Delaware Sustainable Energy Utility

Request for Energy Engineering, Measurement, Verification, and Evaluation Services

The Delaware Sustainable Energy Utility (“SEU”) requests qualifications from firms and individuals qualified to provide Energy Engineering, Measurement, Verification, and Evaluation Services. The intent of the SEU is to establish a vendor pool as allowed under the SEU Procurement Policy. Vendor pools are created when there is more than one firm under contract for the same services, and are used for recurring projects, such as evaluations, feasibility studies, and quality assurance/control. Vendor pool contractors may be assigned to specific projects based on their availability, absence of conflicts, and skill strengths without further competition.

Proposals are due at the SEU office, located at 109 S. State Street, Dover, DE 19901, by 12 noon on April 15, 2014 in a sealed envelope. Faxed and emailed proposals will not be accepted. Please provide three (3) copies of a written response (limit to 14 one sided pages or 7 two sided pages) and one electronic copy in a PDF format in a sealed envelope clearly displaying the Firm’s name.

A proposal received after the closing date and time will not be considered. It is the responsibility of the submitter to ensure that the proposal is received prior to the closing date and time.

Any person or firm qualified is responsible for immediately notifying the SEU of any changes in ownership, organization and key personnel as well as any real or potential conflicts arising during the review period.

I. SEU Overview

The SEU is a non-profit 501(c)(3) corporation, separate from any utility, public or private, which operates in Delaware. The SEU is a Delaware non-profit corporation created by Title 29 of the Delaware Code, Section 8059. The primary function of the SEU is to develop end-user programs for energy efficiency services and customer-sited renewable energy. The SEU’s definition of energy efficiency services include, but are not be limited to, end-uses that consume electricity, end-uses that directly consume fossil fuels, weatherization, green architecture/green buildings, and high efficiency vehicles. Conservation of water resources are also a function of the SEU. Target areas for SEU programs include: agricultural facilities, new housing/small business construction, existing housing/businesses, rental units/multifamily dwellings, low-income housing, new vehicle purchasers, state buildings, and local strategic partners. SEU programs generally involve rebates, low interest loans, and bond financing. Further information regarding the SEU can be found at www.energizedelaware.org. Overall operations of the SEU and its programs are led by its full time Executive Director who will be responsible for the managing contractors and work load assignments.

There are two principle areas of work for this Request for Qualifications.

1. Work as “Owner’s Representatives”

Individuals or firms will work, as “owner’s representatives” as needed on behalf SEU and clients utilizing SEU financing. The following are SEU programs where Energy Engineering Services may be utilized.
Customers financing through the SEU may require technical assistance in order to validate energy conservation measures or proposed renewable energy technologies and confirm the calculations of energy savings and/or energy production of proposed measures. The costs of technical services required to validate and confirm energy and economic savings may be financed by the SEU and incorporated into the project costs.

The following are the four major categories of energy projects that the SEU expects to be financing:

a) Energy retrofits to existing large multifamily residential, commercial, industrial and institutional buildings. The measures are likely to include energy-efficient lighting upgrades (good lighting design, fixture replacement, ballast and lamp replacement and controls); heating, ventilation and air conditioning improvements (including HVAC equipment, distribution systems and controls); building envelop improvements (air sealing, insulation, window replacement, exterior door replacement, reflective roofs, etc.); domestic hot water measures (water heating equipment and low water-consumption fixtures); and other measures that reduce energy usage in buildings. These projects can either be stand-alone energy projects or can be part of a larger building rehab project. This is likely to be the most common use for SEU funds.

b) Building-based renewable energy systems (solar, biomass, etc.) and combined-heat-and-power systems. These systems generate electricity or other useful forms of energy for the building.

c) Residential Energy Efficiency Measures. The measures are likely to include energy-efficient lighting upgrades; heating, ventilation and air conditioning improvements (including HVAC equipment, distribution systems and controls); building envelop improvements (air sealing,
insulation); domestic hot water measures (water heating equipment and low water-consumption fixtures); and other measures that reduce energy usage in homes. Work in this area is to be the least likely.

