

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

**PROPOSAL #13-1991**

**I**

**CALL FOR PROPOSALS**

**INSTRUCTIONS AND SPECIFICATIONS  
FOR**

**ENERGY PERFORMANCE CONTRACTING PROJECT**

The County of Winnebago will receive sealed proposals in the Purchasing Department, Winnebago County Administration Building, 404 Elm Street, Room 202, Rockford, Illinois 61101 until 11:00 A.M. on October 1, 2013.

A public opening and reading will be held at this date and time.

**ALL PROPOSALS MUST BE ENCLOSED IN SEALED ENVELOPES MARKED:**

**“ENERGY PERFORMANCE”  
11:00 A.M., October 1, 2013**

The County of Winnebago reserves the right to accept or reject any and all proposals or to waive technicalities, or to accept any item of any proposal. Information is available from the Purchasing Department, Winnebago County Administration Building, 404 Elm Street, Room 202, Rockford, Illinois 61101. Telephone: (815) 319-4380, Fax: (815) 319-4381, E-Mail [sclaassen@wincoil.us](mailto:sclaassen@wincoil.us).

The documents constituting component parts of the Proposal Form are the following:

- I Call for Proposal
- II Requirements for Bidding and Instructions to Bidders
- III Information Sheet
- IV Detailed Specifications
- V Proposal Forms
- VI Appendix A
- VII Appendix B
- VIII Contractor Qualification Statement
- IX Non-Collusion Affidavit
- X Affidavit of Compliance
- XI Bid Requirements for Equal Employment Opportunity
- XII Certification of Eligibility

Legal Advertisement for Proposals published in the Rockford Register Star on September 6, 2013, or our website <http://wincoil.us/>.

## II

### REQUIREMENTS FOR BIDDING AND INSTRUCTIONS TO BIDDERS

#### PREPARATION OF BID OR PROPOSAL

The bidder must submit a bid or proposal on the forms furnished by the Purchasing Department. All blank spaces on the bid or proposal form must be filled in. Authorized signature must be the individual owner of a proprietorship, a general partner of a partnership, or signed in the name of a corporation by an officer whose title shall be stated. Bids or proposals shall be sealed in an envelope and marked as required in the instructions. The bid or proposal is contained in these documents and must remain attached hereto when submitted.

#### TAXES NOT APPLICABLE

The County of Winnebago as a Governmental Unit pays neither Federal Excise Tax nor Illinois Retailers Occupational Tax, and therefore, those taxes should be excluded from bid. Our Tax Exempt Number is: E9992-3963-06.

#### PROMPT PAYMENT ACT

The bid should provide that all payments are subject to the Local Governmental Prompt Payment Act.

#### FREEDOM OF INFORMATION

Any responses and supporting documents submitted in response to a bid or proposal will be subject to disclosure under the Illinois Freedom of Information Act.

#### WITHDRAWAL OF BIDS OR PROPOSALS

Any bidder may withdraw their bid or proposal at any time prior to the time specified in the advertisement as the closing time for the receipt of bids or proposals by signing a request therefore. However, no bidder shall withdraw or cancel his bid or proposal for a period of sixty (60) days after said advertised closing time for the receipt of bids or proposals; the successful bidder shall not withdraw or cancel their bid or proposal after having been notified by the Director of Purchasing that said bid or proposal has been accepted by the County Board.

#### CATALOGS

Each bidder shall submit catalogs, descriptive literature, and detailed drawings, where applicable, to fully illustrate and describe the material and/or work they propose to furnish.

#### CANCELLATION

The County of Winnebago reserves the right to cancel any contract in whole or in part without penalty due to failure of the contractor to comply with terms, conditions and specifications of this contract.

## II

### REQUIREMENTS FOR BIDDING AND INSTRUCTIONS TO BIDDERS (CONTINUED)

#### **COST OF BID OR PROPOSAL**

Expenses incurred in the preparation of proposals in response to this bid or proposal are the Bidder's sole responsibility.

#### **USE OF TRADE NAMES**

In cases where a specified item is identified by a manufacturer's name, trade name, or other references, it is understood that the bidder proposes to furnish the item identified. If the bidder proposes to furnish an "equal," the proposed "equal" item must be so indicated in the written bid or proposal. The County shall be the sole determiner of the equality of the substitute offered.

#### **DELIVERIES**

All materials shipped to the County of Winnebago must be shipped F.O.B. designated location, County of Winnebago, Rockford, Illinois.

#### **DEVIATIONS, EXCEPTIONS OR ALTERNATES**

Deviations, exceptions or alternates from terms, conditions, or specifications shall be described fully, on bidder's letterhead, signed, and attached to the Request for Bid or Proposal. In the absence of such statement, the proposal shall be accepted as in strict compliance with all terms, conditions, and specifications and the bidder shall be held liable. Bidders are cautioned to avoid making deviations and exceptions to the specifications, which may result in rejection of their bid or proposal. If deviations, exceptions or alternates are submitted, it is the Winnebago County Purchasing Director's sole and final decision whether specifications have been met and will be considered for award.

#### **CASH DISCOUNTS**

In determination of award, cash discounts will only be considered when all other conditions are equal.

#### **ORDERING**

Purchase orders shall be placed directly to the contractor by an authorized agency. No other purchase orders are authorized.

