

RFQ 600-12-601
FOR TECHNICAL ASSISTANCE
TO THE
Bright Schools Program
Energy Partnership Program
Energy Conservation Assistance Act (ECAA)
Financing Program
Questions and Answers
Posted: November 27, 2012
Updated: November 30, 2012

RFQ Questions

- 1. Page 7 of 34 of the RFQ under “Reference Documents” refers to past energy audit documents prepared by CEC consultants. Does this reference refer only to the few samples that were released with the RFQ, or are others available, and if so, where specifically?**

This only refers to the 4 samples included in the RFQ website. They are studies for Castaic Lake State Recreation Area, Eastern Municipal Water District, Lake Tahoe Community College, and Ohlone Elementary School.

- 2. Page 21 of 34, Part G. Examples of Prior Work notes that “it is not necessary to provide more than one copy of each product example”. However, the RFQ also requests 1 original and 5 copies of both Volumes 1 and 2 (on page 17). Volume 2 includes example work in Part G. At the Pre-Bid, the presenter said that one hard copy was sufficient. May we provide one copy of a Volume 3 that includes work samples, and simply refer to this in Volume 2, Part G by reference? Given the number of unique examples required, we expect this may be quite voluminous.**

Yes, this will be appropriate.

- 3. Alternatively, can we provide these work samples online by ftp site to save paper?**

No, we will not accept full or partial electronic copies of any Statement of Qualifications. Please see #2 above.

- 4. Is it the Commission’s intent for the sample works to include calculations?**

Yes. Please include all calculations, attachments, or appendices to your sample works.

- 5. Page 22 of 34, Part H. Response to Hypothetical Question #1; Please clarify if the VRF system is to be part of a new construction or retrofit system and provide a rough size and occupancy type for the building.**

Please make your own assumptions. We are not asking you to make energy savings calculations. Instead, we would like to know your approach in evaluating energy savings and to send us samples of energy savings calculations you may have done in the past related to VRF HVAC systems.

- 6. Page 22 of 34, Part H. Response to Hypothetical Question #2; It would be helpful to also know the specific occupancy of the building; Is it continuously occupied, an office schedule, or other? Also what type of floor does the building have – is it slab on grade, crawlspace, or combination?**

Please make your own assumptions. Please see question #5 above.

- 7. Page 22 of 34, Part H. Response to Hypothetical Question #2; We assume “get credit” in part (a) refers to demonstrating the building’s performance relative to Title 24, CALGreen and LEED. Please clarify.**

Please focus on Title 24 credits, utility rebates, and LEED certification.

- 8. Please confirm that there are no page limits – especially for contents in Volume 2, Technical Response.**

There is no limit to the number of pages in Volume 2. However, please respond to all parts reasonably and in a concise manner.

- 9. Can a firm be a subcontractor on multiple teams?**

Subcontractors can be on more than one team (in other words, more than one Statement of Qualifications submitted by a firm). However, a firm submitting a Statement of Qualifications (identified as the firm that would enter into a contract with the Energy Commission – the Prime Contractor) cannot be a subcontractor on any other team. A firm submitting a Statement of Qualifications (in other words, the Prime Contractor) may only submit for one team.

- 10. Can a prime contractor be on other teams?**

No. Please see response on Question #9.

- 11. How will the RFQ be scored? Who will be evaluating the proposals?**

Please refer to the RFQ starting on page 26 for the evaluation criteria. Energy Commission technical staff will be evaluating the proposals.

- 12. What is the basis of the DVBE incentive?**

Incentive points are based on a percentage of the total possible available points. The maximum points a prime contractor can achieve for this RFQ is 1,000 points. The DVBE

incentive is calculated based on 1000 points. See Attachment 3.1.

13. According to the five minimum qualifications, is it not possible for the Architect/LEED AP to be a separate subcontractor unless the Architect/LEED AP firm also employs a Professional Engineer?

An Architect/LEED AP firm may be a subcontractor in the team even if they do not employ a Professional Engineer in their firm. However, an Architect/LEED AP firm can be the Prime Contractor firm that submits a SOQ, only if they employ one or more Professional Engineers and can perform one or more Tasks of Task 2 to Task 6 specified in this RFQ. See the Minimum Qualifications in Addendum #1, posted on November 5, 2012 and edited in Addendum #2, posted on November 19, 2012.

