

PUBLIC NOTICE
REQUEST FOR PROPOSALS
FRANKLIN COUNTY ENERGY SERVICES PERFORMANCE CONTRACT
IN FRANKLIN COUNTY; KY

The Franklin County Fiscal Court is accepting proposals for the identification, design and implementation of energy efficiency improvements on a guaranteed performance contracting basis.

Franklin County Fiscal Court's purpose of issuing this Request for Proposal (RFP) is to identify and select a qualified provider, or Energy Services Company (ESCO), to perform the implementation of an Energy Savings Performance Contract, in accordance with KRS 45A.352 – Guaranteed Energy Savings Contracts involving local public agencies.

ESCO's shall be able to provide comprehensive building management and energy services including, but not limited to: the performance of energy audits, the design, selection, and installation of energy efficient systems including renewable energy options, ongoing support and training services, assistance in securing financing for the transaction, and a written guarantee of savings.

Ten (10) bound copies of the Proposal must be submitted to the Franklin County Fiscal Court, 321 West Main Street, Frankfort, KY 40601, Attention: Huston Wells, Judge/Executive, no later than **3:00 p.m.** local time, on **April 26, 2019**. All submittals shall be clearly marked "Energy Services Performance Contract". Submittal of proposals received after the specified date and time will be rejected as not conforming to the advertisement requests. Proposals will thereafter be publicly opened and read aloud in the Fiscal Court Conference Room, 321 West Main Street, Frankfort, KY 40601. The Owner reserves the right to reject any or all proposals and waive any irregularities should the same be to the advantage of the County and to accept any proposal deemed to be in the best interest of the Franklin County Government.

Firms wishing to respond must attend a mandatory Pre-Proposal Conference to be held **February 28, 2019**, at the Franklin County Fiscal Court Conference Room, 321 West Main Street Frankfort, KY 40601 at 9:00 a.m. Eastern Time. Firms planning to attend the conference and site visits must notify the Contact, and request a RFP packet at least 24 hours prior to the meeting by contacting:

Robert Hewitt, Director
Planning and Building Codes Department
321 W. Main Street
Frankfort, KY 40601
502-875-8701 office
502-875-8737 fax
rhewitt@franklincountyky.com

Specifications may be obtained from the office of the County Judge/Executive, 321 West Main Street, Frankfort, Kentucky 40601 or on the Franklin County web site at franklincounty.ky.gov.

Proposals received after the closing date will not be accepted. Franklin County Fiscal Court is an Equal Opportunity Employer. No person, firm, or corporation shall be excluded from participation in or subject to discrimination in providing the indicated services on the basis of race, color, sex, national origin, disability, or sexual orientation.

Franklin County Fiscal Court

REQUEST FOR PROPOSAL FOR ENERGY SAVINGS PERFORMANCE CONTRACT

A. BACKGROUND AND PROJECT GOALS

1.0 Purpose

The Franklin County Fiscal Court requests proposals for the identification, design and implementation of energy efficiency improvements on a guaranteed performance contracting basis.

The Franklin County Fiscal Court's purpose of issuing this Request for Proposal (RFP) is to identify and select a qualified provider, or Energy Services Company (ESCO), to perform the implementation of an Energy Savings Performance Contract, in accordance with KRS 45A.352 – Guaranteed Energy Savings Contracts involving local public agencies.

ESCO's shall be able to provide comprehensive building management and energy services including, but not limited to: the performance of energy audits, the design, selection, and installation of energy efficient systems including renewable energy options, ongoing support and training services, assistance in securing financing for the transaction, and a written guarantee of savings.

Franklin County Fiscal Court's primary objective in seeking the guaranteed performance contract is to improve the energy efficiency, water and waste water efficiency and to provide additional capital cost avoidance projects that improve building performance. As a minimum, the scope of the projects should include lighting systems, HVAC and electrical systems, water/sewer efficiency improvements, and building envelope energy conservation measures (ECMs) such as windows, doors etc.

The secondary objective is to implement additional ECMs at the facilities listed below, which will enable the Franklin County Fiscal Court to accomplish the efficiency objectives **for both a fifteen and twenty year payback period** when bundled together as a single ESPC project.

