REQUEST FOR PROPOSALS

LEED Accredited Professional Consultant

RFP #RFP-14-101
www.energy.ca.gov/contracts/
State of California
California Energy Commission
May 2014

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Attachments

I. Introduction

PURPOSE OF RFP

The purpose of this RFP is to secure the services of a Leadership in Energy and Environmental Design (LEED) Accredited Professional (AP)/consulting firm (Contractor) to evaluate the California Energy Commission headquarters building located at 1516 Ninth Street, Sacramento, California (Building). The LEED AP/consulting firm will assist the California Energy Commission in developing and implementing a LEED Existing Building: Operations and Maintenance (EB:O&M) (version 2009) plan to achieve a certification level of at least Silver. The Energy Commission (Energy Commission) envisions the transformation of its Building from a solid performer into one of the most resource-efficient buildings in California. The Energy Commission also envisions a building that will be a showcase for energy and green innovation.

BACKGROUND

Buildings have an enormous impact on the environment, human health, and the economy. The successful adoption of green building strategies can maximize both the economic and environmental performance of buildings. Green building is the practice of creating structures and using processes that are environmentally responsible and resource-efficient throughout a building's life-cycle from siting to design, construction, operation, maintenance, renovation, and deconstruction. This practice expands and complements the classical building design concerns of economy, utility, durability, and comfort. Green building is also known as sustainable or high performance building.

Existing buildings can also become green through remodeling, retrofitting, and improving operations. They can be upgraded to reduce the overall impact of the built environment on human health and the natural environment by:

- Efficiently using energy, water, and other resources
- Protecting occupant health and improving employee productivity
- Reducing waste, pollution, and environmental degradation

On April 25, 2012, Governor Edmund G. Brown issued Executive Order B-18-12 and an accompanying Green Building Action Plan that requires state agencies to, among other things:

- Take actions to reduce entity-wide greenhouse gas emissions by at least 10 percent by 2015 and 20 percent by 2020, as measured against a 2010 baseline
- Continue taking measures to reduce grid-based energy purchases by at least 20 percent by 2018, as compared to a 2003 baseline
- Obtain LEED certification; and
- Take measures toward achieving zero net energy, meaning a building that produces as much energy as it consumes

In response to Governor Edmund G. Brown's Executive Order, the Energy Commission established its own Energy Commission Green Team. The Green Team's goals are to meet or exceed the requirements of the Executive Order ahead of schedule.

The Energy Commission Building is owned and operated by the Department of General Services (DGS). Over the years, some energy upgrades were implemented in the Building. However, the Energy Commission has bold plans to transform the Building into a model of green building renovation. The Energy Commission, DGS, and the Contractor will work collaboratively together to achieve a LEED Certification of Silver or better. DGS will perform physical retrofits, alterations, and/or construction to the building as necessary to meet LEED requirements.

KEY ACTIVITIES AND DATES

Key activities including dates and times for this RFP are presented below. An addendum will be released if the dates change for the asterisked (*) activities.

ACTIVITY	ACTION DATE
RFP Release	5/28/2014
Deadline for Written Questions*	6/5/2014
Pre-Bid Conference	6/3/2014
Distribute Questions/Answers and Addenda (if any) to RFP	6/12/2014
Deadline to Submit Proposals by 3:00 p.m.*	**6/27/2014**
Clarification Interviews (If necessary)	7/07/2014
Notice of Proposed Award	7/08/2014
Commission Business Meeting	8/13/2014
Contract Start Date	8/29/2014
Contract Termination Date	3/31/17

AVAILABLE FUNDING AND HOW AWARD IS DETERMINED

This is an hourly rate plus cost reimbursement contract and the award will be made to the responsible Bidder receiving the highest points.

The contract resulting from this RFP will be awarded for up to $100,000:

- Phase 1:
  Up to $50,000 of this amount is available beginning July 1, 2014 and is funded from fiscal year (FY) 2014-15 funds. The first $50,000 is allocated to fund a feasibility assessment and certification plan.

- Phase 2:
  Up to an additional $50,000 may be available beginning July 1, 2015 and would be funded from FY 2015-2016 funds. The second $50,000 is allocated for optional work to fund the contractor's assistance to implement necessary changes in the Building and submit the application for LEED Silver Certification. Phase 2 funds are contingent on a critical project review meeting to determine if the project will continue, (see "Critical Project Review to Decide Phase 2 Work" immediately below.) Phase 2 funds are also contingent on approval of the Energy Commission's FY 2015-2016 Budget. Funding shall be subject to the appropriation and availability for that purpose in the FY 2015-2016 Governor's Budget. In the event funds are not available, the Energy Commission shall have no further liability with regard to the agreement.

The Energy Commission reserves the right to reduce the contract amount to an amount deemed appropriate in the event the budgeted funds do not provide full funding of Energy Commission contracts. In this event, the Contractor and the Energy Commission shall meet and reach agreement on a reduced scope of work commensurate with the level of available funding. The Energy Commission reserves the right to decrease or increase the contract amount to an amount deemed appropriate in the event the budgeted funds exceed or do not provide full funding of Energy Commission contracts. In this event, the Contractor and Commission Agreement Manager (CAM) shall meet and reach agreement on a reduced scope of work commensurate with the level of available funding.

CRITICAL PROJECT REVIEW TO DECIDE PHASE 2 WORK

After the contractor completes Phase 1, the Energy Commission will hold a "Critical Project Review" (CPR) meeting. At this time in the project, the Energy Commission will determine whether or not to continue the project. Please refer to the scope of work task 1.2 CPR for procedural details. The purpose of this CPR is to:

- Determine whether to continue the project based upon the feasibility of, and the Energy Commission's ability to, implement measures needed to achieve LEED Certification as well as the progress made by DGS.
- At the time of the CPR and based upon status of efforts currently underway, the Energy Commission will determine the need for future implementation, documentation, and training to be performed by the Contractor.
- Determine whether to authorize Phase 2 work—up to an additional $50,000.
- If continuing the project, the Energy Commission will issue work authorizations based on the Phase 2 tasks in the work scope (tasks 5, 6, and 7). The work authorizations will specify the funding and provide detail on the Phase 2 tasks, deliverables, and due dates.

ELIGIBLE BIDDERS

This is an open solicitation for public and private entities. Each agreement resulting from this solicitation includes terms and conditions that set forth the contractor's rights and responsibilities. Private sector entities must agree to use the attached standard terms and conditions (Attachment 6). The University of California or U.S. Department of Energy National Laboratories must use either the standard or the pre-negotiated terms and conditions at the following website: (http://www.energy.ca.gov/contracts/pier.html#piergeneralinfo). The Energy Commission will not award agreements to non-complying entities. The Energy Commission reserves the right to modify the terms and conditions prior to executing agreements.

All corporations, limited liability companies (LLCs), and limited partnerships (LPs) are required to register and be in good standing with the California Secretary of State to enter into an agreement with the Energy Commission. If not currently registered with the California Secretary of State, Applicants are encouraged to contact the Secretary of State's Office as soon as possible to avoid potential delays in beginning the proposed project(s) (should the application be successful). For more information, contact the Secretary of State's Office via its website at www.sos.ca.gov.

PRE-BID CONFERENCE

There will be one Pre-Bid Conference; participation in this meeting is optional but encouraged. The Pre-Bid Conference will be held at the date, time and location listed below. Please call (916) 654-4381 or refer to the Energy Commission's website at www.energy.ca.gov to confirm the date and time.

June 3, 2014
10:00 am
California Energy Commission
Hearing Room A
1516 9th Street
Sacramento, CA 95814
Telephone: (916) 654-4381

The Pre-Bid Conference will be broadcast via WebEx; the Energy Commission's on-line meeting service. To listen to the meeting and view any presentations, please click the following link or paste it into your browser:

You may also go to https://energy.webex.com and enter Meeting Number **920 893 321**. The meeting password is **welcome@123.**

NOTE: Access to WebEx meetings is now available from your mobile device. To learn more and access your app, please visit http://www.webex.com/overview/mobile-meetings.html

The Energy Commission building has wireless Internet access available in the atrium, coffee shop, and library

To participate by telephone, please call toll free 1-888-823-5065 after 9:01 a.m. (PDT). The pass code for the meeting is "LEED Consultant" and the call leader is Richard Alexander.

QUESTIONS

During the RFP process, questions of clarification about this RFP must be directed to the Contracts Officer listed in the following section. You may ask questions at the Pre-Bid Conference, and you may submit written questions via mail, electronic mail, and by FAX. However, all questions must be received by 5:00 pm on the day of the Pre-Bid Conference.

Approximately two weeks after the Pre-Bid Conference, question and answer sets will be e-mailed to all parties who requested a copy of this RFP from the Commission Contracts Office and to all who attended the Pre-Bid conference and provided their contact information on the sign-in sheet. The questions and answers will also be posted on the Commission's website at: http://www.energy.ca.gov/contracts/index.html.

