



## **REQUEST FOR PROPOSALS**

**November 6, 2020**

**For Guaranteed Energy Savings Contracting Services  
Butler County Schools, Alabama**

**PROPOSALS DUE ON OR BEFORE 2 PM, DECEMBER 8, 2020**

Contact:

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**REQUEST FOR PROPOSALS**  
**For**  
**Guaranteed Energy Savings Contract Services**

**1. INTRODUCTION**

Butler County Schools System (BCSS) is located in Butler County, Alabama. It is home to six (6) public schools ranging from elementary to high school. BCSS educates more than 3,000 students, per year.

<b>School</b>	<b>Square Footage</b>
Georgiana School	107,828
Greenville High School	159,395
McKenzie High School	62,750
Greenville Middle School	63,864
Greenville Elementary	25,368
W.O. Palmer Elementary	71,170
Old High School	78,923
<b>Total</b>	<b>569,298</b>

**2. BACKGROUND**

BCSS is seeking proposals from experienced Energy Services Companies (ESCOs) to develop Guaranteed Energy Savings Contract(s) to implement potential energy/utility/operational cost saving measures and related facility improvement measures.

BCSS is considering procurement of ESCO services primarily to construct and commission various energy and water cost savings measures and related facility improvements (Measures) in order to reduce utility and operating costs while addressing various school infrastructure needs.

The intent of this document is to determine the cost of services of ESCOs to provide energy conservation and related facility improvement services to BCSS. Completing and submitting the data requested in this RFP should provide the required information needed to evaluate and identify suitable ESCO(s) as partner(s) potentially to address BCSS’s energy efficiency and infrastructure needs at the appropriate time.

**3. CONSIDERATIONS**

ESCOs (Proposers) need to note the below items that describe some of BCSS requirements and intent with respect development and execution of a potential guaranteed energy savings contract.

- a. Scope for a potential guaranteed energy savings contract would primarily be from a list of Measures that would be identified through an investment grade audit by selected ESCO and approved by BCSS.
- b. BCSS will require ESCO(s) to obtain at a minimum of three (3) prices for construction (all materials and labor) for each Measure through competitive bidding. If any of the construction work would be performed by the ESCO’s employees or needs to be sole sourced, a detailed breakdown of labor and material costs will be required for BCSS review and approval. BCSS reserves the right to accept or

reject any bids or request rebidding based on pricing and/or engineering aspects. BCSS may require ESCO(s) to deliver Performance Bonds, Labor, and Material Payment Bonds before starting any construction work. Bonding costs may need to be identified separately.

- c. **FINANCING** – BCSS requires the selected ESCO to provide financing directly under a monthly installment plan where BCSS pays the ESCO directly for guaranteed energy savings contract and related services.

Selected ESCO obtains financing directly as the borrower or finances it using ESCO’s internal funds at interest rates and financing fees comparable to interest rates and fees that BCSS would expect when procured directly by allowing BCSS to enter into an installment agreement(s) with the selected ESCO to pay the ESCO (not a 3<sup>rd</sup> party) over a contract term not to exceed twenty (20) years.

- d. **DEVELOPMENT & IMPLEMENTATION STEPS** – BCSS expects overall process to be generally as follows:

- i. BCSS completes proposal review and selection process.
- ii. Selected ESCO and BCSS negotiate acceptable general terms and conditions of an Energy Services Agreement as described in Paragraph 4 below.
- iii. BCSS authorizes ESCO, based on fee proposed in response to this RFP, to proceed with and complete Investment Grade Audit (IGA). ESCO completes IGA and submits a report.
- iv. BCSS approves all or part(s) of scope developed under IGA for design and competitive pricing development. BCSS authorizes ESCO, based on fee proposed in response to this RFP, to develop detailed design and pricing. ESCO develops detailed design for pricing and obtains competitive pricing for each measure as per this RFP requirements.
- v. ESCO submits a Guaranteed Energy Savings proposal with detailed cost breakdown of all proposed work including proposed fees for all performance period services and cost of IGA and design/pricing development. This proposal shall include details of proposed financing structure and associated fees / interest rates.
- vi. **BCSS reserves the right to terminate the process after any step mentioned above if deemed in the best interest of BCSS. BCSS would be responsible to compensate the ESCO based on authorized and incurred costs to the point of termination only.**

#### 4. DEVELOPMENT OF ENERGY SERVICES AGREEMENT

Upon selection of ESCO(s), BCSS intends to negotiate acceptable general terms and conditions of an Energy Services Agreement consistent with the intent and spirit of this RFP. However, BCSS reserves the right to terminate negotiations if an acceptable general terms and conditions of an Energy Services Agreement(s) cannot be negotiated within ninety (90) calendar days with an ESCO and to pursue a different ESCO. Acceptable general terms and conditions of an Energy Services Agreement will be necessary before the BCSS commits to incurring any costs towards development of a Guaranteed Energy Savings Contract Proposal.

Selection of ESCO(s) by BCSS and negotiation of acceptable Energy Services Agreement does NOT guarantee award of Guaranteed Energy Savings Contract(s).

