

Advertisement for Request for Proposal

Marshall County Fiscal Court will be receiving responses to a Request for Proposal of qualified companies interested in providing a Guaranteed Energy Savings Program per **KRS 45A.352**.

Energy Services Companies wishing to respond must attend a mandatory Pre-Proposal Conference to be held at the Marshall County Courthouse, 1101 North Main St, Benton, KY on July 11, 2017 at 9:00 a.m. local time. Energy Services Companies planning to attend the conference and site visit(s) must notify the Contact, and request an RFP packet at least 24 hours prior to the meeting by contacting:

Brad Warning, Deputy County Judge/Executive
1101 Main Street
Benton, KY 42025
brad.warning@marshallcountky.org
Phone 270.527.4750

Only responses from those attending the conference will be considered.

Responses will be due by August 8, 2017 at 2:00 p.m., at Marshall County Courthouse, 1101 Main Street, Benton, KY 42025

All questions concerning this RFP will be answered at the pre-proposal conference or must be in writing to the above contact.

**Marshall County Fiscal Court
REQUEST FOR PROPOSAL
FOR
ENERGY SAVINGS PERFORMANCE CONTRACT**

A. BACKGROUND AND PROJECT GOALS

1. Purpose

Marshall County Fiscal Court requests proposals for the identification, design and implementation of energy efficiency improvements on a guaranteed performance contracting basis.

The Marshall County Fiscal Court's purpose of issuing this Request for Proposal (RFP) is to identify and select a qualified provider, or Energy Services Company (ESCO), to perform the implementation of an Energy Savings Performance Contract, in accordance with KRS 45A.352 – Guaranteed Energy Savings Contracts involving local public agencies.

ESCO's shall be able to provide comprehensive building management and energy services including, but not limited to: the performance of energy audits, the design, selection, and installation of energy efficient systems, ongoing support and training services, assistance in securing financing for the transaction, and a written guarantee of savings.

The Marshall County Fiscal Court's primary objective in seeking the guaranteed performance contract is to improve the energy efficiency, water and waste water efficiency and to provide additional capital cost avoidance projects that improve building performance. As a minimum the scope of the projects should include lighting systems, HVAC and electrical systems, and building envelope energy conservation measures (ECMs) such as windows, doors etc.

The secondary objective is to implement additional ECMs at the facilities listed in Section 4, which will enable The Marshall County Fiscal Court to accomplish the efficiency objectives within a **fifteen to twenty year** payback period when bundled together as a single ESPC project.

2. Overview of Goals and Objectives

The Marshall County Fiscal Court expects to achieve the following goals and objectives by entering into a guaranteed energy services contract with the selected provider.

- Reduce operating costs
- Improve building environmental conditions
- Improve maintenance and operation of the facilities
- Reduce carbon footprint and other negative environmental impacts

3. Included Facilities

#	Facility	Address	City	Zip	Year Built	Sq. ft.
1	Courthouse	1101 Main Street	Benton	42025	1915	34640
2	Detention Center	54 Judicial Drive	Benton	42025	1991	23006
3	Class D Felony Center	54 Judicial Drive	Benton	42025	1996	8627
4	Hardin Community Building	112 High School Street	Hardin	42025	1976	6266
5	Road Dept. Bldg.	160 Homer Lucas Lane	Benton	42025	1986	6535
6	Road Dept. Bldg.	160 Homer Lucas Lane	Benton	42025	1988	12938
7	Judicial Center	80 Judicial Drive	Benton	42025	2002	58122
8	Rescue Squad Building	201 Ash Street	Benton	42025	1978	6950
9	County Park	596 US Highway 68 West	Benton	42025	2000	various
10	Animal Shelter	839 Benton-Briensburg Road	Benton	42025	2004	1250
11	Maintenance Shed	591 US Hwy. 68W	Benton	42025		5000
12	Maintenance Building	591 US Hwy 68W	Benton	42025	2009	50000

2015 / 2016 UTILITY CONSUMPTION

Facility Name	Electricity (kWh)	Electricity Cost	Natural Gas (c.f.)	Natural Gas Cost	Water and Sewer (kgal.)	Water and Sewer Cost
Courthouse						
Judicial Center						
Road Dept. Bldg						
Detention Center/SO/911 Complex						
Class D Felony Center						
County Park						

