

**Request for Qualifications**

**Guaranteed Energy Savings Contract:**

**Dept. of Public Works**

**City of South Bend, Indiana**

**CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS  
REQUEST FOR QUALIFICATIONS**

Proposals shall be received no later than **9:30 a.m., EST, on May 28<sup>th</sup>, 2024**, at [bpwbids@southbendin.gov](mailto:bpwbids@southbendin.gov) for:

**PUBLIC WORKS GUARANTEED ENERGY SAVINGS CONTRACT QUALIFICATIONS**

**SUMMARY:**

The Board of Public Works of the City of South Bend (“City”), is soliciting proposals from qualified vendors for the following:

**Project description:**

This solicitation is a Request for Qualifications (RFQ). The purpose is to solicit qualifications from Energy Service Companies (ESCOs) that describe their capabilities to identify, design, install, maintain, and monitor a comprehensive energy generation and utility conservation program for the City of South Bend’s Wastewater Treatment Plant (WWTP).

This RFQ is the first step in a multi-step process to identify one or more qualified ESCOs. This RFQ details the requirements for response, deadlines, and directions for submittal in subsequent sections. The City of South Bend (“Owner”) intends to select an ESCO and award one or more contracts to provide utility conservation measures to the facilities described herein. For the purpose of this RFQ, “ESCO” refers to any entity that is qualified to provide a turnkey utility conservation program.

The project will be referred to as a “Guaranteed Energy Savings Contract” (GESC), although it will include non-energy activities. The project will conform to Indiana statute for GESCs with municipal governments, therefore all procurement, design, and installation activities will be pursuant to IC 36-1-12.5.

**Proposals must meet the minimum expectations as provided in the City’s Request for Qualifications in order to be considered.**

**How the Proposals will be evaluated and scored for selection.**

The person/firm making a proposal shall submit an explanation of how they comply with the requirements of this RFQ. Exceptions to any requirements mentioned in this RFQ must be clearly noted. Information submitted will be scored on a 100 point matrix system as follows and will be graded by a review team made up of city staff from Public Works and Sustainability:

<b>Technical approach to energy production and use reduction</b>	<b>25 Points</b>
<b>Project management approach, including design, implementation, and ongoing service</b>	<b>25 points</b>
<b>Technical, Business, and Personnel Qualifications</b>	<b>10 Points</b>
<b>Financial Qualifications, Guarantees, and proposed ROI</b>	<b>10 Points</b>
<b>References</b>	<b>10 Points</b>
<b>Depth and relevance of GESC project experience</b>	<b>10 Points</b>
<b>Measurement and Verification Approach</b>	<b>10 Points</b>

Upon selection, the City will then be given the approval to negotiate the terms of a final agreement. Following negotiations, the City’s Board of Public Works will be asked to review and approve the proposed written agreement and if approved, the agreement will be executed.

The successful proposal respondent(s) shall comply with the City’s ordinance and all other federal, state and local laws and regulations governing nondiscrimination in employment.

The City reserves the right to accept, negotiate scope or reject any or all proposals.

**Complete Proposal Request packages and instructions are available for download by visiting the City of South Bend’s web page at [www.southbendin.gov](http://www.southbendin.gov):**

- X Click on “Business”
- X Click on “Submit A City Contract Bid”
- X Under “Request for Proposals, Vehicles, Equipment and Miscellaneous Bids” heading
- X Click on “Registration Form” and register your company to receive updated information
- X Select specification to download
- X Print the specification or save it to your computer

There is no charge for the documents. Questions should be directed by email to Gemma Stanton at [gstanton@southbendin.gov](mailto:gstanton@southbendin.gov).

The City reserves the right to review and audit all documents related to this proposal and to request additional information as determined necessary. Failure to comply with the City’s request may be deemed grounds for dismissing the proposal.

An optional Pre-Response Conference will be held on Friday, April 26<sup>th</sup>, 2024 at 1:00 PM virtually at [this link](#). Any questions about response conditions must be addressed to the Owner via email no later than 5:00 PM on Wednesday, May 1<sup>st</sup>, 2024 to Gemma Stanton at [gstanton@southbendin.gov](mailto:gstanton@southbendin.gov).