#### 5. SCOPE OF SERVICES & ESCO’S EXPERIENCE

- a. BCSS anticipated to enter into an agreement with the selected ESCO for IGA services. BCSS may

pay for these services directly or may opt to included them in financed costs of the overall project.

- b. Selected ESCO will be required to perform an investment grade audit (IGA) in all BCSS schools and develop guaranteed energy savings contract proposal for BCSS review and consideration.
- c. BCSS anticipates ESCO's to develop energy conservation measures that are typical to K-12 facilities in Alabama. These measures may primarily include upgrades to lighting, DX HVAC (split or rooftop) and HVAC controls. Additional measures may include renewable, water conservation, etc.
- d. Selected ESCO will be required to obtain at least three (3) competitive prices/quotes for all the energy conservations measures approved for implementation.
- e. ESCOs are required to provide in the proposal the name, title, and contact information for **three (3) energy savings project references with construction value of greater than \$1.5 million**. References should be familiar with the ESCO's business organization, finances and operational style. Provide a very brief description of the services provided for each reference.
- f. ESCOs need to provide in the proposal the name, title, and contact information for **three (3) other references** familiar with the firm's business organization, finances and operational style.

## 6. SITE WALK-THROUGH

No site walk-throughs are planned under this RFP.

## 7. COST OF ESCO's SERVICES

BCSS requires an "Open Book Policy" in reference to all costs of various potential Measures. BCSS also has a preference to competitively procure pricing for construction of individual Measures. For this reason, ESCOs need to complete and submit all price schedules referenced in Attachment 1 – Cost of Services Methodology as a part of ESCO's proposal in response to this RFP.

The ESCOs cost of services is not the only criteria for the BCSS choosing a particular ESCO but for the ESCO to be chosen, cost of services will need to be shown to be competitive with other ESCOs. If a firm chooses not to submit this attachment, BCSS will exclude this firm from consideration regarding this RFP.

## 8. ADDITIONAL REQUIRED INFORMATION

The following should also be addressed in ESCO's proposals.

- a. Quality Assurance & Safety - Explain ESCO's quality control and safety processes / procedures. At a minimum, please describe:
  - i. The corrective measures proposed to deal with quality control and safety issues. How will BCSS be notified of such problems?

- ii. The specific quality control plan, including criteria to judge auditor performance, design engineering performance, construction management performance, commissioning performance, etc.
- b. Financial / Bonding – Please provide ESCO’s bonding capabilities at the bottom of Attachment 1
- c. ESCO’s Submission Statement - ESCOs must complete and include Attachment 2 – ESCO’s Submission Statement.

## 9. PROPOSAL SUBMITTAL CHECKLIST / PROPOSAL FORMAT

Ensure that ESCO’s proposals includes all of the following in the order listed in addition to any other information an ESCO may opt to present in its proposal:

- Contact name, email address, phone number and mailing address for a primary point of contact of ESCO regarding this RFP.
- Detailed ESCOs Experience & Services
- References – Three relevant references (with a description of services provided)
- References – Three other references
- Financial / Bonding capabilities of your ESCO
- ESCO’s Quality Assurance and Safety information
- Completed Price Schedules Referenced in Attachment 1 – ESCO Cost of Services
- Signed Attachment 2 – Firm’s Submission Statement

## 10. EVALUATION CRITERIA

BCSS intends to procure ESCO services based on cost-effectiveness, financing options offered by ESCO while adhering to technical innovation, high quality, accuracy and other relevant industry standards. Proposals will be evaluated on pricing, financing, experience, past client references, proposed quality assurance and safety programs, the financial stability of the firm, proposed financial structure and the compliance with insurance, bonding, and other relevant factors.

BCSS may interview the shortlisted ESCO teams for further evaluation.

BCSS will evaluate proposals based on firm’s original submittal. No proposal or revised proposal will be accepted following the proposal submission due date and time.

**BCSS reserves the right to reject any or all submissions and to waive informalities and minor irregularities in proposal submissions received and to accept any proposal submissions if deemed in the best interest of BCSS to do so.**

BCSS will notify the ESCO(s) of its acceptance of a proposal by e-mail notice.

## 11. LIMITATIONS

This RFP or ESCO’s submission of a proposal in response to this RFP do not commit BCSS to enter into a contract or an energy services agreement, to reimburse any costs incurred in the preparation of the proposal,

to procure or contract for services and or supplies. BCSS reserves the right to accept or reject any or all proposals received, or to cancel this RFP in part or in its entirety, if in doing so is in the best interest of BCSS.

**12. CLARIFICATIONS**

Any questions about this RFP shall be submitted in writing via email to [brandi.mosley@butlerco.k12.al.us](mailto:brandi.mosley@butlerco.k12.al.us) on or before 4:00 PM on Thursday, December 3, 2020. BCSS will provide responses to written questions in writing on or before Friday, December 4, 2020. Any comments made or questions answered by BCSS staff or any of BCSS representatives during site visits cannot be considered as an official response from BCSS. Only the information provided in this RFP and clarifications provided in writing shall be considered as official communication from BCSS with respect to this RFP.