#### **COMPLIANCE WITH LAWS**

All services, work and materials must comply with all federal and state laws, County ordinances, rules and regulations that in any manner affect the production and sale of the product or service contained herein. In the event federal or state funds are being used to fund this contract, additional certifications, attached as addenda, will be required. Lack of knowledge on the part of the vendor will in no way be cause for release of this obligation. If the County becomes aware of violation of any laws on the part of the vendor, it reserves the right to reject any bid, cancel any contract and pursue any other legal remedies deemed necessary.

## II

### REQUIREMENTS FOR BIDDING AND INSTRUCTIONS TO BIDDERS (CONTINUED)

#### PREVAILING WAGE

All bidders must bid prevailing wages. The Successful Bidder will be required to provide certified payroll records on a monthly basis according to Illinois Act 820 ILCS §130/5.

#### SUBSTANCE ABUSE PREVENTION

The Substance Abuse Prevention on Public Works Act, Public Act 95-0635, prohibits the use of drugs and alcohol, as defined in the Act, by employees of the Contractor and by employees of all approved Subcontractors while performing work on a public works project. The Contractor/ Subcontractor herewith certifies that it has a superseding collective bargaining agreement or makes the public filing of its written substance abuse prevention program for the prevention of substance abuse among its employees who are not covered by a collective bargaining agreement dealing with the subject as mandated by the Act.

Bidders and their Subcontractors (if applicable) certifies that the entity has signed collective bargaining agreements that are in effect for all of its employees, and that deal with the subject matter of Public Act 95-0635, or certifies that the contracting entity has in place for all of its employees not covered by a collective bargaining agreement that deals with subject of the Act, and will attach the substance abuse prevention program that meets or exceeds the requirements of Public Act 95-0635.

#### BID PROTEST

Firms wishing to protest bids or awards shall notify the Purchasing Director in writing within 30 days after the invitation to bid opening. The notification should include the bid number, the name of the firm protesting and the reason why the firm is protesting the bid. The Purchasing Director will respond to the protest within 30 calendar days.

#### DISPUTES

In case of disputes as to whether or not an item or service quoted or delivered meets specifications, the decision of the Purchasing Director, or authorized representative shall be final and binding to all parties.

#### ENTIRE AGREEMENT

These Standard Terms and Conditions of Bid or Proposal shall apply to any contract or order awarded as a result of this Request for Bid except where special requirements are stated elsewhere in the Request; in such cases the special requirements shall apply. Further, the written contract and/or order with referenced parts and attachments shall constitute the entire agreement and no other terms and conditions in any document, acceptance, or acknowledgement shall be effective or binding unless expressly agreed to in writing by the contracting authority.

## II

### **REQUIREMENTS FOR BIDDING AND INSTRUCTIONS TO BIDDERS (CONTINUED)**

#### **NON-DISCRIMINATION**

In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability, sexual orientation or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment of compensation, and selection for training, including apprenticeship. Except with respect to sexual orientation, the contractor further agrees to take affirmative action to ensure Equal Employment Opportunities. The contractor agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the Non-Discrimination Clause.

#### **NON-COLLUSION**

The Bidder, by its officers, agents or representatives (hereafter referred to the Bidder) present at the time of filing this bid, say that neither they nor any of them, have in any way directly or indirectly, entered into any arrangement or agreement with any other Bidders, or with any public officer or the County of Winnebago, Illinois, whereby, the Bidder has not paid or is to pay to such Bidder or public officer any sum of money, anything of value or has not directly or indirectly entered into any arrangement or agreement with any other Bidder or Bidders. Whereby, no inducement of any form or character other than that which appears upon the face of the bid will be suggested, offered, paid or delivered to any person whomsoever to influence the acceptance of the said bid or understanding of any kind whatsoever, with any person whomsoever to pay, deliver to, or share with any other person in any way or manner, any of the proceeds on the Contract sought by this bid.

#### **NON-BARRED BIDDING**

The Bidder is not barred from bidding on this Contract as a result of a conviction for the violation of state laws prohibiting bid rigging or bid rotating.

#### **CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION**

The bidder/offeror certifies, by submission of this proposal or acceptance of this contract, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. It further agrees by submitting this proposal that it will include this clause without modification in all lower tier transactions, solicitations, proposals, contracts, and subcontracts. Where the bidder/offeror/contractor or any lower tier participant is unable to certify to this statement, it shall attach an explanation to this solicitation/proposal.

Additionally, for all new contractors and vendors to be paid the Purchasing Office will review the Excluded Parties List System prior to requesting the vendor be created in our accounting system.

## II

### REQUIREMENTS FOR BIDDING AND INSTRUCTIONS TO BIDDERS (CONTINUED)

#### **ILLINOIS PREFERENCE ACT**

Any company bidding certifies that 90% of their workforce are Illinois residents when the unemployment rate exceeds 5 percent as is required by Illinois House Bill 6349. By signing this bid form, Bidder certifies that it will comply with the requirements of Illinois House Bill 6349, and that should it fail to do so, agrees to indemnify Winnebago County for any penalties assessed against it for non-compliance for failure to comply with its requirements.

*The Bidder, by signing the bid form, acknowledges, understands and abides by all of the above "Requirements for Bidding and Instructions to Bidders".*

### III

## INFORMATION SHEET

**I. PURPOSE OF SOLICITATION:** In response to this Request For Proposal, the County seeks proposals from interested Energy Services Companies (ESCOs) which are Qualified Providers under the LOCAL GOVERNMENT ENERGY CONSERVATION ACT (50 ILCS 515) .The intent of this RFP is to solicit proposals from Energy Services Companies (Qualified Providers). The Board's objective in issuing this RFP is to enter into a Energy Services Agreement with the qualified Bidder for the facility. The County will review the proposals of all respondents and select one or more of those Bidders to conduct an Investment Grade Audit (IGA). Further criteria of the IGA will be released to those Qualified Provider(s) that are selected.

