



**REQUEST FOR PROPOSAL (RFP) FOR
PERFORMANCE CONTRACTING
AT VARIOUS FACILITIES
FOR THE CITY OF GALESBURG, IL**

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Proposal Submission Deadline: January 11, 2013, 11:00 AM Local Time

CITY OF GALESBURG

PURCHASING

55 West Tompkins Street

Galesburg, IL 61401

Phone: 309/345-3678

REQUEST FOR PROPOSALS

FOR A

ENERGY PERFORMANCE CONTRACT

The City of Galesburg is interested in receiving proposals from qualified firms for the development of a comprehensive Energy Performance Contract consisting of comprehensive energy & energy related capital improvements for numerous facilities and public infrastructure.

I. PROJECT OVERVIEW

The City of Galesburg is interested in contracting for a full range of guaranteed energy savings services and energy and related capital improvements (herein referred to as “the project”) designed to reduce energy use and related costs at its facilities and public infrastructure. These services and improvements are to be delivered on a guaranteed performance contracting basis which will allow the City of Galesburg to:

- Incur no initial capital cost.
- Achieve significant long term savings which are measured and verified.
- Obtain an annual savings guarantee which will be equal to or greater than the total annual project costs.
- Obtain consistent levels of facility occupant comfort and system functionality.
- Finance the project through an installment payment or a lease purchase arrangement over an extended contract term.

It is important that the project include every aspect of energy and operational efficiency measures and shall be provided on a turnkey basis with contractual guarantees of:

- Decreased operational costs.
- Decreased energy consumption.
- Total program cost, including implementation and on-going costs.
- Project specific implementation schedule.
- Firm, fixed, turnkey price.
- No change orders.

The firm selected for the project shall be required to assume total responsibility for all of the services listed below and shall be considered the sole point of contact with regard to all contractual matters subject to technical and contractual oversight of the City of Galesburg:

- Material supply
- Construction and installation
- Project management
- Performance and payment bond
- Commissioning and programming
- Hardware and software training and support

The facilities and public infrastructure to be considered for the project are listed below. Hawthorn Pool and Gym, City Hall, Public Safety Building and Lakeside Center are the highest priorities for this project.

- City Hall
- Public Safety Building
- Hawthorne Pool
- Hawthorne Gym
- Lakeside Recreation Facility
- Former Armory Building
- Any additional energy savings measures

II. CITY DOCUMENTS AVAILABLE FOR REVIEW

All reasonable requests for providing technical documents related to the project will be made are available as requested by contacting Kraig Boynton at (309) 345-3678 or via email at kboynton@ci.galesburg.il.us.

III. TECHNICAL QUESTIONS, CLARIFICATIONS AND INTERPRETATIONS

Due to limited staff time the City of Galesburg will not be able to answer technical questions related to this Request for Proposal (RFP) other than at the pre-proposal facility tours.

For clarification on procedures regarding submitting a proposal, or potential RFP discrepancies, please contact Kraig Boynton at (309) 345-3678 or kboynton@ci.glaesburg.il.us

Any interpretation of, or change made to the RFP will be made only by written addendum posted on the City's secure internet site. The City of Galesburg will not be responsible for the accuracy of any oral explanations, oral interpretations, or oral representations.

IV. PRE-PROPOSAL FACILITY TOURS

Tour attendance is optional. Contact Kraig Boynton at (309) 345-3678 or kboynton@ci.galesburg.il.us by 4:00 p.m. CDT on December 14, 2012 if your firm is planning to attend the tours and inform him how many representatives will be attending.

The tour schedule is:

Monday, December 17, 2012

8:30 a.m. Hawthorn Pool and then Gym

10:00 a.m. Lakeside Center

11:00 a.m. Former Armory Building

12:00–1:00 Lunch on your own

1:00 p.m. Public Safety Building

2:00 p.m. City Hall

V. SUBMITTAL DATE, LOCATION AND FORMAT

All proposals must be received at the address below no later than 11:00 a.m. CDT, Friday, January 11, 2013.

Purchasing Office
City of Galesburg
55 West Tompkins Street
Galesburg, Illinois 61401

Proposals must be submitted in a sealed package plainly marked: "ENERGY PERFORMANCE CONTRACT PROPOSAL".

The proposal shall be provided in two formats:

1. Seven paper copies including one with original ink signatures.
2. One PDF copy on compact disc or thumb drive.

VI. LATE, TELEGRAPHIC AND DIGITAL PROPOSALS

Late submittals will not be accepted under any circumstance, and any submittal so received shall be returned to the proposing firm unopened. Telegraphic and/or digital submittals sent by electronic devices are not acceptable and will be rejected upon receipt, except that one PDF copy on compact disc or thumb drive shall be included with the paper copies.

Proposing firms are fully responsible for allowing adequate time for the delivery of their submittals by whatever delivery method is employed.

VII. CONDITIONS OF PROPOSAL SUBMITTAL

- A.** Proposing firms shall comply with all conditions, requirements, and specifications contained herein, with any departure constituting sufficient cause for rejection of the proposal.