Any verbal communication with a Commission employee concerning this RFP is not binding on the State and shall in no way alter a specification, term, or condition of the RFP. Therefore, all communication should be directed in writing to the Energy Commission's Contract Officer assigned to the RFP.

CONTACT INFORMATION

Andrew Ferrin, Contracts Officer
California Energy Commission
1516 Ninth Street, MS-18
Sacramento, California 95814
Telephone: (916) 654-4921
FAX: (916) 654-4423
E-mail: Andrew.ferrin@energy.ca.gov

RESPONSES TO THIS RFP

Responses to this solicitation shall be in the form of an Administrative, Technical, and Cost Proposal according to the format described in this RFP. The Administrative response shall include all required administrative documents. The Technical Proposal shall document the Bidder's approach, experience, qualifications, and project organization to perform the tasks described in the Scope of Work, and the Cost Proposal shall detail the Bidder's budget to perform such tasks.

REFERENCE DOCUMENTS

Bidders responding to this RFP may want to familiarize themselves with the following documents:

Governor Edmund G. Brown Executive Order B-18-12
http://gov.ca.gov/news.php?id=17508

State of California Green Building Action Plan:
http://www.documents.dgs.ca.gov/green/GreenBuildingActionPlan.pdf

II. Scope of Work and Deliverables

ABOUT THIS SECTION

This section explains the goals and objectives of the LEED EB: O&M (version 2009) program and certification that is the subject of this RFP. This section summarizes the key program design concepts that Bidders must respond to in their Proposals. More detailed explanations of the requirements for the Bidder's Proposal are included in Section III.

BACKGROUND

The Energy Commission is California's primary energy policy and planning agency. Created by the California Legislature in 1974 by the Warren-Alquist Act, the Energy Commission has seven basic responsibilities which include setting the state's energy policy, forecasting future energy needs, developing energy efficiency standards for new buildings and appliances, promoting the development of renewable energy resources and alternative fuels, supporting energy research and redevelopment, licensing thermal power plants 50 megawatts or larger, and planing for and directing the state's response to energy emergencies.

Under the direction of Governor Edmund G. Brown Jr's Green Building Executive Order B-18-12, state agencies are required to build upon the history of California's green building initatives and policies, reinforce and strengthen these iniatives and extend these efforts into other areas. These initatives include reducing greenhouse gas (GHG) emissions, developing energy and water use efficiencies, developing electric vehicle charging stations, and striving to achieve Zero Net Energy in new and existing buildings. In addition, the Executive Order directs state agencies to purchase environmentally-responsible products and services, develop onsite renewable energy technologies, improve building indoor enviromental quailty, and monitor and track these efforts.

BUILDING DESCRIPTION

Constructed in 1982 and designed by a world-renowned architect, the Energy Commission Building is a 180,000 square foot gross, 145,000 square foot heated and air-conditioned office building located at 1516 Ninth Street, Sacramento, California (The Building). The Building is typically occupied approximately 60 hours per week, although custodial staff works until midnight and up to 5% of staff could be here at almost any time during the week. The concrete Building is four stories with some terracing, with a north wing and south wing. The Building has a fully enclosed courtyard that provides interior offices a nice view. The single pane glazing that faces the courtyard appears to be smoke colored and thus restricts daylighting into these spaces. The courtyard is shaded by a Kalwall translucent roofing system. The courtyard is unconditioned.

The Building envelope consists of heavyweight uninsulated concrete walls and single pane glazing. The southern exposure has a combination of movable overhangs and fixed fins to minimize solar exposure; the east and west exposures have movable fins to minimize solar exposure. The drive mechanism for the movable fins and overhangs is inoperable. The 42,000 square foot roof is insulated to an as yet unknown R-value. The heavyweight construction and the typical 40 degree Fahrenheit summer daily temperature range were intended to allow the use of night cooling.

The Building's lighting system consists generally of pendant mounted F32 T8 lighting fixtures operating at 0.7 (ck) watts per square foot. Occupancy sensors are used throughout the Building in lieu of night time sweep controls. Pendant lighting is "tiered" inward from the exterior walls to allow daylighting controls, although daylighting controls are not currently used. The first

tier is approximately 6 feet from the windows, the second tier is 12, feet and the third is 18 feet. There is also some recessed parabolic 2' by 4' troffers with 2-F32T8 lamps located in the areas of mechanical duct chases and surface mounted 2' by 2' box fixtures with 2F32 T8 U-type lamps.

The major air handling systems are housed in the north penthouse and the south penthouse- each system is similar. There is an interior VAV system with a 75HP supply fan and 30HP return fan. The air is filtered with MERV 8 air filters and then heated or cooled by a unique system of two coils: one coil is either inactive or provides cooling, and the second coil switches between heating or cooling based on total system demand. The perimeter system is a 25HP constant volume system that uses 100% return air taken from the above return fan and is equipped with the same unique coil configuration that switches between heating and cooling as needed. Although this system is constant volume, it is equipped with a variable frequency drive (VFD) that is currently manually set. Each penthouse has a 2 HP exhaust fan that serves bathrooms.

There are a half dozen other smaller air handling systems in the Building; the largest of these is a 5HP system that serves Hearing Room A. Both the north wing and south wing are served by approximately 70 each induction type VAV boxes; there is no reheat capability in the building.

A domestic water pressure booster system is provided to ensure reasonable water pressure in upper floors. The booster system includes a bladder tank (ck) and constant volume 3HP pump (ck).

A new Alerton DDC control system with roughly 1500 points was installed in 2010. It's possible that this system can be used to garner great savings through modified operations of the Buildings systems.

Electricity is provided by the Sacramento Municipal Utility District (SMUD) through a connection to their 12 kV "spot" network. The Building's historical peak demand over the last three years is 304 kW and annual usage is 1.7 million kWh per year.

Heating and cooling is provided by the State's central plant:

- Steam is circulated to the air handlers by a constant volume 5HP (ck) hot water system.
    - The central plant uses high efficiency natural gas fired boilers
- Steam is also converted to domestic hot water in a storage tank heat exchanger combination and circulated by a fractional HP pump. A non-functional solar DHW system is located on the roof with several storage tanks located in the basement.
- Chilled water is provided by the central plant and circulated to the air handlers by a variable water volume 25HP chilled water system. Two pumps are provided, but only one is used at a time.
    - The central plant uses electric chillers and a thermal energy storage system to allow for night time generation of chilled water

Energy Star Portfolio Manager (ESPM) Rating: Based on historical chilled water and steam use, it is estimated that the Energy Commission Building ESPM rating is an 87.

Although the Energy Commission Building is owned by the Department of General Services (DGS), the Energy Commission, DGS, and the Contractor shall work collaboratively together to achieve LEED EB: O&M (version 2009) Certification of Silver or better. DGS will perform physical retrofits, alterations, and/or construction to the building as necessary to meet LEED requirements.

GOALS AND OBJECTIVES

The Energy Commission's objectives and goals for this Agreement, in addition to those in Governor Edmund G. Brown's Executive Order B-18-12**,** are the following:

- Achieve, at a minimum, LEED EB: O&M (version 2009) Silver Certification
- Engage and train California Energy Commission staff, management and other stakeholders about LEED EB: O&M and behavioral practices to maximize the resource efficiency of the building (example, hosting meetings for California Energy Commission staff to learn about LEED EB: O&M)

Tasks	Activity	Lead	Assist	Consult with	Approve
PHASE 1					
Task 1	Administration	Contractor	N/A	N/A	CEC
Task 2.1	LEED EB: O&M (version 2009) Feasibility Assessment	Contractor	CEC	DGS	CEC
Task 2.2	LEED EB: O&M (version 2009) Supplemental Assessments (Optional)	Contractor	CEC	DGS	CEC
Task 3	LEED EB: O&M (version 2009) Certification Plan	Contractor	CEC	DGS	CEC
Task 4	LEED EB: O&M Staff Training	Contractor	CEC	DGS	CEC
N/A	Critical Project Review	CEC	N/A	N/A	CEC

A Critical Project Review (CPR) will be held at the completion of Phase 1. The Energy Commission will determine whether the project will continue and to authorize funding for Phase 2. See task 1.2 for more information.

Tasks	Activity	Lead	Assist	Consult with	Approve
PHASE 2					
Task 1 Cont'd	Administration	Contractor	N/A	N/A	CEC
Task 5	Assist & Track LEED EB: O&M (version 2009) Implementation	Contractor	CEC	DGS	CEC
Task 6.1	LEED EB: O&M (version 2009) Commissioning & Performance Period	Contractor	CEC	DGS	CEC
Task 6.2	LEED EB: O&M (version 2009) Documentation, Review & Finalization	Contractor	CEC	DGS	CEC
Task 6.3	LEED EB: O&M (version 2009) Certification Application	Contractor	CEC	DGS	CEC
Task 7	LEED EB: O&M Staff Training	Contractor	CEC	DGS	CEC

FORMAT/REPORTING REQUIREMENTS

Deliverables/Reports
When creating reports, the Contractor shall use and follow, unless otherwise instructed in writing by the Commission Agreement Manager (CAM), the latest version of the Consultant Reports Style Manual published on the Energy Commission's web site:

http://www.energy.ca.gov/contracts/consultant_reports/index.html

Each final deliverable shall be delivered as one original, reproducible, 8 ½" by 11", camera-ready master in black ink. Illustrations and graphs shall be sized to fit an 8 ½" by 11" page and readable if printed in black and white.

