

**REQUEST FOR PROPOSALS (“RFP”)
GUARANTEED ENERGY SAVINGS CONTRACT**

City of Byron (“City”)

INTRODUCTION

The City is requesting qualified providers to propose innovative solutions and Energy Conservation Measures through a guaranteed energy savings contract. These proposals shall include: (a) the implementation of a facility audit, data collection, and other related analyses preliminary to the undertaking of Energy Conservation Measures; (b) the evaluation and recommendation of Energy Conservation Measures; (c) the implementation of one or more Energy Conservation Measures; and (d) the implementation of project monitoring and data collection to verify post-installation energy consumption and energy related operating costs pursuant to (50 ILCS 515/) Local Government Energy Conservation Act. This RFP is issued on the following date pursuant to as defined in the Local Government Energy Conservation Act which provides for a negotiated procurement.

Proposed Project Calendar

Issuance of RFP	09/25/2020
Request Deadline	3:00PM 10/5/2020
Site Visit Deadline	3:00PM 10/9/2020
Submission of Proposals and Opening	8:30AM 10/26/2020

Upon selection of the Qualified Provider by the City, the City will negotiate and execute the Guaranteed Energy Savings Contract with the selected Qualified Provider.

If there are any requests for public information or site visitation, please contact Deb Johnson via fax **on or before “Request Deadline” and complete by “Site Visit Deadline.”**

PLEASE NOTE THAT NO EXTENSIONS WILL BE GRANTED and any contact by firm or its “representatives” with Staff, Administration and/or Officials during the RFP process will be grounds for immediate disqualification of the firm.

Please provide 1 electronic copy of your response. All proposals shall be sealed and received in the following office no later than the **date and time of “Submission of Proposals”**:

Attention: Deb Johnson
City of Byron
232 W. Second Street
Byron, IL 61010
Fax 815.234.2646

Minimum Requirements for Proposal

- A. Provide comprehensive energy services and innovative solutions for the City, which may include the installation of energy savings equipment and material. The specific nature of this equipment and material will be left up to the Qualified Provider and may be based upon the Qualified Provider's understanding of the City's needs.
- B. Provide for more efficient operations. This may include repair or modernization of mechanical, electrical, plumbing, building envelope, environmental systems and occupied or unoccupied areas to maximize energy and operational efficiencies. The specific nature of repair or modernization will be left up to the Qualified Provider and may be based upon the Qualified Provider's understanding of the City's needs.
- C. The Qualified Provider will provide a financing solution customized to meet the financial requirements of the City.
- D. A savings guarantee will be offered as part of the Qualified Providers proposal in accordance with to (50 ILCS 515/) Local Government Energy Conservation Act. The savings in energy and operating costs are guaranteed to cover the cost of the program.
- E. If actual savings fall short of the guaranteed savings, the Qualified Provider will reimburse the City for the difference.
- F. It is preferred that the Qualified Provider demonstrate successful implementation of at least thirty similar performance contracts for Local Governments within the last fifteen years. Please provide contacts for all projects by the current provider. All projects must have been completed by current provider and not a prior provider.
- G. 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 where it is found. Respondent should be aware that the City is subject to the Illinois Freedom of Information Act and cannot guarantee that any document provided by a respondent will be considered as exempt from public disclosure under such Act.
- H. Qualified Provider shall provide evidence that it is a "qualified provider" as that term is defined in 105 ILCS 5119b-1 et seq. This includes (a) evidence that the firm is an **accredited Energy Service Provider (ESP)** - or Energy Services Company (ESCO) - by the National Association of Energy Service Companies (NAESCO) and provide documentation to this fact: (a) current certificate and inclusion in this current listing <https://www.naesco.org/accredited-companies>) and (b) how long the firm has consistently been accredited as an ESP - or ESCO - by NAESCO.
- I. Qualified Provider shall provide evidence that it is a "qualified provider" as that term is defined by the Department of Energy (DOE). This includes (a) evidence that the firm is currently included in the DOE Qualified List of Energy Service Companies (ESCOs) as shown in this current listing <https://www.energy.gov/eere/downloads/department-energy-qualified-list-energy-service-companies> and (b) how long the firm has consistently been Qualified by the DOE.
- J. It is preferred that Qualified Provider provide evidence that it has at least one full-time employee in the Illinois local office that is a LEED® AP (LEED® Accredited Professional) and provide documentation to this fact.
- K. It is preferred that Qualified Provider provide evidence that it utilizes CPTED (Crime Prevention

Through Environmental Design) principles, that it has at least one full-time employee in the Illinois local office that has earned a CPD (CPTED Professional Designation) and provide documentation to this fact.

