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**APPENDIX B: RFQ Template**

**Please note: This document is intended to be a template and should be viewed as a starting point for negotiation and further refinement.**

[FIRM NAME]

[ADDRESS]

[CITY, STATE, ZIP]

[DATE]

[SERVICE PROVIDER]

[ADDRESS]

[CITY, STATE, ZIP]

**RE: Invitation to Present Qualifications**

Dear [XXX]:

[FIRM NAME] is interested in utilizing the BOMA Energy Performance Contracting (BEPC) Model for a building energy efficiency retrofit project to help [FIRM NAME] achieve its internal energy efficiency and broader value creation objectives, as more fully set forth in this letter. To that end, [FIRM NAME] will select the service provider or providers (“SERVICE PROVIDERS”) that in [FIRM NAME]’s judgment can most effectively assist [FIRM NAME] in developing and implementing an energy and operational improvement project (“Project”) that meets [FIRM NAME]’s financial and environmental goals. [FIRM NAME] is initiating the project in a [group of] building[s] representing, in its estimation, the best opportunity[s] for achieving energy and operational savings. Please accept this letter as our invitation to [SERVICE PROVIDER] (“Company’) to present your company’s qualifications and to discuss the details of this project.

The group of [SERVICE PROVIDER] representatives present at the meeting should include the individuals who will have responsibility for the project’s development and execution and who will be the primary points of contact for [SERVICE PROVIDER]. In order to make the most efficient use of time, please transmit a copy of the requested information five days in advance of the scheduled meeting date. At the meeting, please be prepared to confirm your understanding of the “Project Background” provided in Appendices 1 and 2, and to address the questions enumerated in Appendices 3 and 4 below.

[FIRM NAME] intends to hold the qualifications presentation meetings between [DATE 1 and DATE 2] at [FIRM NAME]’s offices, located at [ADDRESS]. To schedule the meeting, submit any written responses, or to clarify [FIRM NAME] expectations and answer any questions relating to the project, please contact:

[CONTACT NAME]

[TITLE]

[ADDRESS]

[EMAIL]

[PHONE]

Thank you in advance for your time.

Sincerely,

[NAME]

[TITLE]

Appendices to RFQ Template

1. Project Background

2. Property Information Summary

3. [FIRM NAME]’s Expectations for the Project

4. Service Provider Qualification Questions

**APPENDIX 1 (to RFQ Template – Project Background**

**Facilities**

[FACILITY ADDRESS]

[FIRM NAME] may choose additional or different buildings for the final project.

**Project Goals**

[FIRM NAME] wishes to achieve several financial, environmental and other goals through this project, including:

[LIST FINANCIAL AND NON-FINANCIAL GOALS HERE – FOLLOWING BELOW ARE SOME EXAMPLES]

* Achieve at least 20% reduction in energy and water use;
* Increase Energy Star rating and/or obtain the Energy Star Label;
* Incur no initial capital costs (with option for Customer to provide initial capital if desired);
* Address tenant comfort concerns;
* Address specific components that are end of useful life;
* Achieve LEED EBOM Certification; and
* Ascertain cost savings with a SERVICE PROVIDER guarantee (with option to eliminate part or all of the guarantee after a number of years) or savings assurance (where project and associated savings are assured through year one but without long term measurement and verification costs/burden).

**Financing Strategy**

[FIRM NAME] intends to fund the cost of the EPC project by:

* Self-funding
* Financing from bank, SERVICE PROVIDER, utility or other provider
* Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Contracting Process and Schedule**

[FIRM NAME] intends to use an expedited selection process to choose a SERVICE PROVIDER and begin the technical audit process.