Electronic File Format
The Contractor shall deliver an electronic copy (CD ROM or memory stick or as otherwise specified by the CAM) of the full text in a compatible version of Microsoft Word (.doc).

The following describes the accepted formats of electronic data and documents provided to the Energy Commission as contract deliverables and establishes the computer platforms, operating systems, and software versions that will be required to review and approve all software deliverables.

- Data sets shall be in Microsoft (MS) Access or MS Excel file format.
- PC-based text documents shall be in MS Word file format.
- Documents intended for public distribution shall be in PDF file format, with the native file format provided as well.
- Project management documents shall be in MS Project file format.

Software Application Development
If this scope of work includes any software application development, including but not limited to databases, websites, models, or modeling tools, contractor shall utilize the following standard Application Architecture components in compatible versions:

- Microsoft ASP.NET framework (version 3.5 and up) Recommend 4.0
- Microsoft Internet Information Services (IIS), (version 6 and up) Recommend 7.5
- Visual Studio.NET (version 2008 and up) Recommend 2010
- C# Programming Language with Presentation (UI), Business Object and Data Layers
- SQL (Structured Query Language)
- Microsoft SQL Server 2008, Stored Procedures Recommend 2008 R2
- Microsoft SQL Reporting Services Recommend 2008 R2
- XML (external interfaces)

Any exceptions to the Software Application Development requirements above must be approved in writing by the Energy Commission Information Technology Services Branch.

TASK 1.0 ADMINISTRATION

NOTE: Costs for task 1 shall not exceed 10% of the total agreement budget.

MEETINGS

Task 1.1 Attend Kick-off Meeting

The goal of this task is to establish the lines of communication and procedures for implementing this Agreement.

The Contractor shall:

- Attend a "kick-off" meeting with the CAM, the Commission Contracts Officer, and a representative of the Accounting Office. The Contractor shall bring their Project Manager, Contracts Administrator, Accounting Officer, and others designated by the Commission Agreement Manager to this meeting. The administrative and technical aspects of this Agreement will be discussed at the meeting. Prior to the kick-off meeting, the Commission Agreement Manager will provide an agenda to all potential meeting participants.

  The administrative portion of the meeting shall include, but not be limited to, the following:

  - Terms and conditions of the Agreement
  - CPR (Task 1.2)

The technical portion of the meeting shall include, but not be limited to, discussion of the following:

- The CAM's expectations for accomplishing tasks described in the Scope of Work;
- An updated Schedule of Deliverables
- Progress Reports (Task 1.4)

The Commission Agreement Manager shall designate the date and location of this meeting.

Contractor Deliverables:
- An Updated Schedule of Deliverables

Task 1.2 CPR Meetings
The goal of this task is to determine if the project should continue to receive Energy Commission funding to complete this Agreement and if it should, are there any modifications that need to be made to the tasks, deliverables, schedule or budget.

CPRs provide the opportunity for frank discussions between the Energy Commission and the Contractor. CPRs generally take place at key, predetermined points in the Agreement, as determined by the CAM and as shown in the Technical Task List above and in the Schedule of Deliverables.

Participants include the CAM and the Contractor, and may include the Commission Contracts Officer, other Energy Commission staff and Management as well as other individuals selected by the Commission Agreement Manager to provide support to the Energy Commission.

The Commission Agreement Manager shall:

- Determine the location, date and time of each CPR meeting with the Contractor. These meetings generally take place at the Energy Commission, but they may take place at another location.
- Send the Contractor the agenda and a list of expected participants in advance of each CPR.
- Conduct and make a record of each CPR meeting. One of the outcomes of this meeting will be a schedule for providing the written determination described below.
- Determine whether to continue the project. If continuing the project, the CAM will issue a work authorization, to provide direction to the Contractor to start work and authorize phase 2 funding. The parties will determine how to modify the scope of work for tasks 5, 6 and 7 to reflect work completed in tasks 2, 3, and 4 and the focused work scope will be included in the work authorization. In addition, the schedule will be updated. See the Scope of Work Critical Project Review details after task 4 for more details.
- Provide the Contractor with a written determination in accordance with the schedule. The written response may include a requirement for the Contractor to revise one or more deliverable(s) that were included in the CPR.

The Contractor shall:
- Prepare a CPR Report that discusses the progress of the Agreement toward achieving its goals and objectives. This report shall include recommendations and conclusions regarding continued work of the projects. This report shall be submitted along with any other deliverables identified in this Scope of Work. Submit these documents to the Commission Agreement Manager and any other designated reviewers at least 15 working days in advance of each CPR meeting.
- Present the required information at the CPR meeting and participate in a discussion about the Agreement.

Contractor Deliverables:
- CPR Report(s)
- CPR deliverables identified in the Scope of Work

Commission Agreement Manager Deliverables:
- Agenda and a List of Expected Participants
- Schedule for Written Determination
- Written Determination

Task 1.3 Final Meeting
The goals of this task are to discuss closeout of this Agreement and to review the project.

The Contractor shall:
- Meet with Energy Commission staff prior to the term end date of this Agreement. The meeting will be held in Sacramento, CA and the CAM will designate the specific location. The meeting will be attended by the Contractor's Project Manager and the CAM. The CAM will determine any additional appropriate meeting participants. The administrative and technical aspects of Agreement closeout will be discussed at the meeting.
- Present findings, conclusions, and recommended next steps (if any) for the Agreement, based on the information included in the Final Report.
- Prepare a written document of meeting agreements and unresolved activities.
- Prepare a schedule for completing the closeout activities for this Agreement, based on determinations made within the meeting.

Deliverables:
- Written documentation of meeting agreements

- Schedule for completing closeout activities

REPORTING

See Exhibit D, Reports/Deliverables/Records.

Task 1.4 Monthly Progress Reports
The goal of this task is to periodically verify that satisfactory and continued progress is made towards achieving the research objectives of this Agreement.

The Contractor shall:
- Prepare progress reports that summarize all Agreement activities conducted by the Contractor for the reporting period, including an assessment of the ability to complete the Agreement within the current budget and any anticipated cost overruns. Each progress report is due to the CAM within 10 working days after the end of the reporting period.
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Deliverables:
- Monthly Progress Reports

PHASE 1

TASK 2: LEED EB: O&M (VERSION 2009) FEASIBILITY ASSESSMENT & SUPPLEMENTAL ASSESSMENTS

Subtask 2.1: LEED EB: O&M (version 2009) Feasibility Assessment

Contractor shall review and consolidate existing documentation that identifies Leadership in Energy and Environmental Design (LEED) Existing Building (EB): Operations and Maintenance (O&M) (version 2009) prerequisite and credit compliance for each section, including Sustainable Sites, Water Efficiency, Energy and Atmosphere, Material Resources, Indoor Environmental Quality, Innovation in Operations, and Regional Priority.

The Contractor shall use this information and any additional information necessary to conduct and produce a LEED EB: O&M (version 2009) feasibility assessment. The feasibility assessment will identify significant gaps and/or challenges to achieve and comply with each prerequisite and credit. The feasibility assessment must include a summary of the various certification (Certified, Silver, Gold, and Platinum) scenarios and costs for each prerequisite, credit, and certification scenario. In their assessment, Contractor shall consider work performed to date by DGS and work currently underway. The elements of the feasibility assessment may include, but are not limited to:

- Preparing Excel tracking system with timeline to track progress on LEED EB: O&M (version 2009) certification.

- Determining which LEED EB: O&M (version 2009) credits are feasible to achieve.
- Evaluating progress achieved to date on LEED EB: O&M (version 2009) credits.
- Determining status of DGS progress to date on achieving LEED EB: O&M (version 2009) and what work remains to be performed.
- Determining capital and building improvements and costs of the improvements that would be required to achieve LEED EB: O&M (version 2009).
- Working with DGS and its contractors to understand installation or upgrades of building systems and equipment that are needed to comply with LEED EB: O&M (version 2009).
- Assessing all relevant Energy Commission and DGS policies to determine if they will meet LEED EB: O&M (version 2009) requirements including, but not limited to policies related to green housekeeping, green purchasing, air quality, and energy management.
- Determining if additional policies to meet LEED EB: O&M (version 2009) requirements should be developed.
- Determining if and what audits and surveys are required to meet LEED EB: O&M (version 2009). For example, waste stream, transportation, air quality, and occupant comfort.
- Conducting building and site surveys as needed to address, credits such as: Sustainable Site, Water Efficiency, Energy and Atmosphere, Materials and Resources, Indoor Environmental Quality, Innovation Credits.
- Justifying recommendations made on credits to be pursued.
- Providing ongoing updates to Energy Commission staff and management on efforts to achieve LEED EB: O&M (version 2009) certification.
- Providing technical guidance and direction to Energy Commission staff and management during the process of achieving LEED EB: O&M (version 2009) certification. For example, the Contractor shall provide guidance on how to overcome barriers to achieving LEED EB: O&M (version 2009) or advise on innovative or creative ways to achieve LEED EB: O&M (version 2009) credits given the unique governmental setting of this project.