Project Overview – Goals and Objectives:

1. Reduce utility and operating costs by installing upgraded measures
2. Improve classroom learning environment
3. Repair or replace major mechanical
4. Improve maintenance and operation of the facilities
5. Reduce carbon footprint and other negative environmental impacts

4. Qualification Process

The selection of the qualified respondents will be based on the responses to the RFP and the ability of the provider to best meet the needs of the Marshall County Fiscal Court. Proof of accreditation in good standing with the National Association of Energy Service Companies (NAESCO) is required. The Marshall County Fiscal Court reserves the right to accept or reject any proposal based on its sole determination of its best interests.

After selecting an energy service provider the Marshall County Fiscal Court intends to negotiate a Guaranteed Energy Savings Agreement with the selected provider.

5. Selection Process and Timing

The following process will be used to select the preferred energy services provider. Issuance of RFP:

RFP Issued	June 20, 2017
Mandatory ESCO Meeting/Site Visit	July 11, 2017
Optional Additional Site Visit	July 12, 2017
Submission of Proposals	August 8, 2017
Optional Oral Interviews and Selection of Provider	TBD
Fiscal Court Approval	August 15, 2017
Notification of Selection to Provider	August 16, 2017

6. Contact and Response Deadline

In order to be considered, respondents must submit a complete and thorough response to this RFP. One electronic version on a flash drive, the original and 6 copies must be submitted in a sealed envelope or box by **2:00 pm CT August 8, 2017**. To ensure that your response is received before the deadline, either hand deliver or send submittal by registered mail to:

**Brad Warning, Deputy County Judge/Executive
Marshall County Courthouse
1101 Main St
Benton, KY 42025**

7. Response Preparation and Completeness

Responses shall be signed by an authorized representative of the respondent. All information requested must be submitted and organized in the format requested. Failure to submit all information as requested may result in the requester requiring immediate submission of the missing information, reducing the score for that component of the response and/or elimination of the respondent from consideration. Emphasis should be placed on completeness and clarity of content. Inclusion of unrelated or unrequested materials, which do not address the attached format, may be considered unresponsive.

8. Confidentiality

All data, materials, and documentation originated and pursuant to the RFP shall be subject to public inspection in accordance with prevailing public access laws.

9. Procurement Process

- a. **Site Visits** - All responding companies will be able to conduct a supervised walk-through inspection tour of the buildings described in this document on July 11, 2017. All ESCOs are encouraged to carefully review the facility profile information provided prior to site visits and to visit the facility in order to enhance

their understanding of existing building conditions and opportunities. One additional walk-through will be provided on July 12, 2017.

- b. Proposal Review and Selection of Finalists** - The Marshall County Fiscal Court selection team shall review and evaluate the written responses to this RFP. The County reserves the right to reject any or all responses and to waive informalities and minor irregularities in responses received and to accept any response if deemed in the best interest of the County to do so. The Marshall County Fiscal Court may select up to three (3) ESCOs for further competition (interviews, oral presentations).
- c. ESCo Interviews and Oral Presentations** – If necessary each of the requested ESCOs may be asked to participate in a detailed oral interview to answer questions from the selection team and more fully discuss how its approach to this project satisfies the evaluation criteria set for this RFP. All persons with major responsibility for the project's technical design, management and contract negotiation are encouraged to be present for the interview. Oral presentations and interviews may be recorded and will be considered property of the County.
- d. Selection and Technical Scope Development** – The Marshall County Fiscal Court will select the ESCO that best fits its needs. The County will then issue a letter of intent to the selected ESCO. The County will work with selected ESCO to develop a desired scope of work for Energy Conservation Measures to be included in the project.
- e. Final Scope Development** – The Marshall County Fiscal Court will help develop a final scope for the project and detailed pricing along with a final contract.

B. REQUEST FOR PROPOSAL FORMAT AND SPECIFICATIONS

1. Executive Summary

Responses shall include a summary overview of the respondent's proposal, approach, and other pertinent information.

2. Section 2

Section 2.1 General Information

Provide documentation as given below.