\_\_\_\_\_\_\_\_ Written Qualifications due

\_\_\_\_\_\_\_\_ Qualifications review meetings

[optional] \_\_\_\_\_\_\_\_ Technical walkthrough

\_\_\_\_\_\_\_\_ SERVICE PROVIDER selection

[optional] \_\_\_\_\_\_\_\_ Preliminary Opportunity Assessment Proposal due

[optional] \_\_\_\_\_\_\_\_ Proposal review meetings

[optional] \_\_\_\_\_\_\_\_ Investment Grade Audit (IGA) contract negotiation

[optional] \_\_\_\_\_\_\_\_ IGA commences

[optional] \_\_\_\_\_\_\_\_ IGA final results presentation

[optional] \_\_\_\_\_\_\_\_ BEPC contract negotiation

[optional] \_\_\_\_\_\_\_\_ BEPC contract execution

[optional] \_\_\_\_\_\_\_\_ Begin installation

[optional] \_\_\_\_\_\_\_\_ Commissioning commences

[optional] \_\_\_\_\_\_\_\_ Substantial completion

[optional] \_\_\_\_\_\_\_\_ M&V commences

**APPENDIX 2 (to RFQ Template) – Property Information Summary**



**APPENDIX 3 (to RFQ Template) - [FIRM NAME]’s Expectations for the Project**

[FIRM NAME] expects to use the BOMA Energy Performance Contracting (BEPC) Model, including the Investment Grade Audit Contract and Performance Contract for this project. [FIRM NAME] expects SERVICE PROVIDER to support the BEPC Best Practices Terms and Conditions and will be using these as one of the criteria for selection. These Terms and Conditions are summarized below.

**Guaranteed Savings**

At the end of the audit process, the SERVICE PROVIDER will provide the owner with a *fixed minimum guaranteed* annual energy savings, measured in kWh or other units of energy consumption and converted to dollars (or other currency) based on a cost per unit of energy at the time the contract is completed (supported with a financial guarantee backed by the service provider, a short term performance assurance and/or guarantee, third-party energy savings insurance, etc.). These savings amounts should also be expressed as a percentage reduction from the baseline. If the savings is not realized, the owner will be made whole for any savings shortfall – over the term of the guarantee.

**Guaranteed Maximum Price (GMP)**

At the end of the audit process, the SERVICE PROVIDER will provide a GMP for the recommended project. The owner and the SERVICE PROVIDER will sign a contract to implement a project with a *known, fixed maximum cost.*

**Transparent Pricing**

SERVICE PROVIDER will be as transparent in pricing the project as the building owner requests. Some examples of transparent pricing methodologies include:

* Total cost and savings by type of measures, with savings broken down by fuel type, and other (non-guaranteed) savings, such as labor and capital savings,
* Total materials costs, labor costs, and margins for the whole project or breakdown of total labor costs, total material costs, labor margin and materials margin by energy conservation measure (ECM),
* Breakdown of total soft costs (including such items as design, project management, profit, etc.) for project, in percentages or fixed amounts.
* Breakdown of final cost for each intervention, as well as total amount of soft costs and SERVICE PROVIDER overhead and profit.
* Additional information to ascertain that competitive bidding requirements have been met.

**Gain Sharing**

Any reduction of final project cost below GMP will be shared between the SERVICE PROVIDER and the owner in a negotiated split.

**Standard M&V Protocol**

SERVICE PROVIDERs will use one of four standards provided in the International Performance Measurement and Verification Protocol (IPMVP) to measure and verify energy savings.**APPENDIX 4 (to the RFQ Template) - Service Provider Qualification Questions**

Respondents’ Statements of Qualifications for this project shall not exceed [X] pages. Submissions should, at a minimum, describe the following:

* TECHNICAL QUALIFICATIONS AND PERSONNEL EXPERIENCE

Complete overview of the firm including, but not limited to:

* Name and address of firm.
* Telephone number, fax number, and e-mail address for project procurement related inquiries.
* Name of principal contact at SERVICE PROVIDER.
* Proof of ability to conduct business in State.
* Summation of audited financial statement.
* Number of years of experience in performance contracting and guaranteed savings.
* Number of years of firm and local project team’s experience in identifying, designing and managing the construction of energy and utility conservation projects, especially at similar facilities to this project.
* The range of project sizes (in $) and project payback periods your firm has undertaken in the past and/or would be willing to undertake today.
* A list and resume of individual experience for key personnel within SERVICE PROVIDER (including expected key points of contact for this project) and for key sub-consultants.
* SUMMARIES OF SIMILAR PAST PROJECTS

