



Solicitation Information

16 July 09

Continuous Recruitment # 23

TITLE: Energy Performance Contracting Services – Qualified Provider List

Submission Deadline: 31 Dec 10 at 12:00 Noon (Eastern Time)

PRE-BID/ PROPOSAL CONFERENCE-----no

Questions concerning this solicitation may be e-mailed to the Division of Purchases at questions@purchasing.state.ri.us no later than 1 Dec 10 @ 12:00 Noon (Eastern Time). Please reference the RFQ # on all correspondence. Answers to questions received, if any, will be posted on the Internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information.

SURETY REQUIRED: No

BOND REQUIRED: No

**Jerome D. Moynihan, C.P.M., CPPO
Administrator of Purchasing Systems**

**Vendors must register on-line at the State Purchasing Website at
www.purchasing.state.ri.us.**

NOTE TO VENDORS:

Offers received without the entire completed three-page RIVP Generated Bidder Certification Form attached may result in disqualification.

THIS PAGE IS NOT A BIDDER CERTIFICATION FORM

The Rhode Island Department of Administration/Division of Purchases, on behalf of the Office of Energy Resources requests submittals from qualified firms and organizations in the business of providing energy performance contracting services, in accordance with the terms of this solicitation and the State's General Conditions of Purchase (available on the Internet at www.purchasing.ri.gov.)

Overview:

In a 2004 solicitation (RFP # B03934), the then SEO (Office of Energy Resources), now the Office of Energy Resources (OER) estimated that over 1200 facilities in RI that could be possible candidates for achieving significant improvements in energy efficiency. Numerous Energy Services Companies offered proposals and, in accordance with the terms of that solicitation, a maximum of four firms were selected. With a uniform contract term of 11/15/04 – 11/15/12, purchase orders were issued to Siemens Bldg. Technologies, Consolidated Edison Solutions, Chevron Energy Solutions, and Noresco LLC.

The availability of federal stimulus funding for energy conservation projects has necessitated the need to expand the 2004 list of four qualified energy service companies and devise a clear, reproducible, audit trail to meet the stimulus funding guidelines / requirements. To accomplish that goal, the Division of Purchases determined that all future energy performance contracting projects be advertised on RIVIP in the method of a Request for Proposals. Each RFP could have specific multiple site locations and respondents could bid on all, or part, of the proposed work.

To expand the pool of qualified service providers, each RFP would contain the same qualifications criteria that appeared in the original solicitation (Project Experience, Technical Capability, Staff Qualifications and Financial Capability). Firms receiving 75 out of a maximum 100 qualifications points would be placed on the qualified supplier list, which will be prominently posted on the OER website. Part two of the RFP would be the pricing structure for the site locations where the energy conservation services are to be performed. Pre-qualified suppliers need only submit the pricing component of the solicitation. Those firms not yet pre-qualified must submit both the technical and the cost components.

This Continuous Recruitment Solicitation represents the opportunity for energy firms to submit credentials that would pre-qualify them for future Energy Performance Contracting Solicitations. The intent of this solicitation is to expand a qualified service provider list to be used for services on an "as needed" basis. Past utilization is no guarantee of future need. Inclusion as a qualified service provider is no guarantee of future income.

Service Providers will be added to the Energy Performance Contracting Services – Qualified Provider List as their credentials are evaluated and approved. This qualified provider list shall remain active through 11/15/12.

It is believed that this proposed expansion of pre-qualified service providers will yield the *best of the market* solicitation responses while meeting the audit requirements of federal stimulus funding.

