

REQUEST FOR PROPOSALS (RFP) NO. 000-01

Comprehensive Utility Savings Program

The following Request for Proposals ("RFP") is seeking proposals from qualified design-build firms capable of providing comprehensive energy, gas, & water infrastructure improvements utilizing Proposition 39, utility budget savings, other grants, and utility programs for Colfax Elementary School District ("District")

RESPONSE DEADLINE FOR PROPOSALS: April 12, 2017

RFP Contact for Questions & Submission:

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530-346-2205 ext. 231
24825 Ben Taylor Road
Colfax, CA 95713

I. RFP PROCESS

The District intends to select a qualified provider for the development, implementation, and monitoring of a comprehensive utility savings program. Upon award, the District will enter into a professional services agreement pursuant to Government Code section 53060, for a ASHRAE Level 2 audit ("Audit") in compliance State of California Prop. 39 guidelines. Prior to entering into a contractual agreement for project implementation, if at all, an agreed upon scope of work and project pricing will require separate board approval.

Through this RFP, the District is seeking proposals from qualified firms in order to identify and select the most qualified Energy Services design-build contractor respondent to do each of two separate scopes of work:

- 1) Perform an ASHRAE Level 2 Audit fully compliant with State of California Prop. 39 guidelines; and
- 2) Implement and monitor, on a district-wide basis, energy savings project(s) at schools within the District based on the energy Audit.

It is the District's intent to partner with the successful respondent to perform the Audit and then negotiate and execute an Energy Services Performance Contract ("ESPC"), based on the criteria provided in this RFP, to design and construct an energy-savings program and provide a guarantee of savings consistent with the provisions of California Government Code sections 4217.10-4217.18 that will provide sustained efficiencies and energy cost savings (the "Project").

The District may, but is not obligated to, award a contract to the selected respondent for each separate scope of work under this RFP, as more fully discussed below in Section IV. The District may enter into a contract with the selected respondent for the Audit scope work but

reserves the right to elect not to enter into a contract with the respondent for the Project scope of work.

The District's Governing Board ultimately makes all decisions on the strategic direction and budgetary allocations for all energy-savings programs. Therefore, all initiatives and plans laid out by the Superintendent's office will require ultimate approval of the Board. The District reserves the right at its sole discretion to not move forward with a Project(s) even after selecting a firm through this RFP. In addition to utilizing Prop 39 grant funds, the awarded respondent shall be required to assist the District with identifying additional funding sources to address infrastructure needs that exceed Prop 39 requirements for measures such as water conservation. Additional funding sources may include utility programs, federal & state grants, and low rate municipal lease financing.

The awarded respondent shall manage the associated funding application processes and be responsible for ensuring compliance with California Energy Commission (CEC) Guidelines for the Prop 39 Clean Energy Jobs Act, as well as Division of the State Architect processes and regulations, Office of Public School Construction processes, California Department of Education reporting and Title 24 code compliance. The District intends to implement a design-build program consistent with the provisions of California Government Code sections 4217.10-4217.18 that will provide sustained efficiencies and energy cost savings. The District, at its sole discretion, reserves the right to reject any or all proposals.

The awarded respondent shall comply with all requirements of California Senate Bill 73 and with all requirements of the California Energy Commission Guidelines applicable to the design and installation of energy conservation measures funded through Proposition 39 (2012)

II. PROJECT GOALS The District's ultimate goal is to utilize financial savings realized from more efficient buildings towards other upgrades and programs that enhance student learning. Respondents shall support the District's goal by developing, implementing, and monitoring a turn-key utility savings program that accomplishes the following:

- Achieves long-term cost savings through reduced energy, gas & water usage
- Upgrades old and/or inefficient systems
- Maintains consistent and reasonable levels of occupant comfort
- Maintains building functionality and compatibility with existing equipment
- Improves utilization of technology to achieve optimum performance and savings
- Minimizes financial and technical risk to the Owner
- Provides training to employees on maintenance and repair of equipment and controls
- Provides comprehensive funding solutions
- Promotes private sector job creation
- Involve students and staff in energy conservation education

III. MINIMUM REQUIREMENTS

Respondents must meet the following minimum requirements to participate in the District's RFP process:

- Have five (5) CA K-12 customer references for which the respondent provided turn-key responsibility of similar utility conservation design-build services in the past three (3) years

- Current accreditation by the National Association of Energy Services Companies (NAESCO), or be included on the U.S. Department of Energy's (DOE) Qualified List of Energy Service Companies
- Active G.C. license in California
- Minimum of five million dollars (\$5 Million) in bonding capacity

IV. SCOPE OF WORK

Audit:

Upon award, the selected respondent will be required to perform site walks at each of the District's facilities to evaluate infrastructure improvements in order to develop an Audit tailored for the District's needs.

