

SCHOOL ADMINISTRATIVE UNIT 95

**Windham School District
19 Haverhill Road
Windham, New Hampshire 03087**

January 26, 2022

Energy Performance Contracting Services

**For the
School Administrative Unit
#95 Windham Schools**

The School Administrative Unit (SAU) 95/ Windham School District is seeking proposals from interested Energy Service Companies (ESCOs) for assistance with planning and executing District-wide energy performance upgrade projects. These upgrade projects will include but not be limited to: Heating, Ventilation, Air Conditioning (HVAC) repairs/replacement and indoor air quality (IAQ) improvements and a Comprehensive energy audit. We are seeking to contract with an ESCO to conduct an audit of our facilities and systems, make recommendations for improvements and upgrades for all District facilities, provide oversight and execution of upgrade projects, and provide energy savings guarantees. The projects are contingent upon the District's receipt of Federal and/or State funds.

The Windham School Board and SAU 95 reserves the right to accept or reject any or all submissions, wholly or in part, to negotiate with any or all responsible submitters, and to waive any formality or irregularity in the Request for Proposal, to call for new submissions, to negotiate with any company providing a submission, to enter into an agreement with the ESCO, and to accept the proposal that the SAU 95/Windham School District, in its sole discretion determines is in the best interests of the SAU 95/Windham School District, even though it may not be the lowest bid or proposal. Submitters shall be responsible for any and all expenses that they may incur in preparing qualifications.

All RFP's (**3 copies of Proposals and 1 PDF File**) must be submitted in a **sealed envelope, plainly marked:**

**"Sealed RFP – Energy Performance Contracting Services for the
Windham School District"**

c/o
Dalisa GreenLeaf
Windham SAU 95
19 Haverhill Road
Windham NH, 03087

**All proposals must be received no later than February 10 at 12:00PM.
(No e-mailed or faxed submissions will be accepted)
Bids will be opened at the address listed above on February 10 at 12:00 PM.**

All proposals submitted are governmental records subject to disclosure under the Right-to-Know Law. The District will not accept proposals marked confidential in whole or in part.

I. GENERAL INFORMATION

II. SCOPE OF WORK/SUMMARY OF SERVICES DESIRED

A. Pre-Construction Services to include:

- i. The completion of an energy audit of 5 District Facilities by **April 14,2023**.
- ii. Provide the District with a full detailed report to determine the scope of needed energy efficiency upgrades to improve the health and safety of students and staff as well as to improve energy efficiency throughout the District.
- iii. Cost estimates for identified energy efficiency upgrades to assist the District with current and future planning.
- iv. Provide input and guidance in developing an overall project schedule including a realistic schedule of milestones for the construction phase leading to re-occupancy of the school buildings as agreed upon by District officials.
- v. The ESCO shall work with the District to develop a list of pre-qualified subcontractors.
- vi. Develop a long term plan to help the District meet the needs identified in the energy audit. The District would expect a prioritized list of all equipment and their conditions so that District officials can move forward with a capital improvement process for all equipment.

B. Construction Phase Services to include:

Work with District officials to plan and execute energy efficiency upgrade projects as needed. The District anticipates that upgrade projects as needed in the following areas:

- i. Ventilation improvements to meet or exceed ASHRAE recommendations,
- ii. Air quality and filtration to meet or exceed ASHRAE recommendations,
- iii. Air duct cleaning,
- iv. Air conditioning and Heating systems upgrades,
- v. Installation of HVAC controls to promote effective use and management
- vi. Building envelope upgrades such as roof and window replacements

- vii. Solar panels, other renewable energy opportunities should such projects be desired,
- viii. Any improvements related to the installation of new energy efficiency upgrade equipment.

Provide the District a guaranteed maximum price for all design including drawings by a professional engineer licensed in the State of New Hampshire, construction, maintenance, and measurement and verification services.

Obtain all required permits and government approvals.

Provide energy savings guarantees.

C. It is anticipated that federal funding designated for public schools may be available as well as Utility Incentives , the Esco will facilitate apply for all such incentives

D. The Windham School District may alter or amend this Scope of Work at its sole discretion prior to executing a contract with the ESCO selected. Once a contract is executed, the Scope of Work may be amended by mutual agreement in accordance with the contract documents.

E. Contract Audits – The selected ESCO agrees that the United States Federal and State Governmental Agencies and the Windham School Board have the right to review, obtain, and copy all records pertaining to performance of the contract. The ESCO agrees to provide the United States Federal and State Governmental Agencies and the Windham School Board with any relevant information requested and shall permit the State and the Windham School Board access to its premises upon reasonable notice for purposes of interviewing employees and inspecting records. The ESCO shall maintain records for a period of at least eight years after final payment under the contract.

