**Attachment A:**

Insert user logo

 **ESCO Response to this**

 **Request for Proposals**

**Response to this Request for Proposals**

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**ATTACHMENT A**

**Response to this Request for Proposals**

Pre-qualified ESCOs submitted much of the information requested below which was reviewed and approved by the Program’s evaluation committee.

Owner may opt to eliminate some of the requested material below, as indicated, and focus only on the material related to the specific project. The material submitted in the pre-qualification solicitation may be available for viewing, in which case there is no need for the ESCO to re-submit.

**IMPORTANT:**

1. Re-state the number and question before your response to each item.
2. Before developing your response, note the requirements stated in Section 8.

ESCOs that are on the As-Needed Pre-Qualified List of ESCOs are considered eligible to respond to this RFP.

# Program Participation and Compliance

 This is a pass/ fail score for the entire section, including subsections. Please re-affirm your willingness to participate. (As a pre-qualified ESCO, your company affirmed this.) Please state “yes” for this entire section and sub-sections (Program Participation and Compliance).

* 1. **Compliance with Performance Contracting Requirements**

State your firm’s commitment to adhere to the following:

* + 1. **State Statutes**
		2. **ESCO Contract**

If applicable, following requirements of the **Base Agreement ESCO Contract (Attachment A)**

* + 1. **Investment Grade Audit and Project Development Contract**

Using the **Investment Grade Audit and Project Proposal Contract (Attachment F)**, customizing only the project specifics presented in the schedules.

* + 1. **Energy Savings Performance Contract**

Using the **Energy Savings Performance Contract (Attachment G)**, customizing only the project specifics.

* + 1. **RFP for Financing**

Using the RFP to solicit bids for financing as provided in **Financing Solicitation Package (Attachment H),** provided your firm can offer this service in a non-advisory role (federal regulations restrict ESCO involvement to advise on financing).

* + 1. **Data Collection and Reporting by ESCO – Using eProject Builder (ePB)**

ESCO shall collect and report project data, on behalf of Owner and with approval by Owner, as identified in **Energy Savings Performance Contract -** **Schedule D: Data Collection and Reporting – Using eProject Builder** and as amended on the LBNL website (<http://eprojectbuilder.lbl.gov>) and at the specified times.

eProject Builder ("ePB") is a web-based tool managed on behalf of the Department of Energy by The University of California/Lawrence Berkeley National Laboratory (LBNL). ePB enables ESCO and their contracting agencies or other entities to:

(1) upload and track project-level information;

(2) generate basic project reporting materials (e.g. task order schedules) that may be mandated by local, state, and/or federal agency requirements; and

(3) benchmark proposed Energy Savings Performance Contract (ESPC) projects against historical project data.

Based on information provided by the ESCO, the parties agree that the data required to be delivered to LBNL under this clause has commercial value whose disclosure would cause competitive harm to the commercial value or use of the data. LBNL intends to withhold such data from disclosure under 10 C.F.R. 1004.3(e)(2). The use of this data is governed by the provisions of this contract. Unless compelled by a court of competent jurisdiction, there may be no release of this data to the public without the written consent of the Recipient and DOE. Aggregate data that does not identify project-specific metric information may be released as set forth in the contract. Other information required to be delivered under this contract, but not covered under this Commercially Valuable ESPC Project Data clause, shall be delivered in accordance with this contract.

# Overview of Approach to Energy Savings Performance Contracting (ESPC)

Provide an overview, maximum of one (1) page, to present your company as it relates to this project. The purpose of this overview is to provide a good introduction of your firm to the evaluation committee. This may be the exact overview presented in the pre-qualification solicitation, if desired.

# Project History

* 1. **Market Sector Involvement**

Briefly describe your company’s expertise/experience in the market sector and types of facilities related to this RFP.

* 1. **Project List**

List up to 15 Energy Savings Performance Contracting projects developed and implemented by your firm within the past five years that have completed construction.

