

REQUEST FOR QUALIFICATIONS

Bright Schools- Clean Energy Jobs Act- Technical Assistance Program



RFQ-13-401

Addendum 2

www.energy.ca.gov/contracts/

State of California

California Energy Commission

June **July 30,** 2014

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Attachments

- 1 Contractor Status Form
- 2 Darfur Contracting Act Form
- 3 DVBE Std 843 Form
- 4 Bidder Declaration form GSPD-05-105
- 5 Contractor Certification Clauses
- 6 Standard Agreement Example (informational, no form required in Statement of Qualifications)
- 7 Client References
- 8 Iran Contracting Act Form
- 9 Work Authorization Example

I. INTRODUCTION

BACKGROUND SUMMARY

The California Clean Energy Jobs Act was created with the approval of Proposition 39 in the November 6, 2012, statewide general election. Proposition 39 added Division 16.3 (commencing with Section 26200) to the Public Resources Code, added Sections 25136, 25136.1 and 25128.7 to the Revenue and Taxation Code, and amended Sections 23101, 25128, 25128.5 and 25136 of the Revenue and Taxation Code. The statute made changes to the corporate income tax code and allocates projected revenue to the General Fund and the Job Creation Fund for five fiscal years, beginning with fiscal year 2013-14. Under the initiative, approximately \$550 million annually is available to be appropriated by the Legislature for eligible projects to improve energy efficiency and expand clean energy generation.

For fiscal year 2013-14, California's Legislature, through Senate Bill (SB) 73 (Committee on Budget and Fiscal Review, Chapter 29, Statutes of 2013) appropriated Proposition 39 revenue as follows:

- \$381 million in awards to local educational agencies (LEAs), which include: county offices of education, school districts, charter schools, and state special schools, for energy efficiency and clean energy projects.
- \$47 million in awards to California community college districts (CCDs) for energy efficiency and clean energy projects.
- \$28 million for low-interest and no-interest revolving loans and technical assistance to the California Energy Commission (Energy Commission).
- \$3 million to the California Workforce Investment Board to develop and implement a competitive grant program for eligible workforce training organizations to prepare disadvantaged youth, veterans, and others for employment in clean energy fields.

In addition to the above SB 73 appropriations, Governor Edmund G. Brown's 2013–14 Budget Act, appropriated Proposition 39 revenue as follows:

- \$5 million to the California Conservation Corps (CCC) to perform energy surveys and other energy conservation-related activities.

In the subsequent four fiscal years, 2014-15 through 2017-18, LEAs and community college districts (CCD) will receive allocations from the Job Creation Fund, when funds are appropriated by the Legislature, for eligible energy efficiency and clean energy projects that create jobs in California.

PURPOSE OF THIS RFQ

The purpose of this Request for Qualifications (RFQ) is to select a single Prime Contractor that heads a team of established and experienced Professional Engineers who are either employees of the Prime Contractor or who are Subcontractors to the Prime Contractor, working together, to assist and support the Energy Commission's Bright Schools – Clean Energy Jobs Act – Technical Assistance Program (Bright Schools Program).

The Bright Schools Program provides technical assistance to LEAs and CCDs seeking to install energy efficiency measures and clean onsite self-generation projects within existing facilities. The primary focus of the contract will be for the Contractor to assist LEAs and CCDs for ~~Prop-~~

~~39~~**Proposition 39** funded projects, as outlined in the scope of work. The Energy Commission may also occasionally request the Contractor to assist other entities with energy audits and other tasks in the scope of work, through the Energy Commission’s Energy Partnership Program (EPP). EPP is similar to the Bright Schools Program, but EPP provides technical assistance to certain other entities such as cities, counties, and special districts.

The team must include Professional Engineers with demonstrated expertise in identifying cost-effective energy efficiency measures and clean onsite self-generation opportunities for existing public buildings. A detailed Scope of Work is included in this RFQ and the team must demonstrate the required expertise to perform ALL aspects of the Scope of Work.

For this RFQ, the Energy Commission desires a team with a Prime Contractor and a ~~small~~ number of dedicated and experienced Subcontractors with experience that is thoroughly described in the statement of qualifications. ~~Since the energy audit work for each facility is similar, the Energy Commission desires continuity of work product performed by a small team. Therefore, Firms will be scored higher for including a smaller number of Subcontractors on the team. See section IV for more information on scoring.~~ The Prime Contractor will provide administrative support by directing its team in all contract provisions. The team will support modernization, deferred maintenance, and retrofit opportunities by conducting facility energy audits, preparing technical reports, identifying and evaluating cost-effective energy efficiency measures and clean onsite self-generation opportunities, and providing professional engineering support. These tasks will be conducted in support of LEAs and CCDs seeking to install projects funded by Job Creation Fund awards and other funding sources.

The contract awarded as a result of this solicitation will be a technical support contract. The selected team will be assigned work via specific work authorizations, as needed. The Prime Contractor shall make work assignments to the Contractor team member based on the team members’ relative expertise and/or project workloads with Energy Commission concurrence on final selection of the team member for each work authorization. ~~Depending on the scope of work, each work authorization budget is capped at \$20,000~~ **Technical assistance for each LEA or CCD is capped at \$20,000.** If an LEA or CCD receiving services from the Contractor desires services greater than the cap, the LEA or CCD is responsible for payment to the Contractor directly for the amount exceeding the cap. The Energy Commission reserves the right to decrease or increase this cap as needed. The Energy Commission makes no guarantee that any or all of the funds will be assigned in any given year or that any or all members of the team, including the Prime Contractor, will be assigned work.

KEY ACTIVITIES AND DATES

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

ACTIVITIES	ACTION DATE
RFQ release	6/27/2014
Pre-Bid Conference*	7/17/2014
Written Question Submittal Deadline by 5:00 p.m.*	7/17/2014
Distribute Questions / Answers and Addenda (if any)	7/24/2014
	<u>7/30/2014</u>
Deadline to submit SOQ by 3:00 p.m.*	8/07/2014
	<u>8/12/2014</u>

SOQ Discussions with Firms*	8/27/2014 to 8/28/2014
Notice of Selection	9/02/2014
Cost Negotiations	9/03/2014 to 9/18/2014
Notice of Proposed Award	9/30/2014
Energy Commission Business Meeting	11/12/2014
Contract Start Date	11/26/2014
Contract End Date	11/12/2017

AVAILABLE FUNDING

The Energy Commission currently has \$4.0 million available to fund the three-year contract resulting from this RFQ.

The Energy Commission reserves the right to augment the contract amount by up to \$2.0 million if fiscal year 2015-16 funding becomes available. As such, the contract may be funded up to a total of \$6.0 million. Augmenting the contract requires a contract amendment.

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 Firm and the Energy Commission Contract Agreement Manager shall meet and reach agreement on a reduced scope of work commensurate with the level of available funding.

This is an hourly rate plus cost reimbursement contract with a ceiling on the total contract amount. The Energy Commission will only reimburse:

- labor costs to perform work
- travel (hotel, airfare, rental car, parking, etc.) and per diem costs (meals), according to State travel rules

The Energy Commission will not reimburse:

- the Firm's travel time to/from project sites or to/from meetings
- any other costs such as binders, printing, courier service, etc. This type of expense should be included in the Firm's loaded hourly rate.

ELIGIBLE FIRMS

This is an open solicitation for public and private entities. ~~Each~~**The** agreement resulting from this solicitation includes terms and conditions that set forth the contractor's rights and responsibilities. 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>). All other entities must agree to use the attached standard terms and conditions (Attachment 6). The Energy Commission will not award ~~an agreement~~ **agreement** to ~~a non-complying entities~~ **entity**. 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.

RETAINER CONTRACT

Any contract awarded as a result of this RFQ will be a no-fee "retainer" contract. The selected Contractor will be held on retainer and will be assigned work via work authorizations. Work authorizations will be assigned by expertise, or project workload. The Energy Commission makes no guarantee that any or all of the funds will be assigned in any given year.