INSTRUCTIONS AND NOTIFICATIONS TO OFFERORS:

- Potential offerors are advised to review all sections of this Request carefully, and to follow instructions completely, as failure to make a complete submission as described elsewhere herein may result in rejection of the proposal.
- Alternative approaches and/or methodologies to accomplish the desired or intended results of this procurement are solicited. However, proposals which depart from or materially alter the terms, requirements, or scope of work defined by this Request will be rejected as being non-responsive.
- All costs associated with developing or submitting a proposal in response to this Request, or to provide oral or written clarification of its content, shall be borne by the offeror. The State assumes no responsibility for these costs.
- Proposals are considered to be irrevocable for a period of not less than sixty (60) days following the opening date, and may not be withdrawn, except with the express written permission of the State Purchasing Agent.
- All pricing submitted will be considered to be firm and fixed unless otherwise indicated herein.
- Proposals misdirected to other State locations or which are otherwise not present in the Division of Purchases at the time of opening for any cause will be determined to be late and may not be considered. The “Official” time clock is in the reception area of the Division of Purchases.
- In accordance with Title 7, Chapter 1.1 of the General Laws of Rhode Island, no foreign corporation shall have the right to transact business in the state until it shall have procured a Certificate of Authority to do so from the Rhode Island Secretary of State (401-222-3040). This will be a requirement only of the successful bidder (s).
- Offerors are advised that all materials submitted to the State of Rhode Island for consideration in response to this Request for Proposals will be considered to be public records, as defined in Title 38 Chapter 2 of the Rhode Island General Laws.
- Also, Submitters should be aware of the State’s MBE requirements, which addresses the State's goal of ten per cent (10%) participation by MBE's in all State procurements. For further information, contact the State MBE Administrator at (401) 574-8253 or visit the website <http://www.mbe.ri.gov>. You may also contact cnewton@gw.doa.state.ri.us
- Interested parties are instructed to peruse the Division of Purchases web site on a regular basis, as additional information relating to this solicitation may be released in the form of an addendum to this RFP / LOI

- **Equal Employment Opportunity (RIGL 28-5.1)**
§ 28-5.1-1 Declaration of policy. – (a) Equal opportunity and affirmative action toward its achievement is the policy of all units of Rhode Island state government, including all public and quasi-public agencies, commissions, boards and authorities, and in the classified, unclassified, and non-classified services of state employment. This policy applies in all areas where the state dollar is spent, in employment, public service, grants and financial assistance, and in state licensing and regulation. For further information, contact the Rhode Island Equal Employment Opportunity Office, at 222-3090 or via email raymond1@gw.doa.state.ri.us
- Subcontracts are permitted, provided that their use is clearly indicated in the offeror's proposal, and the subcontractor(s) proposed to be used are identified in the proposal.
- If you wish to seek to do business with the State of Rhode Island, you must register and utilize the E-Verify Program. Please refer to www.dhs.gov/E-Verify or the Division of Purchases website at www.purchasing.ri.gov for more information.
- **State public works contract apprenticeship requirements.** * (a) Notwithstanding any laws to the contrary, all general contractors and subcontractors who perform work on any public works contract awarded by the state after passage of this act and valued at one million dollars (\$1,000,000) or more shall employ apprentices required for the performance of the awarded contract. The number of apprentices shall comply with the apprentice to journeyman ratio for each trade approved by the apprenticeship council of the department of labor and training.

I. Introduction and Background

To improve the efficiency of energy consumption in RI, thereby reducing the tax burden on RI citizens, the OER has developed a program to assist both state and municipal government agencies commercial firms, non-profit organizations, and others with limited funds and/or expertise to identify and implement measures that will reduce the consumption of energy, and specifically fossil fuels, at facilities owned or operated by these organizations.

Rhode Island Greenhouse Gas Stakeholder Action Plan, initiated by the RI Department of Environmental Management (DEM), the RI Office of Energy Resources (OER), and the Governor's office has as its primary objective the reduction of greenhouse gases. There is growing agreement that carbon dioxide and other greenhouse gases are warming the planet at a rapid rate. Reducing greenhouse gases can help reduce global warming — a major concern for Rhode Islanders because of its potential adverse impacts through flooding in coastal areas, saltwater contamination of drinking water, extreme weather events, and damage to local crops. One of the findings of the project was that reducing fossil fuel use by the more The Rhode efficient consumption of energy is a principal way to achieve a reduction of greenhouse gases.