Subtask 2.2: LEED EB: O&M (version 2009) Supplemental Assessments (Optional)

This task is optional and will be performed only if requested in writing by the CAM.

Additional assessments may be necessary to identify specific projects that must be implemented to comply with each LEED EB: O&M (version 2009) prerequisite and credit. This may include, but is not limited to:

- Developing or reviewing a retro-commissioning study that will seek ways to improve building equipment and systems function. The retro-commissioning study may also help to resolve problems that occurred during building design or construction, and/or address problems that have developed during the life of the Building.
- Energy auditing to help the Energy Commission assess how much energy the Building uses and evaluate what measures the Energy Commission should implement to improve the Buildings energy efficiency and/or reduce the Buildings energy consumption.
- Performing a waste audit to determine the specific types of materials that make up the Buildings waste stream. The waste auditing process will allow DGS building managers to identify opportunities for diverting waste streams away from the landfill and toward recycling or composting.
- Occupant indoor environment surveying to gauge building services and design features that are either working or not working,
- Other energy consumption and generation auditing and analyzing that are needed to meet LEED EB: O&M (version 9) certification.
- Non-energy related audit and analyses related to light pollution, indoor air quality, sustainable purchasing, sustainable products, water usage, and occupant comfort.

TASK 3: LEED EB: O&M (VERSION 2009) CERTIFICATION PLAN

Based on the LEED EB: O&M (version 2009) feasibility assessment (Subtask 2.1) and the supplemental assessments (Subtask 2.2), the Contractor shall work with the CAM, Building Performance Team, Chief Deputy Director, and other stakeholders, including but not limited to the Energy Commission's Business Services Office and the Department of General Services (DGS) to create a LEED EB: O&M (version 2009) certification plan that outlines the credits to pursue, compliance paths and strategies for those credits, and the certification level the Energy Commission intends to achieve. This certification plan shall include, but is not limited to, the following LEED elements:

- **Site Selection (Sustainable Sites)** prerequisites and credits promote responsible, innovative, and practical site maintenance strategies that are sensitive to plants, wildlife, water, and air quality. These credits also mitigate some of the negative effects buildings have on the local/regional environment. Environmentally-sensitive site maintenance practices reduce site operations and maintenance costs while creating and maintaining

outdoor spaces that are attractive and healthy for both building occupants and local flora/fauna.

- **Water Efficiency** prerequisites and credits encourage the use of strategies and technologies that reduce the amount of potable water consumed in facilities.
- **Energy and Atmosphere** prerequisites and credits address the reduction of energy consumption through a performance-based approach that allows owners and managers to tailor energy reduction measures to their buildings.
- **Indoor Environmental Quality** prerequisites and credits address concerns relating to indoor air quality; occupant's health, safety, and comfort; air change effectiveness; and air contaminant management. The IEQ credit category encourages improvements to ventilation, indoor CO2 levels, daylighting and lighting quality, and thermal comfort.
- **Materials and Resources** prerequisites and credits set the foundation for developing, implementing, and documenting policies and practices that support effective waste management and responsible procurement. The MR credit category focuses on two main issues: the environmental impact of materials brought into the facility and the minimization of landfill and incinerator disposal for materials taken out of the facility.
- **Innovation and Design/Innovation & Operations** credits recognize projects for innovative and exemplary technologies, methods, project planning, and project execution.

TASK 4: STAFF TRAINING

Note: Cost for training in task 4 & 7 shall not exceed 5% of the total Agreement budget.

Contractor shall develop and deliver a LEED EB: O&M training program for Energy Commission employees to develop in-house LEED EB: O&M certification and compliance expertise. The training program will also include corresponding timeframes that show how the contractor's LEED EB: O&M certification/recertification employee training program will transfer all of the necessary LEED EB: O&M certification, compliance, and recertification process information to Energy Commission employees so that they are able to independently certify and recertify the Energy Commission Building. Throughout the course of this project, the Contractor will also mentor and train Energy Commission staff on LEED EB: O&M and provide tools and resources necessary for staff to seek LEED EB: O&M certification and to enable them to independently manage LEED EB: O&M related projects. This includes training sessions, power point presentations, ongoing consultation with assigned staff, and providing training materials.

Critical Project Review

A Critical Project Review (CPR) meeting will be held at this time in the project.
Please refer to task 1.2 CPR for procedural details.

After the Contractor completes Phase 1, the Energy Commission will hold a CPR meeting. Phase 2 work is contingent on the results of the CPR. The purpose of this CPR is to:

- Determine whether to continue the project based upon the feasibility of and the Energy Commission's ability to implement measures needed to achieve LEED Certification and progress by DGS.

- At the time of the CPR and based upon status of efforts currently underway, the Energy Commission will determine the need for future implementation, documentation, and training to be performed by the Contractor.
- Determine whether to authorize Phase 2 work--up to an additional $50,000.
- If continuing the project, the Energy Commission will issue a work authorization based on the Phase 2 tasks in the work scope (tasks 5, 6 and 7). The work authorization will specify the funding and provide detail on the Phase 2 tasks, deliverables, and due dates.

PHASE 2

TASK 5: FACILITATE & TRACK LEED EB: O&M (VERSION 2009) IMPLEMENTATION

Overview:
On April 25, 2012, Governor Edmund G. Brown issued Executive Order B-18-12 and an accompanying Green Building Action Plan that requires state agencies to, among other things:

- Take actions to reduce entity-wide greenhouse gas emissions by at least 10 percent by 2015 and 20 percent by 2020, as measured against a 2010 baseline
- Continue taking measures to reduce grid-based energy purchases by at least 20 percent by 2018, as compared to a 2003 baseline
- Obtain LEED certification; and
- Take measures toward achieving zero net energy, meaning a building that produces as much as energy as it consumes

In response to Governor Edmund G. Brown's Executive Order, the Energy Commission established its own Energy Commission Green Team. The Green Team's goals are to meet or exceed the requirements of the Executive Order ahead of schedule.

The Contractor in consultation with the Energy Commission CAM, Building Performance Team, Chief Deputy Director, and other stakeholders, including but not limited to the Energy Commission's Business Services Office and DGS, shall assist in implementing the LEED EB: O&M (version 2009) certification plan. LEED EB: O&M (version 2009) implementation strategies can include writing detailed policies, facilitating the installation of new or upgraded systems, and implementing and maintaining of a tracking system for individual projects and the overall program. The labor and materials for specific Building upgrades and construction projects are the responsibility of DGS. The Contractor's role is to work collaboratively with and assist the Energy Commission, DGS and DGS' contractors, service providers, and vendors. The Energy Commission expects to achieve LEED EB: O&M Silver certification.

To manage this process, the Contractor shall provide extensive technical guidance on the details and nuances of LEED EB: O&M (version 2009). The Contractor shall tap its expertise and key resources necessary to ensure that the Energy Commission and its stakeholders' time is used efficiently and wisely, and is actively guided through the various actions that may be required. Contractor shall prioritize strategies and measures by necessity and cost-effectiveness. Contractor shall consider any building upgrades and work performed by DGS

when implementing LEED EB O&M (version 2009). Implementation strategies shall be developed in coordination with Energy Commission staff, however these strategies may also require consultation with DGS.

Contractor shall facilitate with implementation activities as specified in a Work Authorization to be issued by the Commission Agreement Manager. These activities include but are not limited to:

- Identify green building products and technologies that would help label the Energy Commission as a progressive and innovative institution. This may also include leveraging existing contacts in the building performance industry to determine their ability to provide the Energy Commission with low- or no-cost products.
- Continue to coordinate and provide technical guidance and direction to Energy Commission staff and management during the process of achieving LEED EB: O&M (version 2009) certification. For example, the Contractor shall provide guidance on how to overcome barriers to achieving LEED EB: O&M (version 2009) or advise on innovative or creative ways to achieve LEED EB: O&M (version 2009) credits given the unique governmental setting of this project.
- Maintain Excel tracking and timeline system begun in Task 2, and continue to track progress on LEED EB: O&M (version 2009) certification.
- Provide ongoing updates to Energy Commission staff and management on efforts to achieve LEED EB: O&M (version 2009) certification.
- Act as the client lead liaison for Green Building Certification (GBCI) LEED Online submittal process, working with GBCI in their review and response process to attain the necessary requirements for achieving each prerequisite and attainable credit to finalize the application. As part of this task, Contractor shall submit data and documentation required by LEED for all credits submitted to the GBCI and the Energy Commission.
- Assist Energy Commission staff in conducting, compiling, and preparing LEED EB: O&M (version 2009) documentation, including but not limited to written material, back up documentation, and occupant and transportation surveys necessary to obtain LEED EB: O&M (version 2009) certification.
- Prepare and assist Energy Commission staff in the development and preparation of in-house policies that are needed to meet LEED EB: O&M (version 2009) certification.
- Provide the necessary program(s) or resource(s) to facilitate and coordinate with the Energy Commission and DGS the necessary electronic format and criteria that can be used by both agencies and one that is capable of capturing all LEED-related documentation.
- Provide program processing for project review and implementation for building retrofits that may arise from LEED EB: O&M (version 2009) certification process, independently identified retro-commissioning actions, energy efficiency measures, or special building repairs.
- Write specifications for bids that DGS can use to procure and install new equipment and systems that will assist in achieving LEED EB: O&M (version 2009) certification.