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) 654-4739 or refer to the Energy Commission's website at www.energy.ca.gov/contracts to confirm the date and time.

July 17, 2014 at 1:30PM
California Energy Commission
Hearing Room A
1516 9th Street
Sacramento, CA 95814
Telephone: (916) 654-4381

PARTICIPATION BY WEBEX

COMPUTER LOGON

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1. Please go to <https://energy.webex.com> and enter the unique meeting number: **926 243 075**
 2. When prompted, enter your information and the following meeting password: **meeting@1:30**
- 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>

TELECONFERENCE

After logging in on the computer, an AUDIO CONFERENCE BOX will offer you the choice of phone connections:

1. TO HAVE WEBEX CALL YOU BACK: Type your area code and phone number and click "Call Me"
2. TO CALL INTO THE TELECONFERENCE: Use the drop-down box to select "I will call in" and follow the on-screen directions
3. INTERNATIONAL CALLERS: Click on the "Global call-in number" link in part (2) above
4. TO LISTEN OVER THE COMPUTER: If you have the needed equipment and your computer is configured, click on "Use Computer Headset" and then "Call Using Computer" to use VoIP (Internet phone)

TELEPHONE ONLY (NO COMPUTER ACCESS): Call 1-866-469-3239 (toll-free in the U.S. and Canada) and when prompted enter the unique meeting number: 928 608 990. International callers can select their number from <https://energy.webex.com/energy/globalcallin.php>

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TECHNICAL SUPPORT

For help with problems or questions trying to join or attend the meeting, please call WebEx Technical Support at 1-866-229-3239.

System Requirements: To see if your computer is compatible, visit <https://support.webex.com/MyAccountWeb/systemRequirement.do?root=Tools&parent=System> and refer to the WBS 28 section

Meeting Preparation: The playback of UCF (Universal Communications Format) rich media files requires appropriate players. To view this type of rich media files in the meeting, please check whether you have the players installed on your computer by going to <https://energy.webex.com/energy/systemdiagnosis.php>.

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CALENDAR

To add this meeting to your Microsoft Outlook or compatible calendar program, click the following link or copy the link and paste it into your Web browser:
<https://energy.webex.com/energy/j.php?ED=217888552&UID=1523371532&ICS=MI&LD=1&RD=2&ST=1&SHA2=Jbbb/HwpP1AYkCLM-ISTval6yHp12NfeRE0qMOknRGo=&RT=MiM0>

Thank you for working green by meeting online.
<http://www.webex.com>

QUESTIONS

During the RFQ process, questions of clarification about this RFQ must be directed to the Commission Agreement Officer listed in the following section. Potential Firms shall carefully examine the qualifications and specifications of this RFQ. You may ask questions at the Pre-Bid Conference, and you may submit written questions via mail, electronic mail, and by FAX. All questions must be received by 5:00 pm on the date indicated in the Key Activities and Dates section.

The questions and answers will be posted on the Energy Commission's website at: <http://www.energy.ca.gov/contracts/index.html>.

Any verbal communication with an Energy Commission employee concerning this RFQ is not binding on the State and shall in no way alter a specification, term, or condition of the RFQ. Therefore, all communication should be directed in writing to the Commission Agreement Officer listed below.

CONTACT INFORMATION

Cory Irish, Commission Agreement Officer
California Energy Commission
1516 Ninth Street, MS-18
Sacramento, California 95814
Telephone: (916) 654-4739
FAX: (916) 654-4423
E-mail: Cory.Irish@energy.ca.gov

RESPONSES TO THIS RFQ

Responses to this solicitation shall be in the form of a Statement of Qualifications (SOQ) according to the format described in this RFQ. The SOQ shall document the Firm's qualifications to perform the tasks described in the Scope of Work found in this RFQ.

REFERENCE DOCUMENTS

Firms responding to this RFQ may want to familiarize themselves with the following documents:

- Proposition 39: California Clean Energy Jobs Act – 2013 Program Implementation Guidelines for LEAs <http://www.energy.ca.gov/efficiency/proposition39/>
- Proposition 39: Implementation Guidelines for California Community Colleges http://cccutilitypartnership.com/Prop_39_Guidelines.pdf
- ASHRAE publication *Procedures for Commercial Building Energy Audits*, Second Edition
- Feasibility Study Guidelines *Guide to preparing Feasibility Studies for Energy Efficiency Projects*, publication number P400-00-002, developed by the Energy Commission (online) http://www.energy.ca.gov/reports/2000-03-20_400-00-002.PDF
- Collaborative for High Performance Schools (CHPS) Best Practices Manuals (online only) <http://www.chps.net/dev/Drupal/node/288>
- California CHPS Criteria (online only) <http://www.chps.net/dev/Drupal/node/32>

II. SCOPE OF WORK

ABOUT THIS SECTION

In this section, the Energy Commission describes the tasks the Firm (referred to as “Contractor” in the Scope of Work) will be asked to perform under the direction of the Energy Commission Contract Agreement Manager (CAM). This section also describes the work assignment process, deliverables, and due dates.

BACKGROUND

The California Clean Energy Jobs Act was created with the approval of Proposition 39 in the November 6, 2012, statewide general election. Proposition 39 added Division 16.3 (commencing with Section 26200) to the Public Resources Code, added Sections 25136, 25136.1 and 25128.7 to the Revenue and Taxation Code, and amended Sections 23101, 25128, 25128.5 and 25136 of the Revenue and Taxation Code. The statute made changes to the corporate income tax code and allocates projected revenue to the General Fund and the Job Creation Fund for five fiscal years, beginning with fiscal year 2013-14. Under the initiative, approximately \$550 million annually is available to be appropriated by the Legislature for eligible projects to improve energy efficiency and expand clean energy generation.

PURPOSE

The primary purpose of this Agreement is to provide engineering services to assist and support the Energy Commission’s Bright Schools Program. This program provides technical assistance to local educational agencies (LEAs) and California community college districts (CCDs) seeking to install energy efficiency measures and clean onsite self-generation projects within existing facilities. The Contractor will provide engineering services and will provide expertise in identifying cost-effective energy efficiency measures and clean onsite self-generation opportunities for existing public buildings.

The Contractor will support modernization, deferred maintenance, and retrofit opportunities by conducting facility energy audits, preparing technical reports, identifying and evaluating cost-effective energy efficiency measures and clean onsite self-generation opportunities, and providing professional engineering support. These tasks will be conducted in support of LEAs and CCDs seeking to install projects funded by Job Creation Fund awards or other funds.

The Energy Commission may also occasionally request the Contractor to assist other entities with energy audits and other tasks detailed below, through the Energy Commission’s Energy Partnership Program (EPP). EPP is similar to Bright Schools Program, but EPP provides technical assistance to certain other entities such as cities, counties, and special districts. If the Energy Commission requests work for an entity under EPP, the Energy Commission will provide instructions on customizing the analysis and reports for work that is not related to ~~Prop-~~
Proposition 39.

The Contractor shall be familiar with the Proposition 39 implementation guidelines (*Guidelines*) for LEAs and CCDs, and the requirements LEAs and CCDs must meet to secure Job Creation Fund awards. The Guidelines and associated documents can be viewed at:

- <http://www.energy.ca.gov/efficiency/proposition39/>
- <http://cccutilitypartnership.com/>

ACRONYMS/GLOSSARY

Specific acronyms and terms used throughout this scope of work are defined as follows:

ACRONYMS & TERMS	DEFINITION
ASHRAE	American Society of Heating, Refrigeration, and Air-Conditioning Engineers
CAM	Commission Agreement Manager
CAO	Commission Agreement Officer
CCD	Community College District
DVBE	Disabled Veteran Business Enterprise
EEM	Energy Efficiency Measure
HVAC	Heating, Ventilating and Air Conditioning
LCCA	Life Cycle Cost Analysis
LEA	Local Educational Agency
O&M	Operations and Maintenance
SIR	Savings to Investment Ratio

WORK AUTHORIZATIONS

This is a Work Authorization Agreement and no work shall be undertaken unless authorized by the Energy Commission through a specific written document called a Work Authorization. The CAM for this contract will prepare and issue the written Work Authorizations that define the scope of work, the schedule of deliverables and the project budget.