The minimum qualifications are included in Exhibit C of these questions and answers.

14. Did you say the prime cannot do any other tasks other than task 1? I thought I heard that the prime can perform tasks beyond task 1. Please clarify.

Task 1 or the Agreement Management task can only be performed by the Prime Contractor, but the Prime Contractor can perform the other tasks as well.

15. Would the marketing firm also need a Professional Engineer?

No, that is not necessary, unless the marketing firm is the Prime Contractor.

16. Does the Table of Contents on Volume 1 cover both volumes?

Yes.

17. For the hypothetical questions, what is the level of detail you are looking for? 5 pages? 10 pages?

There are no page limits. However, please respond as completely and concisely as you can to each question.

18. How do we get a list of attendees and a copy of the presentation today?

The Pre-Bid presentation and list of attendees are posted at http://www.energy.ca.gov/contracts/RFQ_600-12-601/index.php

19. The evaluation criteria award more points for enhancing features and creative approaches. Please provide examples of enhancing features and creative approaches.

An example of an enhancing feature may be an approach to help "client" organizations fund projects and apply for rebates. This scoring scale is standard language in all Energy Commission RFQs. Scores are based on the extent the proposer addresses all the requirements and questions in the RFQ.

20. Some of our sample work products may require release from our customers. In this case, the customer may require striking out the name of the customer and other information that may be confidential. Would samples with strike outs and other means to protect confidentiality be acceptable?

The Energy Commission will not accept or retain any SOQs that have any portion marked confidential or the SOQ will be automatically rejected. If the firm submitting a SOQ can properly strike out any information the firm believes is confidential, and there is no possibility that the information can be detected, then the Energy Commission will accept the work sample. Sometimes when typed information is struck out by hand with a black marker, and then the paper is copied, the information can still be read. We highly recommend deleting the information electronically and then submitting the document with blanks. Please remember that, 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. Since the Technical Assistance Program is geared toward public agencies, in general, we encourage submitting work samples from public agencies which will always contain public information.

21. Page 21 of 34 of the RFQ describes analytical tools. Is this a standard paragraph in CEC proposals? To what extent is the CEC interested in hearing about energy efficiency software tools that the contractor may use to support the studies?

Technical assistance provided should focus on the software tools that are acceptable to the utilities and program participants. Other software tools will be evaluated on a case by case basis (e.g. life cycle cost analysis, building hourly simulation models for Title 24 compliance and tools that enhances LEED certification.)

Technical Assistance Program Questions

22. Are UC colleges eligible to the Technical Assistance Program?

Yes.

23. How long has the Technical Assistance Program been in operation?

Approximately 20 years.

24. How many contractors are in the current contract?

The current contract has 1 Prime Contractor and 11 subcontractors.

25. Why did you decide on one Prime Contractor at this time?

This program has always had one Prime Contractor. The Energy Commission will be contracting with the Prime Contractor and the Prime Contractor will be contracting with each subcontractor in the team.

26. Who is the current Prime Contractor?

The current Prime Contractor is Digital Energy, Inc.

27. How long has the current contractor been the prime?

For this current contract, Digital Energy, Inc. has been the Prime Contractor since March 2008. Digital Energy, Inc. was also the Prime Contractor of the previous contract from July 2004 to March 2008.

28. Prior to 2008, how was the funding used up? Do we think the technical assistance funding will be used up in this contract?

We have no way of predicting how much funding will be used. Since the beginning of the current contract in March 2008, we have written 67 work authorizations amounting to close to \$1.4 Million or half of the current total funding of \$2.8 Million. The previous contract had a total funding of \$2,240,000 and only \$801,446 was actually spent. There were 68 work authorizations written in the previous contract.

29. Is there an opportunity to add funding to this program if the \$2 Million is used up?

It is too early to tell at this time. It will depend on funding available at that time.