II. Program Description

A. Participants

The OER has identified over 1200 facilities in RI that could be possible candidates for achieving significant improvements in energy efficiency. It has solicited those potential participants to complete a building questionnaire to identify if their buildings meets program guidelines and if they have an interest to participate.

B. Services to be performed

The OER believes that performance contracting is the optimum method to insure that, at a minimum, cost-effective energy efficiency measures will be implemented. By performance contracting, we mean reducing the energy consumed by a participant, with guaranteed energy savings at no upfront cost to the participant. The Energy Services Company (ESCO) performing the work will be compensated through retention of a portion of the cost savings achieved for a specified period of time, after which the participant will retain all the benefits. Essentially, the contractor provides the energy expertise and, potentially, the financing of the measures. The participants will pay the financing costs back from the cost savings achieved. By preselecting a group of quality firms with experience in, the capability to offer this service, the financial capability to stand behind savings guarantees, and by creating a competitive process by which participants can receive multiple proposals, the OER believes this process will maximize the likelihood that energy efficiency measures will actual be implemented.

C. OER role

The OER's role is to facilitate this process. The OER will:

- Identify firms qualified to perform these services
- Identify a group of participants who are good candidates for these services
- Facilitate communication between the parties
- Provide education to participants regarding performance contracting
- Assist participants in understanding and interpreting proposals received, if requested

Any and all agreements will be between the participant and the performance contracting firm. The OER will not be party to any agreement and the State of RI will assume no responsibility or liability associated with agreements entered into among parties, unless it is regarding a state-owned facility.

D. The Program

The program managed by the OER consists of the following segments:

- a) The OER will solicit information from all participants regarding its energy consumption data and other information relevant to determining the potential for energy efficiency measures.
- b) Depending on the information received, the OER may divide the participants into subgroups and request each firm perform a walk through audit of a specific number of participants in the subgroup to acquire specified additional data.
- c) All relevant (and similar) information for each participant will then be inserted into a centralized database that will be available to all performance contracting firms participating in this program

d) Each ESCO will then select those participants for which it intends to submit a proposal. They may, at their option and expense, choose to make further investigations before a proposal is actually presented. Any such additional information gathered will be the sole property of the firm gathering the data and will not be entered into the centralized database.

e) Participants receiving proposals will evaluate those proposals and, assuming they provide a quantifiable benefit to the participant, select one for implementation.

By organizing an interested and motivated group of participants, the OER expects that it has deferred marketing expenses for the ESCOs and, therefore, they will be willing to incur some expenses, such as performing a percentage of the total walk-through audits, in recognition of the OER's efforts.

III. Request For Qualifications

The objective of this Request For Qualifications (RFQ) is to solicit firms to develop proposals to improve energy efficiency at preselected participant sites. The goal is to reduce energy costs through efficiency measures, and make sites as energy efficient as practical through the installation of energy conservation measures and implementation of optimally efficient utilities. The participants wish to implement the proposed energy project on an energy performance contract basis.

All qualified ESCOs are invited to submit a Statement of Qualifications, including a qualifications and experience package. The OER's evaluation team will review and evaluate each submittal and select the most qualified ESCOs to participate in the program. The selection of the qualified ESCOs will be based on the evaluation criteria presented in this RFQ.

A. General Information

The qualifications, experience and staffing plan of ESCOs with performance contracting experience with facilities similar to the participant's will be evaluated and ranked. The successful ESCOs will be invited to participate in this program. Once selected, the ESCO will be expected to:

A. Provide comprehensive energy services, including but not limited to:

1. The preparation of an investment-quality comprehensive energy audit.
2. The design and specification of equipment and systems to be used in providing energy efficiency and water conservation services.
3. Services associated with the procurement and installation of new energy efficient and water conserving equipment.
4. Commissioning of the equipment installed.
5. Preventive and emergency maintenance and servicing of the equipment installed.
6. Staff training.
7. Written energy savings performance guarantees.
8. Working cooperatively with facility management and the participant's staff in coordinating this project.
9. Investigating and securing financial incentives and rate reductions available through government and/or utility sponsored programs, for example from re-structuring

programs, and/or from entities supplying equipment, oil, gas, electricity, water, or transmission or distribution service for water, gas or electricity.