The Prime Contractor shall make work assignments to the Contractor team member based on the team member's relative expertise and/or project workload with Energy Commission concurrence on final selection of the team member for each work authorization. ~~Depending on the scope of each work authorization, each work authorization budget is capped at \$20,000~~ **Work authorizations may include one or multiple LEAs and/or CCDs. Budget for any one LEA and/or CCD in a work authorization is capped at \$20,000 per application.** The Energy Commission reserves the right to decrease or increase the cap as needed. If the LEA or CCD receiving services from the Contractor desires services greater than the cap, the LEA or CCD is responsible for payment to the Contractor directly for the amount exceeding the cap.

No WORK GUARANTEE

The Energy Commission does not guarantee any minimum or maximum amount of work to the Contractor under the Agreement. The Energy Commission makes no guarantee that any or all of the funds will be assigned in any given year or that any or all members of the team, including the Prime Contractor, will be assigned work.

Primary Tasks

The major categories of work are divided into the following tasks:

Task	Description of Task
1	Agreement Management
2	Evaluate Energy Efficiency Opportunities in Existing Facilities
3	Evaluate Opportunities for Clean Onsite Self-Generation
4	Provide Professional Engineering Support Services

TASK 1 – AGREEMENT MANAGEMENT

The Contractor's responsibilities under this task include, but are not limited to the following:

Task 1.1 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 Contracts Officer, and a representative of the Accounting Office. The meeting will be held in Sacramento, CA and the CAM will designate the specific location. The Contractor shall include its Project Manager, Contracts Administrator, Accounting Officer, and others designated by the CAM in this meeting. The administrative and technical aspects of this Agreement will be discussed at the meeting.
- Prepare a one page summary of the kick-off meeting discussion.

The CAM shall:

- Arrange the meeting including scheduling the date and time.
- Provide an agenda to all potential meeting participants prior to the kick-off meeting.

Contractor Deliverables:

- Kick-off meeting summary

Task 1.2 Program Meetings and Briefings

The goal of this task is to maintain the lines of communication and provide program updates.

The Contractor and Subcontractors shall:

- At the request of the Energy Commission's CAM, be available for meetings or to provide written and/or verbal program briefings to the Energy Commission's staff or others. The cost of meetings with LEAs and CCDs will be included in each Work Authorization. The cost of meetings requested specifically by the Contractor shall be borne solely by the Contractor. The Energy Commission expects to hold no more than one (1) program briefing meeting per quarter.

Task 1.3 Invoices

The goal of this task is to ensure timely accounting of contract expenses.

The Contractor shall:

- Prepare a monthly invoice for all contract expenses performed for assigned Work Authorizations. An advance copy of the invoice shall be sent electronically to the CAM to ensure that all records are included and the invoice is for authorized work. The hard copy official invoice shall be submitted to the Energy Commission's Accounting Office. The Energy Commission's CAM will specify the invoice format.

Deliverables:

- Invoices

Task 1.4 Management of Work Authorizations

The goal of this task is to facilitate the preparation of Work Authorizations.

The Contractor shall:

- At the direction of the CAM, assist the Energy Commission in preparing the Work Authorizations which define the scope of work, the schedule of deliverables and the ~~project~~ **project(s)** budget.

Task 1.5 Manage Subcontractors

The goal of this task is to ensure quality products, to enforce Subcontractor Agreement provisions, and in the event of failure of the Subcontractor to satisfactorily perform services, recommend solutions to resolve the problem.

The Contractor shall, on an ongoing basis, perform the following tasks:

- Prepare and issue contract agreements with Subcontractors that include all required provisions contained in the contract between the Energy Commission and the Contractor;
- Respond within a reasonable time to information requests or direction from the Energy Commission's CAM;
- Coordinate availability of Subcontractors to meet needs of Energy Commission staff;
- Require Subcontractors, via a contract, to provide invoices that correctly identify personnel, actual hourly rates and direct expenses charged to each work authorization and provide back-up documentation for expenses; and
- Maintain a current contract spreadsheet capable of tracking Subcontractor and Contractor work activity, Subcontractor and Contractor invoice activity, and the status of work authorizations.

Task 1.6 Progress Reports

The goal of this task is to periodically verify that satisfactory and continued progress is made towards achieving the objectives of this Agreement.

The Contractor shall:

- Prepare a monthly progress report that summarizes all activities conducted by the Contractor. This report shall include a summary of contract expenditures to date. The monthly progress report is due to the Energy Commission's CAM within 15 calendar days after the end of the month. The Energy Commission's CAM will specify the report format and the number of copies to be submitted. All monthly progress reports shall coincide with the invoice period.

Deliverables:

- Monthly Progress Reports

Task 1.7 Final Report

The goal of this task is to prepare a written Final Report that describes the original purpose, approach, results and conclusions of the work completed under this Agreement. The Final Report shall be prepared in language easily understood by the public or layperson with a limited technical background.

The Final Report shall be a public document.

The Contractor shall:

- Provide a draft and final report and abstract. A draft Final Report is due before the end of the contract. The Final Report is due no later than fifteen days before the end of the contract. The Final Report shall include a summary of:
 - ◆ The effectiveness of this contract in meeting the objectives of the program;
 - ◆ The work accomplishments of the Contractor; and
 - ◆ Future activities recommended to increase the effectiveness of the program and this contract.
- Submit the draft Final Report to the CAM for review and comment. The CAM will provide written comments to the Contractor. The Contractor shall review the comments and discuss any problematic recommended changes with the CAM, incorporating CAM comments.
- Once agreement has been reached on the draft, the Contractor shall prepare and submit the Final Report.

Deliverables:

- Draft Report
- Final Report

Task 1.8 Final Meeting

The goal of this task is to discuss closeout of this Agreement and 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 via Web-Ex or teleconference. This meeting will be attended by the Contractor 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 Summary 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, if any.

TASK 2 – EVALUATE ENERGY EFFICIENCY OPPORTUNITIES IN EXISTING FACILITIES

Contractor shall conduct facility energy audits and prepare technical reports identifying energy efficiency measures and clean onsite self-generation opportunities in LEA and CCD facilities as assigned. For each LEA or CCD energy audit project assignment, a California U.S. registered Professional Engineer must sign for the validity of the report recommendations. Depending on the nature of the project, the Energy Commission's CAM may require a California U.S. registered Professional Engineer also be on-site during data collection.

The energy audits shall be conducted for the following purposes:

- Preliminary Assessment: A screening audit equivalent to an ASHRAE Level 1 energy audit of a facility(ies) to identify areas of energy waste or inefficiency. This type of audit involves interviews with site operating personnel, a review of the latest fiscal year's utility data and other operating data, and a walk-through survey of the facility(ies). The result of the preliminary assessment will be a list of potential operations and maintenance (O&M) and energy efficiency measures (EEMs) with suggestions for project prioritization. Unless otherwise specified in the Work Authorization, the Energy Commission shall require that a preliminary assessment be prepared according procedures and standards for a Level 1 energy audit as defined by the ASHRAE publication *Procedures for Commercial Energy Audits*, Second Edition.
- Comprehensive Study: A comprehensive study analyzes all major energy-using systems and contains recommendations for O&M improvements and cost-effective energy projects. A comprehensive study is a good choice for those who have implemented few or no energy savings projects. This study serves as an energy management tool to assist in future facility(ies) planning decisions. When preparing the comprehensive study, the Contractor shall ensure that savings are not double-counted from one project to another. A comprehensive study is equivalent to an ASHRAE Level 2 energy audit study and includes a detailed analysis of all energy efficiency opportunities within the facility, detailed project cost estimate, energy saving calculations, and economic evaluation – including life cycle cost analysis. Unless otherwise specified in the Work Authorization, the Energy Commission shall require that a comprehensive study be prepared using the Energy Commission's Proposition 39 Energy Study Final Report Template and according to procedures and standards for a Level 2 energy audit as defined by the ASHRAE publication *Procedures for Commercial Building Energy Audits*, Second Edition.

