

REQUEST FOR PROPOSAL (RFP) FOR A PERFORMANCE CONTRACTED ENERGY PROJECT

Issued By: Harvard Community Unit School District #50

HARVARD COMMUNITY UNIT SCHOOL DISTRICT #50 (hereinafter also referred to as District) is seeking specific proposals from Qualified Energy Services Companies (ESCOs) which can provide comprehensive infrastructure and energy-related capital improvement services.

PROJECT OVERVIEW

HARVARD COMMUNITY UNIT SCHOOL DISTRICT #50 is interested in contracting for a full range of energy and energy-related capital improvements at the District's facilities. These services are to be delivered utilizing a Guaranteed Energy Services Contract.

The District's objective in issuing this Request for Proposals is to provide a competitive means in which to select a single provider to fulfill all aspects of this project. The District's Board may elect to implement further improvement measures in phases, pursuant to the final contract.

105 ILCS 5/19b DEFINITIONS

Energy Conservation Measure

1. Means any improvement, repair, alteration, or betterment of any building or facility 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, subject to the building code authorized in Section 2-3.12 of this Code, that is designed to reduce energy consumption or operating costs, and may include, without limitation, one or more of the following:
 - a. Insulation of the building structure or systems within the building.
 - b. Storm windows or doors, caulking or weatherstripping, 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.
 - c. Automated or computerized energy control systems.
 - d. Heating, ventilating, or air conditioning system modifications or replacements.
 - e. 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.
 - f. Energy recovery systems.
 - g. Energy conservation measures that provide long-term operating cost reductions.
2. In addition to the items listed in the definition above, the work to be included in the project may also include, but not be limited to, upgrades or replacement of equipment and/or material, roofing, tuckpointing, doors, windows, lighting, plumbing, etc.

Qualified Provider

A person or business whose employees are experienced and trained in the design, implementation, or installation of energy conservation measures. The minimum training required for any person or employee under this Section shall

be the satisfactory completion of at least 40 hours of course instruction dealing with energy conservation measures. A qualified provider to whom the contract is awarded shall give a sufficient bond to the school district or area vocational center for its faithful performance.
(Source: P.A. 92-767, eff. 8-6-02.)

REQUIRED CAPABILITIES

The Qualified Provider must have the demonstrated technical and managerial capabilities to provide a comprehensive set of services, including but not limited to, design, acquisition, installation, training, and commissioning of new and/or existing energy systems as well as project monitoring and savings measurement and verification. Additional services may include operation and maintenance for all improvements and/or training of District’s staff on routine maintenance and operation of the systems installed. Monitoring and verification services shall include appropriate measurement and timely reporting of the energy and operational savings from the project.

OVERVIEW OF TERMS AND CONDITIONS

1. **Contract Term.** The duration of the contract will be mutually determined between the Qualified Provider and the District, based on authorized legislation, final project scope and financial factors. No contract shall exceed 20 years in duration.
2. **Guarantee.** The guaranteed energy savings contract shall include a written guarantee of the qualified provider that either the energy or operational cost savings, or both, will meet or exceed within 20 years the cost of the energy conservation measures.
3. **Execution of Guaranteed Energy Savings Contract and Financing Documents.** The District will negotiate and execute the Guaranteed Energy Savings Contract with the selected Qualified Provider. The Qualified Provider to whom the contract is awarded shall give a sufficient payment and performance bond to the District for its faithful performance. This bond will be issued to the District following contract execution and prior to any work being performed. The selected Qualified Provider shall also provide a written guarantee that meets the legislative requirements of 105 ILCS 5 Article 19b.

