



PUBLIC SERVICES COMMISSIONER

200 NORTH CASTLE HEIGHTS AVENUE
LEBANON, TENNESSEE 37087

TELEPHONE (615) 443-2824

**REQUEST FOR QUALIFICATIONS
FOR PERFORMANCE CONTRACT SERVICES
FOR AN LED STREET LIGHT ASSESSMENT &
UPGRADE PROJECT IN LEBANON, TENNESSEE**

SCHEDULE

Issue Date	07/20/2022
Questions Deadline	07/27/2022
Statement of Qualifications – Due Date	08/11/2022
Anticipated Notice of Intent to Award	TBD
Anticipated City Council Decision Date	TBD

MINIMUM QUALIFICATIONS FOR SUBMITTALS

The City of Lebanon, Tennessee (City) is requesting Statements of Qualifications (SOQs) from qualified Energy Service Companies (ESCOs) to convert Middle Tennessee Electric (MTE) owned street lighting within the City to LED light sources.

The City will accept responses to this Request for Qualifications (RFQ) from ESCOs that meet the following **minimum qualifications**:

- ESCO must be accredited by the National Association of Energy Services Companies (NAESCO)
- ESCO must have successfully converted at least 25,000 municipal streetlights to LED light sources in the past five years (ESCO company must fulfill this requirement itself without relying on similar projects completed by current staff members while working for other firms or subcontractors)
- ESCO must have previously implemented at least one similar project for a municipality in which the street light assets are and will continue to be owned by the serving utility ESCO must be willing to provide the energy savings guarantee directly (third-party guarantees are not acceptable)
- ESCO must provide proof of Tennessee engineering and building contractors licensure and be in good standing with the State of Tennessee.
- ESCO and its principals, partners or corporate officers must not have pleaded nolo contendere, or has pleaded or been found guilty of a criminal violation, whether state or

federal, involving, but not limited to, governmental sales or purchases, including but not limited to the rigging of bids, price fixing, misappropriation of government funds, or any other collusive and illegal activity pertaining to bidding and governmental contracting.

In the event it becomes necessary to revise any part of this RFQ, addenda will be issued in the same manner that the RFQ was issued.

ESCOs are invited to submit three [3] copies (one signed) of their SOQ addressed to: Jeff Baines, Commissioner of Public Services, endorsed "Statement of Qualifications for LED Street Light Upgrade Project". SOQs will be accepted at the 200 North Castle Heights Avenue, Suite 300, Lebanon, TN 37087, until 4:00 p.m. Central time zone on August 11, 2022. Thereafter, correctly submitted SOQs will be opened and reviewed by the Selection Committee.

SELECTION PROCESS

The selection committee will consist of City staff and others as determined by the City. Members of the selection committee will individually score the proposals. The committee may require interviews or select directly from written submittals. The most qualified applicant will be determined based on prior experience, qualifications, and project approach. The City may cancel the RFQ or reject any SOQ that is incomplete or not in compliance with prescribed requirements, and may reject for good cause, any SOQ upon a finding by the City that it is in the public interest to do so. City also reserves the right to waive any minor errors or inconsistencies in any SOQ.

If the Committee selects an ESCO, the City and the selected ESCO will negotiate an Energy Savings Performance Contract (ESPC), Design-Build Agreement, or similar, which will be signed by the ESCO, then presented to the City of Lebanon council for final approval.

GENERAL SCOPE OF WORK

This project seeks to convert all high-pressure Sodium (HPS), mercury vapor (MV), metal halide (MH) or other street lighting to Light Emitting Diode (LED) luminaires to enhance public safety through improved, more reliable illumination, reduce maintenance costs, save energy, and contribute to the City's carbon reduction goals.

The City is seeking an ESCO with substantial experience performing LED streetlight conversions, including those in which streetlights are owned by their serving utility, to develop and implement a turnkey project. The specific scope, schedule, and budget will be negotiated with the selected ESCO.

The City may also use this selection of ESCO and resulting contract to evaluate and implement other energy conservation and facility improvement measures at City buildings or facilities at their discretion.