- **Targeted Study:** A targeted study analyzes only specific projects. A targeted study may be appropriate for those LEAs and CCDs that have recently installed energy-saving projects and want to focus on areas not yet analyzed. A targeted study shall include detailed analysis of the project(s), detailed project cost estimate(s), energy saving calculations, and economic evaluation – including life cycle cost analysis. When conducting targeted studies, the Contractor shall consider the impacts that a recommended project would have on future project installations. For instance, if an energy generation project is installed, that project could adversely affect the economics of installing future energy saving measures. The reason for the impact is because the energy generation project may require a minimum electrical or thermal load to be economically feasible. Subsequent installation of a load reducing project could impact the economic viability of the energy generation project. Unless otherwise specified in the Work Authorization, the Energy Commission shall require that a targeted study be prepared using the Energy Commission’s Proposition 39 Energy Study Final Report Template and according to procedures and methods for a Targeted energy audit as defined by the ASHRAE publication *Procedures for Commercial Building Energy Audits*, Second Edition.

COST-EFFECTIVENESS DETERMINATION

Public Resources Code section 26206(c) requires that all projects funded by the Job Creation Fund shall be cost-effective and that total benefits shall be greater than project costs over the effective useful life of the equipment. The Proposition 39 Implementation Guidelines include methods for cost-effectiveness determination, including savings-to-investment-ratio (SIR). For comprehensive and targeted studies, the Contractor shall determine the cost-effectiveness of recommended projects using, at a minimum, simple payback calculations and life cycle cost analysis (LCCA). For projects at LEA **and CCD** facilities, the results of the LCCA can then be input into the Energy Commission’s SIR calculator to determine the SIR of individual or bundled projects.

Deliverables and Due Dates

All work assignments will be made through specific Work Authorizations and will identify the schedule of deliverables. Typically, draft reports are due approximately six weeks after the initial site visit and final reports are due approximately two weeks after the draft reports. The Energy Commission’s CAM will specify the number of required copies. Hardcopy and/or electronic copy on CD shall be requested. These copies shall be due to the CAM according to the work authorization schedule.

TASK 3 – EVALUATE OPPORTUNITIES FOR CLEAN ONSITE SELF-GENERATION

Contractor shall evaluate the technical and economic feasibility of installing clean onsite self-generation systems for LEA and CCD facilities. Depending on the nature of the project, the Energy Commission’s CAM will require a California **U.S.** registered Professional Engineer be on-site during data collection and approve the final report. Contractor shall determine the cost-effectiveness of recommended projects using, at a minimum, simple payback calculations and LCCA. For projects at LEA **and CCD** facilities, the results of the LCCA can then be input into the Energy Commission’s SIR calculator to determine the SIR of individual or bundled projects.

Unless otherwise specified in the Work Authorization, the Energy Commission shall require clean onsite self-generation feasibility studies be prepared using the Energy Commission's Proposition 39 Energy Study Final Report Template and according to procedures and standards for a Level 2 energy audit as defined by the ASHRAE publication *Procedures for Commercial Building Energy Audits*, Second Edition.

Deliverables and Due Dates

All work assignments will be made through specific Work Authorizations and will identify the schedule of deliverables. Typically, draft reports are due approximately six weeks after the initial site visit and final reports are due approximately two weeks after the draft reports. The Energy Commission's CAM will specify the number of required copies. Hardcopy and/or electronic copy on CD shall be requested. These copies shall be due to the CAM according to the work authorization schedule.

TASK 4 – PROVIDE PROFESSIONAL ENGINEERING SUPPORT SERVICES

The Contractor shall provide engineering support for special projects, as assigned by the CAM, to assist LEAs and CCDs achieve the objectives of the Bright Schools Program. Examples include, but are not limited to:

- Performance Specifications. Assist LEAs and CCDs in their energy efficiency contract processes by preparing performance specifications.
- Evaluation of Proposals. Perform independent review of energy project proposals, designs, and other special projects. Examples of proposals include, but are not limited to energy service company proposals and power purchase agreements.
- Monitoring and Verification. Perform independent monitoring and verification of energy projects to determine baseline energy use and energy use after project installation. The purpose is to compare "actual" energy savings with those identified in the energy study or report. The Contractor may be asked to provide project troubleshooting, pump testing, and/or monitoring and verification tools.
- Field Assistance. Perform independent assistance to LEAs and CCDs to determine project cost estimates for energy projects. This may require a site visit to determine the entire scope of the project to be cost estimated.
- Proposition 39 Program Assistance. Assist LEAs and CCDs to meet various Proposition 39 steps or program requirements. For example, LEAs are required to provide electric and gas usage/billing data, complete benchmarking, submit an energy expenditure plan(s), and complete reporting requirements necessary to receive Proposition 39 funding.
- Utility Tariffs Analysis. Review current utility tariffs and determine whether the public agency could benefit by changing tariffs based on the recommended projects. The Contractor shall be assigned to review the current tariffs and evaluate the impacts of California Public Utility Commission regulations, especially for power generation projects. Also, the Contractor may be assigned to evaluate the impact of current/planned demand

side management, demand response, and distributed generation incentives and their impact on project feasibility.

- Technology Assessment. Evaluate new technologies for energy savings potential. Services may include monitoring and verification to determine whether manufacturers' claims of energy savings potential can be supported.

Deliverables and Due Dates

All work assignments will be made through specific Work Authorizations and will identify the schedule of deliverables. Typically, draft reports are due approximately six weeks after the initial site visit and final reports are due approximately two weeks after the draft reports. The Energy Commission's CAM will specify the number of required copies. Hardcopy and/or electronic copy on CD shall be requested. These copies are due to the CAM according to the Work Authorization schedule.

III. STATEMENT OF QUALIFICATIONS FORMAT, REQUIRED DOCUMENTS AND DELIVERY

ABOUT THIS SECTION

This section provides Firms with information about how to prepare a Statement of Qualifications (SOQ) in response to this RFQ. The format is prescribed to assist the Firm in meeting State requirements and to enable the Energy Commission to evaluate each SOQ uniformly and fairly. Firms must follow all SOQ format instructions, answer all questions, and supply all requested data.

PRICING/RATES INFORMATION

Do not submit any price quotes or bids in your SOQ since this will be negotiated with the top-rated Firm.

REQUIRED FORMAT FOR AN SOQ

All SOQs submitted under this RFQ 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

Firms must submit the original and six (6) copies of the SOQ Volumes 1 and 2, and one (1) copy of Volume 3.

Firms must also submit electronic files of all volumes 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 XP (.doc format) and Excel Office Suite formats. Electronic files submitted via e-mail will not be accepted.

PACKAGING AND LABELING

The original and copies of the SOQ must be labeled "Request for Qualifications, RFQ-13-401," and include the title of SOQ and the appropriate volume number:

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

Person's Name, Phone #
Firm's Name
Street Address
City, State, Zip Code
FAX #

RFQ-13-401
Contracts Office, MS-18
California Energy Commission
1516 Ninth Street, 1st Floor
Sacramento, California 95814

PREFERRED METHOD FOR DELIVERY

A Firm may deliver an SOQ by:

- U.S. Mail, FedEx, UPS (or similar mail service)
- In person, or
- Messenger service.

SOQs must be delivered **no later than 3:00 p.m.**, to the Energy Commission's Contracts, Grants and Loans Office during normal business hours and prior to the deadline specified in this RFQ (Section 1). Any SOQ received after the specified date and time are considered late and will not be accepted. Postmark dates of mailing, E-mail and facsimile (FAX) transmissions are not acceptable in whole or in part, under any circumstances.

