

REQUEST FOR PROPOSALS

ENERGY PERFORMANCE CONTRACT

Luzerne County Community College (LCCC) is soliciting proposals from qualified Energy Service Companies (ESCOs) to provide an energy performance audit and implement an energy/operating cost reduction program under the guidelines of Pennsylvania's Guaranteed Energy Saving Act 29/57/77 as amended. The project will assist LCCC to become as energy efficient as possible through installation of energy efficiency measures and optimal and efficient operation and maintenance of equipment. LCCC wishes to implement energy conservation measures on a performance based energy savings contract basis.

It is expected that only one Energy Service Company (ESCO) will be selected to perform all of the work for LCCC. The project will be in two phases. Phase I will be a Comprehensive Energy Audit of the existing facilities and Phase II will be the Implementation of the Phase I Comprehensive Audit. LCCC reserves the option to stop after Phase I is completed and presented. The Contract period shall commence upon Board approval of the successful proposal. Proposals should take into account a seven (7), ten (10) and fifteen (15) year scenario.

It is currently planned that LCCC will purchase, finance, and own any new equipment installed as a result of the project. Proposals are expected to include the Energy Service Company services in connection with such arrangements. However, it is expected that savings and/or guarantees provided by the Energy Service Company selected pursuant to this RFP will fully or partially offset the acquisition costs or implementation measures involved for LCCC. ESCO should clearly describe the proposed services associated with the procurement and installation of any new equipment.

Profile of Luzerne County Community College **Background Information**

College Mission

Luzerne County Community College is a public learning institution primarily serving the residents of Luzerne and surrounding counties in Northeastern Pennsylvania. Our mission is to provide excellence in education, foster student success in achievement of goals and positively impact Luzerne County and the surrounding Northeastern Pennsylvania region. Our Institutional Goals include: •Provide a foundation of core knowledge and skills •Develop contributing and culturally competent members of society •Guide the learner in pursuit of educational and career goals •Design a quality educational experience accessible for all learners •Develop partnerships within the community to contribute to the economic, technological and social advancement of the region.

History of the College

On August 17, 1966, the Luzerne County Board of commissioners requested the Pennsylvania State Board of Education for permission to establish and operate a community college. Such permission was granted by the State Board of Education on September 15, 1966. The college opened its doors for the first time on October 2, 1967 and the first class, numbering 210, graduated in June of 1969. The College's permanent campus facilities in Nanticoke, Pa were occupied at the beginning of the Spring Semester, 1974. As of May 2011, the College had graduated over 26,000 students who are currently employed locally in public and private businesses and institutions or who have transferred to more than 60 four-year colleges and universities for further study.

College Location and Facilities

The permanent campus of Luzerne County Community College is situated on a 167-acre site at 1333 South Prospect Street in Nanticoke, PA. In addition, five dedicated sites are located in surrounding counties. These sites include permanent educational facilities in Berwick, Hazleton, Wilkes-Barre, Kulpmont and Northumberland. Enrollment at the College stands at approximately 6,000 full and part-time students. Continuing Education, workforce development training, professional development, public safety and certification programs raise the number of people learning through LCCC to approximately 9,000 per year. LCCC is considered a leader among community colleges and would like to develop a relationship with a service provider that will enhance this status within the community.

PROJECT GOALS

1. Removal of financial and technical risk from the College
2. Reduce energy and operating costs
3. Upgrade old and inefficient systems
4. Enhance personnel development and training
5. Improve utilization of technology
6. Develop a long-term plan for preventive maintenance
7. Improve comfort conditions
8. Project to be self-funding

There are no plans and specifications. For this contract, LCCC will solicit proposals from qualified ESCO's to conduct an Investment Grade Technical Energy Audit of the project site(s) and propose a complete set of energy services and energy-related capital improvements ("energy conservation measures" or ECMs), including all project costs, the timetable for completing design, engineering bid specifications, and construction work; a detailed description of services to be provided, specific financing arrangements and terms, and the projected energy and cost savings, as well as special conditions offered by the company.

Please review these qualifications. Luzerne County Community College is not liable for any cost or expenses incurred by ESCOs in the preparation of their written responses or for attendance at any conferences and meetings related to this RFP. Any cost or expense incurred by ESCOs in conducting the preliminary technical assessment or for performing any analysis associated with this RFP shall be borne by the ESCO.