**II. DISCLOSURE:** The County discloses that it has worked with Schneider Electric, Inc. to help draft the RFP. The County selected Schneider Electric to perform Energy Analysis of Winnebago County facilities through a competitive proposal process in 2012. A copy of the executive summary of the report is provided in Appendix B of this solicitation document.

**III. OVERVIEW:** The County is interested in contracting for heating, ventilation, & air conditioning (HVAC) and energy-related capital improvements at the Winnebago County Courthouse, Administration Building, Criminal Justice Center, Animal Services Building, Juvenile Detention Center, Health Department and other facilities as determined by the County; (hereinafter referred to as project). These services and improvements are to be delivered on a performance contracting basis.

The County's objective in issuing this Request for Proposals (RFP) is to provide a competitive means in which to select a single provider to fulfill all aspects of this project. The County may elect to implement further improvement measures in phases pursuant to the final contract. The work to be included in the contract may include upgrades to or replacement of equipment included in, but would not be limited to, the following systems: lighting, heating, air conditioning, temperature control, mechanical, electrical, plumbing, facility management, domestic water, security, fire alarm, building envelope, doors, windows and roofs.

**IV. QUALIFIED PROVIDER:** A Qualified Provider is a person or business experienced in the design, implementation and installation of energy cost savings measures. As required by Section 50 ILCS 515/5 Local Government Energy Conservation Act, the minimum training required for any person or employee shall include the satisfactory completion of at least 40 hours of course instruction dealing with energy conservation measures.

**V. REQUIRED CAPABILITIES:** The ESCO must have the demonstrated technical and managerial capabilities to provide a comprehensive set of energy and water services including, but not limited to design, acquisition, installation, training and commissioning of new and/or existing energy systems as well as project monitoring and savings measurement and verification. Additional services may include operation and maintenance for all improvements and/or training of the County's staff on routine maintenance and operation of systems. Monitoring and verification services shall include appropriate measurement and timely reporting of the performance and savings from project. The Qualified Provider must make available a program that guarantees the energy savings of the energy conservation services financed. The Qualified Provider's demonstrated ability to provide this guarantee will be an evaluation criteria.

### III

#### INFORMATION SHEET (CONTINUED)

##### VI. OVERVIEW OF TERMS AND CONDITIONS:

- A. **Contract Term:** The duration of the contract will be mutually determined between the ESCO and the County based on authorizing legislation, final project scope and financial factors. No contract shall exceed 20 years in duration.
- B. **Guarantee:** The project must result in a guaranteed minimum annual energy, water and O&M savings guarantee, as well as defined levels of occupant comfort; maintenance, monitoring, training or other services.
- C. **Execution of Contracts and Financing:** The County intends to negotiate and execute the Guaranteed Energy Savings Contract with the selected ESCO and all financing documents required by the selected financing source after completion of the Investment Grade Audit contract. The ESCO to whom the contract is awarded shall give a sufficient bond to the County for its faithful performance. The ESCO shall also provide a written guarantee that either the energy or operational cost savings, or both, will meet or exceed within 20 years the costs of the energy conservation measures. The ESCO shall reimburse the County for any shortfall of guaranteed energy savings projected in the contract.

**VII. PROCUREMENT PROCESS:** As scope is undefined until a complete IGA can be completed, the County will evaluate ESCOs based on demonstrated previous technical capabilities, previous defined pricing of services, and current qualifications. As such, site visits are not required and the schedule is less burdensome. The evaluation and selection of an ESCO will proceed as follows:

1. Questions during the Proposal Process: Only written requests for interpretations or clarifications are allowed and must be made no later than five (5) business days prior to the proposal due date. All written requests are to be emailed to: [sclaassen@wincoil.us](mailto:sclaassen@wincoil.us).
2. Submission of Written Proposals. ESCO's interested in providing the services requested, must respond in writing. All submissions become property of the County and will not be returned to the ESCO. All costs associated with submission preparation will be borne by the submitting ESCO.
3. Proposal Review and Selection: The County will establish a Project Evaluation Committee to review and evaluate the ESCOs written responses to this RFP. The Project Evaluation Team will check client references and prior pricing structures which will also be evaluated to determine fair value. After review of the proposals, The County intends to notify the ESCO that best meets the needs of the County of their selection and an Investment Grade Audit contract will be executed. The County reserves the right to interview selected respondents at its discretion. However, an interview phase will not be required prior to entering into an Investment Grade Audit contract with the selected ESCO. The County reserves the right to reject any or all submissions and to waive informalities if deemed in the best interest of the County to do so.

### III

## INFORMATION SHEET (CONTINUED)

### SELECTION CRITERIA

Qualification of all business entities that respond to this solicitation, including any subcontractors to be used, will be evaluated using the following selection criteria. (Percentage weighting among categories of selection criteria is noted.)

- A. Business and Financial Qualifications (25% maximum)
  - 1. Business unit dedicated to providing guaranteed energy savings programs
  - 2. Business unit dedicated to ensuring project performance
  - 3. Years in business
  - 4. Total number of employees; number of employees in Winnebago County; number of employees in the State of Illinois.
  - 5. Affiliation with energy and/or business organizations (including ISO certification and EPA or DOE affiliations) The Qualified Provider should also be an accredited ESP, ESCO, or EEC with NAESCO
  - 6. Demonstrable ability to bond savings through a third party surety
  - 7. Financial viability of entity proposed to provide technical and financial guarantees
  - 8. Financing capability and lines of credit
  
- B. Personnel Qualifications (25% maximum)
  - 1. Quality of personnel assigned to this project and degree of pertinent experience
  - 2. Qualified provider should detail how many LEED APs, CEMs, CDSMs, PEs, and other professionals they have on staff
  - 3. Include Resume for all key staff members that will be directly involved in the project.
  