30. The RFQ says 3 subs but you mentioned the current prime contractor has 9 subs. Can we add subs as time goes on?

The minimum qualifications require that the prime contractor firm submitting a SOQ includes at least three subcontractors on the team. The current Prime Contractor has 11 subcontractors. Subcontractors may be added during the contract period. However, there should be a justifiable need to do so and additions can be made only after approval by the Contract Manager. Please see page 11 of Attachment 6 of the RFQ for the process of adding new subcontractors.

31. Can we add more subcontractors after being selected and awarded?

See question #30 above.

32. Please confirm - does the Bright Schools program include IMPLEMENTATION of the energy audit recommendations?

This Technical Assistance program does not provide actual funding for implementing the measures. However, the Energy Commission administers a low interest loan program called the Energy Conservation Assistance Act Financing Program and technical assistance recipients may apply for funds to implement projects.

33. How will the work authorizations be handed out? Is the contractor expected to write detailed scope of work for each project?

Once an application to the Bright Schools and Energy Partnership Program is received, staff conducts a preliminary site visit. Staff determines the potential energy saving

measures at the site and writes a work authorization, potentially with the assistance of the Prime Contractor and/or the assigned subcontractor. The Prime Contractor shall make work assignments to subcontractor team members based on the team member's relative expertise and/or project workload, with Energy Commission's concurrence on final selection of the team for each work authorization.

34. Please list the subcontractors to the Prime Contractor Digital Energy, Inc., on the current program?

We have attached the current contractor list. Please see Exhibit B: Digital Energy Contractor Team.

35. Please describe the role of the consultant versus the CEC staff in working with the "client" (organization that receives the feasibility study) during the course of the client project (kick-off activities, audit, progress meetings, final presentation, and follow-up to encourage implementation)?

The consultant is expected to work with the client to gather the required information necessary to develop the energy efficiency study outlined in the Work Authorization executed by the Energy Commission. The first step is for the consultant to schedule a kick off meeting with the client. The purpose of this meeting is to gain a better understanding of the project and gather technical information at the site to be used for the study. If the Energy Commission Project Manager is available, he/she will also attend the kick off meeting to address any program related questions. After the kick off meeting, the consultant may continue to communicate with the client to request clarifications or additional data required for the efficiency study. The Energy Commission Project Manager should be included on any follow up contact. When complete, the draft energy efficiency study will be provided to the client and the Energy Commission Project Manager for review. Both the client and the Energy Commission Project Manager will provide comments to the consultant. If necessary, the consultant will be available for a conference call if clarification on the draft report or on any comments is required. After all comments are addressed and any changes are completed, the consultant will provide a copy of the final energy study to the Energy Commission Project Manager and client and be available via conference call for a close out meeting to discuss the findings with the Energy Commission Project Manager and client, if necessary.

36. Can the Commission share information on current and past implementation teams?

This Technical Assistance Program does not fund the actual implementation or construction of the project. Please see response to question #34 for a list of the current contractors in the team.

37. What number of Technical Assistance projects is completed in a typical year (understanding that the program was suspended due to lack of administrative resources during peak ARRA funding period)?

Term of the Contract	Number of Work Authorizations	Amount
2000 – 2004	97	\$1,090,625
July 14, 2004 – March 31, 2008	68	\$801,446
March 1, 2008 – March 31, 2013 (current)	67	\$1,400,000

The table above shows the number of work authorizations and the amount spent for each contract for both the Bright Schools and Energy Partnership Program.

38. How much funding is disbursed in Technical Assistance projects in a typical program year (excluding ARRA period)?

Please see response question #37 above.

39. The prior program was discontinued in 2010 due to ARRA funding issues. Can you elaborate on what they were?

Please see the response to question #40 below.

Program Evaluation Questions

40. Given that these are existing programs and that you have a contractor providing services right now, can you just comment, in general, on how these programs have performed (i.e. if you're getting the results you would like, or are you having issues come to light that the Energy Commission would like to resolve in this term.)

In general, the program has been largely successful. The current technical assistance contract started in March 2008 and will expire in March 2013. Because of staff workload issues related to the American Recovery and Reinvestment Act (ARRA), the Energy Commission decided to suspend the Technical Assistance Programs for non-ARRA activities in December, 2009. The Energy Commission still accepted applications related to ARRA activities. The Technical Assistance Programs were re-opened in November 8, 2012.

