

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

St. Joseph Community Consolidated School District 169 (“District”)

INTRODUCTION

The District 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 105 ILCS 5119b-1 et seq. This RFP is issued on the following date pursuant to as defined in Section 1.4 of Article I 9b which provides for a negotiated procurement.

ENGIE Services U.S. Inc., an ENGIE Company, participated in the preparation of these specifications issued by the District pursuant to this RFP.

Proposed Project Calendar

Issuance of RFP	4/23/2021	
Request Deadline	5/06/2021	3:00PM
Site Visit Deadline	5/07/2021	3:00PM
Submission of Proposals	5/26/2021	8:00AM
Selection of Qualified Provider	6/14/2021	

Upon selection of the Qualified Provider by the District, the District 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 ONLY the District Office at alandis@stjoe.k12.il.us or tpence@stjoe.k12.il.us on or before “Request Deadline” and complete by “**Site Visit Deadline.**”

PLEASE NOTE THAT **NO EXTENSIONS WILL BE GRANTED** and any contact with the Board of Education during the RFP process **will be grounds for immediate disqualification of the firm.**

Please provide **one electronic copy** with your response. **NO INTERVIEWS WILL BE CONDUCTED**, so all response information must be included in the electronic copy.

All proposals shall be sealed and received in the following office no later than the date and time of “**Submission of Proposals**”:

St. Joseph CCSD 169
404 S. Fifth St.
St. Joseph, IL 61873

Minimum Requirements for Proposal

- A. Provide comprehensive energy services and innovative solutions for the District, 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 District's needs.
- B. Provide a more comfortable environment for building occupants. This may include repair or modernization of mechanical, electrical, plumbing, building envelope, environmental systems and classroom, office, and/or administrative 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 District's needs.
- C. The Qualified Provider will provide a financing solution customized to meet the financial requirements of the District.
- D. A savings guarantee will be offered as part of the Qualified Providers proposal in accordance with 105 ILCS 5119b-1 et seq. 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 District for the difference.
- F. The Qualified Provider must demonstrate successful implementation of at least fifteen similar performance contracts within the last fifteen years, for Illinois public schools. Please provide contacts for all projects in Illinois 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 District 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) 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. **Firms without NAESCO Accreditation will not be considered. NAESCO members without accreditation will not be considered.**
- 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 DOE Qualified. **Firms without DOE Qualification will not be considered.**
- J. Qualified Provider shall 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. 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 District property, if required under Illinois law.

L. By submitting a proposal, each Qualified Provider agrees that, if awarded the contract, it shall comply with the provisions of the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) and each law identified in the 105 ILCS 5119b-1 et seq.

M. 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.

N. The Qualified Provider will protect, defend and indemnify District, its officers, agents, servants, volunteers and employees from any and all liabilities, claims, liens, fines, demands and costs, including legal fees, of whatsoever kind and nature which may result in injury or death to any persons, including the Contractor's own employees, and for loss or damage to any property, including property owned or in the care, custody or control of District in connection with or in any way incident to or arising out of the occupancy, use, service, operations, performance or non-performance of work in connection with this contract resulting in whole or in part from negligent acts or omissions of contractor, any sub-contractor, or any employee, agent or representative of the contractor or any sub-contractor.

O. The Qualified Provider and its subcontractors are required to meet the following specific requirements: A certificate of insurance from your insurance carrier with District named as Additional Insured as specified below. Include as a minimum the following coverage and limits of liability:

Commercial General Liability
\$3,000,000 General Aggregate
\$1,000,000 Products/Completed Operations
\$1,000,000 Per Occurrence - Personal Injury, Bodily Injury and Property Damage

Umbrella Liability (Minimum Limits)
\$5,000,000 General Aggregate
\$5,000,000 Each Occurrence

Automobile
\$3,000,000 Aggregate
\$1,000,000 Each Occurrence

Worker's Compensation
A limit of not less than \$1,000,000 or the minimum statutory limits for the State of Illinois, whichever is greater.