- C. Overall Value and Project Management Plan (25% maximum)
  - 1. Comprehensiveness and rationale of project management plan, based on:
  - 2. Method employed to establish baseline energy use in individual buildings and facility-wide
  - 3. Technical Response completeness, ECM evaluation, and overall value of project proposed
  - 4. Cost and Pricing as described in the reference section. Federal references MUST be provided in order to confirm reasonable cost and pricing. Respondent must also agree to provide the County services at or below the Federal pricing structure included
  - 5. Method of measurement and verification used to demonstrate energy use reduction and cost savings as guaranteed
  
- D. Prior Project Performance (25% maximum)
  - 1. Experience with energy conservation projects of a similar size and type to that proposed for the County
  - 2. Experience taking responsibility for the full range of roles contemplated for this project (e.g. identification and analysis of ECMs, design, installation, operation, training, financing, savings verification, etc.)
  - 3. Performance on prior projects, including data on projecting, achieving, documenting, and verifying energy savings in order to ascertain accuracy of projections
  - 4. References from prior and current customers
  - 5. Litigation involving an Energy Services Agreement or any similar agreements with a public entity

### III

#### INFORMATION SHEET (CONTINUED)

Any questions may be directed to Sally Claassen, Director of Purchasing, 404 Elm Street, Room 202, Rockford, Illinois 61101, by telephone 815-319-4380; by fax 815-319-4381; or email [sclaassen@wincoil.us](mailto:sclaassen@wincoil.us).

In addition, no questions or contact will be made to any department or person outside of the Purchasing Department. Failure to comply may result in the Proposal being rejected.

## IV

### DETAILED SPECIFICATIONS

#### RESPONSE FORMAT AND CONTENTS

The responses to this Request for Proposal will consist of eight (8) specific information subject areas which must be completed and returned in the order indicated below (A – H) with each section divided and tabbed. The Qualified Provider shall provide specific information directly addressing the information requested in that section. Winnebago County may, during the course of the evaluation process, request additional information to supplement and/or clarify the information provided by any Qualified Provider. Any additional information not specifically requested in this RFP must be put in a separate Appendix at the end of the response. Additionally, all supplemental materials (brochures, product information sheets, etc.) not specifically tailored to this response must be placed in the Appendix.

#### COVER LETTER

The Qualified Provider's proposal will include a cover letter at the beginning of the proposal. The cover letter shall provide a summary of the information presented in the proposal; names and telephone and fax numbers of persons authorized to provide any clarification required; and a statement accepting the terms of this solicitation or noting specific exceptions taken to any of the terms and conditions specified in this document. This cover letter shall also include the name of the person(s) authorized to conduct final contract negotiations on behalf of the Qualified Provider.

#### A. INTRODUCTION

##### TABLE OF CONTENTS

The Qualified Provider's proposal should include a Table of Contents referencing each information section of this RFP. The Table of Contents should be further subdivided to describe information included within each section of the proposal.

##### EXECUTIVE SUMMARY

The Qualified Provider will provide an Executive Summary highlighting the Qualified Provider's unique qualifications and fitness for this project.

##### STATEMENT OF RESPONSIBILITY

The respondent must be the Prime Contractor. The Prime Contractor will be responsible for all work and subcontractors involved in the project. The Prime Contractor will submit a list of all participants in the project prior to the actual contract negotiations. 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. A statement of responsibility must be provided, using FORM A in the Appendix.

The following MUST also be addressed in this Section:

1. Identify how many years your firm has been in business under its present business name. (Indicate all other names by which your organization has been known and the length of time known by each name).
2. State how many people your firm employs. Employes in Winnebago County and the State of Illinois.
3. Certify that your firm legally qualified to do business in the state of Illinois.

## IV

### DETAILED SPECIFICATIONS (CONTINUED)

4. Certify that your company does not owe the State of Illinois any taxes and that you are a Qualified Bidder in the State of Illinois.

#### B. PERSONNEL

Each Qualified Provider will attach a Project Staffing Plan. The proposed plan will include a description of proposed staffing showing the project organization, supervisory responsibilities, and lines of authority. Identify the corporate affiliation for each staff member listed in the Project Staffing Plan. Attach resumes of all individuals who will have a role in the project.

Provide a graphical representation (organizational chart) of the participants listed in the Qualified Provider's proposal and their responsibilities in the program. The chart is to be used to show the company and personnel responsible for each phase of the project, lines of authority, and relationships between prime contractor and subcontractors.

Include Resume for all key staff members that will be directly involved in the project.

#### C. INVESTMENT GRADE ENERGY AUDIT (IGA)

Describe the proposed facility audit and design process. This should include a detailed explanation as to the reasons for and possible outcomes of each step. The Respondent should also include all relevant items that it will look for when performing the design phases, development phases, and the audits.

The Responding Qualified Provider MUST provide a sample IGA from a previous customer. Since this sample scope document will be used to determine the technical qualifications of the respondent, the sample IGA document MUST be from facilities similar to the County's facilities. These documents may be contained in separate cover if they are too large for inclusion in this section of the RFP response.