ORGANIZE YOUR SOQ AS FOLLOWS:

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Volume 2, Technical Response

Volume 3, Examples of Previous Work Products

VOLUME

1, Administrative Response

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Bidder Declaration Form GSPD-05-105

Attachment 4

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Attachment 5

Iran Contracting Act Form

Attachment 8

VOLUME 2, Technical Response

- A. Minimum Qualifications
- B. Approach to Tasks in Scope of Work
- C. Project Team Organizations **Organizational** Structure & Cost Minimization
- D. Project Team **Members and Personnel** Relevant Experience and Qualifications
- E. Analytical Tools
- F. Client References
- ~~G. Examples of previous Work Products~~
- H. **G.** Responses to Hypothetical Questions

Attachment 7

A. Minimum Qualifications

1. The Firm submitting an SOQ must be the Prime Contractor of the team from a single entity, not a group of representatives from different companies. The Energy Commission will contract with one Prime Contractor, and the Prime Contractor ~~will~~ **may** subcontract with various companies who will provide technical expertise. The firm submitting an SOQ must be an entity that employs one or more **U.S.** licensed mechanical or electrical professional engineers. **The firm submitting the SOQ must perform Task 1** and can perform one or more Tasks of Tasks 2 to Task 4 specified in this RFQ.

____ (Check yes)

2. Each Subcontractor in the team who will be performing Task 2, 3 and/or 4 must have one or more **U.S.** licensed professional engineers. There is no limitation on the maximum number of licensed professional engineers a Subcontractor may have.

____ (Check yes. **Applicable only if SOQ includes Subcontractor(s)**)

3. There must be at least one company that can provide the necessary services for each task in the work statement. This requirement can be met if:
 - a. The Firm submitting an SOQ can perform the task and/or
 - b. A subcontractor can cover the tasks
(Include a table similar to the example below, showing which company is able to provide service for the various tasks. The table below shows an example of how the Firm can demonstrate meeting this minimum requirement.)

Task	Prime Contractor	Sub #1	Sub #2
1. Agreement Management	X	N/A	N/A
2. Evaluate Energy Efficiency Opportunities in Existing Facilities	X	X	
3. Evaluate Opportunities for Clean Onsite Self-Generation			X
4. Provide Professional Engineering Support Services	X	X	X

B. Approach to Tasks in Scope of Work

- Describe the Firm’s general and specific proposed approaches to providing the following services listed in the Scope of Work, highlighting outstanding features, qualifications, and experience of each staff **and team** member as it relates to the Scope of Work.
 1. Administrative Support Services to Contract (Firm Only)
 2. Evaluate Energy Efficiency Opportunities in Existing Facilities
 3. Evaluate Opportunities for Clean Onsite Self-Generation
 4. Provide Professional Engineering Support Services

C. Project Team Organizational Structure & Cost Minimization

- Describe the organizational structure of the Firm, including providing an organizational chart of the entire contract team.
- Identify the locations of the Prime Contractor's and each Subcontractor's headquarters and/or satellite office(s) and proposed methods of minimizing cost to the State. Without revealing hourly rates or cost, describe the efforts the Prime Contractor will take to minimize costs to the Energy Commission in the successful performance of this Agreement. For example:
 - ♦ In-State Travel Costs – What policy will the Prime Contractor adopt as related to team member time charges when the team member is traveling and/or not working actively on the Agreement? It is the Energy Commission's intent to reimburse for active time spent working on this Agreement, not for travel time.
 - ♦ Out-of-State Travel Costs – It is the Energy Commission's intent to reimburse Contractor costs for airfare within California. If the Prime Contractor and/or team members are located out-of-state, will the Prime Contractor and/or team members establish an office in California and/or initiate all travel and related time charges from this California office, and not the out of state office? It is the Energy Commission's intent to reimburse for active time spent working on this Agreement, not for travel time.
- Provide a short description of Prime Contractor and each Subcontractor and key staff members of the team. Describe the relationship between the Prime Contractor and the Subcontractors on your team. Indicate any history of a working relationship between the team member firms noting any significant stories.
- Provide a description of how Prime Contractor and each Subcontractor firm will quickly add and train new staff members as needed.
- Describe the organization, composition, and functions to be performed by staff members of the Prime Contractor and Subcontractors and how the staff **contributions of team members** pertain to this Agreement.
- **Provide a short description of the specific element(s) of work to be provided by the DVBE certified firm(s).**
- Identify a primary contact person for the Prime Contractor and each Subcontractor. The primary contact person for the Prime Contractor must attend the discussion session described in Section IV. At least one individual from each Subcontractor is encouraged to attend the discussion session.

D. Project Team Members and Personnel Relevant Experience and Qualifications

1. Prime Contractor Only:

- Describe the Prime Contractor's approach to the contract management and administration of this agreement. Identify the Contract management team staff members
- Describe the qualifications of the Prime Contractor, and the planned approach to effectively provide direction, motivation and vision to the team; to provide quality assurance for each team member's performance; and to minimize turnover and provide a stable professional team, including the ability to quickly add and train new team members as needed

2. Prime Contractor and each Subcontractor:

- Document the project team's qualifications as they apply to performing the tasks described in the Scope of Work. Describe the nature and scope of recently completed work as it relates to the Scope of Work

- Document experience working with school, college and other public buildings.
- Identify and list all the Prime Contractor's staff and Subcontractors (all team staff members) who will be committed to the tasks and describe their roles. A Firm will score higher if the Firm provides full detail on how a staff person's experience relates to this contract specifically, and will score lower if there is less detail and less connection of experience to the work requested.
- Describe job classification, relevant experience, education, academic degrees and professional licenses of these technical staff team members
- Describe professional awards
- Provide a current resume for all each team staff ~~members~~ member **(Prime Contractor and Subcontractor)** listed and identify the percentage of time each staff member will be available throughout the Agreement.
- Describe each team staff member's familiarity with ~~the~~ technical expertise in performing pertinent tasks identified in the Scope of Work.

E. Analytical Tools

- Describe any technical capabilities that would facilitate communication with the Energy Commission. Please note the Contractor must provide its own computers and software and these costs are not reimbursable under the Agreement.
- Describe what types of computers and/or analytical tools will be used to accomplish the tasks listed in the Scope of Work.
- List the names and editions of all software to be used in accomplishing the tasks listed in the Scope of Work.

F. Client References

The Prime Contractor and each Subcontractor shall complete Client Reference Forms. Three client references are required for the Prime Contractor and three client references are required for each Subcontractor.

G. Response to Hypothetical Questions

The Prime Contractor and each Subcontractor shall provide a full response to each Hypothetical Question based on the scenario proposed and the instructions provided with that question. **The Prime Contractor may collaborate with Subcontractor team members to prepare the responses.**

1. Many schools receive numerous and varied offers for new products from various vendors of energy saving devices. Some vendors claim that their device will help the school save 20% - 30% on HVAC costs, for example, with a payback of approximately one year. The Superintendent of Mount Walden Elementary School District has received such offers and has no idea what these products are or if the claims are accurate so he turns to the Energy Commission for help. He would like to know whether the devices will work and save the amount of energy as claimed.

The following products are the energy saving devices marketed to the school:

- a. A black box with capacitance unit to correct power factor;
- b. A fast switching device to reduce incoming voltage;
- c. A device that offers soft start/stop for HVAC units and reduces compressor load; and
- d. A new lubricating oil for AC compressors that reduce energy consumption.

In order to determine the effectiveness of these devices, what would you do to evaluate the legitimacy and the energy saving potential for each device? In addition, please explain the pros and cons for each of the four products/devices and your recommendations to the Superintendent.

2. There are a number of factors that should be considered when performing an on-site energy audit of an existing facility.
 - a. Provide the five essential factors you would judge as critical when preparing a technically sound energy audit report.
 - b. Currently the Scope of Work does not include no-touch audits. Present the pros and cons for a virtual or “no-touch” energy audit assessment and explain whether and how the five factors judged critical for an on-site energy audit can be incorporated in a no-touch audit.
 - c. Explain what attributes of a no-touch audit can be incorporated into an on-site energy audit to help drive down the cost of a traditional energy audit report.
 - d. What steps would you take to validate the estimated energy savings and project cost estimates for energy efficiency measures recommended for implementation by a no-touch audit?