2. Energy Measurement, Verification, and Evaluation Services (EM&V Services)

Individuals or firms will assist the SEU in developing and implementing appropriate and defensible methodologies and procedures to calculate and validate the energy, capacity, and greenhouse gas emission savings of its programs, not just financing programs. Quantitative measures may be evaluated annually evaluated to verify stated energy, capacity, and greenhouse gas emission savings for the overall program and for each individual program. As directed the service provider may conduct a program or process evaluation to improve program performance.

The EM&V core objectives are:

1. Annual and lifetime savings measurements and verification resulting from the implementation of SEU programs using methodologies appropriate to the program. Annual savings measurement and verification work should reflect a reasonable balance of accuracy and precision, cost and certainty.

2. Evaluation of program and processes designed to improve program performance and/or support prospective corrections to the program on a specified timeline (e.g., mid-course corrections; program planning for the following annual cycle).

3. Compliance Support – Provide reports to certain state and regional agencies that required information regarding savings resulting from the implementation of SEU programs.

The following is a list of some of the areas of expertise desired. This list is not exhaustive.

1. Conduct site-specific M&V sampling and calculations.
2. Review application files and develop an analysis and data monitoring plan.
3. Recommend and conduct data collection: sub metering, monitoring measurements and equipment records.
4. Determine market and baseline conditions.
5. Review and assess reported energy savings and conservation measure.
6. Develop engineering models and software tools to estimate energy savings.
7. Develop energy and demand impacts analysis.
8. Develop site-specific impact analysis reports.
9. Ensure quality control and accuracy of reports provided to the SEU.

Firms and individuals submitting proposals must describe their expertise and demonstrated experience in characterizing energy markets, estimating energy savings estimating, baselines, and researching and developing impact statements. Knowledge of spreadsheets and relational database systems and the ability to construct queries, extract and analyze data must also be illustrated.

II. RFP Schedule

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 19, 2014</td>
<td>Request for RFP Issued</td>
</tr>
<tr>
<td>April 15, 2014 12 Noon</td>
<td>Responses to RFP are due</td>
</tr>
<tr>
<td>April 15, 2014, 4:30 PM</td>
<td>Vendor Names publically read</td>
</tr>
<tr>
<td>April 28 - May 2, 2014</td>
<td>Interviews of selected respondents (subject to change)</td>
</tr>
</tbody>
</table>
III. Scope of Services

The selected vendors may perform some or all of the following basic services:

1. Evaluate facilities for energy performance contracting projects.
2. Assist the SEU in the preparation of a Request for Qualifications for Energy Services Companies (ESCO) and assist in evaluations and selection.
3. On behalf of SEU clients review preliminary and investment grade audit proposal, including baseline calculations, energy model review, price reasonableness review, review of energy and operating cost saving measures including commissioning and training provisions proposed by the ESCO; assist in the negotiation of the IGA agreement with the ESCO.
4. On behalf of the SEU and its clients act in an advisory role in contract negotiations, review the draft contract and make recommendations.
5. On behalf of SEU clients assist in quality control of ESCO M&V services. Assist in development of M&V protocol in conjunction with ESCO and Client to ensure each project meets its goals over the entire contract term.
6. On behalf of SEU and clients provide post-completion auditing of projects to confirm energy by inspecting projects to ensure that funded work was properly completed. In addition, the Energy Consultants may be asked to examine energy utilization data from a representative sample of funded projects approximately one (1) year after project completion to determine the real energy saving impact of measures performed.
7. Additional ESCO-PC Assistance: Provide additional assistance in the design, contractual structure, implementation, and management of ESCO-PC, per requests from the Town.
8. Evaluation, Measurement, and Verification: Review, propose and collaborate on cost-effective measurement and verification activities for all SEU programs. Develop M&V plans and protocols for SEU programs. Understand and be able to apply International Performance Measurement and Verifications Protocol (IPMVP) for projects requiring M&V. Provide M&V Plan report comments. Prepare overall program evaluation services. Measurement and verification techniques may include: technical reviews, random sampling and custom analysis strategies, and reporting services that either verify energy and capacity saving claims or as required, result in mutually agreed upon procedure modifications and savings claim adjustments.

IV. Contract Term

The SEU anticipates a three-year contract, with possible two (2) one year extensions upon the approval of the Board.

V. Minimum Qualifications:

The firm shall be licensed business in the State of Delaware. All Professional shall process the appropriate licenses to practice in the State of Delaware.