DELIVERABLES

The successful ESCO must be able to provide services associated with following activities/phases:

1) PHASE 1 - SCOPE DEVELOPMENT:

- a Develop for approval by the City a development plan that specifies in detail the approach to evaluating replacement LED luminaires from MTE's list of approved fixtures, methodology for bidding materials and installation subcontractor(s) to achieve best value, installation methods that will be used to achieve rapid implementation and

minimize traffic impacts, options for wireless streetlight controls and other smart city applications, project management, measurement and verification of energy savings, financing options, and;

- b Scope Development will include two phases:
 - i Demonstration (pilot) Project to target a variety of specific neighborhoods for community and City feedback and to inform design/execution of completion phase.
 - ii Completion Phase will be considered for a systemwide streetlighting/controls upgrade project.
 - c Phase 1 Scope development plan will provide City leadership a guaranteed not-to-exceed cost for implementing these project phases.
- 2) PHASE 2 - PROJECT DEVELOPMENT PLAN: Generate a Project Development Plan (“PDP”) for approval by the City that specifies in detail the approach to evaluating replacement LED luminaires or retrofit kits, methodology for bidding materials and installation subcontractor(s) to achieve best value, installation methods that will be used to achieve rapid implementation and minimize traffic impacts, options for wireless streetlight controls and other smart city applications, project management, measurement and verification of energy savings, financing options, and a guaranteed not-to-exceed cost for implementing the project;
- a Demonstration Project to begin first, with Completion Phase to follow as directed by City.
- 3) PHASE 3 - CONSTRUCTION: Furnish, install and commission streetlight upgrades, as selected by the City from MTE approved lighting schedule or similar. Commissioning includes verification of each installed light’s operation and community input.
- 4) PHASE 4 - PERFORMANCE VERIFICATION: Examine the installed energy efficiency measures (EEMs) using the International Performance Measurement and Verification Protocol (“IPMVP”) for an ESPC project, or any other comparable protocol or process, to monitor and verify the operation of energy efficient lighting systems post-installation; and adhere to the not-to-exceed project cost.

CITY STREET LIGHTING PROFILE

The City has approximately 3,969 streetlights, comprised of a wide variety of streetlighting infrastructure, including types (cobra head, shoe box, decorative, etc.) and wattages ranging from 75 to 400W. Lighting infrastructure is owned/maintained by MTE, and this will not change.

The City desires to plan and prepare a request for proposal (RFQ) to solicit qualified contractors to provide “turnkey” products and services resulting in the successful conversion of the designated streetlights. In partnership with an ESCO and MTE, this City-funded project consists of the programming, design, and implementation for the conversion of street lighting to equivalent LED street luminaires. This project will result in improved roadway/pedestrian/neighborhood safety, improved lighting quality, greater cost-efficiencies, and lower energy/ operational costs.

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EVALUATION CRITERIA

Proposals will be scored based on the criteria described below:

Category	Maximum Points
1. Basic Requirements	(pass/fail)
2. Firm Experience	35
3. Key Personnel Experience and Availability	15
4. Management Plan for the Project	20
5. Selection Process	20
6. Post Installation Services	10
Total Possible Points	100

1. Basic Requirements (0 Points) (Pass/Fail)

- a. Identify the submitting Respondent.
- b. Identify the name and title of the person authorized to contractually obligate the Respondent.
- c. Does your firm meet ALL the minimum qualifications, as described on pages 1 & 2?
- d. If Respondent is a partnership or joint venture, information must be provided for each partner or joint venture. Each partner or joint venture must sign the response and any contracts on behalf of both itself and the Respondent, and each will be jointly and severally liable.
- e. The submitted response **shall be no more than [15] pages in length**, excluding resumes and financial information.
- f. **Submit three [3] copies (one signed) and one [1] electronic copy** of the response, with at least one copy signed by an authorized representative of the firm.
- g. Provide your firm's financial statement for your most recently completed fiscal year (public companies may provide a link to publicly accessible financial data). This information does not count towards the page limit.
- h. Submit one completed copy of all Respondent certifications provided in Attachment 1. These certifications will not count toward the page limit.
- i. Acknowledge understanding of the RFP process and requirements set forth in this RFP, including its commitment to its Proposal.