3. As a result of the Proposition 39: California Clean Jobs Act Program, the Energy Commission has received a larger-than-normal amount of Bright Schools Program applications to assist LEAs and CCDs in identifying cost-effective energy efficiency measures in their facilities. Because of this increased workload, you have been informed that you will be assigned 12 work authorizations for energy audits within a span of a month that will need to be completed within 6 – 8 weeks.
 - a. What steps/measures will you take to ensure that all feasibility studies are produced within the deadline given?
 - b. What steps/measures will you take to ensure that all the members of your firm are knowledgeable regarding the program and are prepared to handle the increased workload?

4. About 6 months ago, your firm completed a feasibility study for the Winterhaven Charter School through the Bright Schools Program. The school decided to implement the recommended energy efficiency improvements and develop bid documents. During the job walk, several contractors indicated that the project recommendations were not accurate. Light counts did not match the actual rooms and some equipment recommended does not meet code. The Energy Commission contacts you for assistance. How will you handle this situation?

VOLUME 3, Examples of Previous Work Products

Example of Prior Work (only 1 copy needs to be submitted)

The Prime Contractor and each Subcontractor shall provide one example of each type of a work product listed below that is representative of the services it will provide under the Agreement (it is not necessary to provide more than one copy of each work product example).

If more than one firm will be providing technical support in a technical expertise area, each firm shall submit one example product that demonstrates experience in potential work assignments described in this RFQ for the technical expertise area.

Firms providing technical support for Task 2 activities must provide one separate example of previous work product for each of the following:

- ASHRAE Level 1 **Preliminary** Assessment of Existing Facility
- ASHRAE Level 2 Comprehensive Energy Audit of Existing Facility
- ~~ASHRAE Level 2 Targeted Study~~

Firms providing technical support for Task 3 activities must provide one example of a previous work product of:

- ~~ASHRAE Level 2 Study of Clean Onsite Self-Generation~~

Firms providing technical support for Task 4 activities must provide one work example of a previous work product of:

- Professional Engineering Support, one example of any of the following:
 - performance specifications or
 - evaluation of proposals or
 - monitoring and verification or
 - field assistance or
 - technology assessment

IV. EVALUATION PROCESS AND CRITERIA

SELECTION PROCESS STEPS

The Energy Commission will organize a committee whose members have expertise in evaluation of architectural and engineering services. The Evaluation Committee will evaluate the SOQs as follows:

Administrative and Completeness Screening Criteria (Mandatory)

Each SOQ will be screened for compliance with the Administrative Screening Criteria below. The Energy Commission will evaluate each SOQ to determine its responsiveness to these requirements. SOQs that fail or do not fully comply with any of the Administrative and Completeness Screening Criteria shall be disqualified and eliminated from further evaluation.

- SOQ must be received by the exact time and date set for receipt of SOQs.
- SOQ must be responsive to the California Disabled Veteran Business Enterprise participation requirements.
- SOQ must include a properly executed Contractor Certification Clauses.
- SOQ must include a properly executed Darfur Contracting Act Form.
- SOQ must include a properly executed Iran Contracting Act Form.
- SOQ must not contain false or intentionally misleading statements or references that do not support an attribute or condition contended by the Firm.
- SOQ must not be intended to erroneously and fallaciously mislead the State in its evaluation of the SOQ and the attribute, condition, or capability is a requirement of this RFQ.
- SOQ must not have a conflict of interest as stated in this RFQ.
- SOQ must not contain confidential information or contain any portion marked confidential.
- Firm must agree to the terms and conditions as attached to the solicitation. Firm must sign the Contractor Status Form indicating acceptance with the terms and conditions. Firm must not state anywhere in the SOQ that acceptance is based on modifications to those terms and conditions or separate terms and conditions.

Grounds to Reject an SOQ

In addition to the Administrative Screening Criteria identified above, the Energy Commission reserves the right to reject an SOQ if:

- The SOQ is unsigned.
- The SOQ is not prepared in the format described.
- The Firm has submitted multiple SOQs.
- The SOQ does not literally comply or contains caveats that conflict with the RFQ and the variation or deviation is not material, or it is otherwise non-responsive.
- The Firm 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.

Minimum Qualifications

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

Evaluation of Qualifications

The Evaluation Committee will review and score all remaining SOQs based on the Evaluation Criteria in this RFQ. The preliminary technical score for each SOQ will be the average of the combined scores of all Evaluation Committee members.

Ranking an SOQ

After each SOQ is scored, it will be placed on a list, in rank order, with the highest scoring SOQ placed first and the remainder in descending order based on score.

Discussions

The Evaluation Committee shall conduct discussions during the Evaluation Process with no less than three (3) Firms regarding qualifications and methods for furnishing the required services. Firms invited to participate in the Discussion will be scored by the Evaluation Committee on their response to questions during the discussion. The Evaluation Committee may use patterned questions and/or questions specific to an SOQ to conduct these discussions. The Evaluation Committee may provide the Firms with a copy of the questions and/or issues to be addressed and a format for structured discussions.

Firms should anticipate travel to the Energy Commission Headquarters for the discussions. The Firm is responsible for any travel costs associated with participating in discussions. At the discretion of the Contract Agreement Manager, discussions may be held via conference call or web-ex. The project lead and at least one person from each Subcontractor are encouraged to participate in the discussion.

Upon completion of the discussions the Evaluation Committee may make adjustments to the preliminary scores and re-rank the Firms. From the Firms with which discussions are held, the Evaluation Committee shall select no less than three (3), in order of preference, based upon the established criteria, who are deemed to be the most highly qualified to provide the required services.

NOTICE OF SELECTION

Subsequent to the SOQ evaluations and the discussions with Firms, the Energy Commission will post a "Notice of Selection" of the top-scoring Firm at the Energy Commission's headquarters in Sacramento, and on the Energy Commission's website.

www.energy.ca.gov

California Energy Commission

Contracts Office, MS-18

1516 Ninth Street

Sacramento, CA 95814

NEGOTIATIONS

Pursuant to Title 20, California Code of Regulations (CCR), section 2565 and Public Contract Code (PCC) 6106, within 14 days after posting the Notice of Selection, the Energy Commission will begin negotiations with the top ranked Firm for an acceptable fee (hourly rates). The top ranked Firm will be required to submit a list of rates after written notification of selection. If negotiations with the top ranked Firm fail, the Energy Commission will enter into negotiations with the next highest scoring Firm, and so on.

NOTICE OF PROPOSED AWARD

Subsequent to the negotiations, the Energy Commission will post a "Notice of Proposed Award" at the Energy Commission's headquarters in Sacramento, and on the Energy Commission's website.

www.energy.ca.gov

California Energy Commission
Contracts Office, MS-18
1516 Ninth Street
Sacramento, CA 95814

The Evaluation Committee may reject all Firms and SOQs if none are considered to be in the best interest of the Energy Commission.

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 Firm'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 Firm's response or proposed solution. Firm 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 Firm's response or proposed solution. The response exceeds the requirements in providing multiple enhancing features, a creative approach, or an exceptional solution.