- Work with DGS and its contractors as needed on the installation or upgrades of building systems and equipment to ensure it complies with LEED EB: O&M (version 2009) targets.
- Conduct necessary scribing surveys with building operators and engineers.
- Establish acceptable electronic property document files so that the Energy Commission and DGS can maintain the necessary documentation for recertification within five years of the initial certification. Contractor deliverables, supporting information and documentation, and data may include but are not limited to:
    - photo logs
    - floor plans, roof plans, and site plans
    - light fixture counts
    - plumbing fixture counts
    - irrigation controller settings
    - waste management audit and plan, including a waste characterization audit
    - obtain waste management hauler and purchasing information
    - system tests results calculations and requirement attachments for IEQ submittal
    - building fundamental operation plan standardized format for all documents to be submitted online to GBCI for DGS submittals
    - all other required documentation, receipts, and reports required for LEED EB: O&M credits

TASK 6: LEED EB: O&M (VERSION 2009) FINAL CERTIFICATION AND DOCUMENTATION

Subtask 6.1: Commissioning & Performance Period

Once the LEED EB: O&M (version 2009) compliant policies and systems are in place and DGS has completed work on construction and upgrades, the Contractor will conduct the 'performance period,' a three-month period during which sustainable practices are maintained, tracked, and documented for the LEED EB:O&M (version 2009) certification application. During this phase, the Contractor shall be in close and ongoing contact over the term of performance period with the Energy Commission CAM and DGS, reviewing data outcomes, assessing program effectiveness, and developing final documentation.

Subtask 6.2: Documentation, Review and Finalization

Upon completion of the performance period, the Contractor shall perform a comprehensive document review, performing all final calculations, and finalizing all program/policy materials that were prepared in task 5.

Subtask 6.3: Certification Application

Contractor shall work with the Energy Commission and DGS to coordinate all the elements of the LEED application. When the Energy Commission is satisfied that all the elements of the application are complete and ready for submittal to GBCI, Contractor shall submit the application for review to GBCI and provide materials submitted to GBCI to the CAM. Once submitted, Contractor shall be primarily responsible for managing the LEED online application process, with Energy Commission assistance, input, and approval.

- The Energy Commission's goal for the final LEED EB: O&M (version 2009) certification to be a minimum of Silver level. If the Certified level granted by GBCI is the alternative to Silver Certification, Contractor shall provide documentation of metrics obtained through this process and an outline of what policies, equipment or building retrofits need to be implemented in order to earn, if possible, a future LEED-EB Silver certification.
- Provide LEED EB:O&M (version 2009) plaque or most current USGBC certification acknowledgement to the Energy Commission.
- Develop re-certification plan, with steps and action items needed to re-certify the building as LEED Silver or better, to the Energy Commission.

TASK 7: STAFF TRAINING

Note: Cost for training in task 4 & 7 shall not exceed 5% of the total Agreement amount.

This task includes continued training related to implementation and documentation. Contractor shall develop and deliver a LEED EB: O&M training program for Energy Commission employees to develop in-house LEED EB:O&M certification and compliance expertise. The training program will also include corresponding timeframes that show how the contractor's LEED EB:O&M certification/recertification employee training program will transfer all of the necessary LEED EB:O&M certification, compliance, and recertification process information to Energy Commission employees so that they are able to independently certify and recertify the Energy Commission Building. Throughout the course of this project, the Contractor will also mentor and train Energy Commission staff on LEED EB:O&M and provide tools and resources necessary for staff to seek LEED EB: O&M certification and to enable them to independently manage LEED EB: O&M related-projects. This includes training sessions, power point presentations, ongoing consultation with assigned staff, and providing training materials.

SCHEDULE OF DELIVERABLES AND DUE DATES

Contractor shall provide draft deliverables to the Energy Commission Agreement Manager for review and comment. The CAM will provide comments to the Contractor, who shall then edit the deliverable. Once edits are incorporated, the Contractor shall provide a final version of the deliverable to the Energy Commission Agreement Manager.

Task Number	Deliverable	Due Date
1.1	An Updated Schedule of Deliverables	At Kick-Off Meeting
1.2	CPR Meeting	Spring 2015
1.3	Final Meeting	Winter, 2015
Ongoing	Invoices	With progress report
1.4	Monthly Progress Reports	Monthly
2.1	Draft Feasibility Assessment	11/1/2014
2.1	Final Feasibility Assessment	12/1/2014
2.2	Draft Supplemental Assessments	11/1/2014
2.2	Final Supplemental Assessments	12/1/2014
3	Draft LEED EB: O&M Certification Plan	2/1/2015
3	Final LEED EB: O&M Certification Plan	3/1/2015
4	Staff Training Materials	Ongoing
5	Assist & Track LEED EB: O&M Implementation and Tracking Deliverables and due dates to be specified in Work Authorization	Spring 2015
6.1	Commissioning & Performance Period Deliverables and due dates to be specified in Work Authorization	Summer 2015
6.2	Documentation, Review and Finalization Deliverables and due dates to be specified in Work Authorization	Fall 2015
6.3	Certification Application • LEED Plaque • Re-certification Plan	Winter 2015
7	Staff Training Materials	Ongoing

III. Proposal Format, Required Documents, and Delivery

About This Section

This section contains the format requirements and instructions on how to submit a Proposal. The format is prescribed to assist the Bidder in meeting State bidding requirements and to enable the Energy Commission to evaluate each Proposal uniformly and fairly. Bidders must follow all Proposal format instructions, answer all questions, and supply all requested data.

Required Format for a Proposal

All Proposals submitted under this RFP must be typed or printed using a standard 11-point font, singled-spaced and a blank line between paragraphs. Pages must be numbered and sections titled and printed back-to-back. Spiral or comb binding is preferred and tabs are encouraged. Binders are discouraged.

Number of Copies

Bidders must submit the original and **4** copies of the Proposal (Sections 1 and 2).

Bidders must also submit electronic files of the Proposal on **CD-ROM or USB memory stick** along with the paper submittal. Only one CD-ROM or USB memory stick is needed. Electronic files must be in Microsoft Word 2007 (.doc format) and Excel Office Suite formats. Completed Budget Forms, Attachment 7, must be in Excel format. Electronic files submitted via e-mail will not be accepted.

Packaging and Labeling

The original and copies of the Proposal must be labeled "Request for Proposal RFP-14-101 and include the title of the Proposal and the appropriate section number.

Include the following label information and deliver your Proposal, in a sealed package:

Person's Name, Phone # Bidder's Name Street Address City, State, Zip Code FAX #
RFP-14-101 Contracts Office, MS-18 California Energy Commission 1516 Ninth Street, 1st Floor Sacramento, California 95814

Preferred Method for Delivery

A Bidder may deliver a Proposal by:

- U. S. Mail
- Personally
- Courier service

Proposals must be delivered **no later than 3:00 p.m.**, to the Energy Commission Contracts Office during normal business hours and prior to the date and time specified in this RFP. In accordance with Public Contract Code 10344, Proposals received after the specified date and time are considered late and will not be accepted. There are no exceptions to this law. Postmark dates of mailing, E-mail and facsimile (FAX) transmissions are not acceptable in whole or in part, under any circumstances.

ORGANIZE YOUR PROPOSAL AS FOLLOWS

SECTION 1, Administrative Response

Cover Letter	
Table of Contents	
Contractor Status Form	Attachment 1
Darfur Contracting Act Form	Attachment 2
Small Business Certification	If applicable
Completed Disabled Veteran Business Enterprise form 843	Attachment 3.3
Bidder Declaration form GSPD-05-105	Attachment 3.4
Contractor Certification Clauses	Attachment 4

SECTION 2, Technical and Cost Proposal

A. Minimum Qualifications
B. Approach to Tasks in Scope of Work
C. Organizational Structure
D. Relevant Team Experience and Qualifications
E. Relevant Sustainable Design and Past Projects and Work Product Samples
F. Client References — Attachment 5
G. Budget Forms — Attachment 7.
H. Hypothetical Questions

A. Minimum Qualifications

1. ***LEED Certified Projects***

Bidder firm must have completed five or more projects that received Leadership in Energy & Environmental Design Existing Building: Operation and Maintenance Silver, Gold, and/or Platinum certified projects within the last 10 years.
___ (Check yes)

2. ***Feasibility Studies***

Bidder firm must have developed and completed at least five or more Leadership in Energy & Environmental Design Existing Building: Operation and Maintenance feasibility studies for office or government buildings.
___ (Check yes)

3. ***Architect/LEED Professional***

Bidder Firm may be an architectural firm, engineering firm, LEED firm, or any other type of entity that meets the following requirement. The LEED Accredited Professionals can be either engineers or architects.