The ESCO will initiate, at minimum, the following steps in preparation of the technical/financial proposal;

- Analyze utility consumption rate structures.
- Analyze facility operational costs as they relate to the program
- Survey identified facilities to evaluate HVAC equipment, building usage, operating costs, and facility improvement needs
- Discuss options within the scope of services with the College
- Engineer the solutions to implement and meet project goals
- Formulate program costs and calculate program guarantee savings
- Arrange for financing as needed, provided that Luzerne County Community College reserves the right to secure project financing on its own.
- Finalize proposal with complete detail including the Scope of Work, all associated costs and the "Guarantee of Energy and/or Operational Savings".
- Enter into a mutually acceptable contract that integrates these provisions.

INSTRUCTIONS TO PROPOSERS

TERMS OF CONTRACT

The Term of the Contract will cover a seven (7), ten (10) or fifteen (15) year period whichever is selected by the College. It must include a provision permitting the College to terminate the contract in any fiscal year during the term of the contract in which it does not receive sufficient funds in its' annual appropriations to make the payments required under the contract. This will be confirmed in writing, with the College giving the ESCO ninety (90) days notice.

TYPE OF CONTRACT

This will be a fixed price contract.

ASSIGNMENT

It is mutually understood and agreed that the successful ESCO shall not assign, transfer, convey, sublet or otherwise dispose of the purchase order, contract, or his right, title, or interest therein, or his power to execute such purchase order to contract to any other person, company or corporation without the previous written consent of the College.

PERFORMANCE INTERFERENCE

Contractor shall notify Luzerne County Community College immediately of any occurrence or conditions that interfere with the full performance of the contract, and confirm it in writing within twenty-four (24) hours.

SAFETY STANDARDS

All items supplied on this contract shall comply with the current applicable Occupational Safety and Health Standards of the State of Pennsylvania Industrial Commission, the National Electrical Code, the National Fire Protection Association Standards and the Administrative Code, and any applicable Local, State or Federal codes, regulations or ordinances.

LICENSES

ESCO shall maintain, in current status, all Federal, State and Local licenses and permits required for the operation of the businesses conducted by the Contractor.

PERMITS

ESCO shall be responsible for obtaining any and all permits required to perform this implementation. The implementation shall be in complete compliance with the local municipality, Building Codes, Fire Codes and State Fire Marshall Codes.

PAYMENT BOND & INSURANCE

The successful ESCO will be required to submit a statutory Payment Bond equal to 100% of the contract. Contractor must provide certification of insurance compliance within ten (10) days after notification of award.

Certification must include:

Name and Address of Insurance Company
Policy Number
Liability Coverage Amounts

Certification is to be submitted to: Len Olzinski, Director of Purchasing
Luzerne County Community College
1333 South Prospect Street
Nanticoke, PA 18634

SITE INSPECTION

Interested Contractors shall visit the site and familiarize themselves with any conditions that may affect performance and proposal prices. Submission of a proposal will be prima facie evidence that the Contractor did, in fact, review the Request for Proposal, and is aware of all conditions affecting performance and proposal prices.

Site visits shall be by appointment only and must be scheduled at least 24 hours in advance.

TELEPHONE, TELEGRAPH & FACSIMILE PROPOSALS

Telephone, telegraph and/or facsimile proposals will not be accepted.

EVALUATION CRITERIA

Luzerne County Community College will award a contract to the firm with the lowest and best proposal, which, in the judgment of LCCC best meets the needs of LCCC. The criteria for making this evaluation will be based on, the following:

- a. Experience of firm and assigned professionals with similar programs.
- b. Skills and expertise to perform the services described in the information package.
- c. Range of services offered by your firms. Demonstrated capability based on the required information as to the experience the individuals/firm that will be providing the service and your firm's past experience, as indicated by the references submittals. A list of three previous references which shall include:
 1. Client's name
 2. Individual contact
 3. Email address
 4. Phone number
- d. Methodology for verification of energy savings.
- e. Financial Summary and Fees for Services. Price is a key factor, but will not be the sole determining criteria in proposal selection.

As a part of the evaluation, all qualified finalist firms may be required to make an oral presentation to the evaluation committee selected by Luzerne County Community College. Oral presentations are for the purpose of explaining or clarifying significant elements of the proposal. ESCO will be asked to address specific questions prepared by LCCC's administration. Luzerne County Community College will be the sole judge with respect to the evaluation of proposals. The establishment, application and interpretation of the above evaluation criteria shall be within the sole discretion of LCCC. Luzerne County Community College intends to award a negotiated contract to one firm to provide equipment and services under terms and conditions LCCC consider being most favorable among those offered.

Luzerne County Community College may, in its sole discretion, choose not to award a contract.