All coverages should be with carriers licensed and admitted to conduct business in the State of Illinois. They should not have an A.M. Best's Rating of less than A VII.

The following wording should be included in the insurance certificate to name the District as an Additional Insured:

"It is understood and agreed that the following shall be Additional Insured: St. Joseph CCSD 169, and including all elected and appointed officials, all employees and volunteers, all boards, and their board members."

This coverage shall be primary to the Additional Insured, and not contributing with any other insurance or similar protection available to the Additional Insured, whether said other available coverage be primary, contributing or excess.

It is understood and agreed that thirty (30) Days Advance Written Notice of Cancellation, Reduction, and/or Material Change in coverage will be mailed to: St. Joseph CCSD 169, 404 S. Fifth St., St. Joseph, IL 61873

P. The District is very 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:	_____	%

Failure to disclose such details will result in disqualification of the Qualified Provider. The information requested in this Section Q applies to the Qualified Provider, its affiliates and its predecessor companies, and if the Qualified Provider is not a public company, then such information should also be provided for the owners of the Qualified Provider.

Q. The District is very 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.

R. The District is very interested in working with a company that has **not been party to legal issues or 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.

Failure to disclose such details will result in disqualification of the Qualified Provider. The information requested in this Section S applies to the Qualified Provider, its affiliates and its predecessor companies, and if the Qualified Provider is not a public company, then such information should also be provided for the owners of the Qualified Provider.

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 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.

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
- ✓ Completed Assurances

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 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. **Firms without NAESCO Accreditation will not be considered. NAESCO members that do not have accreditation will not be considered.**
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. **Firms without DOE Qualification will not be considered.**
4. The Qualified Provider must demonstrate successful implementation of at least fifteen similar performance contracts within the last fifteen years, for Illinois public schools. Please provide contacts for all projects in Illinois 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 **only 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 District's comfort, 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 District 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.

District reserves the right to finance the project separately from the terms listed in the proposal.

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.
5. Standards of Occupancy and Control
6. Required Certifications and Assurances

Evaluation Criteria

Each proposal will be evaluated by the following criteria:

Experience and Qualifications	45%:
Experience and Qualifications of Project Team	25%
Experience with Illinois K-12 School Districts	20%
Scope of Work	40%:
Technical Approach	20%
Comprehensive Project and Construction Management Approach	20%
Project Cost and Savings	15%:
Financial Approach and Guarantee	15%

The District 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 District. 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 District 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

- Required Certifications and Assurances
- Copy of floor plan for each building
- Copy of one recent gas, electric and water bill for each building
- No energy audit was conducted

Facility Owned by the District	Original Building Age	Building Area (Square Feet)	Building Address
Grade School	1954	92,670	404 S. FIFTH STREET, ST. JOSEPH, IL 61873
Middle School	2005	74,330	606 E. PETERS DRIVE, ST. JOSEPH, IL 61873

BIDDER CERTIFICATIONS

Bidder certifies that it is not barred from bidding for or entering into a contract under 105 ILCS 5/10-20.21 and Bidder acknowledges that the school board may declare any contract entered into void if this certification is false.

Signature

Bidder certifies that it is not barred from contracting with any unit of State or local government as a result of a violation of either the bid-rigging (720 ILCS 5/33E-3) or bid rotating (720 ILCS 5/33E-4) provisions of Article 33E of the Criminal Code of 1961, as amended.