Bidder firm must have ~~**two**~~ **one** or more licensed architects and two or more Leadership in Energy & Environmental Design Accredited Professionals as **either** partners or employees on their regular payroll

OR

Bidder firm must have two licensed architects who are also Leadership in Energy and Environmental Design Accredited as **either** partners or employees on their regular payroll.
___ (Check yes)

B. Approach to tasks in Scope of Work

Describe the Bidder's approach to providing services listed in the Scope of Work, highlighting any outstanding features, qualifications and experience.

C. Organizational Structure

1. Describe the organizational structure of the Bidder, and provide an organizational chart of the entire contract team.
2. Describe the organization, composition, and functions to be performed by staff members of the Bidder and any subcontractors and how the staff pertains to this contract.

D. Relevant Team Experience and Qualifications

1. Demonstrate team professional history, credentials, licenses held, specialized experience, and awards/recognition received. LEED experience is a crucial component of this factor.
2. Describe experience and approach to training clients in LEED certification.

3. Describe team history including all LEED certified or other green building rating system certifications of projects.
4. Describe building commissioning experience.
5. Document the project team's qualifications as they apply to performing the tasks described in the Scope of Work. Describe recently completed work as it relates to this Scope of Work.
6. Provide current resumes for all team members listed, including job classification and description, LEED certification, relevant experience, education, academic degrees and professional licenses.
7. Describe experience working on projects in government buildings.

E. Relevant Sustainable Design and Past Projects & Work Product Samples

1. *List of Project Examples*

Provide a list of examples of the team's successful experience within the last ten years in the incorporation of energy and sustainable design criteria in projects of similar size and scope as the Energy Commission Building. Include the name of the client. Also indicate if the work was performed by the Bidder or a subcontractor on the Team.

Include factors such as:

a. LEED certification, scorecard and sustainable attributes narrative
b. Actual Energy performance in btu's/gsf/year
c. Water Efficiency aspects narrative
d. Commissioning plan or narrative
e. Waste reduction plan or narrative
f. Recycling plan or narrative
g. Energy Star rating and compliance
h. Actual water use data on a gallons/gsf/year basis
i. Indoor Air Quality plan or narrative
j. Construction recycling data
k. Sustainable Operations and Maintenance plan or narrative
l. Innovative Technology description and narrative

2. *Work Product Samples*

Provide two work product samples of Leadership in Energy & Environmental Design Existing Building: Operation and Maintenance Silver, Gold, and/or Platinum certification applications and supporting material that were prepared by the Bidder. Please provide one copy of each work product sample (not multiple copies). **CD-ROM, USB memory stick, or Web link** are acceptable formats.

If subcontractors will be providing technical support in a task area, each subcontractor shall also submit one work product sample that demonstrates experience in Leadership in Energy & Environmental Design Existing Building: Operation and Maintenance Silver, Gold, and/or Platinum certification applications. Please provide one copy of the work product sample (not multiple copies). **CD-ROM, USB memory stick, or Web link** are also acceptable formats.

F. Client References

Each bidder shall complete Client Reference Forms. Three client references are required for the Bidder and each subcontractor performing technical work related to the work scope.

G. Budget Forms

Category Summary	Attachment 7, Attachment B-1
Prime Labor Rates	Attachment 7, Attachment B-2
Labor Rates for each Subcontractor	Attachment 7, Attachment B-2a-z
Prime Non-Labor Rates	Attachment 7, Attachment B-3
Non-Labor Rates for each Subcontractor	Attachment 7, Attachment B-3a-z
Direct Operating Expenses	Attachment 7, Attachment B-4
Loaded Hourly Rate Calculation	Attachment 7, Attachment B-5

The Bidder must submit information on **all** of the attached budget forms, B-1 through B-5, and this will be deemed the equivalent of a formal Cost Proposal.

Detailed instructions for completing these forms are included at the beginning of Attachment 7.

Rates and personnel shown must reflect rates and personnel you would charge if you were chosen as the Contractor for this RFP. The salaries, rates, and other costs entered on these forms become a part of the final agreement. The entire term of the agreement and projected rate increases must be considered when preparing the budget. The rates bid are considered capped and shall not change during the term of the contract. The Contractor shall only be reimbursed for their **actual** rates up to these rate caps. The hourly rates provided in all **B-2s** shall be unloaded (before fringe benefits, overheads, general & administrative (G&A) or profit).

All budget forms are required because they will be used for the contract prepared with the winning Bidder.

NOTE: The information provided in these forms will **not** be kept confidential.

Attachment B-5: Loaded Hourly Rate Calculation

This attachment will be used for the purposes of calculating the average hourly rate score under **cost criterion**, located in the Evaluation Criteria Worksheet. The loaded hourly rate is defined as direct labor, fringe benefits, non-labor rates (overhead, general and administrative, etc., as applicable), and profit (if applicable).

1. Use one form for the Bidder (Prime Contractor) and one for each subcontractor. Insert your company or organization name at the top of the form.

2. For each staff person from this company or organization that will be directly billed to this Agreement:
   - Provide the job classifications or title.
   - Insert the unloaded hourly rates in the direct labor column. You must use the average rates provided on Forms **B-2 and B-3** for your company or organization when calculating the loaded hourly rates. Follow the instructions on the form, Attachment **B-5**, Loaded Hourly Rate Calculation, in budget workbook.

H. **Hypothetical Questions**

Provide a full response to each of the Hypothetical Questions based on the scenario proposed and the instructions provided with that question.

1. Driving the process of evaluating a building for LEED certification, the building owner insists on installing Photovoltaic (PV) panels on the roof. The building owner believes strongly that these PV panels are beneficial, but doesn't actually have the technical facts or ability to assess the option. In your opinion, you believe the PV panels are not the best option, and would actually not provide an energy benefit enough to justify the cost. How would you handle this situation with the building owner? Are there other options you could suggest?

2. If the cost of retrofitting a 25-year-old building with new windows is cost prohibitive, are there other options for windows to help save energy and increase building occupant comfort?

3. If, during the course of performing the feasibility study and certification plan, the contractor determines that the Energy Commission cannot achieve LEED certification, how would the contractor approach or address this issue?

IV. Evaluation Process and Criteria

About This Section

This section explains how the Proposals will be evaluated. It describes the evaluation stages, preference points, and scoring of all Proposals.

Proposal Evaluation

A Bidder's Proposal will be evaluated and scored based on their response to the information requested in this RFP. The entire evaluation process from receipt of Proposals to posting of the Notice of Proposed Award is confidential.

To evaluate all Proposals, the Energy Commission will organize an Evaluation Committee. The Evaluation Committee may consist of Energy Commission staff or staff of other California state entities.

The Proposals will be evaluated in three stages:

Stage One: Administrative and Completeness Screening

The Contracts Office will review Proposals for compliance with administrative requirements and completeness. Proposals that fail Stage One shall be disqualified and eliminated from further evaluation.

Stage Two: Minimum Qualifications

The Evaluation Committee will determine if the Bidder meets the minimum qualifications. If not, the Bidder shall be eliminated and the Proposal will not be evaluated and scored.

Stage Three: Technical and Cost Evaluation of Proposals

Proposals passing Stages One and Two will be submitted to the Evaluation Committee to review and score based on the Evaluation Criteria in this solicitation.

During the evaluation and selection process, the Evaluation Committee may schedule a clarification interview with a Bidder that will either be held by telephone or in person at the Energy Commission for the purpose of clarification and verification of information provided in the Proposal. However, these interviews may not be used to change or add to the contents of the original Proposal.

The total score for each Proposal will be the average of the combined scores of all Evaluation Committee members.

After scoring is completed, Proposals not attaining a score of 70 percent of the total possible points will be eliminated from further competition.

All applicable preferences/incentives will be applied to all Proposals attaining a minimum of 70 percent of the total possible points. The agreement shall be awarded to the responsible Bidder meeting the requirements outlined above, who achieves the highest score after application of preferences/incentives.

SCORING SCALE

Using this Scoring Scale, the Evaluation Committee will give a score for each criterion described in the Evaluation Criteria Worksheet.

% of Possible Points	Interpretation	Explanation for Percentage Points
0%	Not Responsive	Response does not include or fails to address the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
10-30%	Minimally Responsive	Response minimally addresses the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
40-60%	Inadequate	Response addresses the requirements being scored, but there are one or more omissions, flaws, or defects or the requirements are addressed in such a limited way that it results in a low degree of confidence in the proposed solution.
70%	Adequate	Response adequately addresses the requirements being scored. Any omission(s), flaw(s), or defect(s) are inconsequential and acceptable.
80%	Good	Response fully addresses the requirements being scored with a good degree of confidence in the applicant's response or proposed solution. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable.
90%	Excellent	Response fully addresses the requirements being scored with a high degree of confidence in the applicant's response or proposed solution. Applicant offers one or more enhancing features, methods or approaches exceeding basic expectations.
100%	Exceptional	All requirements are addressed with the highest degree of confidence in the applicant's response or proposed solution. The response exceeds the requirements in providing multiple enhancing features, a creative approach, or an exceptional solution.