III. ESCO Qualifications

Interested ESCO Contractors should submit qualifications in accordance with the following:

A. Demonstrated expertise/experience in assessment, development, funding and implementation of “turnkey” performance based contracting projects incorporating energy savings measures with annual guarantees that such energy savings measures will meet specified performance criteria consistent with International Performance Measurement and Verification Protocol (IPMVP) Options A-D.

- B. Demonstrated expertise/experience in assessment, engineering, design, installation and maintenance of energy savings and building improvement projects.
- C. Demonstrated expertise/experience in obtaining third party funding opportunities.
- D. Demonstrated expertise/experience in working in conjunction with multiple, simultaneous and consecutive contracts and contractors in an occupied school facility.
- E. Professional references of individuals and firms that the ESCO will assign to this project.
- F. Provide fee structure including:
 - i. Pre-Construction Services as defined in Section II A
 - ii. Construction Phase Services as defined in Section II B
 - iii. Mark up structure using open book pricing
- G. Provide performance based contracting project client references for contact by the District. Include data from referenced projects including:
 - i. Client contact information
 - ii. Project size, scope and schedule
 - iii. Post-construction savings summary referencing IPMVP Measurement & Verification protocols compared with Pre-construction projections

IV. Items for Inclusion in Proposal

All submitted proposals shall address the following items in the order listed below and shall be numbered 1 through 13 in the proposal document:

- 1) Interest Statement – Briefly describe the particular interest your firm has in the project.
- 2) Description of Firm – Provide the District information regarding the size, location, nature of work performed, years in business, and approach that will be used in meeting the needs of the District. The principals of the firm should be identified.
- 3) Experience Relative to District Needs – Provide a detailed summary of the firm’s experience in energy services and performance contracting of educational facilities. Provide the following information for each project in “table” format:

PROJECT NAME AND LOCATION (List all NH projects)	OWNER'S NAME, ADDRESS, CONTACT PERSON & TELEPHONE NUMBER	AWARD DATE & COMPLETION DATE	PROJECT COST	TOTAL AMOUNT OF ALL CHANGE ORDERS

- 4) Background of Energy Services Company Personnel – Identify all personnel who will be participating in the project and provide a brief resume of the pertinent experience of all personnel. (Projector Manager, Superintendent, Auditor and Estimator) Designate who will be the primary contact with the Windham Facilities Team and Windham School Board. The submission of names shall be a commitment on the part of the firm to retain stated personnel on the project throughout its duration.
- 5) Experience with State Funded/Federal Funded School Construction – The new project will be wholly funded by the State of New Hampshire and the United States Government. Describe the firm's experience in State and Federal funded public school projects. Identify any projects that have gone over the approved amount and explain the reason.
- 6) Costs for Pre-Construction and Construction Phase Services as described in the Scope of Work/Summary of Services Desires in Section II.

List of the personnel in detail that will be included in the General Conditions portion of the project. This list shall be all-inclusive. The firm shall include the percentage of the total construction costs that these General Conditions represent, as is related to this project. The firm should itemize any reimbursable expenses. These fees are to be included within your proposal.

- 7) Project Plan and Methodology – Briefly describe the process the firm would use as an ESCO to ensure that the needs of the Facilities Team and the Windham School Board will be satisfied and that construction will be completed in a cost effective and timely manner. Use this section to address the ability of the firm to undertake the construction project keeping in mind the other workload of the firm.
- 8) Financial Statement – A certified or authenticated financial statement dated at least since the end of the last fiscal year may be required if a firm is selected.
- 9) Other Work Under Contract – List work presently under contract and work that may be under contract through 2024
- 10) Litigation – Please describe whether your firm is presently involved in, or has been involved in, any litigation, arbitration, mediation, disciplinary actions, or administrative proceedings.
- 11) References – List references including contact information (a minimum of five) public school contacts.
- 12) Other – Each firm is encouraged to provide any additional information or description of resources the firm feels are pertinent to this Request for Proposal. The inclusion of a brochure is acceptable.
- 13) Please provide information on any schools you have worked on and describe any challenges you may have encountered.

14) Provide a preliminary schedule.

15) All firms need to submit proof of insurance and bonding qualifications for the total scope of the project. A performance and payment bond in 100% of the contract amount are required for the project. The selected ESCO must also provide builders risk insurance.