- L. By submitting a proposal, each Qualified Provider agrees, that if awarded the contract, the Qualified Provider shall comply with criminal history background requirements on its employees who are working on City property, if required under Illinois law.
- M. By submitting a proposal, each Qualified Provider agrees that, if awarded the contract, it shall comply with the provisions of the applicable Prevailing Wage Act and each law identified in the 50 ILCS 515/ Local Government Energy Conservation Act
- N. By submitting a proposal, each Qualified Provider agrees to furnish a Performance Bond and Payment Bond in the amount of one hundred percent (100%) of the Contract Sum. Owner requires that the bond surety must carry an A.M. BEST rating of A.
- O. The successful proposer agrees to furnish and maintain, for the duration of the contract, insurance for claims against injuries to persons and damage to property which may arise from any work under the contract, including, without limitation, workers' compensation insurance, employers' liability insurance and commercial general liability insurance with a limitation of \$1,000,000. All insurers shall be licensed by the State of Illinois and rated B+: VIII or better by A.M. Best.
- P. The successful proposer agrees to indemnify and hold harmless the City, its Trustees, Board Members, employees, officers and officials, from and against all suits, actions or claims arising out of damages to property or persons due to the negligent acts or omissions of the Qualified Provider or its subcontractors related to the performance of the work.
- Q. The City is interested in working with a company whose focus is based primarily on Guaranteed Savings Projects. Indicate your firm's revenue as a percentage of the following:
Guaranteed Savings Projects: _____%
Equipment Manufacturing: _____%
Service and Maintenance: _____%
Bid and Spec: _____%
Other: _____%
- R. The City is interested in working with a company that provides comprehensive coverage at every step in the process. Please indicate whether the company is committed to dedicating full-time Project Management, Construction Management, and other staff at each stage.
- S. The City is interested in working with a company that has not been party to legal disputes. As such, please list and detail:
 1. All past and present litigation in Illinois pertaining to Energy Savings Performance Contracts (ESPC).
 2. All past and present contracts in Illinois terminated by the owner prior to completion due to nonperformance.

Proposal Format

The Proposal must be submitted in the three-section format (A, B, and C) outlined in this section. Each proposal will be reviewed to determine if it is complete prior to actual evaluation. The City reserves the right to eliminate from further consideration any proposal deemed to be substantially or materially unresponsive to the requests for information contained herein.

At a minimum, each submitted proposal **MUST** contain the following information.

- ✓ Executive Summary
- ✓ Experience and Qualifications of the Qualified Provider
- ✓ Annual Financials of the Qualified Provider
- ✓ Resumes of Key Personnel
- ✓ Proposed Scope of Work
- ✓ Project Management Capabilities
- ✓ Proposed Project Cost and Savings

A. EXPERIENCE AND QUALIFICATIONS

Provide a description of the Qualified Provider including the following:

1. The Qualified Provider's experience with energy and energy related services.
2. Evidence that the firm is an accredited ESP - or ESCO - by NAESCO and provide documentation to this fact: (a) current certificate and inclusion in this current listing <https://www.naesco.org/accredited-companies>) and (b) how long the firm has consistently been accredited as an ESP - or ESCO - by NAESCO.
3. Evidence that the firm is a DOE Qualified ESCO: (a) inclusion in this current listing <https://www.energy.gov/eere/downloads/department-energy-qualified-list-energy-service-companies> and (b) how long the firm has consistently been DOE Qualified.
4. It is preferred that the Qualified Provider demonstrate successful implementation of at least thirty similar performance contracts for local governments within the last fifteen years. Please provide contacts for all projects by the current provider. All projects must have been completed by current provider and not a prior provider.
5. Resumes of all key project personnel, including projects in which they have participated throughout their career while employed by the current provider (may be included in the appendix)
6. Description of how the Qualified Provider will insure and bond the project.
7. Include the most recent financials for the Qualified Provider (may be included in the appendix)

B. SCOPE OF WORK DESCRIPTION

Section B should contain the following information about the respondent's technical approach to meeting the City's energy efficiency & operating cost reduction objectives:

1. List of specific innovative conservation measures the respondent proposes to implement.
2. Include a section explaining each of the innovative conservation measures in some level of detail.
3. Additional information about the respondent's technical approach to the project may be included in this section.
4. Describe how the Qualified Provider would manage the project.
5. Describe "on-site" construction management services.
6. Proposals must include a schedule indicating how the project will be completed on a timely basis.

C. PROJECT COST AND SAVINGS

Section C of the proposal should contain the following information about the financial terms of the proposed transaction.

1. The Total Guaranteed Project Cost for the Implementation of the Improvements should be included within this section.
2. Information about the Qualified Provider's projections as to total annual savings, payments to the respondent, and the net benefit to the City from the proposed transaction (cash flow analysis).
3. A description of important financial terms should be included in the proposal. This section must include:
 - a) Type and source of financing.
 - b) Interest rate (including any associated annual fees) estimated at the time of submittal.
 - c) The frequency of these payments.
 - d) The term of the proposed agreement.
 - e) A guarantee of energy savings on an annual basis.
 - f) Any other terms or information relevant to the financial aspects of the proposed transactions.
4. A description of the method to be used to measure energy savings achieved in the building through the efforts of the Qualified Provider should be included within this section.

Evaluation Criteria

Each proposal will be evaluated by the following criteria:

- A. Experience and Qualifications
 - 1. Experience and Qualifications of Project Team
 - 2. Experience with Local Government Customers

- B. Scope of Work
 - 1. Technical Approach
 - 2. Comprehensive Project and Construction Management Approach

- C. Project Cost and Savings
 - 1. Financial Approach and Guarantee

The City reserves the right to reject any proposal and/or waive any informality, irregularity, or defect in any or all proposals and to accept that proposal which in its opinion is in the best interest of the City. Any such decision will be final.

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 City after the date and time established for their receipt. All proposals shall be valid for a minimum of 60 days after the date established for their receipt. Providers must satisfy themselves, upon examination of these requirements, as to the intent of these requirements. After the submission of the proposal, no complaint or claim that there was any misunderstanding regarding the proposal will be entertained from any party.

Attachments to this RFP

- Copy of one years' recent gas & electric bills
- Copy of most recent NPDES Permit
- No energy audit was conducted

Owned Facility	Facility Address
Wastewater Treatment Plant	504 E BLACKHAWK DRIVE, BYRON, IL 61010