1. Provide a minimum of \_\_#\_\_ summaries of similar projects where your firm has provided a performance contract in the range of $\_\_\_\_\_\_\_\_\_\_ to $\_\_\_\_\_\_\_\_\_.
2. For each project, provide an executive summary. Information given in the executive summaries should include but not be limited to the following information:

* Name of client.
* Total cost of the project – total contract amount and capital project amount.
* Length of contract term and payback period, with starting and ending dates. Indicate whether the project was completed on original schedule. If not, please explain.
* Type of financing arranged for the project. Indicate whether it was arranged by your firm or by the client.
* Identify any financial resources contributed by a third party, e.g., utility rebates, state grants, tax incentives, etc.
* Description of the building(s) and plants retrofitted, including systems.
* Description of all energy and water conservation measures implemented.
* Identify all prime contractors or subcontractors and any other pertinent information relating to the project.
* Building’s annual energy use (kWh or BTUs) and utility expenses (in $) before project initiation.
* Projected annual energy savings and demand reduction (in kWh or BTUs); and project annual energy cost savings (in $).
* Actual annual energy savings and demand reduction achieved (in kWh or BTUs); and actual annual energy cost savings.
* Indicate whether on-site renewable energy generation was part of the project. If so, describe the system, its total installed and annual operating costs, its annual power generation, and explain how it was financed.

1. List the [XX] most recent occurrences where the respondent has financially reimbursed an entity for non-performance on energy savings. Include contact information, shortfall amount, and financial reimbursement on yearly basis.
2. Provide a list and project summary of all entities over the last 15 years of the company that:

* Have canceled or non-appropriated a performance contract with the respondent (list reason).
* Have past or pending lawsuits or litigation regarding a performance contract with the respondent (list reasons).
* Have past “out of court” settlements regarding a performance contract (list reasons).
* In addition to litigation, provide a complete list of all projects nationwide where there was either a criminal indictment or a conviction relating to the conduct of a performance contract. This includes officers and representatives of the company as well as public officials connected with the project.

Please provide an acknowledgement letter stating all the statements/responses to item #4 are true and accurate signed by an officer of the respondent company (please include title of company officer). Failure to provide accurate and complete information will be viewed as unresponsive.

* APPROACH TO PROJECT DEVELOPMENT AND MANAGEMENT

Explain your company’s organizational structure and management approach to projects in this region, and include the following information:

* All local and national personnel in your firm that you are intending to use on this potential project. Information should include but not be limited to:
  + Title
  + Years of experience in energy management and energy conversation services
  + Years of experience working in this particular region
  + Examples of energy conservation measures executed on projects in the past (can overlap with the “references” section above)
  + Educational background
  + Number of years with firm
  + Professional licenses held
* Generally explain your method for contracting and sub-contracting the installation of the measures and maintaining cost competitive pricing.
* Describe your audit, design engineering, and construction management approach and quality control procedures.
* Explain whether your company manufactures or maintains contractual agreements to sell or otherwise represent specific brands of facility systems or equipment and your approach to maintaining product independence.
* Explain your company’s flexibility in terms of assignment of Operation and Maintenance responsibilities to SERVICE PROVIDER or customer facility personnel.
* Explain your approach to providing “transparent” pricing for costs imposed by the SERVICE PROVIDER on the building owner throughout project implementation, and how you interpret the term.
* Indicate whether SERVICE PROVIDER has ever conducted a project with “gain sharing” or “cost-reduction incentives.” Provide information about how your company prefers to execute such an arrangement and indicate the preferred percentage split in implementation cost-savings if the project is brought below the Guaranteed Maximum Price.
* Please explain how potential hazardous materials encountered in the installation of energy conservation measures will be managed.
* Please explain your firm’s and major sub-consultants’ policies and practices for education and training of their staff to assure the staff is current on development of new technologies or enhancements to existing technologies.
* [If there are additional Terms and Conditions, bidding requirements, etc. that the SERVICE PROVIDER should discuss, describe them here.]
* EXPERIENCE WITH LOCAL PROGRAM SUPPORT AND INCENTIVES

1. Describe your firm’s experience with local, state, and national grant programs and energy and utility conservation incentive programs. Explain which programs in particular you may seek to use for this project and the process you would follow for accessing them.
2. In addition to the personnel profiles offered in the section above, please describe local project personnel experience in working with these local, state, or national programs and incentives that can be used to provide technical assistance or financial support to EPC projects.