VI. How to Respond

Please provide 3 copies of a written response (limit to 14 one sided pages or 7 two sided) and one electronic copy in a PDF format in a sealed envelope, responding to each inquiry in the order below. Please attach one set of business cards for your team with the original.
1. **Vendor Business History**

   Please complete and submit Attachment A

2. **Firm Experience**

   - A brief history of the firm
   - The proposal should include a description of available technical service providers and engineering disciplines (i.e. electrical, electronics, mechanical, etc.)
   - Examples of work similar to what is described in the Scope of Work above.

3. **Proposed Team**

   - Clearly identify the lead professional, and name assisting professional(s)

   - Provide a resume or similar description for key professional, with considerable detail in the experience and qualifications of the lead professional and any significant assisting advisor(s).

4. **Conflicts of Interest**

   - Indicate that you have read the SEU’s conflict of interest policy and understand its contents. A copy is attached hereto as attachment C. In addition, you can access the Conflict of Interest Policy at [http://www.energizedelaware.org/By-Laws/](http://www.energizedelaware.org/By-Laws/)

   - Please list any conflicts of interest, apparent or potential conflicts of interest, and pending investigations:

   - Describe any client relationship your firm has with any public or private entity which could be viewed as a conflict of interest or potential conflict of interest if your firm were selected

   - Describe any relationship which could appear to be a conflict of interest if your firm were selected.

5. **Accessibility and Responsiveness**

   - Identify the accessibility of the proposed designated lead professional, and the response time that the individual offers to the SEU. Specifically identify the lead-time required for attending scheduled or ad-hoc meetings.

6. **Proposed Fee Structure**

   - Please provide hourly fees for professional and staff services related to the scope of services outlined above inclusive of all direct and indirect personnel services costs plus allowable expenses. The SEU policies prefer that fees for your services be invoiced on a monthly basis. The SEU will select the finalists by considering the proposed compensation as a best and final offer. The SEU reserves the right to negotiate terms as needed to improve elements of the proposal to best meet the needs of the SEU, including cost. Your compensation package should allow for the establishment of sub-contracts for task specific projects that would be negotiated on a project by project basis.
• Each cost proposal shall indicate an individual yearly fee schedule for year’s one (1) through three (3) of the Agreement and for the SEU’s optional one (1) and (2) year renewal terms.

7. References

• Provide three references for the Energy Engineering Services.

• The SEU prefers references that include non-profit and government agencies and authorities where similar services as proposed were provided.

• Inclusion of the reference in your proposal is also agreement that the SEU may contact the named reference.

• The SEU may contact any companies or individuals, whether offered as references or otherwise, to obtain information that will assist the SEU in evaluating the proposer. The SEU retains the right to use such information to make selection decisions. Submittal of a proposal is agreement that the SEU may contact and utilize such information.

8. Firm’s Commitment to Sustainability or Climate Change

• Describe any corporate practices, procedures, or policies that show your firm’s commitment to a sustainable environment and good environmental stewardship.

• Describe any support your firm may provide to other organizations like the SEU whose mission is to support a sustainable environment and good environmental stewardship.

9. Executed Non-collusion statement – Attachment B

VII. Terms and Conditions

1. The SEU reserves the right to reject any or all responses, the right, in its sole discretion, to accept the response that it considers most closely aligned with its interests and the right to waive any and all procedures set forth herein. The SEU also reserves the right to reject all responses and seek new responses. The SEU also reserves the right subdivide the scope of work and award different functions to different firms that it feels are most closely aligned to its interests.

2. The SEU reserves the right to request clarification of information submitted and to request additional information from one or more respondents.

3. The SEU will not be liable for any costs incurred in the preparation or submission of your response.

4. The SEU reserves the right to conduct oral interviews with any or all respondents prior to selection and will not be liable for costs incurred by respondents in connection with such interview.

5. The SEU will require the contractor to enter into a Comprehensive Nondisclosure Agreement.
VIII. Public Opening

The proposals shall be publicly opened April 15, 2014 4:30 PM at the SEU offices, 109 South State Street, Dover, DE 19901. Vendors or their authorized representatives are invited to be present. Only the vendor’s name and address will be read aloud during the bid opening process.