- | | |
|------------------------------------|------------------------------|
| • Franklin County Fiscal Court | 313-315 & 321 W. Main Street |
| • Franklin County Road Department | 100 Lewis Ferry Road |
| • Franklin County Regional Jail | 400 Coffee Tree Road |
| • Franklin County Lakeview Park | 2456 Georgetown Road |
| • Franklin County Fire Station # 5 | 911 Switzer Road |
| • Franklin County Fire Station # 6 | 955 Flat Creek Road |
| • Franklin County Fire Station # 7 | 9091 Owenton Road |
| • Franklin County Fire Station # 8 | 975 Chenault Road |
| • Franklin County Fire Station # 9 | 2025 Evergreen Road |

2.0 Overview of Goals and Objectives

Franklin County Fiscal Court expects to achieve the following goals and objectives by entering into a guaranteed energy services contract with the selected provider.

- Reduce operating costs
- Improve building environmental conditions
- Improve maintenance and operation of the facilities
- Reduce carbon footprint and other negative environmental impacts

3.0 Included Facilities

The following list includes all buildings that will be addressed by this RFP:

BUILDING	ADDRESS	YEAR BUILT	SIZE (FT ²)
Franklin County Fiscal Court	313-315 W. Main St.	1900	22,215
Franklin County Fiscal Court	321 W. Main St.	2001 (reno)	10,000
Franklin County Road Department	100 Lewis Ferry Road	1995 (office)	1,400
		1960 (maint. garage)	3,600
		1960 (utility bldg.)	1,600
Franklin County Regional Jail	400 Coffee Tree Road	1988	52,750
Franklin County Lakeview Park	2456 Georgetown Road	1942 (Carter House)	1,900
		1970 (office)	1,350
		1994 (pro shop)	1,300
Franklin County Fire Station # 5	911 Switzer Road	2002	4,300
Franklin County Fire Station # 6	955 Flat Creek Road	1989	1,500
Franklin County Fire Station # 7	9091 Owenton Road	1991	2,000
Franklin County Fire Station # 8	975 Chenault Road	1992	4,200
Franklin County Fire Station # 9	2025 Evergreen Road	1993	2,800

4.0 ESCO Qualifications

The selection of the qualified respondents will be based on the responses to the RFP and the ability of the provider to best meet the needs of Franklin County Fiscal Court. The Franklin County Fiscal Court reserves the right to accept or reject any proposal based on its sole determination of its best interests.

After selecting an energy service provider the Franklin County Fiscal Court intends to negotiate a Guaranteed Energy Savings Agreement with the selected provider.

5.0 Selection Process and Timing

All written responses will be evaluated for completeness and clarity of information. Missing information or unresponsiveness in an area will be reason for a lower score in that area or elimination. The Selection Team may request selected providers to present their recommended projects prior to the Fiscal Court meeting at a time to be determined.

A. Evaluation

Each response will be evaluated by a selection committee which will grade the responses on merit, completeness, and the ability of the respondent to meet the needs, best interests, stated goals and objectives of Franklin County Fiscal Court as presented in this RFP package and at the Pre-bid conference. The evaluation process may include verification of presented information through phone or email interviews, requests for clarification by the selection committee or appointed staff, and or team interviews as shown in the schedule below. Failure to comply with requests could be grounds for ESCO elimination from this RFP process.

B. Grading Point Values

Grading Point	Point Value	Score	Comments
Company Qualifications	25		
Company Profile	10		
Project Team Experience	10		
References	5		
Technical Approach & Energy Measures	40		
Technical Approach	15		
Project Management	5		
Energy Conservation Measures	20		
Services	10		
Measurement and Verification of Savings	5		
Other Services	5		
Financial Approach	20		
Financing Sources	5		
Guarantee Language & Methodology	10		
Financial Model and Net Financial Benefit	5		
Other Benefits	5		
Other Benefits	5		
Total Points	100		

The following is the tentative schedule that will be used to for this ESPC RFP.

Issuance of RFP	February 6, 2019
Mandatory ESCO Meeting	February 28, 2019
Site Visits	March 4, 2019 thru April 25, 2019
Submission of Proposals	April 26, 2019
Optional Oral Interviews and Selection of Provider	TBD
Fiscal Court Approval	TBD
Notification of Selection to Provider	TBD

6.0 Contact and Response Deadline

In order to be considered, respondents must submit a complete and thorough response to this RFP. Original and 9 copies must be submitted by **3:00 pm Eastern Time April 26, 2019**. To ensure that your response is received before the deadline, either hand delivers or send submittal by registered mail to:

**Honorable Huston Wells
Franklin County Judge/Executive
321 W. Main Street
Frankfort, KY 40601**

7.0 Response Preparation and Completeness

Responses shall be signed by an authorized representative of the Energy Services Company. All information requested must be submitted and organized in the format requested. Failure to submit all information as requested may result in the requester requiring immediate submission of the missing information, reducing the score for that component of the response and/or elimination of the respondent from consideration. Emphasis should be placed on completeness and clarity of content. Inclusion of unrelated or unrequested materials, which do not address the attached format, may be considered unresponsive.