If it is relevant to list projects performed outside of the firm, clearly identify the firm with overall responsibility for that project and the project’s relevance to this solicitation.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Project Name** | **Market Sector** | **City & State** | **Project Size****(Dollars)** | **Project****Size****(Square Feet)** | **Year Completed** |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

* 1. **Project Data and References**

Using the table below, provide detailed information on up to eight performance contracting projects your firm completed. Only include projects that have at least one year of documented performance data, are currently in repayment, are currently under contract with your firm, and that can be used as references. If desired provide additional project detail, such as a case study, in any format (maximum of an additional two pages for each project). We recognize that the actual performance data of some projects may be confidential information, protected by the customer and subject to confidentiality agreements in project contracts.

|  |  |
| --- | --- |
| **Project Data and References** |  |
| Project Name  |  |
| Facility Type and Use |  |
| Project Size: -Number of Buildings-Total Square Footage |  |
| Types of Measures |  |
| Project Cost: Installed Project Costs |  |
| Project Cost: Financed Amount |  |
| Guaranteed Annual Savings ($) |  |
| Financing/Funding Source |  |
| Project Schedule: -Construction Start and End Dates-Guarantee Period Start and End DatesDescribe if project was completed on schedule or delayed |  |
| Measurement and Verification Methods |  |
| Project Personnel: List all ESCO personnel associated with this project (limit to those who may be assigned to a project) and their roles and responsibilities (only list those who may be assigned to a project). |  |
| Contact Information: Current phone and email address of owner representatives you worked with.  |  |
| **Commodity** | **Units**  | **Guaranteed Annual Savings** | **Achieved Savings****Year 1** | **Achieved Savings****Year 2** | **Achieved Savings****Year 3** | **Achieved Savings****Year 4** | **Achieved Savings****Year 5** |
| Electricity  | kWh |  |  |  |  |  |  |
| Electric Demand  | kW |  |  |  |  |  |  |
| Natural Gas | Therms |  |  |  |  |  |  |
| Fuel Oil  | Gal |  |  |  |  |  |  |
| Steam |  |  |  |  |  |  |  |
| Fuel Oil  | Gal |  |  |  |  |  |  |
| Water |  |  |  |  |  |  |  |
| Other  |  |  |  |  |  |  |  |
| Material | $ |  |  |  |  |  |  |
| Maintenance Contracts  | $ |  |  |  |  |  |  |
| Other  | $ |  |  |  |  |  |  |
| **TOTAL**  |  |  |  |  |  |  |  |

# Qualifications

This section (Qualifications, including subsections) may be eliminated in this RFP, as the material was reviewed by the Program’s evaluation committee that deemed that ESCO eligible is Pre-Qualified.

The ESCO’s response to the pre-qualification solicitation may be available from the Program for viewing. ESCOs that are accredited with the National Association of Energy Service Companies (NAESCO) were exempted from providing Qualifications.

* 1. **Exemption for ESCOs with NAESCO Accreditation**

Current NAESCO Accreditation provides full credit for all elements of this Qualifications section, including subsections.

Provide verification of NAESCO Accreditation, including a print-out of the listing on the [www.naesco.org](http://www.naesco.org) website or a letter from NAESCO that accreditation is in process.

If desired, provide a narrative to highlight any elements in this Qualifications section, including subsections (limit to one page).

* 1. **History and Focus of Company**

Limit your response to no more than one page for this section (History and Focus of Company, and subsections).

* + 1. **Structure and Evolution of the Firm.**

List any other names for company’s business. Provide any other information, only if deemed necessary.

* + 1. **Years in the Energy Business.**

State the number of years the company has been involved in the energy-efficiency related business.

* + 1. **Involvement in Performance Contracting.**
			- 1. State the number of years the company has offered Energy Savings Performance Contracting services.
				2. State the number of project professionals (energy engineers, project managers, etc.) in your firm that are directly involved in the performance contracting and energy efficiency or renewable energy business.
		2. **Number of Performance Contracting Projects.**

State the number of performance contracting projects completed by the company.

* 1. **Industry Accreditations**

List any industry accreditations, partnerships, memberships, and pre-qualifications and briefly describe the relevance of each. Note that accreditation is not a requirement and no firm will be penalized for the lack of industry accreditations, partnerships, memberships and pre-qualifications.

* 1. **General Scope of Services**

# The purpose of this section is to ensure the firm has qualifications to provide the full scope of performance contracting services.

* + 1. **Energy systems in buildings:**

Provide a brief discussion (five pages maximum) for this section (Energy Systems in Buildings) to illustrate the company’s capability in each area.

* + - 1. **Mechanical/Electrical Systems**

This discussion could include: lighting: indoor and outdoor, heating, ventilation and indoor air quality issues, cooling, control and building automation, fuel switching, central plant, etc.