PREFERENCE/INCENTIVE POINTS

A Bidder may qualify for non-technical preference/incentive points described below. Each qualifying Bidder passing the minimum technical evaluation will receive the applicable preference/incentive points.

Disabled Veteran Business Enterprise Incentive

The DVBE Incentive program was established pursuant to Military & Veterans Code Section 999.5(2) and Department of General Services' Regulations 2 CCR 1896.98 et.seq. The information in Attachment 3.1 explains how the incentive is applied and how much of an incentive will be given.

Small / Microbusiness

Bidders who qualify as a State of California certified small business will receive five percent (5%) preference points based on the highest responsible bidder's total score, if the highest scored Proposal is submitted by a business other than a certified small business. Bidders qualifying for this preference must submit a copy of their Small Business Certification and document their status in Attachment 1, Contractor Status Form.

Non-Small Business

The preference to a non-small business bidder that commits to small business or micro-business subcontractor participation of twenty-five percent (25%) of its net bid price shall be five percent (5%) of the highest responsive, responsible bidder's total score (RFP secondary). A non-small business, which qualifies for this preference, may not take an award away from a certified small business. Bidders qualifying for this preference must document the small business status of all subcontractors on Attachment 3.4 and submit all applicable Small Business Certifications.

Notice of Proposed Award

The Energy Commission will post a Notice of Proposed Award (NOPA) at the Energy Commission's headquarters in Sacramento, on the Energy Commission's Web Site, and will mail the NOPA to all parties that submitted a Proposal.

EVALUATION CRITERIA	Possible Points
Organizational Structure Degree to which the application provides information related to the following: 1. Demonstrates the organizational structure of the Bidder which includes an organizational chart of the entire contract team. 2. Demonstrates the organization, composition, and functions to be performed by staff members of the Bidder and any subcontractors and how the staff pertains to this contract.	10
Relevant Experience and Qualifications Degree to which the application: 1. Demonstrates team professional history, credentials, licenses held, specialized experience, and awards/recognition received. LEED experience is a crucial component of this factor. 2. Demonstrates the applicants experience and approach to training clients in LEED certification. 3. Describes team history including all LEED certified or other green building rating system certifications of projects. 4. Demonstrates a thorough building commissioning experience. 5. Demonstrates the project team's qualifications as they apply to performing the tasks described in the Scope of Work. Describe recently completed work as it relates to this Scope of Work. 6. Provides current resumes for all team members listed, including job classification and description, LEED certification, relevant experience, education, academic degrees and professional licenses. 7. Describes their experience working on projects in government buildings.	20
Client References Each Bidder and subcontractor shall complete three Client Reference Forms. References will be evaluated based on their relevance to the work in this RFP.	10
Approach to tasks in Scope of Work Did the Bidder describe the Bidder's techniques, approaches, strategies, and methods to be used in providing the services listed in the Scope of Work, highlighting any outstanding features, qualifications and experience.	10

Relevant Sustainable Design and Past Projects and Work Product Samples Degree to which the application demonstrates the team's successful experience within the last ten years in the incorporation of energy efficiencies and sustainable design criteria in projects of similar size and scope. Degree to which the depth and quality of the work product samples provided include such factors as: a. LEED certification, scorecard and sustainable attributes narrative b. Actual Energy performance in btu's/gsf/year c. Water Efficiency aspects narrative d. Commissioning plan or narrative e. Waste reduction plan or narrative f. Recycling plan or narrative g. Energy Star rating and compliance h. Actual water use data on a gallons/gsf/year basis i. Indoor Air Quality plan or narrative j. Construction recycling data k. Sustainable Operations and Maintenance plan or narrative l. Innovative Technology description and narrative	10
Hypothetical Questions How well did the applicant answer the questions? Were the answers complete? Did they include enough detail to understand the applicant's approach to addressing the issue in each question? 1. Driving the process of evaluating a building for LEED certification, the building owner insists on installing Photovoltaic (PV) panels on the roof. The building owner believes strongly that these PV panels are beneficial, but doesn't actually have the technical facts or ability to assess the option. In your opinion, you believe the PV panels are not the best option, and would actually not provide an energy benefit enough to justify the cost. How would you handle this situation with the building owner? Are there other options you could suggest? 2. If the cost of retrofitting a 25-year-old building with new windows is cost prohibitive, are there other options for windows to help save energy and increase building occupant comfort? 3. If, during the course of performing the feasibility study and certification plan, the contractor determines that the Energy Commission cannot achieve LEED certification, how would the contractor approach or address this issue?	10

COST CRITERIA	
1. COST CRITERIA Average Loaded Hourly Rate (Cost Points). The Score for this criteria will be derived from the mathematical cost formula set forth below, which compares the cumulative average loaded hourly rate of all loaded hourly rates listed in the subject Bidder's Cost Bid, with the cumulative average loaded hourly rate of all loaded hourly rates listed in the Lowest Bidder's cost bid .	25
2. **Cost Justification.** Bidder has justified all proposed personnel identified in its bid for all technical areas and functions to be performed by Prime and Team Members.	5
Total Possible Points	100
Minimum Passing Score (70%)	70
DVBE Incentive Points	1-2
Small Business & Non-Small Business Preference	5% of highest passing score firm
Total Score	

The method for evaluating the based on average loaded hourly rate is the formula below:

i. <u>Cost Formula for calculation of average loaded hourly rate score (criterion 1 above)</u>

"Lowest Bidder" is defined as the Bidder with the lowest cumulative average loaded hourly rate for all prime contractor and all subcontractor personnel.

For example (using the following arbitrary hourly rates and fictional cost bids):

<u>Bidder 1</u>

Prime Contractor	**Subcontractor A**	**Subcontractor B**
Project Manager: $100/hr	Engineer I: $90/hr	Engineer IV: $120/hr
Engineer II: $100/hr		
Engineer III: $110/hr		

Bidder 1's cumulative average loaded hourly rate = 100 + 90 + 100 + 110 + 120 divided by 5 = **$104**

<u>Bidder 2</u>

Prime Contractor	**Subcontractor A**	**Subcontractor B**
Project Manager: $100/hr	Engineer I: $100/hr	Engineer IV: $130/hr
Engineer II: $110/hr		
Engineer III: $120/hr		

Bidder 2's cumulative average loaded hourly rate = 100 + 100 + 110 + 120 + 130 divided by 5 = **$112**

<u>Bidder 3</u>

Prime Contractor	**Subcontractor A**	**Subcontractor B**
Project Manager: $110/hr	Engineer I: $110/hr	Engineer IV: $140/hr
Engineer II: $120/hr		
Engineer III: $130/hr		

Bidder 3's cumulative average loaded hourly rate = 110 + 110 + 120 + 130 + 140 divided by 5 = **$122**

In the examples above, Bidder 1 would be the Lowest Bidder.

ii. <u>The Cost Formula for calculating the Points Awarded for criterion 1 above is as follows:</u>

a. Calculate Cumulative Average Loaded Hourly Rate

For each Bidder, we calculate the average rate, by adding all rates, and dividing by the number of rates:

Sum of all rates divided by Number of Rates Given = Average Loaded Hourly Rate for each Bidder: $_____

b. Create Percentage

Then we compare rates of all the Bidders, by creating a percentage of the Bidder's rate, compared to the lowest Bidder's rate. The lowest Bidder will have the highest percentage of points:

(Lowest Bidder's Cumulative Average Loaded Hourly Rate divided by Bidder's Cumulative Average Loaded Hourly Rate) = Bidder's Percentage of Points

c. Apply Possible Points

Finally, we multiply the Bidder's Percentage of Points by the number of possible points:

Bidder's Percentage of Points X Possible Points = Points Awarded

Following is an example of Cost Score Calculation, using the above examples:

Cumulative Average Hourly Rates: Bidder #1 = $104, Bidder #2 = $112, Bidder #3=$122

Bidder #1 104 divided by 104 = 100%			*Bidder #2* 104 divided by 112 = 93%			*Bidder #3* 104 divided by 122 = 85%		
Possible Points	**Percentage of Points**	**Points Awarded**	**Possible Points**	**Percentage of Points**	**Points Awarded**	**Possible Points**	**Percentage of Points**	**Points Awarded**
25	100%	25	25	93%	23.3	25	85%	21.3

iii. <u>Cost Justification</u>

In relation to Cost Criteria **2** above, the Bidder shall explain and justify all proposed personnel identified in the Proposal for all technical areas and functions to be performed by the Prime and each of the Subcontractors.

V. Administration

RFP Defined

The competitive method used for this procurement of services is a Request for Proposal (RFP). A Proposal submitted in response to this RFP will be scored and ranked based on the Evaluation Criteria. Every Proposal must establish in writing the Bidder's ability to perform the RFP tasks.

