



CITY OF SOLANA BEACH

635 SOUTH HIGHWAY 101 • SOLANA BEACH, CALIFORNIA 92075-2215 • (858) 720-2400
www.ci.solana-beach.ca.us FAX (858) 792-6513 / (858) 755-1782

THE CITY OF SOLANA BEACH IS REQUESTING QUALIFICATIONS AND PROPOSALS FOR ENERGY EFFICIENCY PERFORMANCE CONTRACTING SERVICES INCLUDING RENEWABLE ENERGY SERVICES FOR MUNICIPAL FACILITIES

NOTICE INVITING PROPOSALS

The City of Solana Beach will receive qualifications and proposals for the above referenced project at the Office of the City Engineer, 635 South Highway 101, Solana Beach, California 92075, until **July 20, 2011 at 3:00 p.m.** Proposals may be submitted via U.S. mail, in person to the City of Solana Beach Engineering Department or by electronic mail. The electronic mail address is dgoldberg@cosb.org. If you have any questions, please contact Dan Goldberg in the City of Solana Beach Engineering Department at (858) 720-2474.

INFORMATION FOR SUBMITTING PROPOSALS

Pursuant to Solana Beach Municipal Code §3.08.140, the City reserves the right to reject any and all proposals and to waive any irregularities or informalities in proposals received. All proposals must include the price for design and engineering services in numerical figures as well as narrative format.

Individuals Proposing

If an individual or the individual owner of a privately held business proffers the proposal, the individual/owner's name and current street address must be provided on the proposal.

Proposals on Behalf of a Partnership

If the proposal is made on behalf of a firm or partnership, the company name and/or general partner's name must be provided on the proposal form along with the street address of the business.

Proposals on Behalf of Corporation

If the proposal is made on behalf of a corporation, the proposal must include the State under the laws of which the corporation was incorporated, and the name, titles, and business addresses of the president, secretary, and treasurer of the corporation.

All proposals should include the following information:

- a. Name & Address
- b. Contact person
 - 1) Name & Title
 - 2) Telephone
 - 3) Fax
 - 4) E-Mail Address

c. Evidence of ability to provide 100% performance and payment bonds for both the construction and guaranteed savings on this project. A statement of bonding capacity from a licensed surety is required.

AWARDING OF CONTRACT

Pursuant to Government Code §4217.10 et. seq., Solana Beach Municipal Code §3.08.140 and other applicable law, the City reserves the right to award the contract to the most qualified individual, partnership or corporation submitting qualifications and proposals based on demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required as well as the cost of the service. After the review of the qualifications and proposals and if appropriate, a short list of consultants may be prepared. The review panel will interview the consultants on the short list or may choose to pursue a contract with a consultant without interviews. The award, if made, will be made based on the suitability of the services offered as determined by the City Engineer, City Manager and/or City Council.

The City has developed the following “Evaluation Criteria” to be used to review the submitted proposals:

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| 1. Understanding of the work to be done | 25% |
| • Completeness of proposal (Analysis, Design, Construction, Construction Management and Financing) | |
| 2. Capability of developing innovative or advanced techniques | 20% |
| 3. Experience on similar kinds of projects | 20% |
| • Experience with mechanical construction | |
| • Experience with electrical construction | |
| • Experience with construction/building in an occupied building | |
| • Experience with public sector design build and performance based contracting projects | |
| • Experience performing tasks listed in the Scope of Work | |
| • Experience submitting and obtaining grants, loans and other types of financing | |
| 4. Quality and experience of staff for work to be done | 20% |
| 5. Contractor financial responsibility | 15% |
| Total | 100% |

Pursuant to Government Code section 4217.10 et. seq., the City possesses flexibility to award energy related contracts through sole sourcing, RFP/RFQ, or other alternative contracting methods. The issuance of this RFP/RFQ is not intended to affect the ability of the City to award any contract related to this project. The City reserves the right to reject any and all proposals for the project and/or negotiate directly with any party.

COMPENSATION

Consultant shall pay employees in accordance with California State Labor Code, Department of Industrial Relations, and/or California Code of Regulations, "prevailing wage," for position classifications that require prevailing wage compensation. When Consultant is required to pay prevailing wage compensation (as prescribed by the California Labor Code for San Diego County), Consultant shall submit certified payroll records with each invoice submitted for payment.

"The parties expressly agree that any payment, attorney's fee, costs or expense City incurs or makes to or on behalf of an injured employee under the City's self-administered workers' compensation is included as a loss, expense, or cost for the purposes of this section, and that this section will survive the expiration or early termination of this Agreement."

PROPOSAL REQUIREMENTS

1. Statement of Qualifications/Background: Provide a description of your firm's background and qualifications to perform the various items of work included in the request for qualifications and associated scope of work.
2. Firm's Experience/Project References: Provide a list of at least five (5) similar projects that your firm has completed on behalf of similarly situated clients (local agencies) in the past 5 years. Include the name of the local agency and a contact for each project. Please emphasize projects completed for public agencies. This section shall include the following:
 - a. Project title and location
 - b. Nature of your company's responsibility
 - c. Total contract amount
 - d. Financing mechanism
 - e. EEMs included with the contract
 - f. Owner/user name, address and phone number of contact

- g. Start and end dates
- h. Annual energy generation/savings
- i. Percent of project completed
- j. Indicate the amount of incentives and grants procured for the project

3. Staff's Experience/ESCO Capabilities: Provide resumes describing the qualifications of the staff who will be working on this project. Provide a list of similar projects and clients that your proposed design engineer has completed in the past 5 years.