PROCUREMENT PROCESS

The District expects to undertake the selection process described below, according to the following schedule:

<u>Date</u>	<u>Selection Process Step</u>
April 13, 2022	Advertise RFP
April 18, 2022	*Access to Facilities
May 16, 2022	**Proposal Due Date
May 22, 2022	Selection of Qualified Provider & Issuance of LOI
June 15, 2022	Contract Approval

****Due to concerns with COVID-19, the District is taking precautions to limit exposure to our staff. The District will limit site visits after students have been released, and by appointment only. Please contact the representative listed in the “RFP PROCEDURES” section of this advertisement.***

*****Due to the District’s desired timeline for final selections, procurement, and implementation, PROPOSAL DUE DATE EXTENSIONS SHALL NOT BE GRANTED***

SUBMISSION OF WRITTEN PROPOSALS

Qualified Providers interested in providing the services requested, must respond in writing. All submissions become the property of the District and will not be returned to the responding Qualified Provider. All costs associated with submission preparation will be borne by the responding Qualified Provider.

The District reserves the right to reject any or all submissions and to waive informalities and minor irregularities in submissions received and to be the sole judge of the merit and value of the proposals offered. The school district shall select the qualified provider that best meets the needs of the district.

LETTER OF INTENT

Once a selection has been made, the Qualified Provider will be issued a Letter of Intent to proceed with the appropriate next step, which may include Detailed Energy Audit, Final Determination of Scope of Work, and/or Final Contract Development. Upon final negotiation and acceptance of the scope, cost, and savings, and terms, the Qualified Provider and District shall enter a Guaranteed Energy Savings Contract in accordance with 105 ILCS 5/19b.

RFP PROCEDURES

A. POINT OF CONTACT

Appointment requests for facility access, as well as Questions or Clarifications must be by email and directed to Sean Huffstulter, Director of Buildings & Grounds, shuffstulter@cusd50.org.

Any contact with the Board of Education Members or other Administration Members, other than the Point of Contact listed above, relating to the RFP Advertisement, will be grounds for immediate disqualification of the Qualified Provider.

B. SUBMISSION OF PROPOSALS

Respondents should submit three (3) written copies and one (1) electronic version of its proposal by the proposal due date. No faxed nor electronically submitted proposals shall be accepted. RFPs are to be enclosed and sealed, clearly marked "Performance Contract Response for Energy Conservation and Facility Improvement Projects", and delivered by 2:00pm on the Due Date, to:

Harvard Community Unit School District #50
401 N. Division Street
Harvard, IL 60033

The District will disqualify from consideration, proposals received after the time and date specified above.

C. BONDS

A Payment and Performance Bond is required to provide the District with Adequate protection in the event of default by and/or dispute with the chosen Qualified Provider.

Prior to the start of construction, the selected Qualified Provider shall furnish the District with a Payment & Performance Bond for the faithful installation of the scope of work included in the executed Contract. The Payment & Performance Bond shall be for 100% of the executed Contract amount.

D. INSURANCE REQUIREMENTS

Prior to the commencement of work, the Qualified Provider must provide evidence of insurance in amounts and types acceptable to the District, for both the construction and operation phases of the Project.

E. AS-BUILT DRAWINGS

Where applicable, the Qualified Provider must provide reproducible "as built" and record drawings (or such electronic equivalents as may be agreed to with District) of all existing and modified conditions associated with the Project, conforming to typical engineering standards. These should include architectural, mechanical, electrical, structural, and control drawings and operating manuals within 30 days of completed Project installation.

F. ENERGY AND OPERATIONAL SAVINGS

One hundred percent (100%) of all energy and operational savings shall be retained by the District. The reconciliation of guaranteed sums shall be provided by the Qualified provider on an annual basis, commencing one year from the date of final completion and acceptance of the work, by the District. The Qualified Provider will be responsible for measurement and verification of implemented measures to ensure optimal performance as well as for ongoing training, however, District has the option to negotiate the extent of any contracted on-going maintenance service contract.

G. PROPRIETARY INFORMATION

If a proposal includes any proprietary data or information 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. Data or information, so identified, will be used by the District solely for the purpose of evaluating proposals and conducting contract negotiations. Disclosure of any proprietary information by the District shall be in accordance with the laws and regulations regarding disclosure in force in the State of Illinois.

