



Benton Washington Regional Public Water Authority

Requests

Statements of Qualifications

From

Energy Service Companies

For

Guaranteed Savings Performance Contracting Services for Solar Energy

RFQ # 2019-01

Issue Date: 05/20/2019

Due Date: 06/18/2019

Benton Washington Regional Public Water Authority, "BWRPWA" requests Statements of Qualification from interested and qualified Energy Service Companies (ESCOs) to perform an Investment Grade Audit (IGA) to identify, recommend, and implement energy efficiency and improvement measures for BWRPWA facilities and infrastructure. BWRPWA is interested in contracting turnkey services from one (1) qualified ESCO under a guaranteed energy savings performance contracting arrangement.

BWRPWA intends to select the most qualified ESCO to perform the services in accordance with Arkansas statutes. The objective of the issuance of this RFQ is to solicit statements of qualifications from ESCOs that have the experience, capability, and proven track record to provide guaranteed efficiency upgrades to BWRPWA facilities and infrastructure.

BWRPWA intends to select an ESCO to provide comprehensive services that will include, but are not limited to:

1. Completion of an Investment Grade Audit (IGA) of BWRPWA and infrastructure to identify a comprehensive set of efficiency improvements to reduce and control utility expenses, reduce operational costs, improve overall comfort, and improve system efficiencies.
2. Guaranteed maximum price and guaranteed level of savings for the efficiency measures identified and recommended for implementation.
3. Development and execution of a Guaranteed Savings Performance Contract to implement the efficiency project, whereby the level of savings guaranteed by the ESCO are equal to, or exceed, the cost of the project over an agreed upon term; including a measurement and verification plan to verify the performance of the implemented efficiency measures, periodic reporting and annual reconciliation of the savings achieved from the efficiency project.
4. ESCO's assistance to BWRPWA in obtaining competitive financing for the efficiency project.
5. Identification and administration of any incentives, grants, or rebates that may be obtained in order to offset the cost of BWRPWA efficiency project.

Qualified ESCOs and interested in providing the requested services must respond with a written Statement of Qualifications (SOQ). BWRPWA selection of an ESCO to provide these services will be made in accordance with the policies and administrative directive of BWRPWA and applicable statutory provisions. Responses must be received by **3.00 PM CDT on Tuesday June 18, 2019**, after which time and date they will no longer be accepted by BWRPWA. Submissions made after this date and time will not be considered. Responses must be mailed or delivered to:

BWRPWA
Attention: Scott Borman G.M.
15531 Woods Lodge Road
Rogers AR 72756-9088

It is the sole responsibility of the responding firm to ensure their SOQ is received by BWRPWA on or before the due date and time.

This solicitation does not commit BWRPWA to award a contract, to pay any costs incurred in the preparation of a proposal, or to procure or contract for the articles of goods or services. BWRPWA

reserves the right to accept or reject any or all proposals received as a result of this request, or to cancel in part or in its entirety this proposal if it is in the best interest of BWRPWA. Failure to furnish all information may disqualify a vendor.

SECTION 1 – General Information

A. **Purpose.** This Request for Qualification (RFQ), requests Statements of Qualifications from Energy Services Companies (ESCOs) for Guaranteed Savings Performance Contracting services. BWRPWA shall evaluate all responses and may select one ESCO to develop, implement, and guarantee the performance of a package of cost-reducing efficiency measures for BWRPWA facilities and infrastructure. The efficiencies generated from such measures will be utilized to provide the basis for funding the project. Timely implementation of this project is of the essence.

B. **Performance Contract.** For the purposes of this document, "Performance Contract" means a contract that provides for the procurement and implementation of turnkey services and upgrades for BWRPWA in which the payment obligation is guaranteed by the ESCO to be equal to or less than the energy and operational cost reductions attributable to the measures implemented under the contract over an agreed upon term. The contract term will not exceed twenty (20) years in accordance with the rules and regulations of the Arkansas Energy Performance Contracting program and guidelines.

C. **Savings Guarantee.** The selected ESCO shall provide a written savings guarantee in accordance with Arkansas law. The total project costs, including financing costs, service costs, and any other project-related costs, shall be fully covered by the project's efficiency savings. The performance of the installed measures shall be monitored and measured regularly and reconciled on an annual basis by the ESCO, commencing one year from the date of completion of installation of the efficiency measures. In the event that the actual efficiency savings are less than the guaranteed savings, the ESCO shall provide cash reconciliation of the difference or negotiate with BWRPWA for the equivalence in additional improvements or services.

