

REQUEST FOR PROPOSALS BY HAMILTON SOUTHEASTERN SCHOOLS, HAMILTON COUNTY, INDIANA, FROM QUALIFIED PROVIDERS FOR DESIGN AND INSTALLATION OF ONE OR MORE PHOTOVOLTAIC SOLAR ARRAYS AND COMPLETION OF OTHER CONSERVATION MEASURE PROJECTS UNDER A GUARANTEED SAVINGS CONTRACT

Dated: June 19, 2023

Proposal Submission Date: July 28, 2023, at 3:00pm

This Request for Proposals by Hamilton Southeastern Schools, Hamilton County, Indiana, from Qualified Providers for Design and Installation of One or More Photovoltaic Solar Arrays and Completion of Other Conservation Measure Projects under a Guaranteed Savings Contract, dated June 19, 2023 (this “RFP”) is being issued by Hamilton Southeastern Schools, Hamilton County, Indiana (“HSE”), which is an Indiana public school corporation located in Fishers, Indiana, for the purpose of receiving proposals from firms or entities that meet the requirements of a qualified provider, as defined in Indiana Code §36-1-12.5-3, as amended, that are interested in providing design, acquisition and installation services to HSE in connection with one or more photovoltaic solar array projects and other conservation measure projects through a guaranteed savings contract as defined under Indiana Code 36-1-12.5, as amended, as selected by HSE from time to time (each, a “Project” and, collectively, the “Projects”).

All of these Projects are driven by HSE’s desire to lower operational costs, embrace energy efficiency and take advantage of any and all available funding, including grants or incentives available through the Inflation Reduction Act of 2022. The overall scope and location of any Project has not yet been determined. It is the desire of HSE to engage with a firm or entity that (a) meets the requirements of a qualified provider, as defined in Indiana Code §36-1-12.5-3, as amended, and (b) HSE determines, in its sole and complete discretion, is adequately staffed with professionals and staff familiar with the various designing, planning, acquisition, installation, coordinating, and financing and/or funding activities and resources necessary to maximize the economic and environmental benefits of each and every Project selected by HSE.

This RFP, its issuance by HSE or any activities related to this RFP by HSE does not create any obligation, expressed or implied, of HSE with respect to any of the Projects or any of the responses submitted to this RFP. The award of any contract(s) as a result of this RFP shall be at the sole and complete discretion of HSE and subject to available funding. Neither this RFP nor any proposal submitted in response hereto is to be construed as a legal offer by the respondent or a contractual obligation of HSE. No contract will be awarded without further discussion and negotiation with the respondent selected by HSE as the qualified provider for the Projects (the “Qualified Provider”), submission of a report or reports for each Project as required by Indiana Code §36-1-12.5-6, as amended, and approval of such contract or contracts by the Board of School Trustees of HSE (the “School Board”). HSE will not be responsible for any expenses incurred by any firm in preparing and submitting a proposal to this RFP. In addition, HSE reserves the right to terminate or suspend this RFP process and any negotiations with the Qualified Provider at any time prior to execution of a contract for a specific Project or Projects for any reason or no reason at all, in its sole and complete discretion, and without any obligation to compensate any of the respondents to this RFP, including, but not limited to the Qualified Provider.

Unless otherwise specifically authorized by Mathew Rapp, HSE Director of Facilities and Maintenance, as of the date of this RFP, all communication between any entity or firm that submits a proposal to this RFP (each, a “Respondent,” and, collectively, the “Respondents”) and HSE or their respective agents shall be conducted through only Mathew Rapp, including the delivery of the responses to the RFP to Mathew Rapp as set forth in this RFP. Any Respondent who otherwise contacts any employee, agent or elected or appointed official of HSE between the date of this RFP and the award of the selection of a Respondent as the Qualified Provider is subject to disqualification at the sole and complete discretion of HSE.

CONFIDENTIAL INFORMATION

Unless marked and treated as confidential under Indiana public record laws, each Respondent is advised materials contained in its proposals is subject to the Indiana Public Records Act, as amended, and after the execution of any contract by the School Board, may be viewed and/or copied by any member of the public, including news agencies and competitors.