**Proposals must include the Non-Collusion Affidavit, Non-Debarment Affidavit, Employment Eligibility Verification, and Non-Discrimination Commitment Form.**

BOARD OF PUBLIC WORKS  
Theresa Heffner, Clerk

Publish two (2) times: April 12<sup>th</sup>, 2024  
April 19<sup>th</sup>, 2024

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## **A – INSTRUCTIONS TO RESPONDENTS**

- Interested respondents MUST complete registration form at <https://www.southbendin.gov/RFP> to receive updates or addenda.
- Review the required Non-collusion form also at <https://www.southbendin.gov/RFP>. Do not submit qualifications if these terms are not acceptable.
- Optional pre-response meeting will be held on Friday, April 26<sup>th</sup>, 2024 at 1:00 PM virtually at [this link](#).
- Questions are welcome and appreciated. Questions should be asked at the pre-response meeting or by email to [gstanton@southbendin.gov](mailto:gstanton@southbendin.gov). Questions are due by 5:00 PM on Wednesday, May 1<sup>st</sup>, 2024 to Gemma Stanton at [gstanton@southbendin.gov](mailto:gstanton@southbendin.gov).
- Answers to all questions will be provided in writing to all **registered** respondents.
- If the City determines any new information, question, or concern alters the RFQ, an addendum will be issued to revise the RFQ.
- Electronic responses must be submitted to the Board of Public Works no later than 9:30 a.m., EST, on May 28<sup>th</sup>, 2024, at [bpwbids@southbendin.gov](mailto:bpwbids@southbendin.gov). Subject line should be “Public Works Guaranteed Energy Savings Contract Qualifications”.
- Late responses will not be accepted and will be returned to the submitting company unopened.
- Owner is not liable for any cost incurred by any person or firm responding to this RFQ.
- Owner reserves the right to reject as nonresponsive any responses that do not contain the information requested in this RFQ and in the form outlined in this RFQ.

## **B – PROJECT**

### 1. Purpose of Solicitation

This solicitation is a Request for Qualifications (RFQ). The purpose is to solicit qualifications from Energy Service Companies (ESCOs) that describe their capabilities to identify, design, install, maintain, and monitor a solar photovoltaic energy generation system and utility conservation measures for the City of South Bend’s Department of Public Works Wastewater Treatment Plant.

This RFQ is the first step in a multi-step process to identify one or more qualified ESCOs. This RFQ details the requirements for response, deadlines, and directions for submittal in subsequent sections. The City of South Bend (“Owner”) intends to select an ESCO and award one or more contracts to provide utility conservation measures to the facilities described herein. For the purpose of this RFQ, “ESCO” refers to any entity that is qualified to provide a turnkey utility conservation program.

The project will be referred to as a “Guaranteed Energy Savings Contract” (GESC), although it may include non-energy activities. The project will conform to Indiana statute for GESCs with municipal governments, therefore all procurement, design, and installation activities will be pursuant to IC 36-1-12.5.

## 2. Owner Background

The **City of South Bend**'s mission is to deliver services that empower everyone to thrive. This delivery is in line with the City's values of excellence, accountability, innovation, inclusion, and empowerment. The City has an annual budget of over \$400 million. The City maintains a high credit rating of "AA."

The City of South Bend has utilized a performance contract to convert traffic signals to LED and to perform a large GESC for the South Bend Century Center and Morris Performing Arts Center. The City anticipates implementing additional GESC projects in the near future.

The **Office of Sustainability (OOS)** is a division of the City's Department of Community Investment. The mission of the Office is to mobilize the community to address the climate emergency. The Office works towards achieving its mission by illuminating ways to reduce pollution and adapt to a changing environment, collaborating with the community, and designing, developing, and delivering climate solutions.

The **Department of Public Works (DPW)** manages public infrastructure, water and wastewater utilities, and solid waste collection. Within DPW, the Division of Engineering manages design and construction of public works projects in the City. In the Division of Utilities, the South Bend Wastewater Treatment Plant (WWTP) treats municipal wastewater. The WWTP is designed to treat an average flow of 48 million gallons per day and can treat at least 77 million gallons a day under high flow. The WWTP discharges treated wastewater to the St. Joseph River in accordance with stringent National Pollutant Discharge Elimination System permit conditions. The solids produced at the WWTP are treated to levels that make them acceptable for use on certain farm fields.



**Figure 1:** City of South Bend Wastewater Treatment Plant



### 3. Services Requested

Owner requests the implementation of an onsite solar photovoltaic array, in conjunction with necessary upgrades to HVAC and lighting units at the WWTP that can reduce energy costs. The selected ESCO will perform analysis, measure selection, development of engineering plans and specifications, installation, commissioning, monitoring and verification of savings, and management of a multi-subcontractor GESC.