D. **Scope of Work.** The final scope of work will be determined jointly by BWRPWA and the ESCO based on the results of the IGA. It is the intent of BWRPWA to take advantage of the ESCO's experience and expertise to identify and recommend the best possible comprehensive package of efficiency measures and services.

E. **Eligible Respondents.** Only firms that have been in the pre-qualified for at least three (3) years by the Arkansas Energy Office to implement energy performance contracting projects shall be considered. Preference will be given to ESCOs which have been prequalified by the United States Department of Energy (DOE) to implement energy savings performance projects. Additional emphasis will be placed on the firm's experience in and around Arkansas, MBE/WBE/DBE firms pursuant to federal guidelines, and on the strength of the firm's financial condition and savings guarantee. Firms that cannot demonstrate compliance with these requirements will not be considered for selection.

F. **Submission Format.** SOQs must be submitted in the format outlined in this solicitation. Each SOQ will be reviewed to determine if it is complete prior to actual scoring. ESCOs shall use the prescribed format to clearly indicate their experience and qualifications, describe their technical approach to this project, and fully describe the provisions of their guaranteed savings contract. Submissions not containing the information requested, or in the format prescribed herein, will not be considered.

SOQs will be evaluated in light of the material submitted and substantiating evidence presented in the written submission, and not on the basis of what is inferred.

G. Contract Responsibility. The selected ESCO will be required to assume total responsibility for all services offered in their submission and noted herein. The selected ESCO will be considered the prime contractor and the sole point of contact with regard to all contractual matters with BWRPWA.

H. Contract Insurance and Bond Requirements. The selected ESCO must conform to the following requirements. Proof of insurance coverage will be required and must be provided to BWRPWA at the levels indicated below before commencing any work.

- a. Auto Liability – a minimum of \$1,000,000 CSL (including owned, non-owned and hired vehicles.
- b. Commercial General liability - a minimum of \$2,000,000 CSL per occurrence/aggregate; BWRPWA to be included as additional insured as respects this Agreement as follows: "BWRPWA including its current and former trustees, officers, directors, employees, volunteer workers, agents, assigns and students."
- c. Workers Compensation _ Statutory
- d. Employers Liability - \$250,000/\$500,000/\$250,000
- e. BWRPWA will require a performance and payment bond equal to one hundred percent (100%) of the project's installation contract price, as required with any contract involving public improvements.

- f. The ESCO shall be responsible for filing a copy of the performance and payment bond with Benton County after the contract has been approved by BWRPWA and before any work commences on the project.

I. Taxes, Fees, Code Compliance, Licensed Contractors & Professionals. The ESCO shall be responsible for payment of any required taxes or fees associated with the execution of the work under the guaranteed savings contract. The ESCO shall be responsible for compliance with all applicable local and state codes, statutes, and licensing requirements. Engineering, design, installation and construction work shall be performed by contractors and professionals licensed to do work in the State of Arkansas, whether said work is performed directly by employees of the ESCO, or subcontractors of the ESCO. Any portion of the work requiring as-built, plans, or drawings must be stamped and signed by a duly- licensed professional engineer in the State of Arkansas

J. References and Proprietary Information. Submission of a response deems permission to make inquiries concerning the respondent and its officers and to any persons or firms deemed appropriate by BWRPWA. Proprietary information that the ESCO does not want disclosed to the public shall be so identified on each page in which it is found within the submission and will be treated as such to the extent allowed by state law. Data or information so identified may be used by BWRPWA for the purpose of evaluation and contract negotiations.

K. Letter of Interest. ESCOs interested in submitting a SOQ in response to this solicitation must complete and submit a Letter of Interest to Scott Borman, G.M., Benton Washington Regional Public Water Authority at 15531 Woods Lodge Rd Rogers AR 72756-9088 or e-mailed to scott.borman@bwrpwa.com

L. Inquiries. Questions that arise from interested ESCOs prior to the submission date shall be submitted in writing to BWRPWA. BWRPWA point of contact for this project is Jeremy McCrary, Maint. Foreman / ME at Jeremy.mccrary@bwrpwa.com Email inquiries submitted to BWRPWA must contain this RFQ number and RFQ name in the subject line. All inquiries must be received by. Inquiries received by BWRPWA prior to the deadline will be compiled and answered by BWRPWA and will be distributed via

email to the ESCOs that have submitted a letter of interest to BWRPWA by the due date and time as noted herein.