2. Firm Experience (35 Points)

Explain your firm's experience implementing LED conversion projects for street and roadway lighting. Include at a minimum:

- a. A list of all street and roadway lighting projects completed or currently in construction, including completion year and number of fixtures, and whether they included networked streetlight controls, and the type of procurement (ESPC, design-build or other). For projects that are currently in construction, indicate the number of fixtures installed to date. Describe your firm's role on the project.

- b. A minimum of five (5) client references, including at least one that includes networked streetlight controls. Provide a narrative for each project, including services provided and key statistics about the success of each project (scope, schedule, budget, and energy savings performance).
- c. Describe efforts you have made on previous projects to incorporate local businesses in the project, especially minority, women and disadvantaged business enterprises or to encourage local workforce development.
- d. Describe how you have addressed local concerns regarding LED streetlight conversions using public information and outreach.
- e. State in writing whether your organization has ongoing or past litigation/settlements resulting from similar capital/municipal contracts or projects (within the past five years) or other legal constraints that could impact your ability to perform the required scope of services or otherwise meet the City's objective.
- f. Any additional information that may help in evaluating the firm's experience.

3. Key Personnel Experience (15 Points)

Identify the key personnel that will be involved in developing the Project Development Plan (PDP) and implementing the project, including individual responsibilities. Provide a summary of identified individuals' experience on past projects and comments about their role in the success of those projects.

Resumes can be included in the appendix and are not considered to be part of the page limit.

4. Management Plan for the Project (20 Points)

Explain how the ESCO team will be organized and how the ESCO will interact with the City. Provide an organizational chart for the project and supplemental information that clearly explains how the ESCO will work with the City to successfully manage the project throughout each phase of the project. Explain the key roles, and identify the team member in that role, for each phase of the project and how the ESCO will provide seamless management throughout each phase. Include key subcontractors or partners in the management plan.

Explain the firm's overall approach to the project and demonstrate your understanding of the project. This includes management of the project and management of the individual phases of the project. Explain how the ESCO will interact with the City and keep the City informed during each phase of the project.

Identify strategies that will be used to ensure safe installation practices during construction, including management of vehicular and pedestrian traffic. Explain how the ESCO will minimize neighborhood disruption and facilitate community outreach.

Explain how your firm determines the Technical Energy Audit (TEA) and Project Development Plan (PDP) cost. The City is not asking for a cost for the TEA or PDP at this time but will require the ESCO to provide pricing prior to any contract being signed. Explain any other fees that the ESCO may apply during the course of the project.

5. Product Selection Process (20 Points)

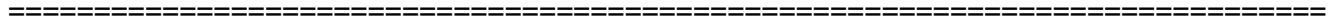
Explain the ESCO's approach to selecting streetlight fixtures, retrofit kits, networked controls and other materials, and installation subcontractors. Describe how the ESCO competitively procures scopes of work and how cost-competitive pricing is obtained.

Provide a description of the equipment that will be used to implement the LED conversion during Phase 3 of the project. If specific equipment is unknown at this time because subcontractors are not yet identified, then identify the general types of equipment that the subcontractors will be required to use on the project (e.g., equipment required for installation, not the lighting products) based on prior experience.

6. Post Installation Services (10 Points)

Provide the firm's equipment performance guarantee policies and procedures, including information on your firm's warranty enforcement role and your firm's responsibility, if any, when there is an equipment failure beyond the warranty period. Explain how the equipment warranty information will be provided to the City to help facilitate the City's tracking of the equipment warranties after the project is complete.

Explain the firm's Measurement & Verification (M&V) protocol, options and overall M&V approach. Include any M&V issues you may have had with previous clients and how those issues were resolved.



OWNERSHIP/ PERMISSION TO USE MATERIALS

All materials submitted in response to this RFQ become the property of the City. By submitting an SOQ response to this RFQ, respondents grant the City a non-exclusive, perpetual, irrevocable, royalty-free license for the rights to copy, distribute, display, prepare derivative works of and transmit the response solely for the purpose of evaluating responses or as otherwise needed to administer the RFQ process, and to fulfill obligations under City and Tennessee public records procedures and laws. Responses, including supporting materials, will not be returned to respondents.