Two spaces at the WWTP have been identified as opportunities for onsite solar energy generation: the dewatering building yard and administration building roof. These spaces are anticipated to provide enough space for a 0.4 MW solar array.



**Figure 2:** Dewatering Building Yard Available Space (left) and Administration Building (right)

Owner anticipates a major reduction in annual utility consumption and associated operations and maintenance costs. A contract must include monitoring and verification of utility savings and any guaranteed operational savings. Respondents agree that 100% of all energy and operational savings over the term of the contract shall be retained by Owner.

Additionally, the Owner requests the ESCO provide the following services:

- Follow all requirements for and subsequently apply for utility incentives or rebates on behalf of the Owner and payable to Owner, including the Inflation Reduction Act rebate.
- Submit any state or other required reports throughout the performance period.
- Comply with City Ordinance 14.5, requiring participation goals for minority and woman owned businesses. Participation goals will be set by the City. It will be the selected ESCO's responsibility to meet or exceed the pre-determined participation goals or to seek good faith effort waiver of such goals.
- Work with Owner to schedule program's implementation to minimize financed capital needs and minimize disruption to facility operations.
- Provide training to facility operators and may provide awareness education to facility operators or the public.
- Transparent financial reporting on budgeting and expenditure of project dollars.
- Manufacturer-independent recommendations except when a specific manufacturer provides demonstrable benefits to Owner (e.g. interoperability with existing equipment, substantially better warranty). Any relationship between the ESCO and a manufacturer must be disclosed during project design.

Owner requires all respondents to be "Qualified Providers" as defined by IC 36-1-12.5-3 and appear on the Indiana Department of Local Government Finance's *Qualified Guaranteed Energy Savings Contract Providers* list. <http://www.in.gov/dlgf/9476.htm>

#### 4. Project Description

The scope of the contract will cover energy cost savings at the WWTP through a combination of measures. Priority measures will be solar photovoltaic energy generation and energy-saving building upgrades. The ESCO will develop a plan to generate solar photovoltaic energy and, if feasible, will consider distributed generation, load shifting/peak shaving, energy storage, or fuel switching. Ancillary improvements to energy generation such as roof or electrical service upgrades will be included in the scope of the project.

The ESCO will consider indoor and outdoor facility components and applications, including

- indoor, outdoor, and specialty lighting;
- dehumidification and air distribution systems;
- space heating, ventilation, and air-conditioning;
- heat recovery;
- energy and environmental management systems and controls;
- pumps, motors, drives, and air compressors;

The final scope will be determined collaboratively between ESCO and Owner based on cost, scale of opportunity, urgency of replacement, and strategic value of measure.



Firms that have registered at <https://www.southbendin.gov/RFP> will be provided with a 3-year utility history and footprint size of rooftop spaces and green spaces for the to the extent that accurate information is able to be compiled.

## 5. Overview of Procurement Process

### a) Request for Qualifications Issued by Owner

This Request for Qualifications (RFQ) is the first step in a multi-step process to identify one or more qualified ESCOs. This RFQ details the requirements for response, deadlines, and directions for submittal in subsequent sections. This process must conform to provisions of IC 36-1-12.5. Owner will not reimburse any respondent for costs incurred in developing the RFQ. See “Notice to Respondents” and “Instructions to Respondents”.

### b) Selection of Short-list of Providers

A multi-department committee will review responses. Based on selection criteria described in this document, the committee may select up to three of the most qualified respondents as a short-list for the next stage of review. Owner may also determine that no qualified submittals have been received and reject all submittals.

### c) Facility Walk-Through Led by Owner

The short-listed respondents will walk through WWTP together with the Owner to develop an understanding of those facility and opportunities for solar photovoltaic energy generation and efficiency upgrades.

### d) Interviews

Oral presentations will be required of each of the short-listed respondents covering their general qualifications in the field of performance contracting for solar energy generation and utility efficiency improvements. The selection committee will also interview the respondent’s team. Owner requests that the proposed project manager attend all interviews and presentations. Instructions will be provided to short-listed firms.

### e) \*\*Selection of ESCO(s) by the City\*\*

The review team will provide a recommendation to the Board of Public Works for approval via resolution. The Board’s approval will be sent to Common Council for acceptance. The Owner may select one or more respondents.