M. **Schedule of Events.** BWRPWA expects to undertake the ESCO selection process according to the following schedule:

Request for ESCO Qualifications Issued by BWRPWA: **May 20, 2019**

ESCO Questions to BWRPWA: **May 27, 2019**

Answers to ESCO Questions: **June 3, 2019**

Statement of Qualifications Due to BWRPWA: **June 18, 2019**

ESCO Evaluation and Notice of Intent to Award by BWRPWA: **June 27, 2019**

Section 2 - SOQ Format Requirements

Responses must be submitted in the format outlined in this section. The intent of BWRPWA is that all responses follow the same format in order to evaluate each response fairly. BWRPWA reserves the right to eliminate from further consideration any response which is deemed to be substantially or materially unresponsive to this request.

- No later than 3:00 PM CDT on June 18, 2019 provide one signed original (marked "original") and two (2) printed copies of the bid response. The vendor must also provide the bid response in electronic form on a CD or flash-drive (preferred).

Please address all submissions accordingly:

BWRPWA
Scott Borman G.M.
15531 Woods Lodge Rd
Rogers AR 72756-9088

Proprietary information or information which, if disclosed, would give advantage to competitors or bidders ("Proprietary Information") submitted in response to this RFQ will be processed in accordance with applicable Arkansas procurement procedures. Documents pertaining to the RFQ become the property of BWRPWA and shall be open to public inspection subsequent to proposal opening. It is the responsibility of the respondent to identify all Proprietary Information. The vendor should submit one complete electronic copy of the proposal from which any Proprietary Information has been removed. The redacted copy should reflect the same pagination as the original, show the empty space from which information was redacted, and should be submitted on a CD or flash drive, preferably in a PDF format. Except for the redacted information, the redacted copy must be identical to the original hard copy. The respondent is responsible for ensuring the redacted copy on CD/flash drive is protected against restoration of redacted data. The redacted copy will be open to public inspection under the Freedom of Information Act (FOIA) without further notice to the respondent. If a redacted copy is not received the entire proposal will be open to public inspection. If Arkansas deems redacted information to be subject to the FOIA, the vendor will be contacted prior to sending out the information.

- The cover page shall indicate the name, number, and due date of BWRPWA RFQ and the name and address of the ESCO submitting the SOQ.
- Begin each section described with the appropriate heading and section number as noted below.
- Each page shall have the name of the ESCO indicated clearly in the upper right corner.
- Each page shall contain BWRPWA RFQ name and RFQ number in the footer of each page.

Table of Contents

ESCO's shall include a table of contents properly indicating sections and page numbers of requested content.

1. Executive Summary

Responses shall include an abstract of no more than five (5) pages of the information presented in the ESCO's SOQ.

2. Reference Projects

Provide a minimum of four (4) energy savings performance contracting references. All references must be projects implemented within the last three (3) years. If possible, projects should be similar in scope and size to the project anticipated for BWRPWA.

For each reference, provide the following information:

- Customer/Entity Name
- Address
- Contact Person
- Phone Number and Email of Customer Contact
- Contract Amount
- Financing – Type and Term
- Contract Term (in years)
- Annual Savings – by type (utility, operational, etc.) – in units and dollars
- Scope of Work Summary
- Start Date of Installation
- Completion Date of Installation
- Type and frequency of Measurement and Verification applied to Project
- Measures
- Frequency of Project Reporting
- Project Highlights/Added Value or Benefit for the ESCO Client

4. Project Team

A. Provide an organizational chart with names and titles of the members of the ESCO's project team that will be responsible for this project.

B. Provide a brief resume and bio of each team member indicating their experience and education.

C. Provide a summary of the team member's role and responsibilities in regard to the anticipated project with BWRPWA.

D. Provide information concerning the ESCO's approach to the use of subcontractors in the course of the work anticipated for BWRPWA.

5. Technical Approach

A. Describe the approach and process to performing the IGA.

B. Provide a timeline of the anticipated milestones necessary to complete the IGA.

C. Provide specific information of the evaluation process used by the ESCO or Engineering Firm to identify specific efficiency improvements for BWRPWA to consider for implementation.

D. Product manufacturers- Please describe your approach to incorporating other manufacturer's products in your projects,

6. Financial Approach

A. Describe the sources and types of financing that may be available for this project.

B. Describe the ESCO's role in assisting BWRPWA in securing financing for the project.

C. Provide information concerning any incentives or grants that may be available to BWRPWA to offset the cost of the project.