10. Annual reconciliation report and true up of energy savings.

B. Identify the most effective measures that can be taken to reduce direct consumption of any fossil fuel consumed at the facility. While the OER acknowledges that reduction of electricity consumption will likely also reduce fossil fuel consumption, the participants have agreed to include at least one measure to reduce any direct on-site consumption of fossil fuel should they choose to move forward on a proposal.

B. Timetable

This Continuous Recruitment solicitation is designed to expand the list of pre-qualified firms through 11/15/12. The listing of pre-qualified firms will expand as the State reviews the credentials of firms submitting offers.

Energy Performance Contracting Solicitations will be solicited as funding permits.

C. Minimum Qualifications

The State will review each Statement of Qualifications and Experience and contact selected references to determine whether an ESCO has the necessary technical and financial resources to successfully identify and implement comprehensive energy services on behalf of participants.

Minimum Qualifications include:

1. Minimum of five years experience of the firm providing successful energy performance contracting services;
2. Minimum of two energy performance contracting projects completed during the last five years prior to the date for which your firm is submitting under this RFQ;
3. Minimum of two energy performance contracts with adequate information provided to determine the project's success in improving energy efficiency;
4. Demonstrated ability to provide a full scope of services (energy audit, construction management, implementation, measurement and verification, training, savings guarantees, etc.), either directly or through identified partners;
5. Demonstrated ability to implement comprehensive energy efficiency projects (lighting, HVAC, controls, etc.) on guaranteed savings, energy performance contracting basis;
6. Demonstrated financial strength; and
7. Demonstration of technical ability by providing a sample comprehensive energy audit, including a baseline computation.

D. Evaluation Criteria

Qualifications will be evaluated and scored on the basis of the following criteria:

1. Project Experience Rating (Maximum [30] points)

Points will be awarded based on demonstrated experience with similar projects as reported in this RFQ response and from project references. Experience with similar projects will be understood to include development of energy performance contracts to furnish energy services in institutional and campus-type environments of similar size, systems, and use.

2. Technical Capability Rating (Maximum [30] points)

Points will be awarded based on: the quality and comprehensiveness of the sample energy audit, and other required sample documentation, and description of the energy baseline methodology provided as part of the submittal.

3. Staff Rating (Maximum [20] points)

Points will be awarded based on documented technical and project administration skills and experience of the proposed project team.

4. Financial Capability Rating (Maximum [20] points)

Points will be awarded based on the demonstrated financial strength of the firm, which will include the firm's bonding/Letter of Credit dollar and time limit, total bonding capacity, and the most recent year-ending financial statement.

To be selected as a qualified service provider, a firm must score a minimum of 75 out of 100 points.

E. RFQ Procedures

Pre-Proposal Questions and Submission

Questions concerning this solicitation may be e-mailed to the Division of Purchases at questions@purchasing.state.ri.us no later than the date & time indicated on page one of this solicitation. Please reference the RFQ # on all correspondence. Answers to questions received, if any, will be posted on the Internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information.

Interested offerors may submit proposals to provide the services covered by this Request on or before the date & time listed on page one of this solicitation. For the purpose of this solicitation, the official time clock is in the Division of Purchases Reception Area. Proposals received after this time and date will not be considered.

Responses (an original plus three (3)copies) should be mailed or hand-delivered in a sealed envelope marked “Continuous Recruitment # 23– Energy Performance Contracting Services – Qualified Provider List” to:

**RI Dept. of Administration
Division of Purchases, 2nd floor
One Capitol Hill
Providence, RI 02908-5855**

In addition to the multiple hard copies of proposals required, Respondents are requested to provide their proposal in electronic format. Microsoft Word / Excel OR PDF format is preferable. Only 1 electronic copy is requested. Place the disk, CDROM, or flash drive in the proposal marked “original”

NOTE: Proposals received after the above-referenced due date and time will not be considered. Proposals misdirected to other State locations or which are otherwise not presented in the Division of Purchases by the scheduled due date and time will be determined to be late and will not be considered. Proposals faxed, or emailed, to the Division of Purchases will not be considered.

