

**Willow Springs School District**  
**215 W 4th St**  
**Willow Springs, MO 65793**

**Request for Proposals**  
**Per Missouri Statute 8.231**

From

**Energy Service Companies**

For

**Guaranteed Savings Performance Contracting Services**

**Issue Date: 10/30/19**

**Due Date: 11/12/19**

The objective of this Request for Proposals is to solicit proposals for Performance Contracting services to assist Willow Springs School District in upgrading existing infrastructure while becoming as energy and operationally efficient as possible. Willow Springs School District is interested in contracting turnkey services from one (1) qualified ESCO under a guaranteed energy savings performance contracting arrangement.

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

Willow Springs School District 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 Willow Springs School District 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 Willow Springs School District 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 Willow Springs School District's efficiency project.

Qualified ESCOs interested in providing the requested services must respond with a written proposal. Willow Springs School District's selection of an ESCO to provide these services will be made in accordance with the policies and administrative directive of Willow Springs School District and applicable statutory provisions. Responses must be received by 11:00am on November 12<sup>th</sup>, 2019, after which time and date they will no longer be accepted by Willow Springs School District. Submissions made after this date and time will not be considered. Responses must be mailed or delivered to:

Willow Springs School District  
ATTENTION TO: Bill Hall, Superintendent  
215 W 4th St  
Willow Springs, MO 65793

It is the sole responsibility of the responding firm to ensure their RFP is received by Willow Springs School District on or before the due date and time.

This solicitation does not commit Willow Springs School District 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. Willow Springs School District 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 Willow Springs School District. Failure to furnish all information may disqualify a vendor.

## SECTION 1 – General Information

A. **Purpose.** This Request for Proposals (RFP), requests proposals from Energy Services Companies (ESCOs) for Guaranteed Savings Performance Contracting services. Willow Springs School District 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 Willow Springs School District 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 Willow Springs School District 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 15 years in accordance with Missouri Statute 8.231.

C. **Savings Guarantee.** The selected ESCO shall provide a written savings guarantee in accordance with Missouri 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 Willow Springs School District for the equivalence in additional improvements or services.

D. **Scope of Work.** The final scope of work will be determined jointly by Willow Springs School District and the ESCO based on the results of the IGA. It is the intent of Willow Springs School District 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 are qualified 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 Missouri, as well as 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.** RFPs must be submitted in the format outlined in this solicitation. Each RFP 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. RFPs 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 Willow Springs School District.

**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 Willow Springs School District 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; Willow Springs School District to be included as additional insured as respects this Agreement as follows: "Willow Springs School District 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. Willow Springs School District 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 Pemiscot County, Missouri after the contract has been approved by Willow Springs School District 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 Missouri, 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 Missouri.

**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 Willow Springs School District. 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 Willow Springs School District for the purpose of evaluation and contract negotiations.

**K. Inquiries.** Questions that arise from interested ESCOs prior to the submission date shall be submitted in writing to Willow Springs School District. The Willow Springs School District point of contact for this project is Bill Hall at hallb@wspgs.com. Email inquiries submitted to Willow Springs School District must contain this RFP number and RFP name in the subject line. All inquiries must be received by 11:00am on November 8th, 2019. Inquiries received by Willow Springs School District prior to the deadline will be compiled and answered by Willow Springs School District and will be distributed via email to the ESCOs that have submitted a letter of interest to Willow Springs School District by the due date and time as noted herein.