#### D. ENERGY SAVINGS

Provide a textual and numerical description of the method used to establish baseline energy use in the Technical Report. Describe the method used to justify variances between the baseline consumption and actual annual consumption. Variances between baseline energy consumption/cost and actual energy consumption/cost can be attributed to changes in the unit price of energy, rate schedules, weather, occupancy, building utilization and building size; to name a few. Describe and justify the methods used in measurement and verification of project savings.

Respondents must show calculations and formulas in this section, and document where those calculations are to be found in the sample contract. Include a sample guarantee contract in this section of the RFP response.

#### E. REFERENCES

Provide information on (Five) 5 guaranteed energy performance contracts that the respondent has successfully implemented within the last 5 years.

Failure to provide at least (Two) 2 Federal references will be deemed unresponsive. The County requires validation of the ESCOs pricing structure and thus, Federal projects are required due to the Task Order format. By submitting a response, the ESCO is committing to provide a cost structure equal to or less than the costs provided for previous Federal projects.

## IV

### DETAILED SPECIFICATIONS (CONTINUED)

References shall include:

- Customer Name
- Name and Telephone Number of Contact
- Brief Description of the Project
- Project Beginning and Ending Dates
- Specific ECMs installed
- Project Cost and Savings

#### F. EQUIPMENT & TRAINING & OTHER SERVICES

The Qualified Provider shall describe any relationships with manufacturers of energy equipment, including those manufactured by the respondent. The Qualified Provider should also demonstrate willingness to propose and ability to work with different makes of equipment should such equipment prove to be the optimal choice for the County.

The Qualified Provider shall outline any training proposed as part of the project, including the subject, duration, and location of training. Respondent shall also describe the relationship with the organization providing training, if not provided by the prime contractor.

Respondent shall describe any customer support programs provided in the project. The Qualified Provider shall detail the availability, duration, and services provided through the customer support program, if applicable. If the Qualified Provider proposes a maintenance program, information must be provided detailing services provided and terms of contract, if any. The Qualified Provider should also provide the justification for any proposed customer support or maintenance program.

#### G. PROJECT NON-PERFORMANCE

Provide a complete list of all entities through the life of the company, nationwide, that:

- i. Have canceled or non-appropriated a performance contract, guaranteed energy reduction contract, or turn-key MEP service agreement with the respondent (list reason);
- ii. Have past or pending lawsuits or litigation regarding a performance contract, guaranteed energy savings services, or turnkey MEP services with the respondent (list reasons)
- iii. Have past out of court settlements regarding a performance contract, guaranteed energy savings services, or turnkey MEP services with the respondent (list reasons)
- iv. In addition to litigation, 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, guaranteed energy savings services, or turnkey MEP services. This includes officers and representatives of the company as well as public officials connected with the project.

If any of the above do not apply, provide an acknowledgement letter stating each that does not apply, signed by an officer of the respondent company (Please include title of company officer).

## IV

### DETAILED SPECIFICATIONS (CONTINUED)

#### H. FINANCIAL INFORMATION

The Qualified Provider shall include the company's annual report, audited financial statements, or equivalent showing information for the past three (3) complete financial year periods. If a bound document (such as an annual report) is included, it must be placed in the response's Appendix section.

**PROPOSAL FORM**

**TO:** Sally Claassen, Director of Purchasing  
C/O County Board of the County of Winnebago  
404 Elm Street, Room 202  
Rockford, Illinois 61101

**DATE:** \_\_\_\_\_

The undersigned declares they have carefully examined the requirement, information sheet, detailed specifications and proposal form. In addition, declares that this proposal is made without any connection with any person making another proposal, that the proposal is in all respects fair and without collusion or fraud, that no member of the Winnebago County Board or other officer of the County, or any person in the employ of the County is directly or indirectly interested in this proposal, or in any portion of the profits thereof.

**Received Addendum:** \_\_\_\_\_ **of** \_\_\_\_\_.

**Company Information:**

Female Business Enterprise (FBE) Yes \_\_\_\_\_ No \_\_\_\_\_

Small Business Enterprise (SBE) Yes \_\_\_\_\_ No \_\_\_\_\_

Minority Business Enterprise (MBE) Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, check the following boxes that apply:

Black/African American \_\_\_\_\_ Hispanic \_\_\_\_\_  
Native American or Alaskan Native \_\_\_\_\_ Asian American \_\_\_\_\_

Total Annual Sales: \$ \_\_\_\_\_

Type of Organization:

Individual \_\_\_\_\_ Partnership \_\_\_\_\_ Corporation \_\_\_\_\_ Other \_\_\_\_\_

**PROPOSAL FORM (CONTINUED)**

SIGNATURE \_\_\_\_\_

PRINT/TYPE SIGNATURE \_\_\_\_\_

CONTACT PERSON \_\_\_\_\_

COMPANY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY, STATE, ZIP \_\_\_\_\_

TELEPHONE NO. \_\_\_\_\_

FAX NO. \_\_\_\_\_

E-MAIL NO. \_\_\_\_\_

FEIN NO. \_\_\_\_\_

**VI**

**APPENDIX A**

**REQUEST FOR PROPOSAL  
FOR  
ENERGY PERFORMANCE CONTRACTING**

# VI

## APPENDIX A

### Statement of Responsibility – Form A

#### Statement of Responsibility

1. Prime Contractor (Qualified Provider or Contractor);

Name: \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

(Please note possession of any license or registration pertinent to this project.)