IX. Confidentiality

All documents submitted as part of the vendor’s proposal will be deemed confidential during the evaluation process. Vendor proposals will not be available for review by anyone other than the Screening Committee or its designated agents. There shall be no disclosure of any vendor’s information to a competing vendor prior to award of the contract.

The Delaware Sustainable Energy Utility is subject to the Delaware Freedom of Information Act, 29 Del. C. Ch. 100. Under the law, all the State of Delaware’s records are public records (unless otherwise declared by law to be confidential) and are subject to inspection and copying by any person. Vendor(s) are advised that once a proposal is received by the Delaware Sustainable Energy Utility and a decision on contract award is made, its contents will become public record and nothing contained in the proposal will be deemed to be confidential except proprietary information. Vendor(s) must submit proprietary information in a separate, sealed envelope labeled “Proprietary Information”.

Please contact Anthony J. DePrima at (302-883-3048) or tony.deprima@deseu.org with any questions regarding this RFP.
Evaluation and Selection

Evaluation Process

The SEU shall evaluate the proposals based on the following criteria:

1. Experience and Approach: Staffing Plan, Client References, Thoroughness and Practicality of Approach, Creativity.
   Total points possible = 25

2. Qualifications of persons proposed to work with the SEU: resumes, prior experience, level of responsibility, etc.
   Total possible points = 25

3. Accessibility and ability to meet work schedules.
   Total possible points = 15

4. Proposed cost to the SEU: Bill Rates, Direct and Indirect Costs
   Total possible points = 25

5. Firms Commitment to Sustainability:
   Total possible points = 10

Based upon the criteria established, the SEU, after careful review of all Proposals, will identify the top prospective firms it may which to contract with. Firms may or may not be interviewed. The SEU may negotiate with 1 firm without terminating negotiations with another firm and may negotiate with 1 or more firms during the same period. At any point in the negotiation process, the SEU may, at its discretion, terminate negotiations with any or all firms.
Attachment A

Submittal Form Business Statement
Please complete and submit with your proposal response.

1. Name of Business: ____________________________________________________
2. Business Address: ____________________________________________________
3. Phone: _________________ Business Fax:________________ E-Mail:___________
   Business Classification (check all that apply): ____Individual ____Partnership
   ____Corporation ____Women or Minority Owned:
4. Federal Tax Number (a SSN or Federal Tax Number): _______________________
5. If the Firm Licensed to do business in Delaware Yes:____ No:_____
6. Name of Owner: ______________________________________________________
7. Does firm maintain insurance in amounts specified by the SEU: Yes:_____ No:_____
   General Liability insurance of at least $1,000,000 per occurrence;
   Professional Liability of at least $ 1,000,000
   If no, describe differences: ____________________________________________
8. Are there claims that are pending against this insurance policy? Yes:_____ No:___
   If yes, describe: ______________________________________________________
9. During the past five years, has the firm, business, or any advisor in the firm or business, been
   involved in any (1) bond forfeiture, (2) litigation personally involving the firm, business or any
   advisor in the firm or business (other than dissolution of marriage), or (3) claims filed with any
   insurance carrier concerning the firm, business, or any advisor in the firm or business. If yes,
   attach an explanation. Yes:_____ No:_____
10. Has company been in bankruptcy, reorganization or receivership in last five years?
    Yes: ___ No: ___
11. Has company been disqualified or terminated by any public agency? Yes: ___No:__
12. Proposal Offers shall be good and valid until the SEU completes the award. Failure to concur
    with this condition may result in rejection of the offer. Does the firm accept this condition?
    Yes: ___ No:_____
    (if no, state the desired exception: ____________________________________________

FIRM NAME:  FID #:

SIGNATURE:

PRINT NAME:_________________________________________________________
NON-COLLUSION STATEMENT

This is to certify that the undersigned Vendor has neither directly nor indirectly, entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive proposals in connection with this proposal, and further certifies that it is not a sub-contractor to another Vendor who also submitted a proposal as a primary Vendor in response to this solicitation. It is agreed by the undersigned Vendor that the signed delivery of this proposal represents the Vendor’s acceptance of the terms and conditions of this Request for Proposal including all specifications and special provisions.

NOTE: Signature of the authorized representative MUST be of an individual who legally may enter his/her organization into a formal contract with the Delaware Sustainable Energy Utility.