**TO: Marshall County Fiscal Court
Brad Warning, Deputy County Judge/Executive
1101 Main St.
Benton, KY 42025**

RE: Response to the Request for Proposals for Energy Savings Performance Contracting

DATE:

FROM:

Firm Name

Address: _____

General Phone Number: _____

Contact Person (Name): _____

Title: _____

Phone: _____ Fax: _____

E-Mail Address: _____

Section 2.2. Company Profile

COMPANY must address all questions. If not applicable, enter N/A

A. General Firm Information

Firm Name: _____

Mailing: _____

Address: _____

Physical Address: _____

Names, Titles and Phone Numbers of at least two principal contact persons:

1) _____

2) _____

3) _____

Submittal is for:

Name of Office: _____

Address: _____

Name and Address of Parent Company (if applicable)

Name: _____

Address: _____

Former Name(s) of Firm (if applicable):

Name: _____

Address: _____

List any other wholly owned subsidiary, division or branch offices that will participate materially in the development of the project(s), in its evaluation process, and/or in the conduct of any services provided.

B. Type of Firm

- Corporation
- Partnership
- Sole Proprietorship
- Joint Venture

C. Federal Employer Identification Number _____

D. Corporate Background

1. **Years under Present Name.** How many years has your firm been in business under its present business name? ___Years
2. **Former Names.** Indicate all other names by which your organization has been known and the length of time known by each name.
3. **State Qualification.** Identify all states in which your firm is legally qualified to do business.
4. **Lawsuit Involvement.** Has your firm been involved in a guaranteed savings or construction related lawsuit (other than labor or personnel litigation) during the past five (5) years? ___ Yes ___ No

(NOTE: If this response is submitted by a branch office or division of a parent company, indicate the lawsuits involved directly by the specific branch or division.)

If yes, please explain in detail the nature of the claim, circumstances, amount in dispute, date suit was filed, and the outcome of the case.

5. **Construction Arbitration Involvement.** Has your firm been involved in any construction arbitration demands during the past five (5) years? ___ Yes ___ No

If yes, identify the nature of the claim, amount in dispute, parties, and ultimate resolution of the proceeding.

6. **National Labor Relations Board or Similar Involvement** Has your firm been involved in any lawsuits, administrative proceedings or hearings initiated by the National Labor Relations Board or a similar state or federal agency during the past five (5) years regarding your firm's safety practices? ___ Yes ___ No

If yes, identify the nature of the claim and the ultimate resolution of the proceeding.

7. **OSHA-Type Proceedings.** Has your firm been involved in any lawsuits, administrative proceedings or hearings initiated by the Occupational Safety and Health Administration or a similar state or federal agency during the past five (5) years regarding the safety of one of your firm's projects? ___ Yes ___ No

If yes, identify the nature of the claim and the ultimate resolution of the proceeding.

8. Bankruptcy Involvement. Has your firm, or any of its parents or subsidiaries, ever had a bankruptcy petition filed in its name, voluntarily or involuntarily?

_____ Yes _____ No

If yes, explain in detail the circumstances, date the protection order was filed and the resolution of the case (or current status, if still ongoing).

____ **E. Attachments.** List all attachments created to address additional information. List by number and heading in the Company Profile. If a computer-generated form is used, detailed descriptions can be included in the appropriate section rather than prepared as an attachment.

<u>Item #</u>	<u>Heading Name</u>
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F. Authorization

Dated at _____ this day of _____, 2017.

Name of Organization: _____

By _____ Title _____

G. Notary Statement

Mr. /Ms. being duly sworn deposes and states that he/she is the _____ that answers to the foregoing _____ (title) _____ of _____ (Contractor(s)) _____ and that answers to the foregoing questions and all statements therein contained are true and correct.

Subscribed and sworn before me this _____ day of _____, 2017.

Notary Public _____

My Commission Expires _____, 20__.

Section 2.3: Company Qualifications and Approach to Project

Please provide answers to each category listed below. Provide your responses on 8- 1/2" x 11" sheets of paper and number and title each answer to the corresponding category. All pages in your response to this attachment should be numbered sequentially.