#### **QUALIFIED PROVIDER OBLIGATIONS**

**1. The final selected Qualified Provider shall provide comprehensive energy and construction services, including but not limited to:**

*a) The preparation of an investment grade audit, energy assessment report, measurement and verification plan and energy saving performance contract proposal.*

*b) The design, specification, procurement and installation of equipment and systems to be used in providing energy efficiency and water conservation services.*

*c) Startup and commissioning of the systems and equipment installed.*

*d) Warranty response to equipment and system failures not considered part of routine service and maintenance.*

*e) Operation and maintenance manuals for the systems and equipment installed.*

*f) Investigating and securing Focus on Energy and utility financial incentives and utility rate reductions available through government and/or utility sponsored programs.*

**2. Technical audit and analysis work must be prepared and analyzed by technical analysts meeting the following criteria:**

*a) Have extensive knowledge of energy-using systems found in institutional and commercial buildings;*

*b) Be experienced in conducting energy analyses identifying energy efficient retrofit projects in institutional or commercial buildings and in preparing comprehensive reports on the findings;*

*c) Be involved in on-site work to gather project data; have a working knowledge of the building(s) and its energy-using systems;*

*d) Direct or perform all aspects of the data collection, project selection, analysis, cost estimation; and provide final recommendations for the project*

*e) Be knowledgeable in measurement and verification techniques and protocols. It is the responsibility of the technical analyst to respond in a timely manner to any comments, questions or necessary revisions resulting from individual technical reviews.*

**VII**

**APPENDIX B**

**REQUEST FOR PROPOSAL  
FOR A**

**ENERGY PERFORMANCE CONTRACT**

**Previous Energy Study**

# ONE PAGE EXECUTIVE SUMMARY

---

## Project Summary

Schneider Electric has conducted a Preliminary Energy Audit for Winnebago County. The primary focus of this analysis was to investigate ways to save energy and improve the value and performance of county facilities. Schneider Electric believes there are substantial savings to be achieved through a continued partnership with our organizations to implement a comprehensive guaranteed energy reduction program. Based upon the survey and a review of the electrical and gas utility data, Schneider Electric estimates there are significant energy savings available for Winnebago County.

Our preliminary analysis indicates that the majority of improvements could be funded through energy savings alone. No additional capital budget dollars would be required to implement the improvements to the facilities and execute the program. However, additional capital dollars could be added to the program to include other potential improvements. Over the term of this guaranteed energy reduction program, the information contained in this report indicates that Schneider Electric could guarantee Winnebago County a positive return on investment.

**Based on preliminary analysis, potential scope includes:**

- Mechanical Upgrades
- Control Upgrades
- Lighting Upgrades
- Building Envelope Improvements

## Facility Summary

Shown below is a rough list of some of the facilities where conservation opportunities are likely to provide value. This is not intended to be considered a complete list, but highlights the areas in most need of improvements due to budget structure, energy use, and other needs.

SITE
• Administration Building
• Animal Services
• Courthouse (Old & New)
• Criminal Justice Center
• Juvenile Detention
• River Bluff Nursing Home

## Next Steps

- Present Summary of Preliminary Energy Audit
- Request for Proposals (RFP) Process (50 ILCS 515)
- Select an Energy Services Company (ESCO)

Schneider Electric appreciates the opportunity to analyze energy efficiency opportunities within Winnebago County's facilities. Additional information on savings and the facility impacts can be found throughout this report. As you will see, our findings show that significant savings can be achieved if Schneider Electric is given the opportunity to continue our energy management services with you. We look forward to implementing future programs similar to the one detailed here, that bring additional value to Winnebago County.



VIII

CONTRACTOR QUALIFICATION STATEMENT

FROM: Contractor: \_\_\_\_\_
Telephone: ( )
Fax: ( )

CONTRACTOR HEREBY REQUESTS QUALIFICATION FOR BIDDING IN ACCORDANCE WITH PROVISIONS OF CHAPTER 13A OF THE WINNEBAGO COUNTY CODE. CONTRACTOR MUST SUBMIT THIS FORM ALONG WITH REQUESTED SUBMITTALS IN ORDER TO BID ON ANY WINNEBAGO COUNTY PROJECT. ANY CHANGES MUST BE SUBMITTED TO WINNEBAGO COUNTY BEFORE AWARD ON ANY PROJECT.

Submit:

- 1. Evidence of Federal Employer Tax Identification Number or Social Security Number (for individuals)
2. Evidence of Contractors State License Number. (If applicable)
3. Certificate of Insurance indicating the following coverage's and limits: general liability, worker's compensation, completed operations, automobile, hazardous occupation, product liability, and professional liability.
4. Evidence of participation in an apprenticeship-training program approved and registered by the United States Department of Labor.
5. A client reference listing of at least five (5) projects within the last two years and the dollar value of those projects.
6. Financial Statements.

PLEASE PROVIDE ANSWERS TO THE FOLLOWING:

YEARS IN BUSINESS \_\_\_\_\_

MINORITY/FEMALE OWNED BUSINESS \_\_\_\_\_

ANNUAL SALES \_\_\_\_\_

PROVIDE A BRIEF DESCRIPTION OF YOUR BUSINESS (i.e. General Contractor, construction material supplier, plumbing, electrical, etc.)

SIGNATURES

Authorized signature in affirmation of the above statements and submittals:

(Name of Corporation) (Authorized Signature) (Title)
(State of Incorporation) (Date) (Print Name of Signer)

NOTE: This information will be reviewed for each bid to determine contractor eligibility.