* COMPUTATION OF BASELINE

1. Describe in detail the methodology your firm uses to determine energy and utility use for the calculation of baseline energy use in a facility. Provide examples of how a make-whole payment would be calculated in the event that energy savings are not realized. Please provide examples showing clearly how the baseline would be adjusted and how a make-whole payment would be calculated in the event that building occupancy, use, or intensity of use were to change in the future (up or down). Also explain how this methodology differs between buildings with individual tenant metering and buildings which do not employ individual tenant metering.
2. Provide a comprehensive energy audit that your firm has completed on a \_\_\_describe type of facility\_\_\_\_\_\_\_ facility (this document may be attached as an appendix in your response).

* PERFORMANCE GUARANTEES and PERFORMANCE ASSURANCES

1. Describe your firm’s energy and cost savings guarantee and energy and cost savings assurances policies and procedures.

1. Describe your firm’s contractual documents for an energy savings guarantee as well as under a savings assurance whereby performance is assured for year one but not over the long term.
2. Briefly describe your approach to measurement and verification to calculate and confirm post-installation savings. Please describe whether and how your firm has used IPMVP to guide this process in the past.
3. Describe your firm’s capacity to monitor the energy usage (both pre and post retrofit) and verify energy savings, providing information on equipment capabilities and personnel to analyze data.

* RANGE OF SERVICES

1. Briefly list the range of energy and utility management services provided by respondent.
2. Describe your firm’s ability to retro-commission existing building systems and the process for doing so.
3. Describe your experience with installing and utilizing metering on buildings, equipment or systems to facilitate the measurement of energy use and energy savings.
4. Describe your firm’s approach to and experience with on-site facility staff training. Particular attention should be paid to the training of on-site facility staff to provide ongoing operations and maintenance of equipment beyond the term of the EPC contract.
5. Describe your firm’s policies for commissioning systems that are upgraded or installed during the course of the EPC term. [FIRM NAME] requests that such services be incorporated as part of the project scope for the EPC.
6. Address standard tenant and O&M staff energy education packages incorporated into the implementation of energy efficient retrofits in previous projects. Include occupant education, O&M staff training, and any continuing education that occurs after the commissioning process is complete.

* FINANCIAL APPROACH

1. To demonstrate financial soundness and stability of your firm, in addition to the summary of an audited financial statement requested above, provide most recent annual report appendix or other documentation establishing the firm’s financial stability and credit-worthiness.
2. Demonstrate your firm’s ability to provide or arrange project financing with sample financing arrangement proposed for this project.[[1]](#footnote-1)
3. Provide specific examples of projects where your firm has directly financed or procured financing on a customer’s behalf, including tax exempt leases, bonds and other financing mechanisms, for EPC projects with terms up to \_\_#\_\_ years.
4. Also provide information to assure that your firm, or the financial partner your company would propose to work with on this project, can provide the financial strength to guarantee at least $\_\_\_\_\_\_\_ of capital investment during the term of the contract. [FIRM NAME] reserves the right to internally fund the capital costs of any or all projects.
5. Explain how your company addresses issues of liability, property damage, and worker’s compensation insurance.

1. If an “off balance sheet” approach is of particular interest to an institution, indicate that you would like to know whether the SERVICE PROVIDER has ever assisted in the arrangement of financing under such a structure, and how it would go about doing so for this project. However, keep in mind, that some “off-balance sheet” arrangements, such as an operating lease, may have limited lengths of term. [↑](#footnote-ref-1)