* + - 1. **Renewables**
			2. This discussion could include: daylighting, solar-electric, solar thermal, geothermal, wind, biomass, distributed generation.
			3. **Water Measures**
			4. This discussion could include: plumbing fixtures, landscape irrigation, mechanical plant water-saving measures, etc.
			5. **Specialty Systems or Specific Building Types**
			6. This discussion could include kitchen or laundry; laboratories, clean rooms; healthcare hospitals, nursing homes, clinics; swimming pools and recreational facilities; computer laboratories, data Centers; correctional facilities.
			7. **Energy Management Services**

This discussion could include: energy management, occupant programs (behavior focus), utility bill auditing and bill payment, benchmarking, LEED for Existing Buildings, etc.

* + - 1. **Envelope Measures**

This discussion could include: walls, windows, roof, infiltration reduction, etc.

* + - 1. **Operational Savings Measures**

This discussion could include eliminated maintenance costs, training programs for staff or occupants, waste measures, etc.

* + - 1. **Other**
		1. **Project Development and Implementation**
			1. Energy auditing (potential measures, savings projections; cost estimates)
			2. Baseline development (including future savings adjustment)
			3. Project proposal (package of measures with cash flow)
			4. System design engineering
			5. Equipment and subcontractor procurement and bidding
			6. Construction management
			7. Commissioning of projects and retro-commissioning of existing buildings
			8. Project management
			9. Hazardous materials identification and abatement, recycling or disposal (including asbestos)
		2. **Core Performance Contracting Services**
			1. Performance guarantee for every year of the financing term
			2. Insurance per contract requirements
			3. Equipment warranties
			4. Facilitation of financing (including a municipal, tax-exempt lease purchase), to the extent your firm is registered to do so.
			5. Measurement and verification of savings
			6. Training (facility staff, occupants)
		3. **Support Services:**
			1. Marketing and promotion of the State Program
			2. Long-term maintenance services on energy systems
			3. Application for an Energy Star Label and LEED certification.
			4. Data reporting to Owner and State Program (DOE/LBNL recommendations to be provided) and other reporting as required (emissions reductions, assistance to the Owner with preparing annual reports, etc.)

# Financial Soundness and Stability

* 1. **Financial Soundness**

Describe the financial soundness and expected stability of the company.

* 1. **Financial Reports:**

Provide financial reports for the last 3 years, including, at a minimum: Balance Sheet, Income Statement, Statement of Cash Flow, and Statement of Financial Conditions. Include the name, address, and telephone number of the preparer.

* 1. **Bonding**

Include responses to the following:

* + 1. Current bonding rating
		2. Current bonding capacity
		3. Amount or percentage of bonding capacity currently obligated
		4. Current bonding rate
		5. Confirmation that the company is bondable for 100% of a payment bond on a project
		6. Confirmation that the company is bondable for 100% of a performance bond on a project
		7. Letter from a licensed surety as evidence of ability to bond for payment and performance

# Technical Approach

This section (Technical Approach, including subsections) may be eliminated, as the material was reviewed by the Program’s evaluation committee that deemed that ESCO pre-qualified. The ESCO’s response to the pre-qualification solicitation may be available for viewing if desired.

* 1. **Investment Grade Audit**
		1. Briefly summarize your overall approach to auditing.
		2. Provide a brief overview of your sample Investment Grade Audit. Under separate cover (as directed in the RFQ), provide a sample Investment Grade Audit report for an Energy Savings Performance Contracting project that your firm implemented in a public facility. Include detailed energy/water savings and economic calculations (excluding equipment cut sheets) and samples of tables and supporting calculations. This is intended to allow reviewers to conduct a reasonable analysis of your company’s auditing methodology. Please be judicious regarding the volume of information submitted.
	2. **Measurement and Verification**
		1. Briefly summarize your overall approach to Measurement and Verification.
		2. Include a brief overview of your sample M&V plan. As an appendix to your response, provide a sample Measurement and Verification Plan from a performance contracting project implemented by your company.
	3. **Commissioning**
		1. Briefly summarize your overall approach to commissioning.
		2. Include a brief overview of your sample Commissioning Plan. As an appendix to your response, provide a sample Commissioning Plan from a performance contracting project implemented by your firm.
	4. **Operations & Maintenance Plan**
		1. Briefly summarize your approach to Operations and Maintenance.
		2. Include a brief overview of your sample Operations and Maintenance Plan. As an appendix to your response, provide a sample Operations & Maintenance Plan from a performance contracting project implemented by your firm.
	5. **Measurement and Verification Savings Report**
		1. Briefly summarize your approach to the M&V report.
		2. Include a brief overview of your sample Measurement and Verification Report. As an appendix to your response, provide a sample Measurement and Verification Savings Report prepared by your firm from a completed performance contracting project currently in repayment.
	6. **Handling of Savings Shortfalls**

Address any savings shortfalls that occurred over the past 5 years (up to 10 examples) and describe how they were resolved.