V. SELECTION PROCESS

The process that will be used by the Windham Facilities Team in selecting the ESCO to perform services as outlined in this RFP will be as follows:

- A. The Windham School District will select firms to be interviewed based on responses to this RFP. After interviews, if needed, the Windham Facilities Team will make recommendations to the Windham School Board and select one ESCO. The selection of the ESCO is conditioned upon the firm signing a contract acceptable to the Windham School Board within thirty (30) days of its selection. If the firm does not sign the contract within thirty (30) days of its selection, the Windham School Board may withdraw its offer to the ESCO firm and select another ESCO.
- B. All designs, concepts, information, and cost analyses presented by the ESCO during the selection process shall become the property of the Windham School District, and shall thereafter be used at its sole discretion. The District shall own all instruments of service.
- C. The District may at any time terminate the services and/or contract with the firm at the District's convenience and without cause. In case of termination for the District's convenience, the firm shall be entitled to receive payment from the District limited to actual documented expenses as of the date of termination as its sole remedy. In no event will the District be responsible for lost profits, compensatory or other consequential damages.
- D. After execution of the contract, and upon sufficient development of the design, the ESCO shall prepare a guaranteed maximum price for the entire scope of the work and upon the District's acceptance of the guaranteed maximum price (GMP); it shall be added as an amendment to the contract. If the District does not accept the firm's GMP, the District may terminate the contract without any liability or damages to the ESCO.
- E. The Windham School Board decision with regard to the selection of the ESCO shall be considered final. The Windham School Board reserves the right to investigate the financial responsibility of any and all bidders to determine the ability of the ESCO to assure service throughout the term of the contract.

VI. EVALUATION PROCESS

ESCOs submitting Proposals are advised that all submittals will be evaluated to determine the "best" firm that will be able to meet the needs of the Windham School District as determined by the School Board in its sole discretion. Evaluation will include, but not be limited to, the criteria listed below:

- A. Experience and expertise of the firm, particularly with public school construction in New Hampshire.

- B. Ability to meet the District's schedule and budget.
- C. Proposal for fees for services.
- D. Project Plan/Methodology and a Statement of Interest as outlined in the proposal.
- E. Completeness of the Proposal. IN ORDER FOR A PROPOSAL TO BE CONSIDERED, SAID PROPOSAL MUST ADDRESS ITEMS OUTLINED IN THIS REQUEST FOR PROPOSALS.
- F. The oral interview and presentation: The Windham School Board reserves the right to determine firms that will be requested to appear for oral interview and review and discuss the questionnaire regarding the firm's fee structure for the project.
- G. References
- H. All personnel assigned to this project.
- I. The firm must have been contracted in the past five (5) years by a public school system in an ESCO capacity of similar size and nature.
- J. The firm must be able to show financial and managerial stability.
- K. Proposals not meeting the above minimum submission criteria and requested information described in the Request for Proposals will be rejected.
- L. High performance green design and construction experience.
- M. Any and all other considerations that the Windham School Board in its sole discretion determines are in the best interests of the project.

NOTE: Any omissions or errors in this RFP are not binding on the Windham School Board and/or District.

The District accepts no financial responsibility for costs incurred by any Energy Services Company responding to this request for proposal.

VII. SUBMISSION REQUIREMENTS

Interested parties shall submit three (3) copies plus a PDF electronic file of their proposal in a **sealed envelope, plainly marked:**

**"Sealed RFP – Energy Performance Contracting Services for the
Windham School District"**

c/o Dalisa GreenLeaf
19 Haverhill Road
Windham NH, 03087

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Bids will be opened at the address listed above on February 10 , 2023 at 12:00 PM.

The selection of a candidate does not obligate the District to enter into a contract provided however that any contract entered into between the District and a selected candidate shall be in a form entirely satisfactory to the District or its authorized agents.

The District reserves the right to request additional information from any candidate at the District's sole discretion.

VIII. SUBMITTAL INSTRUCTIONS

- A. Each organization submitting qualifications shall provide five (3) bound copies and one (1) digital copy (PDF) of the proposal in a sealed envelope prominently marked with the Request for Proposal title, the due date and time, and the name of the organization submitting the qualifications.
- B. Proposals submitted after the deadline_ will not be considered. Facsimile copies or emails of proposals will not be accepted.
- C. Proposals shall be signed by an authorized individual or officer of the firm submitting the proposal.
- D. Proposals may be withdrawn by the firm at any time prior to the closing date and time for receipt of proposals.

IX. SELECTION TIMELINE

- a. Deadline to submit proposals/bid opening: February 10 at 12:00PM
- b. Proposal Review and ESCO Selection: March 1, 2023

Questions about this RFP - please contact [Jeff Hanulec](mailto:jhanulec@windhamsd.org) @ jhanulec@windhamsd.org