7. Project Implementation

A. Describe the management process that will be used to ensure a timely and quality installation of the project.

B. Describe the completion and acceptance process of the installed measures and the process used to transition to the guaranteed savings phase.

C. Describe your firm's experience in serving as construction manager or general contractor for municipal projects (preferably local) that require a Guaranteed Maximum Price (GMP).

8. Project Guarantee

A. Provide information on the anticipated measurement, verification and reporting process that may be used for BWRPWA to ensure the installed measures perform as expected.

B. Provide information to assure BWRPWA that the project's savings guarantee will survive in the event of ESCO insolvency, bankruptcy, or closure.

C. Provide details as to the method and means that will be used to reconcile the project's guaranteed savings, including those used in the event of a savings shortfall.

Section 3 – Evaluation and Selection

A. **Evaluation Process.** BWRPWA will appoint a selection committee to formally evaluate the submissions. Responses shall be reviewed for completeness and adherence to format requirements as indicated in this solicitation. Failure to adhere to the required format may result in disqualification. The evaluation process will objectively grade the responses on their merit and responsiveness. Responses will be evaluated in light of the material and substantiating evidence presented in the response, and not on the basis of what is inferred. The evaluation process will include verification of performance contracting project references, verification of project team resumes, review of financial information, and may include the verification and confirmation of any additional information deemed necessary by BWRPWA.

B. **Scoring of ESCO's Statements of Qualification.** Each section of the ESCO's statement of qualification will be evaluated and scored. All scores will be summed to give the grand total score for the ESCO's written submission. The maximum possible total score for a submission is 100 points.

C. **Contract – Phase 1 – IGA.** The highest scoring ESCO will be notified of their selection for recommendation. The ESCO shall be directed to submit a contract for Phase 1 – Investment Grade Audit. Upon approval by BWRPWA Board of Directors, the ESCO shall receive a Notice to Proceed for the IGA phase.

D. **Contract – Phase 2 – Guaranteed Savings Performance Contract.** Upon acceptance of a scope of work resulting from the IGA, a Guaranteed Savings Performance Contract will be presented to BWRPWA Board of Directors for review and approval. Upon acceptance by BWRPWA, a Notice to Proceed will be issued allowing the ESCO to proceed with the implementation phase.

Section 4 – General Terms and Conditions

1. To be considered, written statement of qualifications must be received 3:00 PM CDT on June 18, 2019 in the number and format set forth in this solicitation. A nonresponsive or incomplete submission will not be considered. ESCO submissions shall be mailed or delivered to the address listed below.

BWRPWA
Scott Borman G.M.
15531 Woods Lodge Rd
Rogers AR 72756-9088

2. The outside of all delivered documents must be labeled: "RFQ #2019-01 and reference the name of this RFQ "Guaranteed Savings Performance Contracting Services."

3. It shall be clearly understood that any costs incurred by the ESCO in responding to this request are at the ESCO's own risk and expense as a cost of doing business, and that BWRPWA is not liable for reimbursement to the ESCO for any expense so incurred, regardless of whether or not the submission is accepted.

4. Any information provided herein is intended to assist the ESCO in the preparation of submissions necessary to properly respond to this RFQ. The RFQ is designed to provide qualified ESCOs with sufficient information to provide a statement of qualifications but is not intended to limit a RFQ's content or to exclude any relevant or essential data.

5. Respondents are required to be thoroughly familiar with the requirements herein and applicable state statutes before submitting their statement of qualification to BWRPWA for consideration.

6. The submission must contain the signature of a duly authorized officer or agent of ESCO's firm empowered with the right to bind and negotiate on behalf of ESCO for the work and terms proposed.

7. BWRPWA reserves the right to reject any and all submissions and to waive any informality if deemed in the best interest of BWRPWA to do so.

ACKNOWLEDGMENT OF RECEIPT

Please fill in the requested information below as acknowledgment that you have received the Request for Qualifications noted above. If your firm is interested in participating, it is highly recommended that this sheet be completed and emailed to Jeremy McCrary ME at jeremy.mccrary@bwrpwa.com By doing this, we will be able to provide notification to you any addenda to the RFQ.

Name of Firm: _____

Fax #: () _____ Tel. #: () _____

____ YES, Our Company does have an interest in responding.

____ NO, our company does not have an interest in responding

Name: (Print) _____ Title: _____

Signature: _____ Date: _____