Signature

Bidder certifies it is in compliance with the Title 7 of the Civil Rights Act of 1964 as amended and the Illinois Human Rights Act as amended. Bidder further certifies that it shall: (1) refrain from unlawful discrimination and discrimination based on citizenship status in employment and undertake affirmative action to assure equality of employment opportunity and eliminate the effects of past discrimination; (2) comply with the procedures and requirements of the Department's regulations concerning equal employment opportunities and affirmative action; (3) provide such information, with respect to its employees and applicants for employment, and assistance as the Department may reasonably request; and (4) have sexual harassment policies that include, at a minimum, the following information: (i) the illegality of sexual harassment; (ii) the definition of sexual harassment under State law; (iii) a description of sexual harassment, utilizing examples; (iv) Bidder's internal complaint process including penalties; (v) the legal recourse, investigative and complaint process available through the Illinois Department of Human Rights and the Illinois Human Rights Commission; (vi) directions on how to contact the Department and Commission; and (vii) protection against retaliation as provided by Section 6-101 of the Illinois Human Rights Act. Bidder shall provide a copy of the policies to the Department upon request.

Signature

Bidder certifies pursuant to Section 3 of the Illinois Drug-Free Workplace Act (30ILCS 580/3) that it will provide a drug free workplace by:

- (a) Publishing a statement:
 - (1) Notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, including cannabis, is prohibited in the Bidder's workplace.
 - (2) Specifying the actions that will be taken against employees for violations of such prohibition.
 - (3) Notifying the employee that, as a condition of employment on such contract, the employee will:
 - (A) abide by the terms of the statement; and
 - (B) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction.
- (b) Establishing a drug free awareness program to inform employees about:
 - (1) the dangers of drug abuse in the workplace.
 - (2) the Bidder's policy of maintaining a drug free workplace.
 - (3) any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) the penalties that may be imposed upon employees for drug violations.
- (c) Making it a requirement to give a copy of the statement required by subsection (a) to each employee engaged in the performance of the contract and to post the statement in a prominent place in the workplace.
- (d) Notifying the District within 10 days after receiving notice under part (B) of paragraph (3) of subsection (a) from an employee or otherwise receiving actual notice of such conviction.
- (e) Imposing a sanction on or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is so convicted, as required by Section 5 of the Act.
- (f) Assisting employees in selecting a course of action in the event drug counseling, treatment, and rehabilitation is required and indicating that a trained referral team is in place.
- (g) Making a good faith effort to continue to maintain a drug free workplace through implementation of Section 3 of the Act.

Signature

The Bidder agrees that he/she/it and his/her/its employees and subcontractors will abide by the Board's no smoking/tobacco policy on all District sites and on all Contractor's buses.

Signature

The undersigned Bidder/Contractor hereby certifies that no familial relationship exists between any owner or employee of Bidder/Contractor and any member, officer, or employee of the Board of Education of St. Joseph CCSD 169, except as specifically disclosed below:

[List any such familial relationships]

Signature

The undersigned Bidder/Contractor has checked all the figures contained in this proposal and further understands that the Board will not be responsible from any errors or omissions made therein by the undersigned.

Firm Name: _____

By _____
(Authorized Agent of Contractor) Signature

Print Name

Title

Date

Subscribed and sworn to before me
this ____ day of _____, 2021.

Notary Public

STATE of ILLINOIS)

)

COUNTY OF _____)

NONCOLLUSION AFFIDAVIT

No bid will be accepted that does not have this form completely executed.

By submission of this bid, each Bidder and each person signing on behalf of Bidder certifies, and in the case of joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

1. The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Bidder or any competitor.
2. Unless otherwise required by law, the prices which have been quoted in this bid have not knowingly disclosed by the Bidder and will not knowingly be disclosed by the Bidder prior to opening, directly or indirectly, to any other Bidder or to any competitor;
3. No attempt has been made or will be made by the Bidder to ensure any other person, partnership, or corporation to submit or not to submit a bid for the purpose of restricting competition.
4. The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as to the person signing in its behalf;
5. That attached hereto (if corporate Bidder) is a certified copy of resolution authorizing the execution of this certificate by the signature of this bid or proposal on behalf of the corporation Bidder.

(Individual)

(Corporation)

Date: _____

By: _____