Costs for services incurred prior to the execution of the energy audit agreement and the final energy services agreement will be the sole responsibility of the ESCO. LCCC reserves the right to use any or all ideas presented. Selection or rejection of the proposal does not affect this right. Information designated as proprietary will be returned to the ESCO upon written request.

PROPOSAL MATERIALS

Proposals and other materials submitted shall become the property of the College. Luzerne County Community College shall bear no cost for the proposal presentations on the part of the vendor.

NON-COLLUSION AFFIDAVIT

All proposers shall be required to submit a completed Non-Collusion Affidavit, Pennsylvania Antibi-Rigging Act- 1 0-20-93, with their proposal.

PA HUMAN RELATIONS ACT

The successful bidder agrees to comply with the provisions of the Pennsylvania Human Relations Act, Act 222 of October 27, 1955 (P.L. 744) (43 P.S. Section 951, et.seq), as amended, which prohibits discrimination because of race, color, religious creed, ancestry, age, sex, national origin, handicap or disability.

PRIME CONTRACTOR ACCOUNTABILITY

The ESCO who is selected as the project contractor under this RFP will be considered the prime contractor. The ESCO will be required to assume full responsibility for delivery of all services for each facility as specified in the RFP and included in the final contract. Further, the selected ESCO will be the sole point of contact concerning all contractual matters for the duration of the contract term.

RIGHT TO REJECT

Luzerne County Community College reserves the right to reject any or all proposals and to waive any or all informalities in connection therewith at its discretion. The College reserves the right to reject, as non-responsive, any proposals that do not contain the information requested. Additionally, Luzerne County Community College reserves the right to reject, as non-responsive, any proposals that are not organized and formatted as described in this RFP.

Notice of the Purchasing and Conflict of Interest Policies in place at Luzerne County Community College LCCC")

Each owner/operator/individual/officer submitting a quote or for whom a quote is being submitted on behalf of the owner (each being referred to as a "Provider") to LCCC certifies that he/she/they are not a spouse, child, parent, brother/sister (each being referred to as an "Immediate Family Member") of any LCCC employee or Board of Trustee member at LCCC who owns more than a one (1%) percent ownership interest in the Provider/Provider's business.

If the Provider is an Immediate Family Member, according to College Policy and Procedure, disclosure must be made, and LCCC may decline entering into a business relationship with the Provider. Disclosure shall be made in writing at the time of submitting the quote to the Director of Purchasing.

Violations of any of the policies or procedures may result in rejection of the quote. Additionally, LCCC may have the right to recover damages suffered by LCCC in obtaining an alternative quote, which damages may include, but are not limited to, consequential damages and reasonable attorney's fees.

Copies of these policies and procedures are available upon request.

Luzerne County Community College does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs or activities. For a complete copy of the LCCC non-discrimination policy, contact the Human Resources Office at 800-377-5222, extension 7235. Inquiries may be directed to the Title IX Coordinator, John Sedlak, Dean of Human Resources, LCCC, 1333 South Prospect Street, Nanticoke, Pennsylvania, 800-377-5222 extension 7234 (jsedlak@luzerne.edu). Inquiries related to accessibility services for students may be directed to the Section 504 Coordinator, Rosana Reyes, Dean of Student Development and Enrollment Management, LCCC, 1333 South Prospect Street, Nanticoke, Pennsylvania, 800-377-5222 extension 7423 (rreyes@luzerne.edu).

PURPOSE OF SOLICITATION

The intent of this Request for Proposal (RFP) is to solicit price and technical qualification proposals from Energy Service Companies (ESCOs) that propose an energy conservation program. The energy conservation program will include a performance based contract for the maintenance and lease/purchase financing of energy saving equipment and other systems throughout the Luzerne County Community College Facilities.

Please note that responses to this RFP must be received by September 15, 2014 at 2:00 PM, at the address below: Three (3) copies of the response must be sealed and delivered to:

LUZERNE COUNTY COMMUNITY COLLEGE
1333 South Prospect Street
Nanticoke, PA 18634
Attn: Purchasing Office, Bldg 5

or mailed to the above address.

Late responses will not be accepted and will be returned to the submitting company unopened. Luzerne County Community College will not be responsible for mail delays. Luzerne County Community College is not liable for any cost incurred by any person or firm responding to this RFP.

All disputes, claims and other matters pertaining to this RFP or resulting contract are subject to provisions of Pennsylvania Law and Luzerne County Community College Procurement Code.

The proposals will be made public after award except that certain information may remain confidential if clearly marked as such. Information that is to remain confidential must be marked Proprietary & Confidential on each page within the proposal where such information exists.