- B.** The proposal must be signed by a duly authorized official of the proposing firm submitting the proposal.
- C.** No proposal will be accepted from any person, firm or corporation that is in arrears for any obligation to the City of Galesburg, or that otherwise may be deemed irresponsible or unresponsive by City staff or the City of Galesburg City Council.
- D.** Only one proposal will be accepted from any person, firm, or corporation.
- E.** A proposal shall be made with the understanding that the City may delay action and/or award up to 180 days following the opening of the proposal.
- F.** The City of Galesburg reserves the right to reject any and all proposals or any part thereof. The right is reserved to waive any formalities or informalities contained in any proposal, and to award the proposal to the most responsive and responsible proposing firm as deemed in the best interest of the City.
- G.** All proposals shall be prepared in a comprehensive manner as to content, but no necessity exists for expensive binders or promotional material.
- H.** All costs, including travel and expenses, incurred in the preparation of this proposal shall be borne solely by the proposing firm.
- I.** The submittal of a proposal does not commit the City of Galesburg to award a contract or to procure or contract for articles of goods or services.
- J.** Submittal of a proposal shall be taken as prima facie evidence that the proposer has full knowledge of the scope, nature, quality, and quantity of the work to be performed, and the detailed requirements and conditions under which the work is to be performed.
- K.** All information included in a submittal that is of a proprietary nature must be clearly marked as such. The City of Galesburg shall be held harmless from any claims arising from the release of proprietary information not clearly designated as such by the proposing firm. All information submitted is subject to review should a Freedom of Information Act request be made.

VIII. PROPOSAL REQUIREMENTS

Proposals must follow the format and order described below:

A. COVER LETTER

The cover letter should exhibit the firm's understanding and approach to the project. It should contain a summary of the firm's ability to perform the services described and confirm that the firm is willing to perform those services and enter into a contract with the City of Galesburg. By signing the cover letter and/or the proposal, the signatory certifies that they are specifically authorized to submit a proposal on behalf of the firm represented.

B. TABLE OF CONTENTS

Organized in the order described below.

1. QUALIFICATIONS AND CAPABILITIES

- a. Type of Firm** - corporation, partnership, sole proprietorship, joint venture, etc.
- b. Year Firm Established** - Number of years the firm has been in business under its present business name
- c. Parent Company** - If applicable, state name, address, former name; if applicable, tax identification number

- d. **Key Stakeholders** - List the names of all parties in responsible charge of the firm
- e. **Organizational Chart** – of the firm

2. FINANCIAL AND LEGAL INFORMATION

- a. **Financial Statement** - Attach firm's most recent audited financial statement, annual financial report and current financial rating.
- b. **Bond Rating** - Provide current bond rating and bonding capacity.
- c. **Program Benefits Calculations and Monitoring** - Indicate firm's approach to proving the financial and technical guarantees associated with the project. Provide a program benefits calculation document. Describe the methodology, formulas, and compliance with the International Performance Measurement and Verification Protocol (IPMVP) for calculations and monitoring of program benefits. Describe the processes and tools used to effectively monitor the performance of these program benefits and any situations that would void the savings guarantee of an energy performance contract.
- d. **Non performance** – Provide specifics about any and all occurrences where the firm financially reimbursed a customer for non-performance on savings of an energy performance contract. Include the shortfall dollar amount on a yearly basis.
- e. **An acceptance of conditions statement** - which affirms the acceptance of all conditions and requirements contained in the RFP, and lists the names of any of the firm's employees who are spouses or children of City of Galesburg employees or the spouse of a City of Galesburg employee's child.

3. EXPERIENCE OF FIRM

- a. **Experience in Energy Performance Contracting** - State the number of years the firm has offered energy performance contracting services in the State of Illinois. Provide details of five energy performance contracts directly related to this RFP wherein the firm was selected or completed projects in the State of Illinois, including the dollar value of each contract. Provide customer's name, contact individual, address, telephone number, and email address for each project.
- b. **Performance on projects submitted in section a. above** - Include data on projecting, monitoring, and documenting (measurement and verification) of energy savings and achievement of savings projected.
- c. **Project Team** - Qualifications of key personnel who will work on the project. Include any possible training sessions they may be able to perform for City of Galesburg staff as part of the scope of services.
- d. **NAESCO Accreditation** – If accredited, provide a copy of the firm's current accreditation certificate from the National Association of Energy Service Companies (NAESCO).
- e. **References** - Include references that indicate prior relevant work experience as a prime contractor on similar energy or water system performance contracts. Provide the dollar value of each contract, customer's name, contact individual, address, telephone number, and email address for each reference.

4. TECHNICAL APPROACH

Illustrate and describe the proposed technical solution and compliance with the RFP. Items that must be addressed, but are not limited to, include:

- a. Turnkey design and implementation of improvements.

- b. Savings guarantee methods and process to prove those savings.
- c. Overall program implementation schedule and project management.
- d. Project guarantee and ongoing support and training.
- e. Finance recommendations.
- f. A description of what portion of the work, if any, will be subcontracted.
- g. Other services or benefits that the firm can contribute to the success of the project.