### f) Negotiate Agreement for Project Development

Selected respondent(s) will develop a preliminary project proposal. The City and the selected ESCO(s) will negotiate the terms of contract for the ESCO to evaluate and recommend specific solar energy generation and conservation measures for implementation (sometimes called “investment-grade audit”, “utility assessment report”, or “project proposal”). The development of this report will be at no cost to the City contingent upon subsequent execution of a master performance contract.

g) Preparation of Final Project Proposal

It is expected that selection of measures for this proposal will involve close collaboration with Owner’s Departmental staff and incorporate priority projects and Owner’s preferred design criteria.

h) Submittal of Final Project Proposal

The ESCO will provide a final proposal for the Owner’s GESC project. The final proposal will include a list of all conservation measures and energy generation proposed, documentation of potential utility and operational savings, detailed project engineering design, and all associated implementation costs and savings guarantees. It must also include a Measurement and Verification Plan and a Sample Periodic Savings Report.

i) Review and Recommendation of Final Proposal

The Owner’s review committee will review the final proposal and either accepts the proposal, accept the proposal with exceptions or modification, or reject the proposal at the Owner’s expense.

j) Negotiate Master Performance Contract

After the Final Proposal is accepted, the selected respondent and the Owner will negotiate a master implementation contract which will include the proposal and all terms and conditions, procedures, timelines, forms, and points of contact for the contract period.

k) Secure Funding

l) Board of Public Works and Common Council Approval

Contracts, bond issue and financial closing, and other formal agreements related to the project will be executed by the City of South Bend Board of Public Works and Common Council as deemed appropriate by the City Legal Department and state procurement and GESC statutes.

m) Perform Project

Once the Contract is approved and executed, and funding has been secured, the ESCO will be issued a notice to proceed and can commence construction/installation.

6. Anticipated Timeline for ESCO Selection

1 <sup>st</sup> Publication	April 12, 2024
2 <sup>nd</sup> Publication	April 19, 2024
Pre-Response Meeting	April 26, 2024
Opening of Responses	May 28, 2024
Short List Announced	June 4, 2024
Facility Walk-Through	June 11-12, 2024 (tentative)
Interviews	June 17-18, 2024 (tentative)
Recommendation of selection to Board of Works; Approval of selection by Board of Works	July 9, 2024
Approval of selection by South Bend Common Council	July 22, 2024

## 7. Evaluation

Respondent must be listed on the Indiana Department of Local Government Finance's *Qualified Guaranteed Energy Savings Contract Providers* list. <http://www.in.gov/dlgf/9476.htm>

### a) Selection Committee

The evaluation of all responses shall be performed by a selection committee consisting of:

- Director of Public Works
- Director of Sustainability
- Director of Wastewater Utilities
- Director of Wastewater Maintenance
- Director of Wastewater Operations
- City Engineer
- Engineering Project Manager

### b) Scoring Criteria

Scoring shall be based on a total of 100 points. Scores for each category will be determined collaboratively by the selection committee. The scoring will be based on the following evaluation criteria:

<b>Technical approach to energy production and use reduction</b>	<b>25 Points</b>
<b>Project management approach, including design, implementation, and ongoing service</b>	<b>25 points</b>
<b>Technical, Business, and Personnel Qualifications</b>	<b>10 Points</b>
<b>Financial Qualifications, Guarantees, and proposed ROI</b>	<b>10 Points</b>
<b>References</b>	<b>10 Points</b>
<b>Depth and relevance of GESC project experience</b>	<b>10 Points</b>
<b>Measurement and Verification Approach</b>	<b>10 Points</b>

### c) Oral Presentation and Interview

Up to three finalists will be invited for an oral presentation and interview. Specific presentation instructions and criteria will be provided to invited firms.

## **C – RESPONSE FORMAT FOR RESPONDENT’S SUBMITTAL**

*Maximum page numbers are listed in each section. Responses should not exceed 17 pages. Shorter responses are appreciated. Include required attachments as appendices to the response.*

### 1. Cover Page

*Page count: 1 page*

- a. Include name of company, address, and primary and secondary contact person, including name, email, and phone number.
- b. Provide concise executive summary providing an overview of the ESCO’s qualifications.