SCOPE OF POTENTIAL WORK

It is HSE's intent to engage a firm or entity to develop and implement the project on a professional service basis, with a schedule of pre-agreed markups. HSE is seeking an entity to provide services to facilitate the design, procurement, funding, installation and construction of cost-effective solar photovoltaic electric generating system(s) and other conservation measures. Equipment and materials will be bid through documents and a bidding or quoting process prepared and administered by the Qualified Provider and approved by HSE. The bids will comply with all applicable requirements under state law and the Qualified Provider will hold all subcontracts. The Qualified Provider will implement each Project selected by HSE on a fixed cost turnkey basis, except for change orders requested by HSE, which will be subject to the same scheduled pre-agreed markups.

Respondents shall submit proposals and qualifications and have the ability to provide the following services:

- Evaluation of potential sites. Any properties operated by, or under the control of, HSE could be included in the evaluation to ensure that the Project site or sites selected would provide the best environmental, operational, and financial opportunity to HSE.
- Preliminary plans depicting possible Project size(s) and location(s), as well as a financial plan identifying funding and any potential financial impacts (positive or negative).
- Upon approval of the proposed Project site or sites and preliminary plans provided, the Qualified Provider shall manage or perform the final design, bidding to subcontractors, construction management, and construction for the project.
- Help benchmark buildings and identify additional energy savings opportunities.

SITES

The site of the possible Projects will be within HSE boundaries in Hamilton County, Indiana, at any or all property operated by, or under the control of, HSE. Potential sites are located on land currently owned by, or under the control of, HSE which can be searched and viewed using <https://gis1.hamiltoncounty.in.gov/GeneralViewer/>

REQUIREMENTS

Minimum requirements of the Qualified Provider:

- Prequalified with the State of Indiana Public Works Certification Board.
- NAESCO Accredited.
- Prior experience providing services for construction project(s) of similar scope and size with one or more Indiana public school corporations.
- Staffing capacity to perform services.
- Demonstrable experience in collaborative experience with other contractors related to facilities where critical environments exist.
- Knowledge and/or experience with performing state or government public works projects.
- Meet or exceed HSE insurance requirements, which are set forth on the attached Exhibit A.

RFP QUESTIONS AND RESPONSES

Any questions regarding this RFP must be sent via electronic mail to Mathew Rapp, HSE Director of Facilities and Maintenance, at mrapp@hse.k12.in.us no later than 3:00 p.m. (applicable Eastern Time) on July 19, 2023. Responses to any questions will be sent to all Respondents by HSE via electronic mail, and only written responses from HSE to the Respondents shall be considered incorporated into, and a part of, this RFP.

Respondents must submit in a sealed envelope five printed copies and one electronic copy on a thumb drive or flash drive in a searchable PDF of its written proposal to Mathew Rapp, Hamilton Southeastern Schools, 13485 Cumberland Road, Fishers, IN 46038. The outside of the sealed envelope should be clearly marked: "RESPONSE TO HSE REQUEST FOR PROPOSALS: PHOTOVOLTAIC SOLAR ARRAY PROJECTS AND OTHER CONSERVATION MEASURE PROJECTS." Responses sent to HSE by facsimile or electronic mail transmission will be rejected. Any postal/courier service is the agent of the Respondent.

Proposals must be received by HSE no later than 3:00 pm (applicable Eastern Time) on **July 28**, 2023, as determined in the sole and complete discretion of HSE.

No more than one (1) proposal per Respondent may be submitted. Each proposal should designate one person as the principal contact for the Respondent. Following a review of the proposal, one or more of the Respondents may be requested to make one or more oral presentations to HSE.

HSE reserves the right to (a) reject for any reason and for no reason at all, any and all proposals received to this RFP, (b) be the sole judge of the value and merit of the proposals submitted, (c) waive any or all formalities of this RFP or the selection process, and (d) waive any defects, inconsistencies or informalities in any proposal.

SELECTION PROCESS AND CRITERIA

HSE will review each of the qualified proposals, as determined by HSE in its sole and complete discretion, to determine which Respondent, if any, is best suited to work with HSE as the Qualified Provider for the Projects. Respondents will be evaluated based on previous experience with similar projects, technical understanding of the Projects, its purpose, and scope and flexibility in working out the details of the Projects.

Final selection will be based on the RFP responses, references, and if HSE so determines, in its sole and complete discretion, to conduct interviews of one or more Respondents.

HSE will then meet with the Qualified Provider to discuss possible terms and conditions of a contract that would lead toward Project development and installation which would be dependent on securing funding and the approval vote of the School Board. HSE reserves the right to discontinue the selection process at any time prior to approval of each contract by the School Board.