Definition of Key Words

Important definitions for this RFP are presented below:

Word/Term	Definition
Bidder	Respondent to this RFP
CAM	Commission Agreement Manager
DGS	Department of General Services
DVBE	Disabled Veteran Business Enterprises
Energy Commission	California Energy Commission
GBCI	Green Building Certification Institute
LEED EB: O&M	Leadership in Energy & Environmental Design for Existing Buildings: Operations & Maintenance Version 2009
Proposal	Formal written response to this document from Bidder
RFP	Request for Proposal, this entire document
State	State of California
USGBC	U.S. Green Building Council

Cost of Developing Proposal

The Bidder is responsible for the cost of developing a Proposal, and this cost cannot be charged to the State.

Software Application Development

If this scope of work includes any software application development, including but not limited to databases, websites, models, or modeling tools, contractor shall utilize the following standard Application Architecture components in compatible versions:

- Microsoft ASP.NET framework (version 3.5 and up) Recommend 4.0
- Microsoft Internet Information Services (IIS), (version 6 and up) Recommend 7.5
- Visual Studio.NET (version 2008 and up) Recommend 2010
- C# Programming Language with Presentation (UI), Business Object and Data Layers
- SQL (Structured Query Language)
- Microsoft SQL Server 2008, Stored Procedures Recommend 2008 R2
- Microsoft SQL Reporting Services Recommend 2008 R2

- XML (external interfaces)

Any exceptions to the Electronic File Format requirements above must be approved in writing by the Energy Commission Information Technology Services Branch.

PRINTING SERVICES

Per Management Memo 07-06, State Agencies must procure printing services through the Office of State Publishing (OSP). Bidders shall not include printing services in their Proposals.

CONFIDENTIAL INFORMATION

The Energy Commission will not accept or retain any Proposals that contain confidential information or have any portion marked confidential.

DARFUR CONTRACTING ACT OF 2008

Effective January 1, 2009, all solicitations must address the requirements of the Darfur Contracting Act of 2008 (Act). (Public Contract Code sections 10475, *et seq*.; Stats. 2008, Ch. 272). The Act was passed by the California Legislature and signed into law by the Governor to preclude State agencies generally from contracting with "scrutinized" companies that do business in the African nation of Sudan (of which the Darfur region is a part), for the reasons described in Public Contract Code section 10475.

A scrutinized company is a company doing business in Sudan as defined in Public Contract Code section 10476. Scrutinized companies are ineligible to, and cannot, bid on or submit a Proposal for a contract with a State agency for goods or services. (Public Contract Code section 10477(a)).

Therefore, Public Contract Code section 10478 (a) requires a company that currently has (or within the previous three years has had) business activities or other operations outside of the United States to certify that it is not a "scrutinized" company when it submits a bid or Proposal to a State agency. (See # 1 on Attachment 2)

A scrutinized company may still, however, submit a bid or Proposal for a contract with a State agency for goods or services if the company first obtains permission from the Department of General Services (DGS) according to the criteria set forth in Public Contract Code section 10477(b). (See # 2 on Attachment 2)

DISABLED VETERAN BUSINESS ENTERPRISES (DVBE) COMPLIANCE REQUIREMENTS

The Disabled Veteran Business Enterprise (DVBE) Program has two inter-related aspects:

Participation Goals: This RFP is subject to a mandatory participation goal of three percent (3%) certified California Disabled Veteran Business Enterprise (DVBE) as set forth in Public Contract Code Section 10115 et seq.

And,

Incentive: The DVBE Incentive Program gives a Bidder an opportunity to improve their Bid status based on the efforts attained from the DVBE Participation Program.

More information regarding DVBE and Small Business is located in Attachments 3.1 and 3.2.

RFP Cancellation and Amendments

If it is in the State's best interest, the Energy Commission reserves the right to do any of the following:

- Cancel this RFP;
- Amend this RFP as needed; or
- Reject any or all Proposals received in response to this RFP

If the RFP is amended, the Energy Commission will send an addendum to all parties who requested the RFP and will also post it on the Energy Commission's Web Site www.energy.ca.gov/contracts and Department of General Services' Web Site http://www.bidsync.com/DPX?ac=powersearch&srchoid_override=307818.

Errors

If a Bidder discovers any ambiguity, conflict, discrepancy, omission, or other error in the RFP, the Bidder shall immediately notify the Energy Commission of such error in writing and request modification or clarification of the document. Modifications or clarifications will be given by written notice of all parties who requested the RFP, without divulging the source of the request for clarification. The Commission shall not be responsible for failure to correct errors.

Modifying or Withdrawal of Proposal

A Bidder may, by letter to the Contact Person at the Energy Commission, withdraw or modify a submitted Proposal before the deadline to submit Proposals. Proposals cannot be changed after that date and time. A Proposal cannot be "timed" to expire on a specific date. For example, a statement such as the following is non-responsive to the RFP: "This Proposal and the cost estimate are valid for 60 days."

Immaterial Defect

The Energy Commission may waive any immaterial defect or deviation contained in a Bidder's Proposal. The Energy Commission's waiver shall in no way modify the Proposal or excuse the successful Bidder from full compliance.

Disposition of Bidder's Documents

On the Notice of Proposed Award posting date all Proposals and related material submitted in response to this RFP become a part of the property of the State and public record. Bidders who want any work examples they submitted with their Proposals returned to them shall make this request and provide either sufficient postage, or a Courier Charge Code to fund the cost of returning the examples.

Bidders' Admonishment

This RFP contains the instructions governing the requirements for a firm quotation to be submitted by interested Bidders, the format in which the technical information is to be submitted, the material to be included, the requirements which must be met to be eligible for consideration, and Bidder responsibilities. Bidders must take the responsibility to carefully read the entire RFP, ask appropriate questions in a timely manner, submit all required responses in a complete manner by the required date and time, make sure that all procedures and requirements of the RFP are followed and appropriately addressed, and carefully reread the entire RFP before submitting a Proposal.

GROUNDS TO REJECT A PROPOSAL

A Proposal shall be rejected if:

- It is received after the exact time and date set for receipt of Proposal's pursuant to Public Contract Code, Section 10344.
- It is considered non-responsive to the California Disabled Veteran Business Enterprise participation requirements.
- It is lacking a properly executed Certification Clauses.
- It is lacking a properly executed Darfur Contracting Act Form.
- It contains false or intentionally misleading statements or references which do not support an attribute or condition contended by the Bidder.
- The Proposal is intended to erroneously and fallaciously mislead the State in its evaluation of the Proposal and the attribute, condition, or capability is a requirement of this RFP.
- There is a conflict of interest as contained in Public Contract Code Sections 10410-10412 and/or 10365.5.
- It contains confidential information, or it contains any portion marked confidential.
- The Bidder does not agree to the terms and conditions as attached to the solicitation either by not signing the Contractor Status Form or by stating anywhere in the bid that acceptance is based on modifications to those terms and conditions or separate terms and conditions.

A Proposal may be rejected if:

- It is not prepared in the mandatory format described.
- It is unsigned.
- The firm or individual has submitted multiple Proposals for each task.
- It does not literally comply or contains caveats that conflict with the RFP and the variation or deviation is not material, or it is otherwise non-responsive.
- The bidder has previously completed a PIER agreement, received the PIER Royalty Review letter, which the Energy Commission annually sends out to remind past recipients of their obligations to pay royalties, and has not responded to the letter or is otherwise not in compliance with repaying royalties.
- The budget forms are not filled out completely.

PROTEST PROCEDURES

A Bidder may file a protest against the proposed awarding of a contract. Once a protest has been filed, contracts will not be awarded until either the protest is withdrawn, or the Energy Commission cancels the RFP, or the Department of General Services decides the matter.

Please note the following:

- Protests are limited to the grounds contained in the California Public Contract Code Section 10345.
- During the five **working** days that the Notice of Proposed Award (NOPA) is posted, protests must be filed with the DGS Legal Office and the Energy Commission Contracts Office.

- Within five **calendar** days after filing the protest, the protesting Bidder must file with the DGS and the Energy Commission Contracts Office a full and complete written statement specifying the grounds for the protest.
- If the protest is not withdrawn or the solicitation is not canceled, DGS will decide the matter. There may be a formal hearing conducted by a DGS hearing officer or there may be briefs prepared by the Bidder and the Energy Commission for the DGS hearing officer consideration.

AGREEMENT REQUIREMENTS

The content of this RFP shall be incorporated by reference into the final contract. See the sample Agreement terms and conditions included in this RFP.

No Contract Until Signed & Approved

No agreement between the Energy Commission and the successful Bidder is in effect until the contract is signed by the Contractor, approved at an Energy Commission Business Meeting, and approved by the Department of General Services, if required.

Contract Amendment

The contract executed as a result of this RFP will be able to be amended by mutual consent of the Energy Commission and the Contractor. The contract may require amendment as a result of project review, changes and additions, changes in project scope, or availability of funding.