Provide seven copies of the proposal and one PDF copy on compact disc or thumb drive.

IX. PROPOSAL EVALUATIONS

All proposals will be evaluated by an evaluation panel using the evaluation criteria listed below. The panel may select one or more proposals for further evaluation and/or interviews with selected firms. The firm recommended by the panel to the Galesburg City Council for a contract award will be chosen on the basis of the apparent greatest benefit to the City, not necessarily on the basis of lowest proposed cost.

The evaluation criteria are listed below with corresponding maximum point values. The maximum number of points per proposal is 100.

- Qualifications and Capabilities – 15 points
- Financial and Legal Information – 10 points
- Experience of Firm – 30 points
- Technical Approach – 30 points
- Overall Quality of Response to the RFP - 15 points

X. GENERAL REQUIREMENTS OF THE SUCCESSFUL PROPOSING FIRM

A. The successful proposing firm shall enter into a contract with the City of Galesburg.

B. If the products or services involve the performance of physical work by employees of the successful proposing firm, insurance coverages will be required to maintain for the duration of the contract period as follows:

INSURANCE

The firm, prior to the execution of the contract, shall obtain and keep in force during the performance of any and all work under this contract, the following insurance coverages, provided by companies acceptable to the City and authorized to transact business in the state of Illinois. The insurance companies will be rated by A.M. Best & Company with a rating not lower than A- and have a financial rating of VI. Coverage limits shall be written at not less than the minimum specified in this section. Higher minimum limits and additional coverages may be specified by a special condition elsewhere in the contract.

WORKERS COMPENSATION and EMPLOYERS LIABILITY

Workers compensation insurance shall be provided according to the provisions of the Illinois Workers Compensation Act, as amended.

Employers Liability

- a. Each Accident \$500,000
- b. Disease – policy limit \$500,000
- c. Disease – each employee \$500,000

COMMERCIAL GENERAL LIABILITY

General Aggregate Limit \$2,000,000
Products – Completed Operations \$2,000,000
Each Occurrence Limit \$1,000,000

Insurance shall be written on an occurrence form and shall provide coverage for: operations of the contractor, subcontractors (if any), broad form property damage, contractual liability and the hazards of explosion, collapse and underground (if appropriate). An Umbrella Policy may be used to provide excess limits over under-lying policy(ies) to meet the required limits of coverage.

COMMERCIAL AUTOMOBILE LIABILITY

Bodily Injury & Property Damage,
Combined Single Limit \$1,000,000
The policy shall cover owned, non-owned, and hired vehicles.

CERTIFICATE

Upon request, the firm shall file with the City certified copies of all insurance policies and all accompanying endorsements. The firm shall supply certificates of insurance setting forth the coverage, limits, and endorsements before the City will execute the contract. The certificate of insurance shall include the City of Galesburg, its officers and employees as an additional insured. In no event shall any failure of the City of Galesburg to receive certificates or to demand receipt be construed as a waiver of the firm's obligation to obtain and keep in force the required insurance.

NOTICE

It shall be an affirmative obligation upon the firm to advise Kraig Boynton, Purchasing Agent, by email (kboynton@ci.galesburg.il.us) or regular mail (Kraig Boynton, 55 West Tompkins Street Galesburg, IL 61401) within two business days of the cancellation or substantive change of any insurance policy set out above, and failure to do so shall be construed to be a breach of the contract.

C. The successful proposing firm shall be prohibited from assigning or subcontracting the whole or any part of the contract without the prior written consent of the City of Galesburg.

D. The successful proposing firm shall not hire, discharge, promote, demote, or otherwise discriminate in matters of compensation, terms, conditions or privileges of employment against any person otherwise qualified solely because of race, religion, sexual orientation, marital status creed, sex, national origin, ancestry, physical or mental disability, color, or age.

E. The successful proposing firm and its employees will operate as an independent contractor and will not be considered employees of the City of Galesburg.

F. The Illinois Prevailing Wage Act applies to work performed to make physical improvements to public property. The act does not apply to professional services proposed.

XI. AWARD OF AN AGREEMENT

It is the intention of the City of Galesburg to (subject to the approval of the City Council) enter into a contract with the successful proposing firm for this project.

XII. TENTATIVE PROJECT SCHEDULE

The following schedule is tentative and cannot be guaranteed. The final project schedule will be negotiated with the selected firm and based on the final scope of work.

Receive Proposals January 11, 2013
Evaluation Panel Review January 2013
Possible Interviews of respondents
Recommendation to City Council February 6, 2013
Investment Grade Facilities Audit February/March 2013
Negotiate Energy Performance Contract March 2013
City Council Approves Contract March - April 2013

XIII. DISCLOSURES

An executive summary has been included as required by Local Government Act 50 ILCS 515. Johnson Controls Inc. participated in a limited role in the preparation of the specifications for this solicitation.

It should also be noted that the City is currently evaluating submitted proposals for engineering services to replace the existing heat & air system at Hawthorne Gym & Pool.