IX

NON-COLLUSION AFFIDAVIT

The Bidder, by its officers and \_\_\_\_\_ agent or representatives present at the time of filing this Bid, being duly sworn, on their oaths say that neither they nor any of them, have in any way directly or indirectly, entered into any arrangement or agreement with any other Bidder, or with any public officer or the County of Winnebago, Illinois, whereby such affiant or affiants or either of them, has paid or is to pay to such Bidder or public officer any sum of money, or has given or is to give other bidder or public officer anything of value whatever, or such affiant or affiants or either of them has not, directly or indirectly, entered into any arrangement or agreement with any other Bidder or Bidders, which tends to or does lessen or destroy free competition in the letting of the Contract sought for by the attached Bids; that no inducement of any form or character other than that which appears upon the face of the Bid will be suggested, offered, paid, or delivered to any person whomsoever to influence the acceptance of the said Bid or understanding of any kind whatsoever, with any person whomsoever to pay, deliver to, or share with any other person in any way or manner, any of the proceeds or the Contract sought by this Bid.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SUBSCRIBED and sworn to  
before me this \_\_\_\_\_  
day of \_\_\_\_\_, 2013.

My commission expires:

\_\_\_\_\_  
Notary Public

**AFFIDAVIT OF COMPLIANCE**

NOTE: THIS AFFIDAVIT MUST BE EXECUTED AND SUBMITTED WITH THE SIGNED BID FORM. NO BIDS CAN BE ACCEPTED BY THE COUNTY BOARD OF THE COUNTY OF WINNEBAGO UNLESS SAID AFFIDAVIT IS SUBMITTED CONCURRENTLY WITH THE BID.

\_\_\_\_\_, being first duly sworn,  
(Name of person making affidavit)

deposes and says that he/she is the \_\_\_\_\_  
(Title of Office)

of \_\_\_\_\_ and that he/she has the authority to make

the following affidavit; that he/she certifies that \_\_\_\_\_

is an Equal Opportunity "Employer" as defined by Section 2000 (e) of Chapter 21, Title

42, of the United States Code annotated and Federal Executive Order No. 11246 as

amended by Ex. Ord. No. 11375, which are incorporated herein by reference.

\_\_\_\_\_  
(Signature)

SUBSCRIBED and sworn to  
before me this \_\_\_\_\_  
day of \_\_\_\_\_, 2013

\_\_\_\_\_  
NOTARY PUBLIC

## XI

### **BID REQUIREMENTS FOR EQUAL EMPLOYMENT OPPORTUNITY**

All bidders seeking to do business with the County of Winnebago are required to submit with any formal, sealed bid or proposal the following documents:

1. Equal Employment Opportunity Affirmative Action Plan Statement of Policy
2. The Statement of Non-Compliance and Certificate of Non-Segregated Facilities
3. The Contractor or Vendor Workforce Data Form listing all current employees, by classification, directly employed by the bidder
4. Your State of Illinois Pre-Qualification Certification Number, issued by the State Fair Employment Practices Commission, entered in the place provided therefore.

If you do not yet have State Pre-Qualification (item #4) , you may in lieu thereof, enter in the place provided on Page 6 of the EEO forms, your commitment to make application therefore within 30 days from the date of bid opening.

Any bid or proposal which fails to include the four items listed above with your sealed bid will not be read and will not be considered.

Any questions pertaining to EEO requirements should be addressed to the Equal Opportunity Compliance Officer, at 404 Elm Street, Rockford, Illinois 61101.  
Phone: (815) 319-4297.

Bid/Proposal On:  
Bid No: 13-1991

EEO/pg 1

**EQUAL EMPLOYMENT OPPORTUNITY  
AFFIRMATIVE ACTION PLAN  
STATEMENT OF POLICY**

It is the policy of this company, \_\_\_\_\_, to provide equal employment opportunity without regard to race, color, national origin, handicap, age or sex through a program of positive action affecting all employees. In this program, our company carries out the requirements of Federal Executive Orders 11246 and 11375, Civil Rights Act of 1964, Equal Employment Act of 1972, and all other applicable laws, and indicates its active support of the principle of equal opportunity in employment.

At present, \_\_\_\_\_% of our work force are minorities and \_\_\_\_\_% of our work force are females, and we will attempt to utilize minorities and females through a positive, continuing program in all jobs for which we contract in the future. Our company will utilize referrals from the Winnebago County Equal Opportunity Compliance Division for use of minorities and females regarding any future job vacancies.

It is also our intent to make efforts to purchase supplies or equipment from small business concerns located in the County of Winnebago or the County of Boone and owned in substantial part (at least 51 percent) by minorities or females. \_\_\_\_\_ is the official who will be responsible for implementing the above policy statement.

\_\_\_\_\_ will be designated as the Equal Opportunity Officer in our company, responsible for submission of all required equal employment opportunity documents. In addition, \_\_\_\_\_ is hereby authorized to sign payrolls as well as our company's officers. (Note: If only officers will be authorized to sign payrolls, please fill in "No One" in this space).

\_\_\_\_\_  
Signature of Officer

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Address

Bid/Proposal On:  
Bid No: 13-1991

EEO/pg 2

## CERTIFICATION OF NON-SEGREGATED FACILITIES

The bidder certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The bidder agrees that a breach of this certification will be a violation of the Equal Opportunity clause in any contract resulting from acceptance of this bid.

The bidder agrees that (except where he has obtained identical certification from proposed subcontractors for specific time periods) he will obtain identical certification from proposed subcontractors from the provisions of the Equal Opportunity clause, and that he will retain such certification in his file.