# Management Approach for this Project

* 1. **Project Management and Coordination**

Limit this section (Project Management and Coordination, including subsections) to 5 pages.

* + 1. **Organizational Structure**

Show the organization chart for implementing and managing the project with the core energy team assigned to this project. Show clear lines of communication and responsibility. Describe the transition and responsible parties involved from the sales to auditing phase, auditing to construction phase, construction to follow-up monitoring phase, etc. Also include an organization chart showing the corporate structure with added corporate support for the project.

* + 1. **Local Staffing and Support**

List the office location (city and state) for the core energy team for this project. Describe the extent of local staffing and support for the each phase of a typical project. Describe the relevance or importance of local presence with regard to this project.

* + 1. **In-House vs. Subcontractors**

Describe the types of services (both professional and construction services) that your company offers in-house and the services to be offered through subcontractors.

Describe how subcontractors are selected. Also comment on your ability to competitively select subcontractors.

* + 1. **Construction Management.**

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. Describe your flexibility and/or any limitations regarding possible Owner activities such as: management of additional energy and water projects, monitoring of installation and performance of Contractor projects and integration of other identified capital needs with Contractor projects which may or may not contain energy and water saving opportunities.

* + 1. **Owner Involvement.**

Describe how you engage the Owner in decision-making regarding project scope, equipment specifications, ongoing operational and maintenance strategies, etc., and how you incorporate Owner’s needs.

* + 1. **Long-term Servicing.**

Describe long-term servicing of equipment and systems. State the location of your nearest servicing office.

* 1. **Personnel and Staffing**

Use the following table to present background on personnel or subcontractors who will be assigned responsibility for a core project task. Also include any added expertise and capability of staff available through other branch offices, subcontracts, etc., that can provide back-up strengths.

|  |
| --- |
| **Personnel Profile: Name** |
| Potential RoleBase Location |  |
| **Current Employment**Current job titleCompany (if subcontractor)Job responsibilitiesNumber of years with ESCO |  |
| **Previous Employment** Job TitleCompany nameJob responsibilitiesNumber of years with firm |  |
| **Academic/Professional Qualifications** Degree/discipline: College/universityProfessional affiliationsTechnical TrainingAccreditations |  |
| **Overall**Total years of relevant experience: Other relevant experience or accomplishments:  |  |
| **Performance Contracting Experience (Past 5 Years)**Project #\_\_\_\_Project Name:Project location:Type of facilities: Year implemented:Project Cost (installed cost): Role and responsibilities: |  |

# Cost And Pricing

Responses to this section only will remain proprietary.

This response will establish the percentages and rates for audit costs, markups, and fees for your firm for this project. These values will be applied in any Investment Grade Audit and Project DevelopmentContract or Energy Savings Performance Contract and can be negotiated downward. The maximum cannot exceed the maximum submitted in the pre-qualification solicitation.

See definitions and a working spreadsheet in **Attachment D – Cost and Pricing – Definitions and Spreadsheet**.

* 1. **Project Cost Breakdown**

In the table below, provide your company’s proposed Maximum Percentage of Total Project Price for this project, for each category listed. These percentages must be equal to or less than the maximums proposed in the ESCO pre-qualification process. This format is required and must be completed in its entirety. Use only the categories shown. Ranges are not acceptable.

Clearly describe how incidental and ancillary work will be charged (billed hourly, billed as a markup of equipment and labor costs, etc.). Incidental and ancillary work includes but is not limited to work that is related to ensure jobsite safety and security, jobsite cleanliness and sanitation, limited demolition, and other incidental work that is necessary to enable subcontractors to perform their work in a timely manner.

|  |  |  |
| --- | --- | --- |
| **Project Construction Cost Category** | **Maximum Percent of Total Project Price** | **Self-Performed or Subcontracted** |
| **Pre-Construction Costs** |  |  |
| Design and other Engineering*Professional architectural and engineering services; Energy modeling* |  |  |
| Pre-Construction Services*Construction management and project development services* |  |  |
| Other Pre-Construction Costs*Site visits, Owner meetings, Legal review, Accounting services, etc.* |  |  |
| **Construction Costs** |  |  |
| Trade Subcontractors*Construction contractors subcontracted to ESCO; Lighting, construction, sheet metal, etc.*  | N/A until Investment Grade Audit is completed |  |
| Design/Build Subcontracts*Construction and design contractors* | N/A until Investment Grade Audit is completed |  |
| Direct Purchase Equipment*Equipment directly purchased by ESCO* | N/A until Investment Grade Audit is completed |  |
| Construction Management*Construction manager and site superintendent* |  |  |
| Project Engineering*Design engineer inspections; Engineering analysis* |  |  |
| General Conditions*Miscellaneous non-staffing costs; Equipment rentals, security fencing, etc.* |  |  |
| Construction Completion *Commissioning, Training, Construction M&V, O&M Manuals* |  |  |
| Other Construction Costs*Site visits, Owner meetings, Permits, Insurance, Bonds, Warranty Labor* |  |  |