The City seeks an ESCO which has demonstrated technical and managerial experience to comprehensively analyze our building energy systems and to provide a full range of energy services. Qualifications will be considered only from ESCOs that can demonstrate all of the following minimum qualifications:

- Proven track record of at least 5 years in operation as an energy service company in California.
- A minimum of three (3) projects for solar photovoltaic electricity power generation in California.
- Experience of implementing energy efficiency measures, such as lighting (including street lights) retrofits and HVAC retrofits.
- Experience with different financing methods, such as lease purchase, power purchase agreements, on-bill financing, etc.
- Experience with procuring utility incentives and grants.
- Experience with complying with the necessary grant monitoring and reporting required by State and Federal grants, including the American Recovery and Reinvestment Act (ARRA) guidelines.
- In-house California State licensed mechanical, electrical and civil engineers.
- In-house financial expertise.
- In house public relations expertise.

The same project can be used to satisfy more than one of the above qualifications. Projects in construction can be cited too.

4. Sub-consultant's Experience: Provide a list of all proposed sub-consultants, their background, their qualifications and their degree of involvement.

5. Project Understanding/Project Development Approach: Provide a complete scope of work required to perform the work associated with this project. Modify the enclosed Preliminary Scope of Work, Exhibit A, as necessary.
 - a. Your overall approach to performing the necessary activities including preliminary feasibility analysis, review of City energy bills to ensure most cost effective rates based on schedules and time of use, energy efficiency concepts to assess, develop and implement solutions for the City that will meet the legislated intent and needs of the City. The City has included a comprehensive study of the current HVAC system at City Hall developed by the California Energy Commission (Attachment 1) as well as a comprehensive energy assessment of all City facilities developed by the California Center for Sustainable Energy (Attachment 2) for your reference.
 - b. Your approach to measurement and verification (M&V) of technical, operational and financial performance. Narrative should include methodology to establish baseline, track operational performance and how variances from guaranteed levels of performance are typically administered by your company for similar projects.
 - c. Brief scope narratives for energy conservation projects you commonly perform for similar small cities and municipalities. It is anticipated that you would describe technologies listed in the "Project References" section described above, as well as others that you feel may be appropriate for the City of Solana Beach.
 - d. Your approach to on-going service and support, including –
 - 1) Types of services that are required by your firm for the performance guarantees and representative annual cost figures for these types of services.
 - 2) Delivery of these services.
 - 3) Other optional support services available to the City.
 - e. Proposed or available financing approaches, including –
 - 1) Type of finance vehicle (e.g. Tax exempt municipal lease; Certificate of Participation, etc.)
 - 2) Finance terms (e.g. how the effective interest rate is established, likely financing sources, ability to add projects, etc.)
 - 3) Opportunities that optional investment by the City would afford in payback period and earlier savings
 - f. Preliminary timeline for development and implementation of recommendations.
 - g. Résumés of your key project participants that you anticipate assigning to this project.
6. Financial Strength. Attach a copy of the following:

- a. Most recent audited financial report.
- b. Most recent year-ending Statement of Financial Condition, or other appropriate Financial Statements.
- c. Include your firm's bond rating, bonding limits, and evidence of insurability.
- d. Describe the qualifications and experience of your firm's project finance team.

7. Positive Public Recognition. Provide examples of media coverage about your projects and a specific example of a media event that your company implemented for a specific project.

Enclosed are several items. Exhibit A is a Preliminary Scope of Work for your consideration. Exhibit B is the RFP schedule, which includes a **mandatory** pre-bid site walk on June 21, 2011 at 10:00 a.m. Bids will not be accepted from company's not present at site walk. Exhibit C is a sample agreement for your review. The sample agreement is from the California Energy Commission and is specific to ESCO agreements. It is a sample agreement for reference only, and the City reserves the right to modify the agreement prior to the award of the contract. If the selected bidder does not accept the terms of the final agreement, the City reserves the right to negotiate and execute a contract with any other bidder.

This project may be funded in whole or in part by third party grant funding. Accordingly, the City reserves the right to reduce, withhold or eliminate payment for the project based upon said funding disbursement.

Contract terms will include, but are not limited to:

- Life cycle proforma of proposed energy improvements, including annual maintenance and operating assumptions and costs.
- Timetable for completing engineering and construction work.
- Detailed description of services to be provided.
- Specific financing arrangements and terms and how payments will be made to the ESCO.
- Estimate and guarantee of energy savings in kWh. ESCO must guarantee that the energy/cost savings are realized on an annual basis or be responsible for paying the City the difference.
- A clause specifying who will be responsible for maintaining the equipment.
- A statement indicating the duration of the contract.

Each proposal should be limited to **no more than 25 pages**, including resumes. If the submittal is made electronically, then the electronic submittal is sufficient. If the submittal is a hardcopy through the U.S. mail or personal delivery, then please submit three copies.

The timeline for award and execution depends upon several factors. Depending on the number and quality of the qualifications and proposals, the selection committee may chose to conduct interviews with only those consultants whose qualifications and proposals are most desirable for this project. If interviews become necessary, those selected consultants will be contacted to schedule the interview. The City anticipates that the final selection would be made within two to three weeks after the interviews are complete.

EXHIBIT A: Preliminary Scope of Work

EXHIBIT B: RFP Schedule for Selection Process

EXHIBIT C: Sample Energy Services Company Agreement