41. Has the CEC formally or informally evaluated the performance of this program? If yes, please provide the key findings?

In September 2006, the Energy Commission conducted an informal evaluation of the Bright Schools and Energy Partnership Program. The purpose of the evaluation was to study the implementation rates of technical assistance recipients for the period 2000-2006. Of the 68 participants receiving studies from the Bright Schools Program, 42 (62%) implemented some or all of the recommended measures with 10 using an ECAA loan. If all 42 participants implemented all the recommended measures they would collectively save 20,025,364 kWh and \$2,487,692 annually. Of the 62 participants

receiving studies from the Energy Partnership Program, 43 (69%) implemented some or all of the recommended measures with 14 using an ECAA loan. If all 43 participants implemented all the recommended measures they would collectively save 21,686,322 kWh and \$2,544,255 annually.

In September 2012, Energy Commission staff updated their findings for the Bright Schools Program for the period 2000-2010. Of the 129 participants receiving studies, 82 (66%) implemented some or all of the recommended measures with 12 using a CEC loan. If all 129 participants implemented all the recommended measures they would collectively save 33,735,154 kWh and \$4,783,073 annually.

An update to the Energy-Partnership Program's evaluation may also be conducted in the future.

42. How is the program evaluated by the Energy Commission and has evaluation been done (i.e. rate of implementation of the feasibility studies.)

Please see response to question #41 above.

43. How does the CEC evaluate and measure this program? What are the key metrics?

Please see response to question #41 above.

44. What type of screening process does the Energy Commission do to gauge the level of commitment for each applicant?

When the Energy Commission receives an application, staff does a preliminary site visit and meets with the top management of these facilities. We determine what funding they have for implementing the potential feasibility measures. We also require a governing resolution to make sure that this is approved through their governing councils. We also provide with the tech assistance, implementation assistance and proposal reviews. We also currently provide 1% interest loans to fund the projects.

Program Recipients/Locations:

45. Where is the majority of the work located or is it located all over California?

We cannot predict where the work will be located but it will be throughout the State of California.

46. Can the Commission provide a list of school districts or cities where projects have been completed, or other indicator of geographic coverage of program participants?

Below is a list of program participants who received technical assistance under the current contract.

Work Authorization No.	Organization or Work Description
1	Project Management
2	General Technical Assistance
3	Marin Community College District
4	Santa Rosa Junior College
5	Town of Hillsborough
6	Gavilan CCD
8	City of Westminster
9	Loomis USD
10	AMBAG
11	Walnut Creek SD
12	Campbell Union SD
13	Yuba CCD
14	City of Rocklin
15	Soledad USD
16	Oakland USD
17	Atascadero USD (withdrawn)
18	Cochella Valley USD
19	Buckeye USD
20	El Dorado Hills CSD
21	Medical Center of Modesto
22	Town of Truckee
23	Coachella USD
24	Desert Sands USD
25	Nevada UHSD
26	Chino Valley USD
27	West Contra Costa - Ohlone
28	Sierra-Plumas JUSD
29	CORE Academy
30	High Tech High School
31	Oakland USD
32	Butte County Office of Education
33	Los Angeles County
34	Susanville School District
35	Lake Tahoe Community College
36	City of Riverbank
37	City of San Luis Obispo
38	City of Pasadena
39	City of Dinuba
40	County of Sacramento
41	City of Costa Mesa
42	County of Monterey
43	City of Santa Cruz
44	City of Laguna Woods
45	City of Anderson
46	Nevada Irrigation District

47	County of Humboldt
48	City of Red Bluff
49	County of Lassen
50	City of Hayward
51	Snowline JUSD
52	Eastern Municipal Water District
53	Fairfield-Suisun USD
54	Curtis School
55	Winters JUSD
56	County of Alameda
57	Lafayette School District
58	City of Gonzales
59	Tuolumne County
60	City of West Covina
61	City of San Juan Bautista
62	County of Imperial
63	City of South Pasadena
64	City of Pacific Grove
65	Town of Truckee
66	City of La Canada Flintridge
67	City of King City
68	County of Lake

Scope of Work Questions

47. Task 5 of the Scope of Work mentions fuel cell analysis with waste water? Is there any other need for fuel cell analysis? Is it just limited to water/waste water projects?