8.0 Confidentiality

All data, materials, and documentation originated and pursuant to the RFP shall be subject to public inspection in accordance with prevailing public access laws.

9.0 Procurement Process

- a. Site Visits** - All responding companies will be able to conduct a supervised walk-through inspection tour of the buildings described in this document. All ESCOs are encouraged to carefully review the facility profile information provided prior to site visits and to visit the facility in order to enhance their understanding of existing building conditions and opportunities. If needed, additional walk-throughs will be provided at the County's discretion.
- b. Proposal Review and Selection of Finalists** – Franklin County Fiscal Court's selection committee shall review and evaluate the written responses to this RFP. Franklin County Fiscal Court reserves the right to reject any or all responses and to waive informalities

and minor irregularities in responses received and to accept any response if deemed in the best interest of Franklin County Fiscal Court to do so. Franklin County Fiscal Court may select up to three (3) ESCOs for further competition (interviews, oral presentations).

- c. **ESCO Interviews and Oral Presentations** – If necessary, each of the requested ESCOs may be asked to participate in a detailed oral interview to answer questions from the selection committee and more fully discuss how its approach to this project satisfies the evaluation criteria set for this RFP. All persons with major responsibility for the project's technical design, management and contract negotiation are encouraged to be present for the interview. Oral presentations and interviews may be recorded and will be considered property of the County.
- d. **Selection and Technical Scope Development** – Franklin County Fiscal Court will select the ESCO that best fits its needs. The County will then issue a letter of intent to the selected ESCO. The County will work with selected ESCO to develop a desired scope of work for Energy Conservation Measures to be included in the project.
- e. **Final Scope Development** – The ESCO will develop a final scope for the project and detailed pricing along with a final contract.

B. REQUEST FOR PROPOSAL FORMAT AND SPECIFICATIONS

Section 1.0 EXECUTIVE SUMMARY

Responses shall include a brief summary/overview of the respondent's proposal, approach, and other pertinent information.

Section 2.0 GENERAL REQUIREMENTS

Provide documentation as given below.

To: Franklin County Fiscal Court, Judge Executive Huston Wells

RE: Response to the Request for Proposals for Energy Savings Performance Contracting

DATE:

FROM:

Firm Name

Address: _____

General Phone Number: _____

Contact Person (Name): _____

Title: _____

Phone: _____ Fax: _____

E-Mail Address:

Section 2.1 COMPANY PROFILE

COMPANY must address all questions. If not applicable, enter N/A

A. General Firm Information

Firm Name: _____

Mailing: _____

Address: _____

Physical Address: _____

Names, Titles and Phone Numbers of at least two principal contact persons:

1) _____

2) _____

3) _____

Submittal is for:

Name of Office: _____

Address: _____

Name and Address of Parent Company (if applicable)

Name: _____

Address: _____

Former Name(s) of Firm (if applicable):

Name: _____

Address: _____

List any other wholly owned subsidiary, division or branch offices that will participate materially in the development of the project(s), in its evaluation process, and/or in the conduct of any services provided.

B. Type of Firm

- Corporation
- Partnership
- Sole Proprietorship
- Joint Venture

C. Federal Employer Identification Number _____

D. Corporate Background

1. **Years under Present Name.** How many years has your firm been in business under its present business name? __Years

2. **Former Names.** Indicate all other names by which your organization has been known and the length of time known by each name.

3. **State Qualification.** Identify all states in which your firm is legally qualified to do business.

4. **Lawsuit Involvement.** Has your firm been involved in a guaranteed savings or construction related lawsuit (other than labor or personnel litigation) during the past five (5) years?

_____ Yes _____ No

(NOTE: If this response is submitted by a branch office or division of a parent company, indicate the lawsuits involved directly by the specific branch or division.)

If yes, please explain in detail the nature of the claim, circumstances, amount in dispute, date suit was filed, and the outcome of the case.

5. **Construction Arbitration Involvement.** Has your firm been involved in any construction arbitration demands during the past five (5) years?

_____ Yes _____ No

If yes, identify the nature of the claim, amount in dispute, parties, and ultimate resolution of the proceeding.