Specifically, the awarded respondent will evaluate and propose applicable conservation measures including but not limited to:

- Heating Ventilation & Air Conditioning (HVAC) system optimization, retrofit, upgrade or replacement
- Solar PV
- Interior and exterior lighting retrofit or replacement
- Building Automation System (BAS) installation, upgrade, or expansion leveraging existing technology
- Water conservation measures
- Building envelope upgrades
- Other infrastructure improvements
- Other training, remote monitoring services, and on-going support services that will ensure objectives of program are met over the term of the agreement

As part of the Audit, respondent will do all of the following:

- Prepare and secure District approval of ASHRAE Level II energy audit plan.
- Conduct comprehensive on site field audit in accordance with the above requirements.
- Prepare utility tariff analysis.
- Conduct workshops with administrators and Board.
- Perform ASHRAE Level II energy analysis.
- Prepare financial cost benefit analysis.
- Assist in complying with Proposition 39 submittal requirements.

Project:

Upon approval of the Audit, the selected respondent will develop an agreed upon scope of work based on the findings of the Audit, pursuant to a separately negotiated EPSC with the District, subject to approval by the District's Governing Board. The District shall be under no obligation to award a contract for the energy conservation implementation services to the selected respondent but retains the right to do so pursuant to this RFP. All proposed infrastructure improvements must be provided on a turn-key basis including all necessary permits, engineering, Division of the State Architect (DSA) requirements, delivery, installation, commissioning, training, warranty service, and CEC compliance.

After the Project scope of work has been fully implemented, the selected respondent will be required to provide energy savings Measurement and Verification ("M&V") services to monitor post-retrofit utility usage and track energy savings. M&V services are to be provided in accordance CEC guidelines for project tracking and reporting. Any M&V services shall be identified within the EPSC.

V. PROPOSED TIMELINE

March 21, 2017	RFP Released
April 12, 2017	RFP Responses Due
April 19, 2017	Respondent Awarded
May 30, 2017	Audit Completed

VI. PROPOSAL INSTRUCTIONS

Ink or Typewritten

All information, prices, notations, signatures, and corrections must be in ink or typewritten. Mistakes may be crossed out and corrections typed or printed adjacent to the mistake and initialed in ink by the person signing the proposal.

Signature Verification

To be considered for award, each proposal must be signed by a legally authorized representative of your company.

Proposal Documents

Failure to completely execute and submit the required documents before the RFP submittal deadlines will render a proposal non-responsive.

Informed Respondent

It will be your responsibility to be fully informed as to the conditions, requirements, and specifications before submitting proposals. Failure to do so will be at your firm's own risk and relief cannot be secured on the plea of error.

Questions Related To the RFP

If any respondent contemplating submission of a response is in doubt as to the true meaning of any part of this RFP, or finds discrepancies in, or omissions from the specifications, it shall submit a written question made in writing via e-mail to the Mike Shafer, Facilities Manager at mshafer@colfax.k12.ca.us. The respondent submitting the request will be responsible for its prompt delivery. In case of disagreement or conflict between or within standards, and specifications, the more stringent, higher quality and greater quantity of work and/or supplies shall be assumed and included in the RFP. Any interpretation or correction of the RFP will be made only by an addendum duly issued and a copy of such addendum will be faxed, mailed, or otherwise delivered to each respondent that received a copy of the RFP. No person is authorized to make any oral interpretation of any provision in the RFP to any respondent, and no respondent is authorized to rely on any such unauthorized oral interpretation. Questions are due from respondents to the District by March 31, 2017 by 4:00 p.m.

Erasures

All responses submitted must not contain erasures, interlineations, and other corrections. Unless, if each correction is suitably authenticated by affixing in the margin immediately opposite the correction the surname or surnames of the person or person signing the RFP. No oral or telephonic modification of any proposal submitted will be considered.