A. General Qualifications

- 1. Project History.** Briefly describe up to five (5) comprehensive facility planning services and/or energy savings performance contracting projects, which your firm has managed within the last three (3) years in Kentucky or contiguous states. Identify those project references involving buildings similar to the County's buildings.

NOTE: If this response is submitted by a branch office or division of a parent company, please provide project histories for those that have been managed directly by the specific branch or division. Projects that have been managed by individuals who will be specifically assigned to this project should also be included and identified.

Include the following information on each project:

- a. Project Identification. Name the project owner, state the type of project (generic building type such as hospital, school, etc.), and provide the location (city, state).
- b. Project Dates. Project actual construction start and end dates
- c. Project Size. Number of buildings and total square footage.
- d. Project Dollar Amount. Provide the total contract amount and the total project capital expenditure amount.
- e. Source of Funds. State the source of funds used for the project and your firm's role, if any, in securing those funds.
- f. Contract Terms. State the type of Contract (shared-savings, lease purchase, guaranteed savings), the duration of the contract term, and the financing arrangement.
- g. Technical Design Personnel. Include name(s) of primary technical design personnel.
- h. Project Schedule. Indicate if the project was completed on schedule. If not, please explain.
- i. List of Improvements. List of Facility Improvement Measures.
- j. Projected Annual Savings. State the projected annual savings.
- k. Guaranteed Savings. State the amount of the guarantee. Also describe how the guarantee functioned and if your firm was required to pay funds to meet the guarantee.
- l. Comments. Comment on any special features, services, conditions, etc.
- m. References. Provide the names and telephone numbers of the owner(s)' representatives that can supply references.

2. Personnel Information.

- a. Full-Time Personnel. Indicate the number of full-time personnel employed by your firm and the number available to work on this project.
- b. Qualifications and Experience. Identify who will have the primary responsibility for each task and phase of the project including technical analysis, engineering design, construction management, construction, training and post-contract monitoring. For each of the individuals listed, indicate the following: name, title, intended role and responsibilities for the duration of the contract, educational background, specific qualifications related to role and responsibilities, past relevant experience, number of years of relevant experience, supervisory responsibilities (if relevant to role), list of projects individual was associated with during the last three (3) years including type of project and project cost. Resumes may also be included as an attachment.
- c. Areas of Expertise. List all areas of expertise related to potential improvements in facilities. Include specialized areas of expertise in areas that might be relevant to the project. Also describe the professional and skilled trades that your firm customarily performs with employees.
- d. Contract Negotiations Personnel and Legal Counsel. Give the name and address of the person who will have primary responsibility for contract negotiations. Also identify your firm's legal counsel for this project.
- e. Subcontractors. Describe the nature of work generally conducted by subcontractors and discuss your flexibility in hiring subcontractors recommended by the Marshall County Fiscal Court or in selecting local subcontractors in The Marshall County Fiscal Court geographic area.

B. General Approach

1. **Project Services** - Summarize the scope of services (assessment, design, construction, monitoring, operations, maintenance, training, funding, etc.) that would be offered for this project.
2. **Project Management**. Include a brief description (not to exceed 5 pages) of your firm's approach to project management and the specific benefits your firm can offer The Marshall County Fiscal Court.
3. **Engineering Design**. Describe your firm's approach to the technical design of this project.
4. **Training Provisions**. Describe your firm's capabilities in providing technical training for the Marshall County Fiscal Court facility personnel. Describe your firm's involvement in developing training manuals for facility staff.
5. **Monitoring and Verification**. Describe the company's approach to monitoring and savings verification of each recommended project's performance, including the frequency of such efforts. Note if an industry standard such as the *International Monitoring and Verification Protocol* is preferred by the company.
6. **Savings Calculations**. List typical procedures, formulas and methodologies including special metering or equipment your firm may use to calculate utility and O&M savings. Include typical assumptions made in the calculations.
7. **Dollar Savings Calculations**. Describe the procedure to assign dollar values to the O&M and utility savings.
8. **Maintenance Contracts**. Describe the types of equipment maintenance or monitoring services that may be included. Comment on whether The Marshall County Fiscal Court maintenance staff can perform some of these duties if desired, and describe any impact on the guarantee. (These duties could include programming and maintaining the control system, installing lighting retrofits, maintaining HVAC equipment, etc.). Describe the required length of the maintenance contract and the relationship with the guarantee in the event that The Marshall County Fiscal Court chooses to terminate the maintenance contract prior to the end of the energy services agreement.
9. **Billing and Invoices**. Describe your standard billing procedures and attach a sample invoice.
10. **Provision of Funding**. Briefly describe the types of funding arrangements provided by your firm for past projects. Include a brief description of the source of funds and the potential dollar amounts currently available to your firm to finance these types of projects. Indicate what representative interest rates may be available, financing terms and other variable economic factors associated with each method. Please comment on how you would work with The Marshall County Fiscal Court to utilize tax-exempt financing or other methods to keep financing costs at a minimum.
11. **Provision of Insurance**. Describe level and types of all insurance policies applicable to an ESPC project.
12. Provide proof of accreditation in good standing with the National Association of Energy Service Companies (NAESCO).