If an ESCO considers certain information in its proposal to be proprietary or a trade secret that should remain confidential and not be made public, the ESCO shall provide a written statement so advising Luzerne County Community College and indicating the nature of the information, and shall identify within its proposal, the information wherever it appears.

Please direct all questions regarding this RFP and the program it represents to: Len Olzinski, Director of Purchasing, (570) 740-0370, or e-mail lolzinski@luzerne.edu.

GENERAL INFORMATION

- a. The ESCO will provide calculations and written verification of all utility cost reduction goals. A base model for energy conservation shall be prepared based on the existing facility equipment (systems) and the historical utility billings. Respondents to this Request for Proposal (RFP) shall propose an energy management program, quote a lease rate for the energy conservation measures and identify their experience and qualification to manage an energy conservation project by providing at least five references and supplying the information requested on each.
- b. One hundred percent (100%) of all energy and operational savings shall be retained by the College.
- c. Reconciliation of guaranteed sums shall be on an annual basis, commencing one year from the date of total completion of program installation.
- d. ESCO shall provide Luzerne County Community College with annual energy audits and full descriptions of achievement of savings.
- e. ESCOs guarantee shall be a first party direct guarantee from the contractor to Luzerne County Community College. A third party guarantee, such as from a non-contractor insurance company, shall not be accepted. Measurement and verification methodology shall be an "Option C" method consistent with the International Measurement Verification Protocol (IMVP).
- f. It is the intent of Luzerne County Community College to accept proposals from qualified ESCOs funded through reductions in energy, operating and capital expenditures with annual reconciliation of guarantee funds. ESCOs should provide financing options, however, should Luzerne County Community College determine that alternative funding is preferable, or that it desires to utilize additional capital, it may, at its sole discretion, opt to secure its own financial arrangements.
- g. All equipment will have successful operating experience in similar installations and shall be in new and unused condition.
- h. Terms of agreement shall be for not more than a five (5) year term. Luzerne County Community College shall own all installed equipment at the end of the term. Said equipment shall be free and clear of all liens and encumbrances upon transfer of ownership to Luzerne County Community College.
- i. ESCO shall provide training on all equipment installed as part of this contract.
- j. Luzerne County Community College may retain salvage rights to all equipment and material removed pursuant to this proposal.

DESCRIPTION OF SITES:

Sites to be included in the Project are as follows:

Luzerne County Community College, Main Campus, Nanticoke, PA 18634
Buildings 1, 2, 3, 4, 5, 6, 7, 8, 9,10,11,12,13,14, Culinary Institute, Health Sciences Center and PSTI.

CURRENT ENERGY COSTS

A three year history of utilities is included with this RFP. *See "Three-Year Utility History" pdf.

PROJECT SCOPE OF WORK

Areas of possible conservation at Luzerne County Community College include, but may not be limited to, training programs or facility alterations designed to reduce energy consumption or operating costs, including without limitation:

- a. Insulation of the building structure or systems within the building.
- b. Storm windows or doors, caulking or weather stripping, multiglazed windows or doors, heat-absorbing or heat-reflective glazed and coated window or door systems, additional glazing, reduction in glass area or other window and door system modifications that reduce energy consumption.
- c. Automated or computerized energy control systems. Note: All proposed energy management and/or building automation systems shall be fully compatible and seamlessly integrated with the existing Building Automation System.
- d. Heating, ventilation, or air conditioning system modifications or replacements.
- e. Replacement or modification of lighting fixtures to increase the energy efficiency of the lighting system without increasing the overall illumination of a facility, unless an increase in illumination is necessary to conform to applicable State or local building codes for the lighting system after the proposed modifications are made.
- f. Energy recovery systems.
- g. Systems that produce steam or forms of energy such as heat, as well as electricity, for use within a building or complex of buildings.
- h. Energy conservation measures that provide operating cost reductions based lifecycle cost analysis.
- i. A training program or facility alteration that reduces energy consumption or reduces operating costs, including allowable costs, based on future reductions in labor costs or costs for contracted services.
- j. A facility alteration which includes expenditures that are required to properly implement other energy conservation measures
- k. A program to reduce energy costs through rate adjustments, load shifting to reduce peak demand, and/or use of alternative energy suppliers, such as, but not limited to:
 - i. Changes to more favorable rate schedules;
 - ii. negotiation of lower rates, same supplier or new suppliers, where applicable;and
 - iii. auditing of energy service billing and meters.
- l. The installation of energy information and control systems that monitor consumption, redirect systems to optimal energy sources, and manage energy-using equipment.
- m. Indoor air quality improvements.
- n. Daylighting systems.
- o. Renewable and/or on-site distributed power generation systems.
- p. Building envelope improvements.