EVALUATION OF STATEMENT OF QUALIFICATIONS - CRITERIA

WRITTEN EVALUATION CRITERIA:	Total
Approach to Tasks in Scope of Work	
General Approach	
Responsiveness to Scope of Work Requirements	100
Completeness and thoroughness of the overall approach	
Demonstrated understanding of Scope of Work tasks	
Clarity, succinctness and organization of SOQ	
Demonstrated experience with similar tasks. Use of appropriate classification of staff and team members for work statement tasks	60
Innovative approaches to work tasks	10
Specific Approach to Each Scope of Work Task	
Task 2 – Evaluate Energy Efficiency Opportunities in Existing Facilities	
Demonstrated knowledge, understanding, and experience in the following areas:	60
Cost-effective energy efficiency technologies	
Codes and regulations for retrofits	
Preparing high quality, technically sound and well documented technical reports	
Implementation of recommended projects	
Task 3 – Evaluate Opportunities for Clean Onsite Self-Generation	
Demonstrated knowledge, understanding, and experience in the following areas:	60
Cogeneration	
Distributive Generation	
Renewable Energy Systems	
Project feasibility and cost	
Regulation Issues	
Task 4 – Provide Professional Engineering Support Services	
Demonstrated knowledge, understanding, and experience in the following areas:	60
Providing independent and critical review of investment grade audits	
Providing critical reviews of the energy elements in a performance contract	
Evaluating project life cycle costs	
Reviewing and conducting measurement and verification plans	
Utility incentive programs	
Providing utility rate analysis	
Building and equipment commissioning process	
Evaluating new technologies for energy savings potential.	
Developing bid specs and project cost estimates for energy projects.	

Project Team Organization Organizational Structure & Client References (Including Prime Contractor's Employees), Cost Minimization		
	Ability to manage the contract cost-effectively and efficiently.	70 80
	Ability to effectively provide direction, motivation, and vision to the team.	
	Ability to provide quality assurance for each team member's performance, and to identify and resolve performance problems effectively.	
	Ability to quickly add and train new staff and team members as needed.	
	Effectiveness of project team organization.	
	Subcontractor Team Structure	
	Validation of experience and performance as reflected in client reference questions. Specify element(s) of work to be provided by the DVBE certified firm(s)	
	Number of Subcontractors on the team: <ul style="list-style-type: none"> • 1 to 3 subcontractors = 50 points • 4 to 5 subcontractors = 30 points • 6 or more subcontractors = 10 points 	50
	Effectiveness of strategies to minimize travel, per diem and related time charges.	5
	Effectiveness of strategies to minimize charges while being trained by the Energy Commission.	5
	Effectiveness of other strategies to minimize costs to the State.	15
Project Team Members and Personnel Relevant Experience and Qualifications, Client References		
	Depth of coverage for all technical areas and functions	30
	Depth of experience and qualifications of each Subcontractor team member	100
	Depth of experience and qualifications of the team members personnel working in their technical area(s).	70 90
	Qualifications of assigned personnel	
	Experience of assigned personnel	
	Availability of assigned personnel	
	Education of assigned personnel	
	Demonstrated accomplishments of assigned personnel on work statement task areas	
	Effectiveness of project team organization.	
	Validation of experience and performance as reflected in client reference questions.	
Analytical Tools		
	Capability to use computers or other analytical tools to accomplish the tasks in the Scope of Work.	5
Client References		
	Validation of experience and performance as reflected in client reference questions	20
Examples of Prior Work		

Depth, complexity, quality, and relevance of work examples.		100
Responses to Hypothetical Questions		
Responses must demonstrate:		100
	Accuracy	
	Clarity and conciseness	
	Technical knowledge and experience of the issues raised in each question	
Evaluation of Written Proposal (Maximum Points)		900
DISCUSSION EVALUATION CRITERIA:		Total
Quality of Presentation		30
Clear and concise responses to questions		35
Demonstrated knowledge of the subject/issues		35
Evaluation of Discussion (Maximum Points)		100
Maximum Total Points:		1,000
Firm's Score		
Disabled Veteran Business Enterprise Incentive Points:		
Final Adjusted Score:		

V. BUSINESS PARTICIPATION PROGRAMS (PREFERENCES/INCENTIVES)

ABOUT THIS SECTION

A Firm may qualify for preferences/incentives as described below. Each Firm passing Stage One screening will receive the applicable preference/incentive.

This section describes the following business participation programs:

- Disabled Veteran Business Enterprise Participation Compliance Requirements
- Disabled Veteran Business Enterprise Incentive

DISABLED VETERAN BUSINESS ENTERPRISE (DVBE) PARTICIPATION COMPLIANCE REQUIREMENTS

DVBE Participation Required

This RFQ is subject to a mandatory certified DVBE participation of at least three percent (3%).

Two Methods to Meet DVBE Participation Requirement

- 1) If Firm is a DVBE, then the Firm has satisfied the participation requirements if it commits to performing at least 3% of the contract with the Firm, or in combination with other DVBE(s).
- 2) If Firm is not a DVBE, the Firm can satisfy the requirement by committing to use certified DVBE Subcontractors for at least 3% of the contract.

Required Forms

Firm must complete Attachments 1, 3 and 4 to document DVBE participation. If the Firm does not include these forms, the SOQ is considered non-responsive and shall be rejected.

- Contractor Status Form (Attachment 1).
Under the paragraph entitled: "Disabled Veteran Business Enterprise Participation Acknowledgement", make sure to check the "yes" "DVBE Participation" box.
- DVBE Declarations Std. Form 843 (Attachment 3)
- Bidder Declaration Form GSPD-05-105 (Attachment 4)

DVBE Definition

For DVBE certification purposes, a "disabled veteran" is:

- A veteran of the U.S. military, naval, or air service;
- The veteran must have a service-connected disability of at least 10% or more; and
- The veteran must be domiciled in California.

DVBE Certification and Eligibility

- To be certified as a DVBE, your firm must meet the following requirements:
 - Your business must be at least 51% owned by one or more disabled veterans;
 - Your daily business operations must be managed and controlled by one or more disabled veterans
 - The disabled veterans who exercise management and control are not required to be the same disabled veterans as the owners of the business; and
 - Your home office must be located in the U.S. (the home office cannot be a branch or subsidiary of a foreign corporation, foreign firm, or other foreign based business).

- DVBE limited liability companies must be wholly owned by one or more disabled veterans.
- Each DVBE firm listed on the DVBE Declarations Std. form 843 (Attachment 3) and on the Bidder Declaration form GSPD-05-105 (Attachment 4) must be formally certified as a DVBE by the Office of Small Business and DVBE Services (OSDS). The DVBE program is not a self-certification program. Firm must have submitted application to OSDS for DVBE certification by the SOQ due date to be counted in meeting participation requirements.

Printing / Copying Services Not Eligible

DVBE Subcontractors cannot provide printing/copying services. For more information, see section VI Administration, which states that printing services are not allowed.

To Find Certified DVBEs

Access the list of all certified DVBEs by using the Department of General Services, Procurement Division (DGS-PD), online certified firm database at <http://www.bidsync.com/DPXBisCASB>. Search by “Keywords” or “United Nations Standard Products and Services Codes” (UNSPSC) that apply to the elements of work you want to subcontract to a DVBE. Check for Subcontractor ads that may be placed on the California State Contracts Register (CSCR) for this solicitation prior to the closing date. You may access the CSCR at: http://www.bidsync.com/DPX?ac=powersearch&srchoid_override=307818. For questions regarding the online certified firm database and the CSCR, please call the OSDS at (916) 375-4940 or send an email to: OSDCHelp@dgs.ca.gov.

Commercially Useful Function

DVBEs must perform a commercially useful function relevant to this solicitation, in order to satisfy the DVBE program requirements. California Code of Regulations, Title 2, Section 1896.62(l) provides:

“Commercially Useful Function (CUF) means a DVBE Contractor or Subcontractor that contributes to the fulfillment of contract requirements as determined by awarding departments in § 1896.71, and does all of, but is not limited to, the following:

- 1) Is responsible for the execution of a distinct element of work for the contract;
- 2) Carries out contractual obligations by actually performing, managing, or supervising the work involved;
- 3) Performs work that is normal for its business services and functions;
- 4) Is not further subcontracting a portion of the work that is greater than expected to be subcontracted by normal industry practices;
- 5) Is responsible, with respect to products, inventories, materials, and supplies required for the contract, for negotiating price, determining quality and quantity, ordering, installing, if applicable, and making payment; and,
- 6) Its role is not an extra participant in the transaction, contract or project through which funds are passed in order to obtain the appearance of DVBE participation.”