H. MODIFICATION OR WITHDRAWAL OF PROPOSAL

Any proposal may be withdrawn or modified by written request of the respondent, provided such request is received by the District at the address listed for proposal submittals, and prior to the due date responses are required to be submitted.

I. DISCLOSURE

The District discloses this Request For Proposal Solicitation has been developed with the assistance of Allied Facility Partners.

J. RIGHT TO REJECT

It is understood by the respondent that the District reserves the right to accept any proposal, to reject any or all proposals, and to waive any irregularities or informalities.

K. COST OF PROPOSAL PREPARATION

It is understood by the respondent that all costs associated with the preparation of the Qualified Providers response to this RFP will not be reimbursed by the District.

L. COMPLIANCE

All work completed under this contract must follow all applicable federal, state, and local laws, rules, and regulations, including all building codes, accreditations, certifications, and licensing standards. Work must be in accordance with acceptable engineering and safety practices, be installed in a workmanlike manner and follow all District regulations relative to the project. The Qualified Provider and its subcontractors will be responsible for obtaining all required governmental permits, consents, and authorizations, and for payment of all state and city required taxes and fees which result from this contract.

M. SUBCONTRACTOR APPROVAL

District retains the right to approve any Qualified Provider selected subcontractor prior to its commencement of work on this Project. Names and qualifications of subcontractors must be submitted at least two weeks in advance of subcontractor scheduled start date.

N. HIRING AND WAGE REQUIREMENTS

The Qualified Provider shall comply with prevailing wage requirements and, if applicable, minority and women-owned business enterprises.

O. PROPOSAL REVIEW AND SELECTION OF FINALIST(S)

A District evaluation team will review all proposals and recommend a Qualified Provider, whom they determine best meets the needs of the District, to the School Board for approval. The District reserves the right to, but is not obligated to, request and require the proposing firm provide an oral presentation of its proposal. Proposals will be evaluated according to the following criteria:

- Qualifications and experience of the Qualified Provider's Team members who will be working on the proposed project.
- Technical Approach – Quality and responsiveness of the proposal to the needs of the District with regard to scope of work, methodology, and project management.
- Financial Approach – Ability to work with the District to finalize Project Costs, Projected Savings, and sources and types of potential financing. Respondents to provide potential construction budgets within the proposal.

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

P. CONTRACT NEGOTIATIONS

HARVARD COMMUNITY UNIT SCHOOL DISTRICT #50 will attempt to negotiate and contract for services described in this RFP advertisement, with the Qualified Provider determined to best meet the needs of the District. If an agreement cannot be reached, there may be an attempt to negotiate a contract with the second qualified firm.

PROPOSAL RESPONSE INSTRUCTIONS

Proposal must be submitted in the format outlined in this section. Tabs must identify each section. Each proposal will be reviewed to determine if it is complete prior to evaluation. The school reserves the right to eliminate from further consideration any proposal deemed to be substantially or materially unresponsive to the requests for information contained herein and to waive any deficiencies in a Proposal.

FORMAT FOR RESPONSE

A. Table of Contents

B. Executive Summary

C. Background and Qualifications

- a. Provide an overview of your company that includes your organization's capabilities.
- b. Provide an overview of the team who will be working on this project and describe what their responsibilities will be on the project.
 - a. Include Resumes (not more than one page) for each team member.
 1. Include years of experience.
 2. Recent Projects
 3. Relevant Affiliations/Accreditations
- c. Include Illinois School Districts where team members have worked on Energy Savings Projects. If relevant, include additional references where team members have worked on traditional construction projects.
 - a. Provide a brief description of the project.
 - b. Value of the project.
 - c. District Contact Information

D. Technical Aspects of the Proposal

Provide a detailed summary of your organization's technical approach to meeting the District's energy efficiency and operational savings needs and objectives. This section should include, but not be limited to, the following subsections.