C. Preliminary ESPC Project

1. Provide a description of the overall project recommended energy conservation measures including:
 - a. A list, by facility, of the proposed energy conservation measures.
 - b. Documentation of energy and operational savings by ECM. (Initial savings calculations shall be available upon request).
 - c. A brief technical description of each of the proposed technical measures and basis for energy savings calculations
2. Provide information on the company's planned use of existing systems and equipment as part of the proposed energy conservation measures.
3. Provide information on the company's proposed savings with regard to Operations and Maintenance and how those savings were determined.

D. Services

1. Provide information on proposed maintenance and training services for the new systems and equipment proposed in the aforementioned ECM's.

2. Provide detailed description of the recommended Measurement and Verification (M&V) Plan for measures with savings guarantees as required by KY 45A.352 (2) (a.).
3. Provide the estimated costs of annual reconciliation statements and any required on-going services.
4. Indicate any equipment maintenance service contracts and their costs which will be required by your firm as a condition of the energy services guarantee.

E. Project and Construction Management

Provide the company's proposed implementation plan and a preliminary project schedule.

F. Financial Approach

The respondent should describe financial alternatives that will responsibly maximize the net economic benefit and minimize financial risk.

1. Provide descriptions of the sources, types and costs of financing available and recommended for use in this program.
2. Indicate any penalties or other costs that will be assessed in the event the decision is made not to proceed with this project at any point prior to mutual approval of a Contract Agreement.
3. Describe the basis of guarantee, its execution, and the methods of payment or remedy that will be provided if the project fails to provide the Guaranteed Savings.
4. Include a copy of your firm's Energy Savings Guarantee.
5. Provide a preliminary financial model incorporating all initial estimated cost of ESPC project including installation/construction, required on-going services, engineering, commissioning, measurement and verification, annual reconciliation statements, financing, and any other costs along with the guaranteed project savings for the recommended project. The model must show a summary of proposed method and costs of financing with cash flow including to what extent the project savings are sufficient to cover project costs.

C. SELECTION AND EVALUATION

All written responses will be evaluated for completeness and clarity of information. Missing information or unresponsiveness in an area will be reason for a lower score in that area or elimination. The Selection Team may request the selected provider to present its recommended projects at a meeting of the Fiscal Court.

1. Evaluation

Each response will be evaluated by a selection team which will grade the responses on merit, completeness, and the ability of the respondent to meet the needs, best interests, stated goals and objectives of The Marshall County Fiscal Court. The evaluation process may include verification of presented information and clarification as requested.

2. Grading Point Values

Grading Point	Point Value	Grade (0-100%)	Score
Company Qualifications	30		
Company Profile	10	x	=
Project Team Experience	10	x	=
References	10	x	=
Technical Approach & Energy Measures	40		
Technical Approach	15	x	=
Project Management	5	x	=
Energy Conservation Measures	20	x	=
Services	15		
Measurement and Verification of Savings	10	x	=
Other Services	5	x	=
Financial Approach	10		
Financing Sources and Net Financial Benefit	5	x	=
Guarantees and Methods	5	x	=
Other Benefits	5		
Other Benefits	5	x	=
Total Points	100		