

**REQUEST FOR PROPOSAL (RFP)
FOR AN
ENERGY PERFORMANCE CONTRACTING PROJECT**

Issued by: Benton CCSD #47

Benton CCSD #47 (hereinafter referred to as District) is seeking specific proposals from Qualified Energy Services Companies (ESCOs) which are capable of providing comprehensive infrastructure and energy-related capital improvement services.

PROJECT OVERVIEW

District is interested in contracting for a full range of energy and water service and energy-related capital improvements within the Benton CCSD School Building (hereinafter referred to as project). These services and improvements are to be delivered on a performance contracting basis with guaranteed savings.

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 Board may elect to implement further improvement measures in phases pursuant to the final contract.

105 ILCS 5/19b DEFINITIONS

"Energy conservation measure" means any improvement, repair, alteration, or betterment of any building or facility owned or operated by a school district or any equipment, fixture, or furnishing to be added to or used in any such building or facility that is designed to reduce energy consumption or operating costs, and may include, without limitation, one or more of the following:

- (1) Insulation of the building structure or systems within the building.
- (2) Storm windows or doors, caulking or weather-stripping, multi-glazed 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.
- (3) Automated or computerized energy control systems.
- (4) Heating, ventilating, or air-conditioning system modifications or replacements.
- (5) 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.
- (6) Energy recovery systems.
- (7) Energy conservation measures that provide long-term operating cost reductions.
- (8) Commissioning

QUALIFIED PROVIDER

A Qualified Provider is a person or business experienced in the design, implementation, and installation of energy cost savings measures. As required by Section 19b-1.3 of the School Code, the minimum training required for any person or employee under shall include the satisfactory completion of at least 40 hours of course instruction dealing with energy conservation measures.

REQUIRED CAPABILITIES

The ESCO must have the demonstrated technical and managerial capabilities to provide a comprehensive set of energy and water 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 systems. Monitoring and verification services shall include appropriate measurement and timely reporting of the performance and savings from project.

OVERVIEW OF TERMS AND CONDITIONS

1. **Contract Term.** The duration of the contract will be mutually determined between the ESCO, and the District based on authorizing legislation, final project scope and financial factors. No contract shall exceed 20 years in duration.
2. **Guarantee.** The project must result in a guaranteed minimum **annual** energy, water and O&M savings guarantee, as well as defined levels of occupant comfort; maintenance, monitoring, training or other services.
3. **Execution of Guaranteed Energy Savings Contract and Financing Documents.** The District will negotiate and execute the Guaranteed Energy Savings Contract with the selected ESCO, and all financing documents required by the selected financing source. The ESCO to whom the contract is awarded shall give a sufficient bond to the District for its faithful performance. The ESCO shall also provide a written guarantee that either the energy or operational cost savings, or both, will meet or exceed within 20 years the costs of the energy conservation measures. The ESCO shall reimburse the District for any shortfall of guaranteed energy savings projected in the contract.

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>
November 2, 2022	Advertise RFP
December 2, 2022	Proposal Due Date
December 19, 2022	Select Qualified Provider / Issue LOI
January 23, 2022	Contract Approval

NO DUE DATE EXTENSIONS SHALL BE GRANTED

Submission of Written Proposals. ESCO's interested in providing the services requested, must respond in writing. All submissions become the property of District and will not be returned to the ESCO. All costs associated with submission preparation will be borne by the submitting ESCO.

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 value and merit of the proposals offered.

LETTER-OF-INTENT

Once a selection has been made the Qualified Provider will be issued a Letter-of-Intent to proceed with a Detailed Energy Audit. This audit with the District will result in a final Project scope of work, including specific project cost and guaranteed savings. Upon agreement of the scope, cost, and savings, the Qualified provider shall enter into a Performance Contract Agreement in accordance with 105 /LCS 5/19b and as subsequently negotiated between the Qualified Provider and the District.

RFP PRECEDURES

In light of concerns with COVID-19, the District will take precautions to limit exposure to our students and staff. The District will not be conducting Site Visits. The below listed District contact will be happy to answer any questions or provide additional District information during the RFP process.