**L. Schedule of Events.** Willow Springs School District expects to undertake the ESCO selection process according to the following schedule although this is subject to change at the sole discretion of the district:

<b>Task / Event</b>	<b>Date</b>
Advertise RFP	October 30, 2019
RFP Responses Due	November 12 <sup>th</sup> , 2019
Proposals Evaluated	November 13 <sup>th</sup> , 2019
Selection of ESCO	November 14 <sup>th</sup> , 2019

## Section 2 - RFP Format Requirements

Responses must be submitted in the format outlined in this section. The intent of Willow Springs School District is that all responses follow the same format in order to evaluate each response fairly. Willow Springs School District 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 11:00am on November 12<sup>th</sup>, 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:

Willow Springs School District  
ATTENTION TO: Bill Hall, Superintendent  
215 W 4th St  
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Proprietary information or information which, if disclosed, would give advantage to competitors or bidders ("Proprietary Information") submitted in response to this RFP will be processed in accordance with applicable Missouri procurement procedures. Documents pertaining to the RFP become the property of the Willow Springs School District 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 Missouri 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 the Willow Springs School District RFP and the name and address of the ESCO submitting the RFP.
- 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 Willow Springs School District RFP name and RFP 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 RFP.

### 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 Willow Springs School District.

For each reference, provide the following information:

- Customer/Entity Name
- Contact Person
- Phone Number and Email of Customer Contact
- Contract Amount
- Financing – Type and Term
- Annual Savings
- Scope of Work Summary

### 3. Project Team

A. Provide detailed information on the roles and responsibilities, degree of pertinent experience, and similar project history of each member of the respondent's team that would be working on the Performance Contract with the owner.

B. Provide a list of all sub-contractors associated with implementing the project, including design and engineering firms. If some or all of the participants are not known at this stage, a selection strategy shall be identified noting which participants have not been selected. The ESCO shall include the table below (completed) in their RFP response:

Sub-Contracted Services	Perform Directly	Pre-Determined Partner	Competitively Bid
Mechanical / HVAC			
Controls			
Electrical			
Lighting			
Building Envelope			
Water Upgrades			

Solar			
Commissioning			
Measurement & Verification			

C. Provide a list of other services associated with implementing the project. State whether those will be provided by the ESCO directly or by a third party. The ESCO shall include the table below (completed) in their RFP response:

Services Provided	Direct Party	Third Party	Not Provided
Investment Grade Audit			
Energy Management Systems			
HVAC Mechanical Equipment			
Electrical Equipment			
Engineering / Design			
Construction Management			
Savings Guarantee			
Project Financing			
HVAC Systems Training			
Energy Management Training			
HVAC Repair			
Controls Systems			
Preventative Maintenance Services			
Local Office Support			
Guarantee Monitoring			

#### 4. Solar Approach

- A. Describe the process by which a solar installation is designed. What software is utilized to demonstrate the expected outputs? What bankable financial analysis tool will be utilized to illustrate financial expectations?
- B. Please provide certification number of NABCEP PV installation Professional on staff.
- C. What is your preferred approach for material selection?
- D. Please list example projects, both completed and under design, that have utilized performance contracting for solar installations.
- E. What are your in-house capabilities for solar design, engineering and implementation?



**5. Technical Approach**

- F. Describe the approach and process to performing the IGA.
- G. Provide a timeline of the anticipated milestones necessary to complete the
- H. IGA.
- I. Provide specific information of the evaluation process used by the ESCO to identify specific efficiency improvements for Willow Springs School District to consider for implementation.
- J. 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 Willow Springs School District in securing financing for the project.
- C. Provide information concerning any incentives or grants that may be available to Willow Springs School District 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 respondent's approach to project management, including:
  - i. Ability to successfully establish a project schedule, maintain the schedule, and complete projects on-time to the satisfaction of the customer.
  - ii. Coordination of subcontractors (if used), division of responsibility among project staff, and interaction with representatives.
  - iii. Supervision and oversight of contractors and sub-contractors.
- C. Describe any relationships with manufacturers of potential equipment and materials, including those manufactured by the respondent or listed subcontractors. The ESCO shall include table below (completed) in their RFP response:

<b>Equipment &amp; Materials</b>	<b>Direct Manufacturer</b>	<b>Distributor / Re-Seller</b>	<b>Competitively Bid</b>
HVAC / Mechanical Equipment			
Control / Energy Management Systems			
Electrical Equipment			
Lighting			
Water / Plumbing			
Building Envelope			
Solar			

- D. Describe the completion and acceptance process of the installed measures and the process used to transition to the guaranteed savings phase.
- E. Describe your firm's experience in serving as construction manager or general contractor for K-12 projects 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 Willow Springs School District to ensure the installed measures perform as expected.
- B. Provide information to assure Willow Springs School District 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.