**13. SUBMITTAL**

ESCOs shall submit proposals via email in pdf format to Ms. Brandi Mosley at [brandi.mosley@butlerco.k12.al.us](mailto:brandi.mosley@butlerco.k12.al.us). Proposal shall be submitted as one (1) pdf file and be less than 10 MB in file size.

**14. DEADLINES**

Deadline for Request for Clarifications	4:00 PM (CDT), December 3, 2020
Target Date to Issue Responses to Questions	4:00 PM (CDT), December 4, 2020
Deadline for Proposal Submission	2:00 PM (CDT), December 8, 2020
Notice of Intent to Award Successful ESCO	TBD

## **Attachment 1 – Cost of Services Methodology**

Primary factor that will be used in selecting an ESCO partner will be cost of services. For these costs to be compared, the ESCO must be willing to be paid based ***on a percent of the construction cost based on accepted bids for the Measures that are installed***. In order to establish the cost of services, proposers are required to submit completed **Pricing Schedules 1 and 2 (attached to this RFP)**.

### **PRICING SCHEDULE 1**

In response to this RFP the ESCO will need to propose cost of services during implementation period. It is understood that these fees, if provided as a percentage of the cost of the accepted prices for construction, will vary based on the size of the project. For this reason, the ESCO is required to complete Pricing Schedule 1 (a sample is shown below) for the ESCO's "Cost of Services" for contracts ranging in price of \$5 million to \$25 million in accepted construction costs.

**SAMPLE "ESCO's COST OF SERVICES" SCHEDULE**

<b>Total Contract Price Range (construction costs before financing)</b>	<b>ESCO's Cost of Services (to be completed ESCOs)</b>
<\$1 million	<b>18 %</b>
>\$1 million – \$2 million	<b>15 %</b>
>\$2 million – \$4 million	<b>14 %</b>
>\$4 million – \$6 million	<b>13 %</b>

#### ***Notes & Clarifications:***

1. The contract price ranges shown above is only meant to be an example. The ESCO should break their fees down by whatever contract price range that is preferred by the ESCO.
2. "ESCO's Cost of Services" represents the cost for services provided by the ESCO for this project based on information included in the RFP. This may include costs associated with construction period services such as project management, construction management, overhead and profit, markups, etc.
3. Do NOT include costs associated with i) IGA, design and/or pricing development or ii) Guaranteed Energy Savings Proposal development or iii) commissioning or iv) anticipated performance period services during contract period.

### **PRICING SCHEDULE 2**

In response to this RFP the ESCO will need to propose the fees for IGA and design related services in Pricing Schedule 2.

#### ***Notes & Clarifications:***

1. Fee for design services shall not exceed maximum recommended per Alabama Building Commission's guidance for A/E fees.
2. Proposers may list additional line items. However, proposer shall include a detailed explanation of any such additional line items in the proposal.



## Attachment 2 – ESCO’s Submission Statement

The following form must be completed and included in each ESCO’s proposal:

The undersigned firm hereby offers to perform the services as described in this RFP dated **November 6, 2020** prepared by Butler County School System (BCSS), in accordance with the Proposal attached hereto. This Proposal offer is firm and shall remain in effect for a period of one (1) year after receipt thereof by BCSS.

In connection with such offer, the undersigned represents and warrants to BCSS that it has carefully and thoroughly reviewed the entire RFP and that it possesses the experience, skills and abilities necessary to perform the services bid on in accordance with specifications in the RFP.

\_\_\_\_\_

Name of Firm

(Print or type)

\_\_\_\_\_

Signature

\_\_\_\_\_

Name of Signatory

(Print or type)

\_\_\_\_\_

Position with Company

(Print or type)

Date\_\_\_\_\_

**BCSS - RFP FOR GUARANTEED ENERGY SAVINGS CONTRACT SERVICES - PRICING SCHEDULE 1**

No	Projected Construction Cost before Financing Range)	ESCO's Cost of Services	Notes (If any)
Example	> \$5 million to \$10 million	20%	None
1			
2			
3			
4			
5			
6			

**BCSS - RFP FOR GUARANTEED ENERGY SAVINGS CONTRACT SERVICES - PRICING SCHEDULE 2**

<b>BCSS - Potential ESPC Development - Development Period Costs</b>			
<b>No</b>	<b>Item</b>	<b>Proposed Cost</b>	<b>Notes</b>
1	<b>Investment Grade Audit</b>		Provide \$/SF based on BCSS facility square footage
2	<b>Design Development &amp; CA (Assume a construction cost of \$4 million)</b>		Provide as a %- Selected ESCO will have to revise this percentage based on approved construction cost and based on Alabama Building Commission's guideline
3	<b>Price Procurement &amp; Proposal (if any)</b>		May list as a percent (%) of construction cost
4	<b>Commissioning</b>		May list as a percent (%) of construction cost
5			
6			
7			
8			

NOTE 1 Projected Construction Cost - Cost if BCSS was to directly hire a qualified mechanical contractor to perform construction; Design, CA or PM not included

NOTE 2 Use lines 5 through 8 for additional costs or cash flows, if any

NOTE 3 Amounts, if any, under line items 5 through 8 shall include detailed explanation as a backup