A. POINT OF CONTACT

Questions or clarification may be directed to Superintendent, Steve Smith via phone 618-439-3136

Or stevesmith@benton47.org

Any contact of the Board of Education members during the RFP process and consideration of responding firms without approval of the Superintendent, Steve Smith, will be grounds for immediately disqualification of the firm.

B. SUBMISSION OF PROPOSALS

Respondents should submit three **(3) copies** of their proposal by the proposal due date noted on the first page. **RFPs are to be enclosed in a sealed envelope clearly marked "Sealed Performance Contract for Energy Conservation and Facility Improvement Projects due December 2,2022 at 2:00 P.M. CST" and should be addressed to:**

Benton CCSD #47
1000 Forest St.
Benton, IL 62812

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

C. BONDS

A Payment & 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.

The selected Qualified Provider shall furnish the District with a Payment & Performance Bond for the faithful installation of the proposed/accepted facility improvement included in the final Agreement. The installation Performance Bond shall be for 100% of the present value of the installation/renovation. The Qualified Provider shall also furnish evidence of bonding ability with the response.

D. ENERGY AND OPERATIONAL SAVINGS

1. One hundred percent (100%) of all energy and operational savings shall be retained by the District.
2. The reconciliation of guaranteed sums shall be provided by the Qualified Provider on an annual basis, commencing one year from the date of completion and acceptance of the work by the District.
3. The Qualified Provider's energy and operational guarantees shall be a first party direct guarantee from the Qualified Provider to the District. No third-party guarantee for the above shall be accepted.

E. PROPRIETARY INFORMATION

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 on which it is found. Data or information so identified will be used by the District solely for the purposes of evaluating proposals and conducting contract negotiations and will not be disclosed to the public.

F. 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 above address prior to the date and time set for receipt of proposals.

G. DISCLOSURE

The District assembled the RFP with the assistance of the Omni Energy Partners.

H. RIGHT TO REJECT

In submitting this proposal, it is understood by the respondent that the right is reserved by District to accept any proposal, to reject any and all proposals as non-responsive and to waive any irregularities or informalities when to do so is in the best interest of the District.

I. COST OF PROPOSAL PREPARATION

The cost of preparing a response to this RFP will not be reimbursed by the District.

J. TECHNICAL REQUIREMENTS

Facility analysis and savings calculations shall be performed in accordance with generally accepted engineering practices and professional judgment. All direct engineering and design work related to the installation or modification of facilities, and all installation and construction work, shall be performed by engineers and contractors respectively licensed in the State of Illinois.

K. COMPLIANCE

All work completed under this contract must be in compliance with all applicable federal, state and local laws, rules and regulations including all building codes and appropriate accreditation, certification and licensing standards. Work must be in accordance with sound engineering and safety practices, be installed in a workmanlike manner and be in compliance with all District regulations relative to the premises. The ESCO and its subcontractors will be responsible for obtaining any and all required governmental permits, consents and authorizations, and for payment of any and all state and city required taxes and fees which result from this contract.

L. PROPOSAL REVIEW AND SELECTION FINALISTS

A School District evaluation team will evaluate all proposals and recommend an award subject to approval by the School Board offering the best value proposal. The District reserves the right to, but is not obligated to, request and require that the proposing firm provide an oral presentation of its proposal. The written proposal and oral presentation, if required, will be the basis for determining the successful firm. Proposals will be evaluated according to the following criteria:

- Qualifications and experience of the proposer experience with implementing GESC projects under Article 19b of the Illinois School Code. The District may solicit reference information from previous clients.
- Technical Approach – quality and responsiveness of the proposal to the needs of the district in terms of scope of work, methodology, and project management.
- Financial Approach – Ability to work with the District to finalize Project Cost, Projected Savings and sources and types of potential financing.

The School Board or its designee will, in the exercise of their sole discretion, determine which proposal best meets the needs of the School District. The District is not liable for any cost incurred by the respondent in preparing or submitting a proposal, or in preparing the contract.

M. CONTRACT NEGOTIATIONS

District will attempt to negotiate and contract for services described in this RFP solicitation with the most qualified firm. If an agreement cannot be reached, there may be an attempt to negotiate a contract with the second qualified firm.