Withdrawal of RFP

Any respondent may withdraw their proposal either personally, by written request, e-mail, fax, and/or by telegraphic request prior to the scheduled closing time for receipt of proposals. All proposals received by the District shall remain subject to the acceptance for a period of ninety (90) calendar days after the date of the proposal opening.

Contact

No respondent, including any agent of respondent, shall directly or indirectly contact any member of the District's staff or Governing Board immediately before or during the RFP process for which respondent intends to, or has submitted, a proposal. Any respondent violating this policy shall be deemed disqualified from submitting a proposal. Should such contact come to light after the RFP is awarded and the respondent was deemed the successful respondent, the Governing Board of the District reserves the right to cancel any awarded contract.

Addenda to RFP

The District reserves the right to issue addenda(s), as it may desire, at any time prior to the time fixed for receiving proposals. A copy of such addenda will be promptly posted on the District's bid manager website. It is the responsibility of all respondents to promptly review the RFP and all addenda and incorporate all information into their proposals.

Protests by Respondents

A respondent may protest the RFP award if he/she believes that the award is not in compliance with law, Board policy, or this RFP. A protest must be filed in writing with the Superintendent or designee within five (5) working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A respondent's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the respondent's claims and render a decision in writing within thirty (30) working days. The Superintendent or designee may also convene a meeting with the respondent in order to attempt to resolve the problem.

The respondent may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide reasonable notice to the respondent of the date and time for Board consideration of the protest. The Board's decision shall be final.

Public Records Request

It is understood and accepted by respondent that the District is subject to the California Public Records Act ("Act") (Gov. Code § 6250, et seq.) and that any proposal submitted by respondent is a public record that is not exempt from disclosure under the Act. Respondent understands and agrees that in the event that a request is made to view respondent's proposal submitted in response to this RFP, District shall comply with such a request. Respondent shall not mark its entire proposal confidential.

Rights of the District

This RFP does not commit the District to award a contract or pay any costs incurred in the preparation of a response to this RFP. The District reserves the right to accept all or part of any proposal or to cancel in part or in its entirety the RFP. The District further reserves the right to select the respondent, or respondents that it considers likely to best further the interests of the District. The District reserves the right to negotiate all covenants, terms and conditions, including, without limitation, the scope of work, of any contract it may eventually elect to award pursuant to the RFP.

VII. PROPOSAL SUBMISSION REQUIREMENTS

Five (5) hard copies (one marked "original") and one (1) electronic copy of the proposal shall be submitted in the format contained in the RFP. The original proposals shall be submitted in a three (3) ring loose-leaf binder or report cover. It is critical that all responses follow the same format to allow equal and fair evaluation of each response. Responses should be limited to thirty-five (35) pages (not including table of contents, cover letter, or sample contracts/agreements) and include the following:

SECTION TABS

Proposals should be divided by tab sections according to items in the index. This will assist the evaluating team in identifying items and information submitted with the proposal.

TABLE OF CONTENTS

The table of contents of the proposal should include a clear and complete identification of the materials submitted by tab section and page number.

COVER LETTER

A signed letter of interest (no more than two (2) pages), stating the respondent's interest and qualifications in providing the services as outlined in the RFP. Please describe how the respondent meets the minimum requirements as described in section III of the RFP.

Tab 1: Background, Financial Capacity & Management Structure

Provide general information on the respondent including: a brief history of the firm, key differentiating factors and areas of expertise, length of time performing services, and location of California offices.

Provide a statement of the respondent's financial capacity and capability to perform to the terms of this solicitation request.

Describe the management structure of the responding firm and include an organizational chart. Provide resumes for personnel to be used on this project and describe their qualifications and experience with projects of a similar size and scope.

Tab 2: Litigation Disclosure

Describe any involvement as a party in any formal litigation, arbitration or mediation associated with savings performance on an energy savings contract or specifically related to an Investment Grade Audit (IGA) agreement in the last five (5) years, along with a description of the nature and outcome of such litigation.

Tab 3: References

Provide detailed project histories for a minimum of five (5) California K-12 districts for which the respondent provided turn-key responsibility of similar utility savings programs in the past three years. Describe the scope of work of the project indicating start/completion date, services and equipment provided, project size, total project savings, and funding sources. Please provide the client name and contact information for any person(s) that may be contacted to verify all information provided in response to this inquiry.