RFP SUBMISSIONS

This RFP does not commit HSE to pay any costs incurred by any potential Respondent in the preparation, submission, or presentation of a proposal. By submitting to this RFP, each Respondent is authorizing HSE to request from such Respondent any information determined to be relevant, necessary, or desirable by HSE or ask any questions HSE determines necessary or desirable to make an informed decision. Each Respondent further agrees to release HSE from any liability in the review of the proposal submitted by such Respondent and any references contacted by HSE set forth in such proposal.

Estimated RFP Dates

Activity	Anticipated Dates
Publication of RFP	June 19 & 26 in the Hamilton County Reporter June 21 & 28 in the Noblesville Times Published on HSE website. https://www.hseschools.org/happenings/public-notice
Pre-Proposal Conference	July 6, 2023, at 10:00am HSE Administration Building 13485 Cumberland Road, Fishers IN 46038
Deadline to Submit Written Questions	July 12, 2023 - 3:00pm
Response to Written Questions/RFP Amendments	July 14
Submission of Proposals	July 28, 2023 - 3:00pm
The dates for the following activities are target dates only. These activities may be completed earlier or later than the date shown.	
Proposal Evaluation	July 31 – Aug 11
Oral Presentations/Interviews (if necessary)	Aug 14 - 18
Best and Final Offers (if necessary)	August 22, 2023
Qualified Provider Recommendation to School Board	Anticipated Date: September 13, 2023, at 7:00pm

PROPOSAL CONTENTS

A qualified proposal submitted by a Respondent must meet all of the following qualifications as determined by HSE in its sole and complete discretion. The proposal may be no more than 20 pages, double-sided on 8.5” by 11” paper and shall include the following (page covers, tabs/dividers, the cover letter, and resumes are not included within the page count):

1. Cover Letter: Signed by a representative of the Respondent authorized to enter contracts and commit the staff and Respondent’s resources to complete the scope of work for the Projects as expeditiously as possible.
2. Respondent Profile: Provide a general outline of the Respondent, including brief history, areas of practice/service, place(s) of business of the Respondent, and the office from which the services of the Respondent will be provided.
3. Project Team: Provide a description of the project team proposed to provide the services identified in this proposal. Identify the Project Team Manager and other key personnel who would be charged with providing services to HSE and provide individual resumes of no more than two pages each describing the background and experience of each of the Project Team Manager and other key personnel.
4. Respondent’s Related Experience: Provide a description of the experience of the Respondent and project team, including specific examples of similar work. Provide other pertinent information that may clearly and effectively identify the Respondent as being qualified. Please do not include general promotional materials. Please provide how the Respondent helps increase the opportunities for minorities and women in the field.
5. References: Provide five (5) references for relevant projects completed over the past five (5) years. Include names of contact persons with email addresses and telephone numbers to facilitate contacting them.

6. Respondent Performance: Provide a statement describing what procedures the Respondent proposes to implement and follow to ensure quality end products and successful and timely completion of the Projects.
7. Provide a statement about the Respondent's financial and bonding capacity.
 1. The Respondent must submit a financial statement, a statement of experience, a proposed plan or plans for performing the services, and the resources, labor, technology, materials, supplies, and equipment that the Respondent has available for the performance of the services. The financial statement must be submitted on current forms prescribed by IN SBOA (<http://www.in.gov/sboa/files/Form96.pdf>)
8. Provide a statement about the Respondent's safety record.
9. Provide a statement about the Respondent's current capacity, ability to complete a project on time, and in a satisfactory manner.
10. Provide the Respondent's proposed project delivery method for a program of this nature (on-site solar and building ECMs). Detail any cost savings measures the Respondent would anticipate in the execution of the program. Provide the Respondent's proposed pricing in the Pricing Response form (excel version). Pricing in the Pricing Response must be based on a 100,000 square foot school building and \$1,000,000 of resulting subcontractor costs. Please include a lump sum cost for the preliminary analysis / investment grade audit and then proposed markups for material, labor, equipment, and administrative costs. Detail any other pricing or cost structures that could be utilized for the program and ways the Respondent would or could provide the best value for HSE.
 1. The Respondent may also provide a cash flow analysis of a roof mounted system for Cumberland Road Elementary School. The cash flow analysis should include the projected solar production, SRECs, electric savings, grants, federal tax credits, depreciations, O&M, M&V, all assumptions, yearly cash flow, cumulative cash flow, and return on capital.
 2. This link will take the Respondent to the historic utility data for the school building.
 1. [Solar 2023](#)
11. Provide a list of all guaranteed savings projects by the Respondent for public K-12 school corporations in Indiana or the last 10 years.
 1. Has the Respondent been involved in a canceled guaranteed savings contract or non-appropriated installment payment guaranteed savings contract or lease? If yes, please identify all of these and include the reason.
 2. List past or pending lawsuits or litigation regarding a guaranteed savings contract with a customer.
 3. Has the Respondent ever reimbursed a client for non-performance on a guaranteed savings contract? If year, please provide details.
12. Please describe the operations and maintenance approach the Respondent would recommend for a project of this scope. Include a sample operation and maintenance contract in the response (does not count in page limit).
13. Please describe the measurement and verification and monitoring approach the Respondent would recommend for a project of this scope. Include a sample guaranteed savings contract in the response (does not count in page limit).
14. Please provide additional benefits, unique solutions, education resources, or services the Respondent provides and believes may be a value to HSE under this program.