PROPOSAL PREPARATION INSTRUCTIONS

The proposal shall set forth, in sufficient detail, the technical and financial plan by which it intends to meet each requirement contained herein. The proposal shall also provide sufficient information for the District to evaluate its experience and its qualifications to perform this project.

Proposal must be submitted in the format outlined in this section, with each of the described forms and sections completed in full. Each proposal will be reviewed to determine if it is complete prior to actual evaluation. Proposals not containing the information requested in the following format will be considered unacceptable by the District. Proposals will be evaluated in light of the material and the substantiating evidence presented in the proposal, and not on the basis of what is inferred.

FORMAT FOR RESPONSE:

- A. Executive Summary
- B. Background and Qualifications

Section B of the proposal should contain the following information about the respondent and any subcontractors with which the respondent intends to work on the project:

1. Please provide an overview of your company that describes your firm's capabilities.
2. Provide an overview of the team who will be working on this project from your firm and describe what their responsibilities will be.
3. Resumes of not more than one page each for the employees that will be providing ESCO services. Include: years in the energy services industry, years with the ESCO, experience, education, any relevant affiliations/accreditations.
4. Include five projects where your team has assisted an Illinois school district with energy efficiency projects including a primary reference and their contact information.
5. Proof of insurance showing the coverage and limits in place at the time of this RFP.
6. Evidence of bonding ability in accordance with requirements above RFP Procedures.

C. Technical Aspects of the Proposal

1. Provide a detailed summary of your firm's technical approach to meeting the energy efficiency and operational cost reduction needs and objectives of the District. This section should include, but not be limited to the following:
2. Design – describe your proposed design approach and include any preferred design and engineering consultants that your firm would like to utilize within the scope of this project.
3. Construction Management – describe how you see your approach to all phases of construction in regard to the projects from bid process through project punch list and testing.
 - a) Describe how your firm would work with current building management and maintenance personnel in order to coordinate construction and avoid conflicts with the building's operation and use.
 - b) Describe your flexibility and/or limitations regarding possible owner's monitoring and installation and performance of ESCO projects, owner's integration of other identified capital needs with ESCO projects that may or may not contain energy and water savings opportunities.
 - c) Describe your flexibility and willingness to work with the District's architect on the final design of proposed facility improvements.
4. Commissioning – describe how your firm intends to provide commissioning for the project. Include in-house commissioning approach.
5. Performance Assurance – describe in detail the performance assurance processes that you intend to use to ensure the buildings operate at the desired performance both at the completion of the construction phase and throughout the contract term.

D. Financial Aspects of the Proposal

1. A description of the savings guarantee and how the respondent will minimize the risk to the District.
2. Sample Cashflow using 3.0% interest rate and 3% escalation factors.

E. Schedule for Completion of the Project

1. Description of Project Management Approach
2. The respondent's projected schedule for completion of the tasks and responsibilities outlined in the proposal.

F. Certification

The text of the following certification must be included in the Proposal:

I certify that I am authorized to represent the ESCO named below and that the answers to the foregoing questions and all statements contained in this Proposal are true and correct.

DATE this ____ day of _____ 2022

Name of ESCO: _____

By: _____

Title / Position: _____

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 G (optional).

GENERAL CONDITIONS

A. STANDARDS OF SERVICE

The standards of service provided for the facility including heating, ventilation, air conditioning, and humidity; shall be in accordance with the requirements of 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 design and construction work in the District.

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

- General Aggregate - \$1 Million
- Products Comp/Ops Aggregate - \$1Million
- 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 sealed by architects/engineers licensed in the State of Illinois, as required. All installation and construction work shall be performed by contractors licensed in the State of Illinois. All project construction work shall be in accordance with all applicable codes, standards, and regulations.

D. PREVAILING WAGES

The Qualified Provider shall pay the rate of wages for workmen required for any proposed work or construction to comply with the Illinois Department of Labor.

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, rules and regulations and ordinances.

F. SALES TAX

The Qualified Provider shall not include Illinois sales tax on all materials furnished in connection with this contract.

The District shall provide Qualified Provider with an exemption certificate giving the District's tax-exempt status number after selection.

G. CODE COMPLIANCE

All work performed shall comply with the requirements of all applicable Federal, State, and Local codes.