Information Verified

Information submitted by the Firm to comply with this solicitation’s DVBE requirements will be verified. If evidence of an alleged violation is found during the verification process, the State shall initiate an investigation, in accordance with the requirements of PCC Section 10115, et seq., and Military & Veterans Code Section 999 et seq., and follow the investigatory procedures required by California Code of Regulations Title 2, Section 1896.90 et. seq. Contractors found to be in violation of certain provisions may be subject to loss of certification, sanctions and/or contract termination.

DVBE Report

Upon completion of the contract for which a commitment to achieve DVBE participation was made, the Contractor that entered into a subcontract with a DVBE must certify in a report to the Energy Commission: 1) the total amount the Prime Contractor received under the contract; 2) the name and address of the DVBE(s) that participated in the performance of the contract; 3) the amount each DVBE received from the Prime Contractor; 4) that all payments under the contract have been made to the DVBE(s); and 5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation. Military & Veterans Code Section 999.5(d).

The Office of Small Business and DVBE Services (OSDS)

OSDS offers program information and may be reached at:
Department of General Services
Office of Small Business and DVBE Services
707 3rd Street, 1st Floor, Room 400
West Sacramento, CA 95605
<http://www.dgs.ca.gov/pd/Programs/OSDS.aspx>
Phone: (916) 375-4940
Fax: (916) 375-4950
E-mail: OSDSHelp@dgs.ca.gov

DVBE Law

- Public Contract Code Section 10115 et seq.
- Military & Veterans Code Section 999 et. seq.
- California Code of Regulations Title 2, Section 1896.60 et. seq.

DVBE INCENTIVE

The information below explains how the incentive is applied and how much of an incentive will be given.

Incentive Application

Award Based on High Score: The incentive is applied by adding the incentive points to the SOQ score for Firms that include more than 3% DVBE participation (see “Incentive Amount” below). Incentive points cannot be used to achieve any applicable minimum point requirements. The DVBE incentive is only applied during the SOQ evaluation process and only to responsive SOQs from responsible Firms.

Incentive amount

The incentive amount for awards based on high score will vary in conjunction with the percentage of DVBE participation.

Proposed DVBE Participation Level	DVBE Incentive % Point Preference	DVBE Incentive Points
3.01% - 4.99%	1%	10
5%+	2%	20

Required Forms:

- Contractor Status Form (Attachment 1).

Under the paragraph entitled: “Disabled Veteran Business Enterprise Participation Acknowledgement”, make sure to check the “yes” “DVBE Incentive Participation” box.

- DVBE Declarations Std. Form 843 (Attachment 3)
- Bidder Declaration Form GSPD-05-105 (Attachment 4)

DVBE Incentive Law

- Military & Veterans Code Section 999.5(a)
- California Code of Regulations Title 2, Section 1896.99.100 et.seq.

VI. ADMINISTRATION

RFQ DEFINED

The competitive method used for this procurement of services is an RFQ. An SOQ submitted in response will be scored and ranked based on the criteria in this RFQ. Every SOQ must establish in writing the Firm's ability to perform the RFQ's tasks. The Energy Commission shall conduct discussions and then select the most qualified Firm. The Energy Commission will negotiate an Agreement with the selected Firm for compensation that the Energy Commission determines to be fair and reasonable.

DEFINITION OF KEY WORDS

Important definitions for this RFQ are presented below:

WORD/TERM	DEFINITION
State	State of California
DGS	Department of General Services
Energy Commission	California Energy Commission
RFQ	Request for Qualifications, this entire document
SOQ	Statement of Qualifications, formal written response to this document from Firm
Firm	Respondent to this RFQ
CAM	Commission Agreement Manager
CAO	Commission Agreement Office
DVBE	Disabled Veteran Business Enterprises
WA	Work Authorization

COST OF DEVELOPING SOQ

The Firm is responsible for the cost of developing an SOQ and this cost cannot be charged to the State. The Firm is also responsible for any travel costs associated with participating in this RFQ.

SOFTWARE APPLICATION DEVELOPMENT

If this scope of work includes any software application development, including but not limited to databases, websites, models, or modeling tools, the Firm 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). Firms shall not include printing services in their SOQs.

CONFIDENTIAL INFORMATION

The Energy Commission will not accept or retain any SOQs 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 an SOQ 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 SOQ to a State agency. **(See # 1 on Attachment 2)**

A scrutinized company may still, however, submit a bid or SOQ 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)**

IRAN CONTRACTING ACT OF 2010

Prior to bidding on, submitting a proposal or executing a contract or renewal for a State of California contract for goods or services of \$1,000,000 or more, a vendor must either:

a) certify it is **not** on the current list of persons engaged in investment activities in Iran created by the California Department of General Services (“DGS”) pursuant to Public Contract Code section 2203(b) and is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS; **(See Option #1 on Attachment 8)**

b) demonstrate it has been exempted from the certification requirement for that solicitation or contract pursuant to Public Contract Code section 2203(c) or (d). **(See Option #2 on Attachment 8)**

RFQ CANCELLATION AND AMENDMENTS

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

- Cancel this RFQ,
- Amend this RFQ as needed, or
- Reject any or all SOQs received in response to this RFQ

If the RFQ is amended, the Energy Commission will send an addendum to all parties who requested the RFQ and will also post it on the Energy Commission's website:

<http://www.energy.ca.gov/contracts/index.html> and Department of General Services' website: http://www.bidsync.com/DPX?ac=powersearch&srchoid_override=307818.

ERRORS

If a Firm discovers any ambiguity, conflict, discrepancy, omission, or other error in the RFQ, the Firm shall immediately notify the Energy Commission of such error in writing and request modification or clarification of the document. Modifications or clarifications resulting from this notice will be posted on the Energy Commission's website without divulging the source of the request for clarification. The Energy Commission shall not be responsible for failure to correct errors.

MODIFYING OR WITHDRAWAL OF SOQ

A Firm may, by letter to the Contact Person at the Energy Commission, withdraw or modify a submitted SOQ before the deadline to submit an SOQ. An SOQ cannot be modified after that date and time, but an SOQ may still be withdrawn. An SOQ cannot be "timed" to expire on a specific date. For example, a statement such as the following is non-responsive to the RFQ: "This SOQ is valid for 60 days."

IMMATERIAL DEFECT

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

DISPOSITION OF FIRM'S DOCUMENTS

On the submission date, all SOQs and related material submitted in response to this RFQ become the property of the State. After the Notice of Proposed Award is posted, all SOQs and related materials become public records. In addition, all evaluation and scoring sheets become public records after the Notice of Proposed Award is posted.

FIRMS' ADMONISHMENT

This RFQ contains the instructions governing the requirements for an SOQ to be submitted by interested Firms, the format in which the information is to be submitted, the material to be included, the requirements that must be met to be eligible for consideration, and Firm responsibilities. Firms must take the responsibility to carefully read the entire RFQ, 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 RFQ are followed and appropriately addressed, and carefully reread the entire RFQ before submitting an SOQ.

AGREEMENT REQUIREMENTS

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

NO CONTRACT UNTIL SIGNED & APPROVED

No agreement between the Energy Commission and the successful Firm is in effect until the contract is signed by the Contractor, approved at an Energy Commission Business Meeting, and signed by the Energy Commission Contracts Office Manager.

CONTRACT AMENDMENT

The contract executed as a result of this RFQ 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.

CONFLICT OF INTEREST

Any Energy Commission employee who participates in the selection process and any Firm seeking a contract under this RFQ are prohibited from offering, soliciting, or accepting gifts, services, goods, loans, rebates or payments of any kind (such as kickbacks) to or from one another. Except as provided by the terms of the contract, this prohibition extends both to any Energy Commission employee who manages a contract awarded under this RFQ or reviews or approves Contractor work products under the contract, and to the Contractor.