from a scoring rubric (if utilized) if the RFP format is not followed. For proposals meeting or exceeding the minimum criteria, the District will rate each proposal based on the weighted scoring criteria shown below. The District intends to award a contract to the provider offering the best value proposal.

Required Minimum Criteria: Failure to meet any of the following criteria will be grounds for automatic disqualification. See the required documentation document at the end of the RFP.

Proposals will be evaluated according to the following criteria:

- A. **Experience and Qualifications (20 points)**
 1. Refer to Section I-C for criteria.
- B. **Technical Approach (30 points)**

1. Refer to section I-D for criteria.

C. Financial Consideration & Net Economic Impact (30 points)

1. Refer to section I-E for criteria.

D. Performance Guarantees (20 points)

1. Value offered by the energy savings guarantee
2. Methodology and value of proposed measurement and verification plan.

The District reserves the right to accept in part or in whole any response to this RFP, waive any informalities or irregularities in any response, or delete any item/requirements from the RFP or resulting contract when deemed to be in the District's best interest.

The School Board or its designee will, in the exercise of its sole discretion, and determine which proposal best meets the needs of the District. The exercise of this discretion will be final.

EXHIBIT A – ESCO Information

1. General Firm Information

Firm Name:

Illinois Mailing Address:

Corporate Address:

Contact Person(s):

Former Name(s) of Firm:

Tax Identification Number:

Length of time known by this name:

2. Type of Firm:

3. Federal Employer Identification Number:

4. Year Established:

5. Three year Summary of Contract Values for Guaranteed Energy Projects, specify Illinois Values:

a. 2017 - \$

b. 2016 - \$

c. 2015 - \$

Estimate of total value for all energy related contracts that are currently in force:

6. Firm Background

1. How many years has your firm been in business under its present name?
2. How many years has your firm been providing energy-efficiency related business in Illinois?
3. Indicate the number of energy savings performance contracts implemented by your firm in Illinois in the last 5 years.

7. Project Professional Services Information

Name of Design Engineer(s) and Company providing the design engineering for this project. Include their PE numbers. Must be professional engineers registered in the State of Illinois.

Name of Engineer and Company who will be the engineer of record for the project

EXHIBIT B – OPEN BOOK MODEL FORM

Subcontractor	ECM #						
Trade Subcontractor							
Company A							
Company B							
Company C							
Trade Subcontractor							
Company A							
Company B							
Company C							
Trade Subcontractor							
Company A							
Company B							
Company C							
Trade Subcontractor							
Company A							
Company B							
Company C							
Trade Subcontractor							
Company A							
Company B							
Company C							
Trade Subcontractor							
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Company C							
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Company C							
Trade Subcontractor							
Company A							
Company B							
Company C							
Trade Subcontractor							
Company A							
Company B							

Company C							
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Subcontractor	ECM #						
Equipment Type							
Company A							
Company B							
Company C							
Equipment Type							
Company A							
Company B							
Company C							
Equipment Type							
Company A							
Company B							
Company C							
Equipment Type							
Company A							
Company B							
Company C							
Equipment Type							
Company A							
Company B							
Company C							
Equipment Type							
Company A							
Company B							
Company C							
Misc. Construction Costs							
Sub-Total							
Add. Costs Assoc w/ ECM							
Engineering							
Project Management							
General Conditions							
Risk							
Warranty							
Bond							
Any Additional Costs Not Listed Above							
Overhead							
Profit							
Total Price	\$	\$	\$	\$	\$	\$	\$

*Provide all Subcontractor and Equipment Pricing for Each ECM proposed. Copy this form for additional space. Add Costs (Engineering, Project Management, etc.) and costs not listed, should be provided in the form of a percentage of the total construction costs.

REQUIRED DOCUMENTATION CHECKLIST

- A.** Completed Exhibit A. Form
- B.** Evidence that it is a “qualified provider” as that term is defined in Section 19b-1.3 of the School Code (105 ILCS 5/19b-1.3).
- C.** Proof of being an Accredited Member of the National Association of Energy Service Companies (NAESCO) or by an equivalent organization with a similar accreditation process that includes: A non-biased committee review of: the precise nature of the applicant's business; the range of measures and services offered to customers; the availability of a performance-based project approach; ethical business practice commitment; project engineering; and design, financing, project management, operations, and maintenance capabilities; the capability of verifying and monitoring energy cost savings
- D.** Cash Flow Analysis showing how the project will meet the criteria of the School Code 105 ILCS 5/19b