COMPANY NAME ________________________________________________           (Check one)

Corporation

Partnership

Individual

NAME OF AUTHORIZED REPRESENTATIVE

(Please type or print) ________________________________________________

SIGNATURE __________________________________ TITLE ______________________

COMPANY ADDRESS ________________________________________________

PHONE NUMBER ______________________ FAX NUMBER ______

EMAIL ADDRESS __________________________________________________

FEDERAL E.I. NUMBER ______________________ STATE OF DELAWARE LICENSE

NUMBER____________________

ADDRESS ________________________________________________________

CONTACT _________________________________________________________

PHONE NUMBER ______________________ FAX NUMBER ________________

EMAIL ADDRESS __________________________________________________

AFFIRMATION: Within the past five years, has your firm, any affiliate, any predecessor company or entity, owner, Director, officer, partner or proprietor been the subject of a Federal, State, Local government suspension or debarment?

YES ________ NO ________ if yes, please explain ____________________________

THIS PAGE SHALL BE SIGNED, NOTARIZED AND RETURNED WITH YOUR PROPOSAL TO BE CONSIDERED

SWORN TO AND SUBSCRIBED BEFORE ME this ________ day of __________, 2014 __________

Notary Public ______________________________ My commission expires _____________

City of ____________________County of ______ State ______
Attachment C

ARTICLE VII CONFLICTS OF INTEREST

7.1 General Policy.

Members of the Board of Directors, officers and agents of the Corporation shall conduct their business, investment, and personal affairs in such manner as to avoid any conflict with their duties and responsibilities to the Corporation and shall act with the highest ethical standards in carrying out their duties with respect to the Corporation. These provisions regarding conflicts of interest (the “Policy”) shall apply to any transaction or arrangement with an “interested person.” An “interested person” is (i) a director or officer of the Corporation, or any member of a committee of the Corporation with Board-delegated powers, (ii) an agent of the Corporation earning $50,000 or more annually, (iii) any other person in a position to exercise substantial influence over the Corporation’s affairs, or (iv) a family member of an individual described in (i), (ii) or (iii). This Policy shall also apply to any transaction or arrangement with any entity in which an interested person has (i) an ownership or investment interest, (ii) an employment relationship or other compensation arrangement, or (iii) a potential ownership or investment interest or compensation arrangement. This Policy shall not apply to any transaction between the Corporation and the State of Delaware.

7.2 Specific Procedures.

It shall be the policy of the Corporation that:

(a) The Board of Directors shall require each interested person to disclose any financial interest in, or role in the governance of, any other corporation, firm, association, or other entity contracting or engaging in any other transaction with the Corporation.

(b) As soon as is practicable after determining that a potential conflict of interest exists, the Board of Directors shall first deliberate the matter after the potentially interested person supplies such information as the Board of Directors shall request, recuses himself or herself, and leaves the meeting, and then the Board shall decide if a conflict of interest exists.

(c) In the case of all compensation arrangements and all other arrangements where the Board of Directors determines that there is a conflict, the Board of Directors shall:

1) Require that the interested person leave the meeting during the discussion of, and the vote on, the transaction or arrangement that may create the conflict of interest; and

(2) Enter into the transaction only if the Board of Directors determines, by a majority vote of the non-interested directors then in office, that the transaction or arrangement is in the Corporation’s best interests and for its own benefit; is fair and reasonable to the Corporation; and, after exercising due diligence, determines that the Corporation cannot obtain a more advantageous transaction or arrangement with reasonable efforts under the circumstances.

(d) The minutes of the Board of Directors meetings and the meetings of any committee with Board-delegated powers shall include:

(1) The name of each person who discloses an interest, the nature of that interest, and whether the Board has determined that there is a conflict of interest;
(2) Copies of all documents describing the other alternatives to the proposed transaction, comparable salaries, and any other due diligence appropriate to the transaction; and

(3) The names of the persons who were present for discussions and votes relating to the transaction or arrangement and the content of those discussions, including any alternatives to the proposed transaction or arrangement, and a record of the vote.

(e) The Board of Directors shall ensure that all interested persons are made aware of the Policy. Each director and officer of the Corporation shall sign an annual statement acknowledging receipt, understanding, and consent to comply with the Policy and disclosing any conflicts of interest pursuant to the Policy.