Tab 4: Project Approach

- a) Provide a description of the respondent's approach to performing audits, and identifying improvement measures.
- b) Provide a description of the respondent's approach to managing the project implementation and procedures for minimizing occupant disruptions.
- c) Describe the steps taken by the respondent during and after the turnover process to ensure successful project implementation.
- d) Describe training programs available for district employees.

Tab 5: Savings

- a) Describe the respondent's approach to projecting and proving utility savings.
- b) Describe the methodology and formulas utilized for reporting of the savings.
- c) Provide a description of monitoring services after installation to ensure continued savings.

Tab 6: Additional Benefits and Value Added Elements

Please describe any additional benefits that may result from implementation of the utility savings program and the respondent's added value elements in providing products/services for utility savings projects.

Tab 7: Contracts & Forms

Provide sample contracts for the planning study, project installation, Measurement & Verification (M&V) including terms and conditions. Complete and include enclosed acknowledgement form.

Tab 8: Cost and Pricing

Fees for Audit:

- a) State your fee schedule and proposed not-to-exceed fee for the Audit scope of work.
- b) State any requirements for reimbursement of costs associated with the Audit scope of work.

Markups for Project:

Markups represent a percentage added to the base cost for the Project. Please provide your markup costs to provide a typical project costing approach for a project of similar scope and size. These markups will be used in the Energy Services Performance Contract. Ranges for markups are not acceptable.

CATEGORY OF MARK-UP	% MARK-UP
Overhead/General Conditions	
Profit	

Clearly describe how self-performed work will be charged (billed hourly, billed as a markup of equipment and labor costs, etc.). If self-performed work will be billed hourly, please list the hourly rates by title of employee/agent to perform the services, with a brief description of the scope of services to be rendered under such title. **VIII. PROPOSAL EVALUATION CRITERIA**

The District will evaluate qualifications based on the scoring criteria outlined in this section. Respondents who are not actively engaged in providing services of the nature proposed in this RFP and/or who cannot clearly demonstrate to the satisfaction of the District their ability to satisfactorily perform the work in accordance with the RFP requirements will not be considered, nor will respondents who do not meet the minimum requirements. Award of the RFP shall be made to the respondent that achieves the Best Value score, as more fully discussed below. A respondent who does not meet the minimum qualifications, as identified in Section III, shall be automatically disqualified and will not be scored.

The District shall be the sole judge of the qualifications and services to be offered, and its decision shall be final. Discussions may be conducted with respondents who submit qualifications determined to be reasonably acceptable of being selected for award:

Scoring Criteria

- a) **Background:** i.e. qualifications, experience, resources, financial solvency. (20 points)
- b) **Litigation Disclosure** (25 points)
- c) **Project Team & Management Structure:** i.e. amount of work self-performed, strength of proposed team, trainers, and management structure. (25 points)
- d) **Project History & References:** i.e. relevant past project experience. (50 points)
- e) **Project Approach:** i.e. approach to audits, project management, training, etc. (25 points)
- f) **Additional Benefits & Added Value:** i.e. additional benefits resulting from implementation and respondent's added value elements. (10 points)
- g) **Savings:** i.e. savings approach and track record. (35 points)
- h) **Contracts & Forms:** i.e. sample contracts, terms & conditions & completed Acknowledgement Form (30 points)
- i) **Cost and Pricing** (25 points)
- j) **Response:** responsiveness and compliance with the requirements of the proposal. (5 points)

Total Maximum Evaluation Score: 250

The Cost and Pricing proposal (Tab 8, above) will be used to calculate the Best Value score. The Best Value score will be determined by dividing each respondent's final Evaluation Score by the fee price to calculate a dollar per point score (Best Value Score = Total Fee Proposal/Final Score). The respondent with the lowest dollar per point score will be the best value score. The following example, for illustration purposes only, demonstrates the calculation of the final score and the Best Value score.

Example Fee Proposal – (assumes \$1,000,000 construction budget and a final Evaluation Score of 200)

Energy Audit - \$25,000

Project overhead/General Conditions – 5% x \$1,000,000 = \$50,000

Project profit – 5% x \$1,000,000 = \$50,000

Total Fee = \$125,000

Best Value Score - \$125,000/200 points = \$625/point