6. **National Labor Relations Board or Similar Involvement** Has your firm been involved in any lawsuits, administrative proceedings or hearings initiated by the National Labor Relations Board or a similar state or federal agency during the past five (5) years regarding your firm's safety practices?

___ Yes ___ No

If yes, identify the nature of the claim and the ultimate resolution of the proceeding.

7. **OSHA-Type Proceedings.** Has your firm been involved in any lawsuits, administrative proceedings or hearings initiated by the Occupational Safety and Health Administration or a similar state or federal agency during the past five (5) years regarding the safety of one of your firm's projects?

___ Yes ___ No

If yes, identify the nature of the claim and the ultimate resolution of the proceeding.

8. **Bankruptcy Involvement.** Has your firm, or any of its parents or subsidiaries, ever had a bankruptcy petition filed in its name, voluntarily or involuntarily?

___ Yes ___ No

If yes, explain in detail the circumstances, date the protection order was filed and the resolution of the case (or current status, if still ongoing).

E. Attachments. List all attachments created to address additional information. List by number and heading in the Company Profile. If a computer-generated form is used, detailed descriptions can be included in the appropriate section rather than prepared as an attachment.

Item #

Heading Name

F. Authorization

Dated at _____ this day of _____, 2019.

Name of Organization: _____

By _____ Title _____

Section 2.2 Notary Statement

I, (Mr./Ms.) _____, as an authorized representative of _____
(Company name) affirm that the information submitted in response to this

Request for Proposals is true and accurate to the best of my knowledge.

Subscribed and sworn before me this _____ day of _____, 2019.

Notary Public _____

My Commission Expires _____, 20__.

Section 3: COMPANY QUALIFICATIONS

A. General Qualifications

1. Project History. Briefly describe up to ten (10) comprehensive facility planning services and/or energy savings performance contracting projects which your firm has managed/completed within the last three (3) years in Kentucky or contiguous states. Identify those project references involving buildings similar to Franklin County Fiscal Court’s buildings.

NOTE: If this response is submitted by a branch office or division of a parent company, please provide project histories for those that have been managed directly by the specific branch or division. Projects that have been managed by individuals who will be specifically assigned to this project should also be included and identified.

Include the following information on each project:

- a. Project Identification. Name the project owner, state the type of project (generic building type such as hospital, school, etc.), and provide the location (city, state).
- b. Project Dates. Project actual construction start and end dates
- c. Project Size. Number of buildings and total square footage.
- d. Project Dollar Amount. Provide the total contract amount and the total project capital expenditure amount.
- e. Source of Funds. State the source of funds used for the project and your firm’s role, if any, in securing those funds.
- f. Contract Terms. State the type of Contract (shared-savings, lease purchase, guaranteed savings), the duration of the contract term, and the financing arrangement.
- g. Technical Design Personnel. Include name(s) of primary technical design personnel.
- h. Project Schedule. Indicate if the project was completed on schedule. If not, please explain.

- i. List of Improvements. List of Facility Improvement Measures.
- j. Projected Annual Savings. State the projected annual savings.
- k. Guaranteed Savings. State the amount of the guarantee. Also describe how the guarantee functioned and if your firm was required to pay funds to meet the guarantee.
- l. Comments. Comment on any special features, services, conditions, etc.
- m. References. Provide the names and telephone numbers of the owner(s)' representatives that can supply references.

2. Personnel Information.

- a. Full-Time Personnel. Indicate the number of full-time personnel employed by your firm and the percent available to work on this project.
- b. Qualifications and Experience. Identify who will have the primary responsibility for each task and phase of the project including technical analysis, engineering design, construction management, construction, training and post-contract monitoring. For each of the individuals listed, indicate the following: name, title, intended role and responsibilities for the duration of the contract, educational background, specific qualifications related to role and responsibilities, past relevant experience, number of years of relevant experience, supervisory responsibilities (if relevant to role), list of projects individual was associated with during the last three (3) years including type of project and project cost. Resumes may also be included as an attachment.
- c. Areas of Expertise. List all areas of expertise related to potential improvements in facilities. Include specialized areas of expertise in areas that might be relevant to the project.
- d. Contract Negotiations Personnel and Legal Counsel. Give the name and address of the person who will have primary responsibility for contract negotiations. Also identify your firm's legal counsel for this project.
- e. Subcontractors. Describe the nature of work generally conducted by subcontractors and discuss your flexibility in hiring subcontractors recommended by Franklin County Fiscal Court or in selecting local subcontractors in Franklin County Fiscal Court's geographic area.