* 1. **Profit Markup**

In the table below provide the maximum percentage markup that will be applied to direct purchases of equipment, material, and subcontractors for this project. The percentage must be equal to or less than the maximums proposed in the ESCO pre-qualification process. Note that overhead is included in Construction Costs - General Conditions.

|  |  |
| --- | --- |
|  | **Maximum % Markup** |
| Profit Percent |  |

If a proposal is from a joint venture partnership, include proposed maximum allowable markups in the schedule format above for each participating company.

* 1. **Contingency**

Describe your company’s typical level of contingency budget for lighting, electrical, mechanical, controls projects, and other projects and how it proposes to apply contingency to cover changes in work scope and subcontractor change orders. Note that all unused contingency funds will revert to the Owner or be applied to additional work scope through a change order approved by the Owner.

* 1. **Investment Grade Audit Fee**

In the table below, provide the maximum fee to conduct the Investment Grade Audit and Project Development Proposal, on a cost per square foot basis. The fee must be equal to or less than the maximum proposed in the ESCO pre-qualification process. Through this proposed maximum fee your firm acknowledges the responsibility to adhere to and complete the full scope of work as presented in the **Attachment F (Investment Grade Audit and Project Development Contract)**.

|  |  |
| --- | --- |
|  | **Proposed Max cost per sf** |
| Investment Grade Audit and Project Proposal | $/sf |

* 1. **Self-Performed Work Fees**

In the table below, provide the position descriptions and hourly rates for labor and services as performed by your company.

The purpose of this is to enable confirmation through open book pricing.

|  |  |
| --- | --- |
| **Position Description** | **Hourly Rate** |
| Position | $xx.xx |
| Position | $xx.xx |
| Position | $xx.xx |
| Position | $xx.xx |

* 1. **Annual Costs and Fees**

## Measurement and Verification – Annual Fee

Describe how the post-retrofit Measurement & Verification annual fee is determined.

The Measurement and Verification Services cost is the annual cost for the services necessary after acceptance of the project to annually verify the Energy Performance Contract guarantees. The cost for the guarantee is based upon the M&V option utilized, the risk of savings failure, the field time to measure building performance, and the time to document and present the report.

## Warranty

Describe how the warranty cost is determined.

Warranty is the burdened labor cost associated with time anticipated to be expended by ESCO staff in supporting their direct purchase equipment warranties; and/or equipment provided by subcontractors. This warranty cost may also include costs for extended equipment warranties in those cases where the required/specified equipment warranty is longer than the equipment warranty offered by the manufacturer.

## Other

Describe any other fees and how they will be determined.

* 1. **Equipment/Labor Cost Competition**

Describe your company’s process to solicit bids on equipment/labor or to ensure price/cost competition and the best value for the Owner.

* 1. **Open Book Pricing**

Open book pricing is required as stated in **Attachment G:** **Energy Savings Performance Contract.**

Describe your company’s approach to open book pricing and the method for maintaining cost accounting records on authorized work performed under actual costs for labor and material, or other basis requiring accounting records.

* 1. **Best Value**

Briefly describe how your approach to performance contracting delivers best value for the investment. Describe any utility rebates or other financial incentives or grants you can potentially provide and/or facilitate.

# Site-Specific Approach

* 1. **Types of Services**

Summarize the scope of services (auditing, design, construction, monitoring, operations, maintenance, training, financing, etc.) identified for this project.

* 1. **Potential Projects**

Based on your preliminary assessment of the information provided, describe any equipment modifications, installations or replacements at the facility that your firm would consider installing as a part of this project. Address energy, water and operational opportunities. Also describe any special features, renewable technologies, or advanced technologies that might be applicable. Describe any special features or services associated with your proposed improvements that would add value to Owner. Describe your approach to achieve compatibility (such as open systems) and/or standardization of equipment in the facilities to be addressed.