**9. Project Non-Performance**

Copy and paste below chart with a clear answer of 'Yes' or 'No':

Question	Answer (Yes or No)
Has your company had a canceled or non-appropriated <b>performance contract</b> (list reason)?	
Has your company had past or pending lawsuits or litigation regarding a <b>performance contract</b> with a customer (list reasons)?	
Has your company reimbursed customers for non-performance on guaranteed savings?	
Has your company had past "out of court" settlements regarding a <b>performance contract</b> (list reasons)?	

In addition to litigation, please provide a complete list of all projects nationwide where there was either a criminal indictment or a conviction relating to the conduct of a **performance contract**. This includes officers and representatives of the company, as well as public officials connected with the project.

If any of the above does not apply, provide an acknowledgment letter stating each that does not apply, signed by an officer of the respondent company. (Please include title of company officer). **Failure to provide accurate and complete information as requested is grounds for disqualification.**

## Section 3 – Evaluation and Selection

A. **Evaluation Process.** Willow Springs School District 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 Willow Springs School District.

B. **Scoring of ESCO's Statements of Qualification.** Each section of the ESCO's statement of qualification will be evaluated and scored. Willow Springs School District will evaluate submittals and select the most highly qualified ESCO that best matches the needs and desires of Willow Springs School District. Qualification of all ESCO's that respond to this solicitation, including any subcontractors to be used, will be evaluated using the following selection criteria:

<b>Selection Criteria</b>	<b>ESCO Points</b>	<b>Maximum Points</b>
1. Company Qualifications & Experience		20
2. Project Team & Personnel		20
3. Project Management		20
4. Energy Guarantee & Ability to Achieve Savings		20
5. Support & Reference Material		20
<b>Total</b>		<b>100</b>

C. **Optional Personal Interview** Willow Springs School District may opt to conduct a personal interview with a selected ESCO respondent or respondents. Location, time, and requirements for the interview will be determined by Willow Springs School District and communicated to the selected respondent(s).

D. **Engineering Proposal** Upon selection of ESCO, Willow Springs School District and the ESCO will design a Project Development Agreement which, when approved by both parties, will allow the ESCO to proceed with Investment Grade Audit.

E. **Contract** Upon completion of the Investment Grade Audit and a determination that

one or more of the Projects are feasible and acceptable to Willow Springs School District, the Parties will negotiate a contract for the project, schedule and compensation/pricing for the work.

## Section 4 – General Terms and Conditions

1. To be considered, written statement of qualifications must be received by 11:00am on November 15<sup>th</sup>, 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.

Willow Springs School District  
ATTENTION TO: Bill Hall, Superintendent  
215 W 4th St  
Willow Springs, MO 65793

2. The outside of all delivered documents must be labeled: "ESPC RFP" and reference the name of this RFP "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 Willow Springs School District 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 RFP. The RFP is designed to provide qualified ESCOs with sufficient information to provide a statement of qualifications but is not intended to limit a RFP'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 Willow Springs School District 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. Willow Springs School District reserves the right to reject any and all submissions and to waive any informality if deemed in the best interest of Willow Springs School District to do so.

ACKNOWLEDGMENT OF RECEIPT

Please fill in the requested information below as acknowledgment that you have received the Request for Proposals noted above, and your firm is interested in participating. It is highly recommended that this sheet be emailed to **Bill Hall at hallb@wspgs.com**.

By doing this, we will be able to provide notification to you any addenda to the RFP.

Name of Firm: \_\_\_\_\_

Fax #: ( ) \_\_\_\_\_ Tel. #: ( ) \_\_\_\_\_

Name: (Print) \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_