Responses / Offers should include the following:

1. A completed and signed three-page RIVIP Bidder Certification Cover Form, available at www.purchasing.ri.us.
2. A Technical Proposal describing the qualifications and background of the applicant and experience with similar programs, see Evaluation Criteria section on page seven of this solicitation.
3. A completed and signed W-9 (taxpayer identification number and certification). Form is downloadable at www.purchasing.ri.gov.
4. In addition to the multiple hard copies of proposals required, Respondents are requested to provide their proposal in electronic format (CDRom , diskette, or flash drive). Microsoft Word / Excel OR PDF format is preferable. Only 1 electronic copy is requested and it should be placed in the proposal marked “original”.

A Selection Committee will evaluate submitted proposals on the basis of the above criteria items. Consultant Teams may be invited to appear before the Committee for in-person presentations. The Committee will then make a qualifications based recommendation for final selection to the Rhode Island State Purchasing Agent, or his designee, who will make the final award decision.

Notwithstanding the above, the State reserves the right not to award this contract or to award on the basis of cost alone, to accept or reject any or all responses, and to award in its best interest.

Responses found to be technically or substantially non-responsive at any point in the evaluation process will be rejected and not considered further. The State reserves the right to reject any or all responses submitted and to waive any informalities in any vendor's submission

G. Qualification Submittal - Format and Contents

Qualifications must be complete and submitted in the format outlined in this section. The State reserves the right to eliminate from further consideration any statements deemed to be substantially or materially non-responsive to the requests for information contained herein. The submittal must not exceed 10 pages, excluding the required sample documentation and financial reports.

a. Company Information

The Qualifications must include the following elements in response to this RFQ:

1. Name and address of firm:
2. Telephone No., Fax No., E-Mail Address:
3. Names and titles of two people authorized to represent the firm:
4. Federal Employer Identification Number:
5. Year firm was established:
6. Name and address of parent company (if applicable):
7. Indicate type of firm:
 - Partnership
 - Corporation; Indicate State incorporated in:
 - Sole Proprietor
 - Branch Office of:
 - Joint Venture (List venture partners)
 - Other (Explain)

List the names of any of the above-marked entities, which are to be considered in the prequalification process, and describe their functions, responsibilities, and interrelationships.

8. Indicate the number of years in business as an ESCO. Indicate all other names for your firm and the length of time your firm had that name.

9. Provide a summary of your firm's experience in providing energy performance contracting services directly to customers, particularly commercial and institutional customers.

10. Indicate the size of projects (expressed as a range in dollars) that your firm will consider

11. If your firm is not Rhode Island based, discuss the mechanism that will guarantee the local support services necessary for fulfilling an energy performance contract.

12. Does your firm have any affiliation with a product, manufacturer, or utility? If yes, please describe the relationship.

13. Is your firm registered to conduct business in the State of Rhode Island?

14. Is your firm a qualified Minority Business Enterprise or a Women's Business Enterprise as defined State of Rhode Island?

b. Experience

1. Describe up to three recent energy performance contracting projects that best exemplify the range of technical and financial services provided by your firm. Each project description (not to exceed 2 pages) must include all of the following. Projects listed in this section must have at least one year's worth of measurement and verification completed. For each project, provide information on the following items (all fields are required):

(a) Project and location.

(b) Client contact regarding the project, his or her position, address, email address, and telephone number. Permission to contact the references provided by the firm will be presumed by the customer.

(c) Briefly describe the facility including function, number of buildings, and size in square feet.

(d) Project Costs:

- (1) Total contract amount;
- (2) Capital project amount.

(e) Type of financing and indicate whether arranged by your firm or by the client.