3. General Approach

- 1. Project Services. Summarize the scope of services (assessment, design, construction, monitoring, operations, maintenance, training, funding, etc.) that would be offered for this project.
- 2. Project Management. Include a brief description of your firm's approach to project management and the specific benefits your firm can offer Franklin County Fiscal Court.
- 3. Engineering Design. Describe your firm's approach to the technical design of this project.
- 4. Training Provisions. Describe your firm's capabilities in providing technical training for Franklin County Fiscal Court's facility personnel. Describe your firm's involvement in developing training manuals for facility staff.
- 5. Monitoring and Verification. Describe the company's approach to monitoring and savings verification of each recommended project's performance, including the frequency of such efforts. Note if an industry standard such as the *International Monitoring and Verification Protocol* is preferred by the company.

6. Savings Calculations. List typical procedures, formulas and methodologies including special metering or equipment your firm may use to calculate utility and O&M savings. Include typical assumptions made in the calculations.
7. Dollar Savings Calculations. Describe the procedure to assign dollar values to the O&M and utility savings associated with this proposal.
8. Maintenance Contracts. Describe the types of equipment maintenance or monitoring services that may be included. Comment on whether Franklin County Fiscal Court's maintenance staff can perform some of these duties if desired, and describe any impact on the guarantee. (These duties could include programming and maintaining the control system, installing lighting retrofits, maintaining HVAC equipment, etc.). Describe the required length of the maintenance contract and the relationship with the guarantee in the event that Franklin County Fiscal Court chooses to terminate the maintenance contract prior to the end of the energy services agreement.
9. Billing and Invoices. Describe your standard billing procedures and attach a sample invoice.
10. Provision of Funding. Briefly describe the types of funding arrangements provided by your firm for past projects. Include a brief description of the source of funds and the potential dollar amounts currently available to your firm to finance these types of projects. Indicate what representative interest rates may be available, financing terms and other variable economic factors associated with each method. Please comment on how you would work with Franklin County Fiscal Court to utilize tax-exempt financing or other methods to keep financing costs at a minimum.
11. Provision of Insurance. Describe level and types of all insurance policies applicable to an ESPC project.

Section 4: PROPOSED FRANKLIN COUNTY ESPC PROJECT

A. Energy Conservation Measures and Savings

1. Provide a description of the overall project recommended energy conservation measures including:
 - a. A list, by facility, of the proposed energy conservation measures.
 - b. A brief technical description of each of the proposed technical measures and basis for energy savings calculations
2. Provide information on the company's planned use of existing systems and equipment as part of the proposed energy conservation measures.
3. Provide information on the company's proposed savings with regard to operations and maintenance and how those savings were determined.

B. Services

1. Provide information on proposed maintenance and training services for the new systems and equipment proposed in the aforementioned ECM's.
2. Provide detailed description of the recommended Measurement and Verification (M&V) plan for measures with savings guarantees as required by KY 45A.352 (2)(a.).
3. Provide the estimated costs of annual reconciliation statements and any required on-going services.

4. Indicate any equipment maintenance service contracts and their costs which will be required by your firm as a condition of the energy services guarantee.

C. Project and Construction Management

1. Provide the company's proposed implementation plan and a preliminary project schedule.

D. Financial Approach

1. The respondent should describe financial alternatives that will responsibly maximize the net economic benefit and minimize financial risk.
2. Provide descriptions of the sources, types and costs of financing available and recommended for use in this program.
3. Indicate any penalties or other costs that will be assessed in the event the decision is made not to proceed with this project at any point prior to mutual approval of a Contract Agreement.
4. Describe the basis of guarantee, its execution, and the methods of payment or remedy that will be provided if the project fails to provide the Guaranteed Savings. Include a copy of your firm's Energy Savings Guarantee.
5. Provide a spreadsheet showing the energy and operational savings by ECM. (Initial savings calculations shall be available upon request).
6. Provide a financial model incorporating all initial estimated cost of ESPC project including installation/construction, required on-going services, engineering, commissioning, measurement and verification, annual reconciliation statements, financing, and any other costs along with the guaranteed project savings for the recommended project.
 - i. The model must show a summary of proposed method and costs of financing with cash flow.
 - ii. The model must show to what extent the project savings are sufficient to cover project costs.

Section 5: ATTACHMENTS

This section should include all referenced attachments for this proposal. Please include a cover sheet showing a numerical list of attachments and the title of each attachment.