SCORING CRITERIA

HSE intends to select the Qualified Provider with the highest scoring proposal rated by the selection committee established by HSE (the "Selection Committee"). Proposals will be evaluated based upon the ability of the Respondent to satisfy the Projects in a cost-effective manner. If any criteria are found to be inconsistent or incompatible with applicable state or federal laws, regulations, or policies, that criteria will be disregarded, and

the responses will be evaluated and scored without taking into account such criteria.

Summary of Evaluation Criteria:

Criteria	Points
1. Adherence to Mandatory Requirements	Pass/Fail
2. Selection Committee Assessment	150 available points

Selection Committee Assessment

Offerors name	
Home office address	
Local office address (if applicable)	
Point of contact's name	
Point of contact email and phone number	
Project manager's name	
Project manager's email and phone number	
Does Respondent meet or exceed HSE insurance requirements?	Yes/No
Is Respondent a qualified provider as described in IN 36-1-12.5	Yes/No
Public Works Contractor Certification	Maximum 5 points
NAESCO Certification	Maximum 5 points
Year company was founded	Maximum 5 points
Number of full-time employees in Indiana	Maximum 5 points
Years of experience providing guaranteed savings contracts in Indiana	Maximum 10 points
Years of experience installing photovoltaic solar arrays in Indiana	Maximum 10 points
Project Team: Provide a description of the project team proposed to provide the services identified in this RFQ. Identify the Project Team Manager and other key personnel who would be charged with providing services to HSE and provide individual resumes of no more than two pages each describing the background and experience of the Project Team Manager and other key personnel.	Maximum 10 points based on narrative
Respondent's Related Experience: Provide a description of the experience of the Respondent and project team, including specific examples of similar work. Provide other pertinent information that may clearly and effectively identify the Respondent as being qualified. Please do not include general promotional materials. Please provide how the Respondent helps increase the opportunities for minorities and women in the field.	Maximum 20 points based on narrative.
References: Provide five (5) references for relevant projects completed over the past five (5) years. Include names of contact persons with email addresses and telephone numbers to facilitate contacting them.	Maximum 10 points based on references

Respondent Performance: Provide a statement describing what procedures the Respondent proposes to implement and follow to ensure quality end products and successful and timely Project completion.	Maximum 10 points based on narrative
Litigation, Performance of guarantee, and type of measurement verification	Maximum 10 points based on narrative
Please provide additional benefits, unique solutions, education resources, or services your firm provides and believes may be a value to HSE under this program	Maximum 10 points based on narrative
Respondent's financial and bonding capacity	Maximum 5 points
Respondent's safety record	Maximum 5 points based on narrative
Respondent's current capacity, ability to complete a project on time, and in a satisfactory manner	Maximum 10 points based on narrative
Respondent's Pricing Response	Maximum 20 points will be awarded to proposal with lowest cost multiplier. Subsequent proposals will receive points by taking the lowest cost multiplier divided by Respondent's cost multiplier and multiplying by maximum point value.

A. Pricing Response

HSE

Directions: Fill in % in yellow highlighted boxes. The remaining boxes will self-populate and adjust, including the overall multiplier.