(f) Energy Performance Contract Information

- (1) Type and term of contract, 2) guaranteed savings or shared savings, 3) fixed price or fixed fee, and 4) other significant contract terms. (5) Starting and ending dates.
- (g) Financial resources contributed by third parties, such as public benefit funds, utility rebates or state building aid.
- (h) Project Schedule - Was the project completed on original schedule. If not, explain.
- (i) Energy Usage Pre-Implementation:
 - (1) Annual energy use before project implementation;
 - (2) Annual energy cost before project implementation.
- (j) Projected Energy Savings:
 - (1) Projected annual energy savings and demand reduction;
 - (2) Projected annual energy cost savings.2
- (k) Actual Energy Savings
 - (1) Actual annual energy savings and demand reduction achieved;
 - (2) Actual annual energy cost savings.
- (l) Describe dollar value of written energy performance guarantees.
- (m) Describe the energy efficiency and demand reduction measures that were installed, identify the prime contractors or subcontractors and any other pertinent information relating to the project.
- (n) Identify any members of the proposed project team involved with the sample projects.

c. Technical Capabilities and Sample Documentation

In a separate binder (with each item clearly marked) provide:

1. A copy of the Comprehensive Energy Audit developed for one of the projects described above.
2. A copy of an annual energy savings measurement and verification report submitted for one of the sample projects showing the type of verification services anticipated or proposed for this project with the customer.
3. Briefly describe your approach to the following issues and describe related experience:
 - (a) Measurement and verification protocols used to verify energy savings;
 - (b) Specifying and procuring the higher energy efficiency models of equipment;
 - (c) Project management;
 - (d) Maintenance of installed equipment; and
 - (e) Facility staff training.

d. Staffing

Include the name, address and telephone number of the person to whom questions regarding the proposal can be addressed.

In addition, this section should include a description of the individual experience and qualifications of the proposed project staff on projects similar to this project.

1. List all key personnel in your firm that you are intending to use on any potential projects under this RFQ. Only those individuals proposed to work directly on the subject project should be included.

Information should include:

- Experience in energy management and energy efficiency services,
- Education,
- Number of years with this firm, and
- Professional licenses held (specify state of origin).

2. List all professional and skilled trades, which your firm customarily performs with your own employees. Separately, list all professional and skilled trades, which your firm customarily subcontracts.

3. What percentage of work (based on project costs) do you customarily perform with your own employees?

4. List any expected subcontractors for design and other technical services. Include contact information and previous history working with these subcontractors.

e. Financial Capability

1. For each year in the last five years, identify the largest capital investment for an energy performance contract in which your firm was involved. Include name of customer, contact person and telephone number.

2. Construction Bonding/Letter of Credit (LOC)

- (a) Indicate firm's bonding/LOC dollar and time limit per project;
- (b) Indicate firm's total bonding capacity;
- (c) Name of the present bonding agent or bank with contact person and telephone number;
- (d) Has a bond/LOC been invoked or used against your present firm within the past five years? If yes, supply particulars, including project name and owner's name.

3. Financial Statement:

- (a) Please provide a copy of the most recent financial statement (including balance sheet and income statements), preferably audited by a certified public accountant, dated within twelve months of filing. Provide a copy of the independent accountant's report, including name, address and telephone number.
- (b) If the financial statements are not the sole source of credit support for projects, please supply pertinent additional information.

4. List all legal or administrative proceedings pending, and those concluded adverse to your firm within the last five years, which relate to procurement or performance of any public or private construction contracts.
5. State whether your firm (or predecessors, if any) or any principal of the firm has been insolvent or declared bankrupt within the past 5 years.
6. Indicate whether your firm or any principal of the firm has been debarred from doing business with the federal government, the State of Rhode Island or any other state.
7. Is your firm willing to implement a project on the basis of either a shared savings agreement or a guaranteed savings agreement? Please describe any other compensation approaches your firm uses.
8. Indicate the smallest and largest dollar values for a project your firm would consider for a shared savings and a guaranteed savings contract with a Rhode Island participant facility.
9. Specify the longest individual and the longest combined simple payback project, which your firm would consider implementing under a shared savings, and guaranteed savings approach.

END