1. *Existing Conditions*
 - a. Describe your organization's assessment of the facilities and existing conditions.
2. *Solutions for Consideration*
 - a. Provide an overview of the various recommended solutions to address the conditions of the District's facilities.
3. *Development*
 - a. Describe the overall approach to assessment and development of technical solutions.
4. *Design*
 - a. Describe your proposed design approach and include any preferred design and engineering consultants your organization would utilize, within the scope of the project.

- b. Provide any design details or drawings (if any) utilized as part of your response.

5. *Construction Management*

- a. Describe your approach to all phases of construction management, from bid process through final acceptance and warranty. Include the following details:
 - 1. Describe how your team would work with current building management and maintenance personnel to coordinate construction and avoid conflicts with the building's operation and use.
 - 2. Describe any project management tools or systems to be utilized on the project.
 - 3. Identify and describe any components your organization considers to be unique to Construction Management.

6. *Commissioning*

- a. Describe how your firm intends to provide commissioning for the project.

7. *Performance Assurance*

- a. Describe the performance assurance processes you intend to use to ensure the buildings operate at the desired performance level, both at the completion of the construction phase and throughout the contract term.

E. Financial Aspects of the Proposal

As part of the Financial Aspects Section an estimate of the work proposed must be provided. This estimate will be viewed as a Not To Exceed Total, for the scope and criteria of the work proposed.

1. *Construction Budget*

- a. Provide a Construction Budget for the scope of work described in the response. If applicable, include options and alternates.

2. *Sample Cashflow Analysis*

- a. Provide a Cashflow analysis which includes the following criteria:
 - 1. Energy Savings with a Utility Escalation Factor of 3%
 - 2. Operational Savings with a Labor and Material Escalation of 4%
 - 3. A Cash Option
 - 4. A Bond Rate Option of 2.5%.
- b. If the Respondent chooses to show an additional Cashflow Analysis with alternative variables for Energy or Operational Savings, please identify the Cashflow alternative and provide the alternative analysis with a Cash Option and Bond Rate Option as stated above.

F. Implementation Schedule

G. Additional Information

Any additional information the respondent believes to be relevant to the District's selection efforts may be included in the proposal as Section H. Appendix.

GENERAL CONDITIONS

A. Standards of Service

The standards of service provided for the facilities, including heating, ventilation, air conditioning, and humidity, shall be in accordance with requirements of state and local codes.

B. Liability

The Qualified Provider shall provide comprehensive general liability, comprehensive automobile liability, and worker's compensation insurance coverage, according to the requirements for the District.

Required minimum levels of insurance coverage for Commercial General Liability are as follows:

- General Aggregate - \$1 Million
- Products Comp/Ops Aggregate - \$1 Million
- Personal & Advertising - \$1 Million
- Each Occurrence - \$1 Million
- Fire Damage - \$50,000
- Medical Expense - \$25,000
- Employer's Liability and Workmen's Comp - \$500,000

C. Design Work

All Design work related to the installation or modification of facilities shall be performed and stamped by architects/engineers licensed in the State of Illinois, as required by State and Local Building Codes.

D. Prevailing Wages

The Qualified Provider, and its subcontractors, shall pay the rate of wages for workmen required for any proposed construction to comply with the Illinois Department of Labor and any specific requirements of a funding vehicle utilized by the District. It is the responsibility of the Qualified Provider to discuss these requirements with the District prior to submitting Construction Budgets, as outlined in Section E of the Proposal Response Instructions.

E. Permits, Licenses, Inspections, and Taxes

The Qualified Provider shall obtain and pay for all permits and licenses, and shall give all notices, pay all taxes, and comply with all laws, ordinances, rules and regulations bearing on the work. If the specifications are at variance herewith, the work shall be installed in accordance with local laws, codes, rules, regulations, and ordinances.

F. Sales Tax

The Qualified Provider shall not include Illinois sales tax on any materials or labor, furnished in connection with this contract.

The District will provide the contracted Qualified Provider with an exemption certificate giving the District's tax-exempt status number.