CANCELLATION OF RFQ; REJECTION OF PROPOSALS; NO DAMAGES

City may reject any or all responses to the RFQ, in-whole or in-part, and may cancel this RFQ at any time if the City determines such rejection or cancellation is in the best interest of the City. The City is not liable to any respondent for any loss or expense caused by or resulting from the delay, suspension, or cancellation of the RFQ, award, or rejection of any Proposal.

COST OF SUBMITTING A PROPOSAL

Proposer must pay all the costs in submitting its SOQ, including, but not limited to, the costs to prepare and submit the SOQ, costs of supporting materials, costs to participate in interviews if requested to do so, or costs associated with protests.

CONFLICT OF INTEREST

Proposer warrants and represents that, to the best of its knowledge, there exists no actual or potential conflict between the business or economic interests of respondent, its employees, or its

agents, on the one hand, and the business or economic interests of the City, on the other hand, arising out of, or relating in any way to, the subject matter of the RFQ. Respondent further warrants and represents that to the best of its knowledge, respondent has not, within the previous five years, entered into an agreement to provide any type of remuneration, or provided any type of remuneration, to any employee of the City.

SINGLE POINT OF CONTACT

For questions or information regarding this RFQ, please contact Jeff Baines, Commissioner of Public Services, via email at jeff.baines@lebanontn.org or via regular mail at City 200 North Castle Heights Avenue, Suite 300, Lebanon, TN 37087.

LIST OF ATTACHMENTS

Attachment 1: Respondent Certifications

- SECTION I: REQUEST AND AUTHORIZATION TO RELEASE INFORMATION, RELEASE OF LIABILITY/CLAIMS AND AGREEMENT NOT TO SUE
- SECTION II: ADDENDA ACKNOWLEDGEMENT
- SECTION III: RESPONSIBILITY INQUIRY/ CONTRACTOR REFERENCES
- SECTION IV: CERTIFICATION OF COMPLIANCE WITH NON-DISCRIMINATION LAWS
- SECTION V: SIGNATURE OF PROPOSER'S DULY AUTHORIZED REPRESENTATIVE

ATTACHMENT 1 RESPONDENT CERTIFICATIONS

**SECTION I REQUEST AND AUTHORIZATION TO RELEASE INFORMATION, RELEASE OF LIABILITY/CLAIMS
AND AGREEMENT NOT TO SUE**

(This Form Will Be Provided to References)

To Whom It May Concern:

I, the undersigned, have submitted a response to a Request for Proposals (“RFQ”) to contract with the **City of Lebanon (“City”)**. I request and authorize you to furnish to the City any and all information you may have regarding my employment or my firm’s employment, including but not limited to, evaluations or assessments of my/my firm’s work performance and qualifications.

I request and authorize you to provide the information requested or to participate in a phone or in person interview with a representative of the City.

In consideration of your cooperation with this request, I hereby release you, and any and all other persons employed by or connected with your firm, the City and/or organization from any and all liability and/or claims now or in the future arising from the furnishing of any information, including good faith expressions of opinion, to the City as requested. I further agree not to sue the City, you, or any and all other persons employed by or connected with your firm/community /organization as a result of the furnishing of any information, including good faith expressions of opinion, to the City.

I am aware and understand that the information and good faith opinions furnished to the City pursuant to this request will remain confidential with the City if requested by you and will not be disclosed to me or to any other person, except as required by law.

The individual signing on behalf of Respondent hereby accepts all terms and conditions contained in the foregoing Request and Authorization to Release Information:

Signature of Authorized Representative Date

Name of Firm

Note: Photocopy or Fax reproduction of this request shall be for all intents and purposes as valid as the original. You may retain this form for your files.

SECTION II ADDENDA ACKNOWLEDGEMENT

A. the City reserves the right to make changes to the RFQ by written Addendum, prior to the deadline for submissions. Addenda will be sent via e-mail to all qualified ESCOs. The City is not responsible for a Respondent's failure to receive any addenda. Addenda shall only be issued by the City and upon issuance are incorporated into the RFQ or the resulting ESPC Contract. If required by the Addendum, Respondents shall sign and return the Addendum prior to the deadline for submissions.