Date:

Company:

	Estimated Cost	Fixed %	% of Final Cost
Design Build Model			
A. Estimated Sub Costs	\$ 1,000,000		100.0%
(Section A competitively Bid. Exact cost TBD from bids.)			
B. Professional Costs (ESCO) (=A) X %			
B.1 Program Management	\$ -		0.000%
B.2 Architect/Engineering	\$ -		0.000%
B.3 Project/Construction Management	\$ -		0.000%
B.4 Commissioning	\$ -		0.000%
B.5 Warranty	\$ -		0.000%
B.6. General Conditions	\$ -		0.000%
B.7 M&V (Set up only. Annual cost separate)	\$ -		0.000%
B.8 Contingency*	\$ -		0.000%
Total Direct Costs (A+B)	\$ 1,000,000		
C.1 Overhead (ESCO) (=A) X %	\$ -		0.000%
D.2 Profit (ESCO) (=A) X %	\$ -		0.000%
			0.000%
Total	\$ 1,000,000		100.0%

Multiplier (Auto calculates from highlighted total above)

1.000

*Potential for ESCO to negotiate adjustment at time of subcontractor bid awards if unusual risk due to district selected subcontractor bid.

Preliminary Analysis Cost (in \$)

(Separate Preliminary Analysis cost is only payable if the project meets a simple 15-year payback and HSE does not move forward. If HSE moves forward, the fee for Item B.2 Architecture and Engineering above shall be inclusive of the Preliminary Analysis cost and NOT added to Item B.2.

Hamilton Southeastern Schools
INSURANCE REQUIREMENTS

COVERAGE

LIMITS

I. COMMERCIAL GENERAL LIABILITY

\$ 1,000,000 Each Occurrence
\$ 2,000,000 Aggregate

POLICY TO BE ENDORSED TO PROVIDE:

1. Hamilton Southeastern Schools and any other contractually required entities as additional insureds, including coverage for Completed Operations.
2. Waiver of Subrogation in favor of Hamilton Southeastern Schools and its Insurers.
3. Subcontractor's/Vendor's insurance as primary and non-contributory.
4. Deletion of the Exclusions of coverage for the "XCU" (Explosion, Collapse and Underground) exposures.
5. A Per Project and Per Location Aggregate.

II. BUSINESS AUTOMOBILE LIABILITY

\$ 1,000,000 Each Accident

POLICY TO BE ENDORSED TO PROVIDE:

1. Hamilton Southeastern Schools and any other contractually required entities as additional insureds.
2. Liability coverage for all owned, non-owned and hired automobiles.
3. Waiver of Subrogation in favor of Hamilton Southeastern Schools and its Insurers.
4. Subcontractor's/Vendor's insurance as primary and non-contributory.
5. Policy is to contain the MCS-90, Motor Carrier Safety Act of 1980 Endorsement.

III. WORKER'S COMPENSATION & EMPLOYER'S LIABILITY

COV. A - WORKER'S COMPENSATION

STATUTORY

COV. B - EMPLOYER'S LIABILITY

\$ 1,000,000 EACH ACCIDENT
\$ 1,000,000 DISEASE - EACH EMPLOYEE \$
1,000,000 DISEASE - POLICY LIMIT

POLICY TO BE ENDORSED TO PROVIDE:

1. Waiver of Subrogation in favor of Hamilton Southeastern Schools and its Insurers
2. Coverage to be valid in All States covered by Contract.

IV. UMBRELLA LIABILITY

\$ 10,000,000 EACH OCCURRENCE
\$ 10,000,000 AGGREGATE

POLICY TO BE ENDORSED TO PROVIDE:

1. "Follow Form" Coverage (Including Coverage Enhancements) on the General, Automobile and Employer's Liability Policies

APPLICABLE TO ALL POLICIES:

Subcontractor/Vendor shall maintain Insurance Policies comparable in coverage and limits (at the minimum) to the above listed requirements or those required by Hamilton Southeastern Schools, whichever provides greater coverages, limits, or enhancements. The referenced policies shall provide such coverage to fulfill Subcontractor's/Vendor's obligations with regard to the indemnification requirements contained in this document and any claim, damage, loss, or expense described in this contract. Liability Insurance shall be carried on an occurrence basis.

Additional Insured status shall include Hamilton Southeastern Schools and all entities required by the contract and the respective officers, directors, consultants, agents, and employees of each. Prior to commencing work, and in no event later than 14 days after execution of the contract, Subcontractor/Vendor shall deliver a Certificate of Insurance from Insurance Company(ies) acceptable to Hamilton Southeastern Schools. Said Certificate shall confirm compliance with ALL Insurance requirements and shall stipulate that no cancellation or non-renewal of any of the required policies shall be effective until thirty (30) days written notice to Hamilton Southeastern Schools.

The amounts of insurance (including endorsements thereto) carried in compliance with these requirements are not to be construed as either a limitation or satisfaction of the Subcontractor's/Vendor's liability.