### 2. Table of Contents

*Page count: 1 page*

### 3. Company Background and Qualifications

*Page count: 3 pages plus attachments*

- a. Provide a statement about company mission, vision, and values.
- b. Describe the complete range of utility services and capabilities your firm offers: such as engineering, design, auditing, energy equipment selection and installation, operation and maintenance, commissioning, monitoring and verification, and training.
- c. List any awards and accreditations. If you are not nationally-accredited as an ESCO, explain why.
- d. Provider’s Engineering Qualifications and Management
  - i. Number of years company has operated in Indiana
  - ii. Number of employees residing in Indiana
  - iii. Company officers
  - iv. Identify Professional Engineers directly employed by the Provider responsible for this project. Include License number of the person responsible for the project.
  - v. List the personnel employed by the Provider responsible for this project. Identify Professional Engineer(s) directly employed by the ESCO responsible for this project and include their License number(s) Attach a resume (1 page or less) on each person listing education, experience, work history, and responsibilities on this project.
- e. The most recent audited Financial Report.
- f. The Provider must be certified and meet the requirements of IC 4-13.6-4 and the RFQ submitted must attach a copy of the firm's certification of qualification issued under IC 4-13.6-4.
- g. Describe if the Provider is a manufacturer, contractor, or engineering firm. Clearly delineate what services or products the Provider is including from their own company as part of the project.

### 4. Financial Qualifications

*Page count: 2 pages plus attachments*

- a. Describe your ability to provide adequate liability insurance and necessary performance bonding.
- b. Attach the two most recent financial reports or audited financial statements in electronic version via web or file share service links.
- c. Provide amount of total outstanding guarantees and amount of guaranteed shortfalls paid out to customers in past five years.
- d. Attach letter of reference of two subcontractors used on large projects attesting to your firm's fiscal responsibility.

## 5. Technical Approach

*Page count: 2 pages plus attachments*

- a. Describe your firm's general approach to guaranteed energy savings contracting, including:
  - i. Immediate and long-term value your firm brings to Owner.
  - ii. Any unique qualities or capabilities of your firm that would benefit the Owner in this project.
- b. Describe the business unit dedicated to performance contracting, including:
  - i. Years in business specifically in guaranteed energy savings contracting;
  - ii. Percentage of total business revenue generated by performance contracting projects or related services; and
  - iii. Any local presence.
- c. Attach summaries (maximum 1 page per project) of four projects completed by this specific branch of your firm, within the past five years, for services similar to this project. Include at least two projects with two years of guarantee performance history. Include the following specific information for each project:
  - i. Project title and location
  - ii. Name, address, and phone number of Owner's representative
  - iii. Nature of your firm's responsibility
  - iv. Type of contract (guaranteed savings, shared savings, direct cost, etc.)
  - v. Total contract dollar amount and term in years
  - vi. Scope of work including types of energy generation/utility conservation measures evaluated and installed with type of equipment used
  - vii. Sources of project funding
  - viii. Projected and actual project start and end dates; current status
  - ix. Projected annual utility savings (dollars and energy/water)
  - x. Actual and measured annual utility savings (dollars and energy/water)

## 6. Project Management Approach

*Page count: 3 pages*

- a. Describe how you will manage the project. Discuss minimizing risk to owner, project scheduling and staying on schedule, quality assurance, and working with Owner's facility staff.
- b. Provide a sample timeline indicating necessary activities for this project, including ongoing service or maintenance following project installation.

- c. Identify which portions of the project you intend to implement with subcontractors and how the subcontractors will interact with the Owner.
- d. Explain how you intend to comply with City Ordinance 14.5 related to utilization of minority or women owned businesses.

## 7. Measurement & Verification

*Page count: 2 pages plus attachments*

- a. Describe the methodologies used to calculate baseline utility consumption.
- b. Describe the methodologies likely to be used to verify annual savings.
- c. Describe your firm's approach to accounting for equipment or operational changes that impact savings estimates during the period of performance.
- d. Attach a Measurement and Verification Plan and Annual Savings Report from a recent project.

## 8. Financial Guarantees

*Page count: 3 pages*

- a. Describe your approach to creating and delivering on the savings guarantee. Include:
  - i. Methodology to calculate savings guarantee.
  - ii. Position on stipulated savings.
  - iii. Any non-utility cost savings that will be calculated or estimated (e.g. staff time, materials, deferred maintenance).
  - iv. Explain how these savings are calculated.
  - v. Explain how these savings are monitored and verified.
  - vi. Indicate which non-utility savings types are guaranteed.
  - vii. Describe how you maximize Owner's return on investment.
- b. Identify tax credits, grants, and incentives that may be available to the Owner for funding this project and describe your expertise in securing them.
- c. Disclose any relationships with financial institutions.

[END]