B. By Respondent's signature on its Response, Respondent ACKNOWLEDGES, AGREES and CERTIFIES TO THE FOLLOWING:

1. If any Addenda are issued in connection with this RFQ, Respondent has received and duly considered such Addenda, and has completed the blanks below identifying all Addenda issued and acknowledging and agreeing to the terms of all such Addenda as those terms revise the terms, conditions, or Technical Facility Profile associated with this RFQ.

ADDENDA: No. _____ to No. _____ inclusive.

2. IN ADDITION to completing the blanks above to identify all Addenda, if any, issued under this RFQ, Respondent shall sign and return any Addendum that states that it must be signed and returned.

SECTION III RESPONSIBILITY INQUIRY/ CONTRACTOR REFERENCES

A. The City reserves the right to investigate and evaluate, at any time prior to award and execution of the Contract, the apparent successful ESCO's responsibility to perform the ESPC. Submission of a signed Response shall constitute approval for the City to obtain any information the City deems necessary to conduct the evaluation. The City shall notify the apparent successful Respondent, in writing, of any other documentation required, which may include, but is not limited to, recent profit-and-loss history; current balance statements; assets-to-liabilities ratio, including number and amount of secured versus unsecured creditor claims; availability of short and long-term financing; bonding capacity; credit information; material; equipment; facility and personnel information; performance record of ESPC Contract performance; etc. Failure to promptly provide this information shall result in Response rejection.

B. The City may postpone the award of the Contract after announcement of the apparent successful Respondent to complete its investigation and evaluation. Failure of the apparent successful Respondent to demonstrate responsibility shall render the Respondent non-compliant and shall constitute grounds for Response rejection.

SECTION IV CERTIFICATION OF COMPLIANCE WITH NON-DISCRIMINATION LAWS

By my signature on this Response, I hereby attest or affirm under penalty of perjury: that I am authorized to act on behalf of ESCO in this matter, and to the best of my knowledge ESCO has not discriminated and will not discriminate against minority, women or emerging small business enterprises in obtaining any required subcontracts, and that the ESCO is not in violation of any discrimination laws.

SECTION V SIGNATURE OF PROPOSER'S DULY AUTHORIZED REPRESENTATIVE

THIS RESPONSE MUST BE SIGNED IN INK BY AN AUTHORIZED REPRESENTATIVE OF THE RESPONDENT; ANY ALTERATIONS OR ERASURES TO THE PROPOSAL MUST BE INITIALED IN INK BY THE UNDERSIGNED AUTHORIZED REPRESENTATIVE.

The undersigned acknowledges, attests and certifies individually and on behalf of the Respondent that:

- A.** He/she is a duly authorized representative of the Respondent, has been authorized by Respondent to make all representations, attestations, and certifications contained in this Response and all Addenda, if any, issued.
- B.** Respondent, acting through its authorized representatives, has read and understands all RFQ instructions, terms and conditions and the Technical Facility Profile contained in this RFQ document (including all listed attachments and Addenda, if any, issued).
- C.** the Response submitted conforms to the specific language contained in the RFQ, and Respondent has made no assumptions based upon either (a) verbal or written statements not contained in the RFQ, or (b) any previously issued RFQs, if any.
- D.** The City shall not be liable for any claims or be subject to any defenses asserted by Respondent based upon, resulting from, or related to, Respondent's failure to comprehend all requirements of the RFQ.
- E.** The City shall not be liable for any expenses incurred by Respondent in preparing and submitting its Response or in participating in the Response evaluation/selection process.
- F.** The Response was prepared independently from all other Respondents, and without collusion, fraud, or other dishonesty.
- G.** Respondent is bound by and will comply with all requirements and terms and conditions contained in this Response (including all listed attachments and Addenda, if any, issued).
- H.** Respondent will furnish the designated item(s) and/or service(s) in accordance with the RFQ requirements and will comply in all respects with the terms of the resulting ESPC upon award.
- I.** Respondent represents and warrants that Respondent has the power and authority to enter into and perform the ESPC and that the ESPC, when executed and delivered, shall be a valid and binding obligation of ESCO enforceable in accordance with its terms; and
- J.** All affirmations and certifications contained in Sections I, II, III IV and V are true and correct.

Signature of Authorized Representative Date

Name of Firm