The ESCO should use its' expertise to apply any other applicable Energy Conservation Measures for the best benefit of the College. Any additional recommendations that have potential savings that are not covered in the scope can be listed.

PROJECT RESPONSE FORMAT
ENERGY SERVICE COMPANY QUALIFICATIONS AND APPROACH TO PROJECT

Please provide information for each of the following categories in each section. Please respond in the following format and begin each section on a different page. Failure to respond in the format provided could render a proposal as non-responsive and be rejected by the College.

Section 1 Executive Summary (not to exceed three 3 pages)

- Provide a summary scope of services being offered by your firm including:
 Summary Scope of Work
 Total Energy Savings
 Project Capital Cost

Section 2 Corporate Information

- Provide corporate information including:
 Corporate Overview
 Project Team Resumes

Section 3 Project References

- Provide at least 5 Pennsylvania Guaranteed Energy Savings Act Performance Contracting references.
- Provide contact name and address, type of automation system, project size in dollars, energy guarantee, performance against the guarantee and a brief description of the project. Also include the installation time from contract execution until completion.

Section 4 Project Scope of Work

- Provide a detailed scope of the services that are being offered by your firm for this project.
- Describe in detail all energy and operational savings calculations utilized within your proposal.

Section 5 Financial Analysis

- Describe your firm's ability to procure superior financing arrangements.
- Provide a summary financial analysis sheet.
- Provide a detailed project cash flow analysis.

Section 6 Project Implementation

- Describe your firm's approach to construction and installation of the project.
- Detail your firm's approach to project management.

Section 7 Performance Monitoring and Verification

- Describe the methods utilized to compute baseline energy usage.
- Describe the methods utilized to make adjustments to the baseline for such factors as weather variance and facility use changes.
- Describe your firm's provisions for the ongoing monitoring and reconciliation of financial guarantees.

Section 8 Sample Contracts

- Provide sample contracts for all agreements that the customer must execute as part of this process.

Appendix I Company Profile Form

- Complete the attached Profile Form.

Questions MAY BE ADDRESSED to Len Olzinski, Director of Purchasing, (570) 740-0370. The completed RFP must be received in the College's Purchasing Department (Building #5, Room 513) by 2:00 p.m. on October 1, 2014.

**APPENDIX I
COMPANY PROFILE**

All questions must be addressed by the ESCO in order for this application form to be properly completed. Failure to answer any question, or comply with any directive contained in this form may be used by Luzerne County Community College as grounds to find the ESCO ineligible. If a question or directive does not pertain to your firm in any way, please indicate with the symbol N/A.

1. Firm Name _____
Business Address _____
City _____ State _____
County _____ Zip Code _____

1a. Names and Titles of Two Contact People

1) _____ Phone (_____) _____
2) _____ Phone (_____) _____

1b. Submittal is for:

- / / Parent Company (List any Division or Branch Offices to be involved in this project)
- / / Division (attach separate list if more than one is to be included)
- / / Subsidiary
- / / Branch Office: (include all Pennsylvania locations with number of energy service professionals located at each site.

Name of Entity: _____
Address: _____

2. Date Prepared: _____

3. Type of Firm:
/ / Corporation / / Partnership / / Sole Ownership / / Joint Venture

4. Federal Employer Identification Number _____

5. Year Firm was Established _____

6. Name and Address of Parent Company, if applicable _____

7. Former Firm Name(s), if applicable _____

8. Five Year Summary of Contract Values for Guaranteed Energy Savings Contracts Projects where your firm was the prime contractor with a first party written savings guarantee to the customer:

2014: \$ _____ (to date)
2013: \$ _____
2012: \$ _____

2011: \$ _____

2010: \$ _____

9. CORPORATE BACKGROUND/HISTORICAL DATA

9a. How many years has your firm been in business under its present business name? _____ Years

9b. Please identify all states in which your firm is legally qualified to do business. _____

9c. Indicate all other names by which your organization has been known and the length of time known by each name.

9d. How many years has your firm been involved in energy-related business? _____ Years

9e. Certify that your company does not owe the Commonwealth any taxes.

9f. Certify that your company is not currently under suspension or debarment by the Commonwealth, any other state, or the federal government.

9g. Identify your firm's legal counsel for this project. Give the name and address of the primary individual responsible for contract negotiation.

Name: _____

Address: _____

9h. Indicate your firm's current annual gross revenue. _____

9i. Indicate your firm's revenue as a percentage of the following:

Equipment manufacturing: _____%

Service and maintenance: _____%

Other: _____%