---

Signed

---

Company

---

Date

Bid/Proposal On:  
Bid No: 13-1991

EEO/pg 3

## IMPORTANT NOTE TO ALL BIDDERS

In regards to the Bid Requirements for Equal Employment Opportunity and Affirmative Action, all forms must be completely filled out and signed or your bid will not be considered or read.

This especially applies to the “Contractor or Vendor Workforce Data Form.”

The categories must all be filled out. They include:

- A. Job Classifications
- B. Pay Range
- C. Males
- D. Females
- E. Racial

Bids which fail to address any of these categories will not be considered and will not be read.

Below are the Federal definitions of the following racial groups accepted as minorities by the County of Winnebago.

**Black:** A person having origins in any of the Black racial groups or Africa, not of Hispanic origin.

**Hispanic:** A person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

**Asian:** A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes for example: China, Japan, Korea, the Philippine Republic, and Samoa.

**American Indian or Alaskan Native:** A person having origins in any or the original peoples of North America.

Falsification of any required Equal Employment Opportunity or Affirmative Action information on the part of the bidder could result in rejection of the bid submitted or in the case where a contract has already been awarded, in the cancellation of said contract.

Should you have any questions regarding any Affirmative Action or EEO requirements, please contact the Equal Opportunity Compliance Officer at (815) 319-4297, or write to Equal Opportunity Compliance Division, Winnebago County, 404 Elm Street, Rockford, Illinois 61101.

EEO/pg 4



**HUMAN RIGHTS NUMBER FORM**

**BID#** \_\_\_\_\_

The four declarations required for compliance with the laws on Equal Employment Opportunity are attached hereto. Our Illinois Department of Human Rights Number is \_\_\_\_\_ . (We do not have an Illinois Department of Human Rights number. In lieu thereof we will make application for it within 30 days from the date of bid opening. \_\_\_\_\_ Place check-mark on line if applicable).

\_\_\_\_\_  
**Person, Firm or Corporation**

\_\_\_\_\_  
**Authorized Signature**

\_\_\_\_\_  
**Title**

XII

CERTIFICATON OF ELIGIBILITY

NOTE: THIS CERTIFICATION MUST BE ACKNOWLEDGED AND SUBMITTED WITH THE SIGNED BID FORM. NO BIDS CAN BE ACCEPTED BY THE COUNTY BOARD OF THE COUNTY OF WINNEBAGO UNLESS THIS CERTIFICATION IS SUBMITTED CONCURRENTLY WITH THE BID.

\_\_\_\_\_, being first duly sworn,

deposes and says that he/she is the \_\_\_\_\_,

\_\_\_\_\_

of \_\_\_\_\_,

and that he/she has authority to make the following Certification; that to the best of

my knowledge and belief \_\_\_\_\_

is not barred from bidding on the contract as a result of the violation of either

720 ILCS 5/33E-3 or 720 ILCS 5/33E-4 of the Illinois Compiled Statutes, 1993, as

amended.

\_\_\_\_\_

SUBSCRIBED AND SWORN TO  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 2013.

\_\_\_\_\_  
NOTARY PUBLIC

**TO BE FILLED OUT AFTER AWARD**

**BIDDER'S EMPLOYEE UTILIZATION FORM**

**BIDDING & CONTRACT REQUIREMENTS**  
**Document - Winnebago County Form WC-2**

Workforce hiring goals listed below are applicable to this contract. The bidder's workforce projection shall include all subcontract work under the contract.

Failure to complete the WC-2 form may result in bid rejection.

Acceptance of the Bidder's WC-2 projection is a condition of contract award. The Director of Purchasing and Risk Management will notify the bidder if the projection is unacceptable. The bidder shall be given the opportunity to negotiate an acceptable projection with the Director of Purchasing and Risk Management. Failure to reach an acceptable workforce projection may result in rejection of the contract award.

**GOALS**

The following workforce hiring goals are in effect for each trade. These goals represent a minimum of total workforce hours.

**MINORITY/FEMALE UTILIZATION**

SHEET METAL (03)	25%	EQUIPMENT OPERATOR (04)	20%
ELEVATOR MECHANIC (05)	12%	IRONWORKER/BOILERMAKER (06)	20%
CARPENTER (07)	25%	ACOUSTICAL TILER (08)	20%
CERAMIC TILESETTER (09)	20%	BRICK MASON/TUCKPOINTER (10)	15%
CEMENT MASON (11)	20%	LATHER-METAL/WOOD (12)	20%
TAPER (13)	20%	PLASTER (14)	15%
PAINTER (15)	20%	GLAZIER (16)	12%
ROOFER (17)	25%	METAL DECK ROOFER (18)	15%
PIPEFITTER/SPRINKLER FITTER (19)	25%	PLUMBER (20)	25%
INSULATOR (21)	15%	TEMPERATURE CONTROL (22)	20%
LABORER (23)	33%	ELECTRICIAN (24)	25%
FENCING/GUARD RAIL (25)	15%	LANDSCAPING (26)	25%
TRUCK DRIVER (26)	20%	AIR TEST & BALANCE (29)	12%
SNDBLST/WTRPRFNG/CAULKERS (30)	15%	ASBESTOS WORKER (31)	30%
TERRAZZO (32)	12%	CARPET (33)	15%

**INSTRUCTIONS**

Table A. (See Reverse) under "Total Employees", project the total number of employees to be used in the performance of the contract work by your firm and your subcontractors. In the other columns, project a breakdown of the number of minority/female employees.

\_\_\_\_\_  
Contact Person

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Firm Name

\_\_\_\_\_  
Address