No, it is not just limited to water/waste water treatment plants.

48. The current contract has a Prime with 9 or 10 subs. Any sense of what works best? What is the thinking on the current number of subs?

The current contract originally had a team of one prime contractor and 9 subcontractors. The subcontractors were increased to 11 because of an expected increase in workload due to the ARRA Stimulus program. This, however, did not materialize.

We cannot predict the amount and types of applications that may come in during the term of this contract. However, historically, the Energy Commission receives more applications for Task 2 than any other task in the scope of work. For this current contract, almost \$1.4 Million has been allocated to 67 work authorizations to date. Of this amount, 62% have been allocated to Task 2 (Existing Buildings), 13% to Task 3 (New Construction), 5% to Task 4 (Self-Generation and Renewables), 7% to Task 5 (Water/Waste Water), 8% to Task 6 (Special Engineering Projects, and 0% to Task 7 (Marketing). 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.

49. In the pre-bid meeting, CEC staff mentioned that of the current 68 Work Authorizations (WA), approximately 62% are for existing buildings. What percent of the WA do other scope areas represent?

Please see the response to question #48 above.

50. How do you expect the mix of WA to change over the next three years? What trends do you observe?

We cannot predict the amount and types of applications we will receive in the future contract term. In addition, please refer to the response to question #48 above.

51. How is the scope of the work for this program different than in the previous cycle (e.g., 2008)? What is new? What has been modified?

Attached is the latest version of the Scope of Work (Please see Exhibit A: SOW) for the current technical assistance contract so you may make your comparisons.

52. We understand that the assistance that the CEC is seeking for the Loan Program is reviewing and commenting on loan applications. Please describe the scope of this review (e.g., energy savings potential for the project, cost savings, project risk, and financial stability of the applicant?)

Technical assistance review of the loan applications include verifying the technical feasibility of the project and the reasonableness of the energy and cost savings.

November 30, 2012 Update:

Conflict of Interest Question

53. Are firms that provide technical assistance services through this RFQ precluded from providing design services for the projects that are connected with these programs/ RFQ?

Once Commission-funded technical assistance (i.e. energy audit) for a public agency is completed, it is the decision of the public agency as to whether a Commission contractor/subcontractor would be eligible for subsequent work related to the recommendations in the energy audit. You can accept work from a public agency for design services on a project, if the work is being done through a separate contract between the public agency and your firm, and as long as you did not develop the bid document and the bid is not being reviewed as part of the Commission's contract. The public agency would follow their own bidding rules to select a firm to provide design services. The Commission's contract cannot be used to pay for project design

January 25, 2013 Update:

- 54. Do sub-consultants who are supporting a task and not playing a main role in the task have to have a licensed PE working on their team? For an example, we are having a sub consultant provide costing assistance, would they be required to provide a PE staff member if they are not playing a role in any of the engineering?**

Through minimum qualifications #3 and #5, the Energy Commission intends to have access to several subcontractors that can perform their specified Scope of Work tasks fully and independently. It is not the Energy Commission's intent to have a subcontractor in the team whose sole purpose is to provide support for a task or several tasks and cannot work independently from the other team subcontractors.

A subcontractor firm can indicate that another consulting firm will be hired to provide support in completing a task (e.g. costing assistance). However, the subcontractor firm and the identified consulting firm will be considered or scored as one entity (subcontractor firm) performing the specified task. As such, at least one licensed Professional Engineer staff member must be identified between the subcontractor firm and consulting firm to ensure that minimum qualification #3 is met.

- 55. We were wondering if sub-consultants that play a small role in a task (such as the example above regarding cost assistance) have to provide samples of their work in regards to the task also? Or can they be added to the task, and used as just a support?**

Each subcontractor is required to provide samples of their work for each Scope of Work task they will be performing. Samples of work must demonstrate that a subcontractor firm is able to perform their specified Scope of Work tasks fully and independently. If the sub-consultant is needed to perform a role to fully complete a task, then samples of work should be provided.