



REQUEST FOR PROPOSAL

MUNICIPAL SOLAR AND STORAGE: ENGINEERING AND PROJECT DEVELOPMENT SERVICES

RESPONSE DUE

by

5:00 PM PST

on

APRIL 19, 2021

For complete information regarding this project, please see RFP posted at ebce.org. Thank you for your interest!

JP Ross
Vice President, Local Development, Electrification and Innovation
JROSS@EBCE.ORG

GENERAL REQUEST

East Bay Community Energy ("EBCE") is seeking proposals from qualified consultants or firms ("Consultant") to provide Engineering and Project Development Services that support development of solar photovoltaic and solar + battery energy storage ("Solar and Solar + Storage") assets on City and County owned facilities served by East Bay Community Energy.

A. BACKGROUND.

EBCE is a Community Choice Aggregator ("CCA"), a public agency and Load Serving Entity ("LSE") formed under California Assembly Bill 117 (2002). EBCE is structured as a Joint Powers Authority ("JPA") and is governed by a 15-member Board of Directors. EBCE began serving commercial, industrial and municipal customers from 12 communities in Alameda County in June 2018 and added residential customers in November 2018. In April of 2021, EBCE will add three new member cities to its jurisdiction expanding its service area into San Joaquin County. In total, EBCE will meet the electricity needs of 52,387 small commercial accounts, 5,224 large commercial accounts, and 3,124 E19/E20 commercial and industrial accounts, and serve over 565,000 residential accounts representing nearly 1.7 million people.

EBCE is also tasked with development and management of energy related climate change programs that help our local government JPA members achieve local and state goals faster. Through its Local Development Business Plan ("LDBP"), EBCE is strategically developing distributed energy resource solutions, including local Solar and Solar + Storage projects and programs, plug-in electric vehicle charging infrastructure support, building electrification and energy efficiency programs that provide net benefits to customers including EBCE's public partners.

B. REQUESTS FOR CLARIFICATION OF THE RFP. If any respondent has questions regarding the meaning of any part of this RFP, the respondent shall submit to jross@ebce.org a written request for clarification prior to the deadline of **April 12, 2021 at 5:00 p.m. PST.**

C. SUBMITTAL OF PROPOSALS.

It is the respondent's responsibility alone to ensure that the proposal is received by EBCE's Authorized Representative, JP Ross, Vice President, Local Development, Electrification and Innovation (jross@ebce.org), at the time and place identified in this RFP (see Proposed Calendar of Events).

Respondents shall submit in a non-alterable format, such as a PDF, a proposal with the title "***Proposal for Engineering and Project Development Services [Respondent Firm Name].***" The proposal must be **submitted electronically to jross@ebce.org by 5:00 pm on April 19, 2021.** Proposals will be received only at the email addresses shown above and any proposal received after said time and/or date or at a place other than the stated email address may not be considered.

All proposals shall be prepared in a clear and concise manner. Unnecessarily elaborate proposals are neither expected nor desired. The emphasis of the proposal should be on responding to the requirements set forth in this RFP. Generally, each proposal shall be submitted with a cover letter and four (4) exhibits, including: (A) Scope of Services, (B) Billing Rates, (C) Statement of Qualifications, and (D) Terms of Service Agreement.

An authorized representative of the respondent shall sign the proposal on a cover letter which: (1) identifies this project by name; and (2) identifies the full legal name of the respondent, along with name of contact person, address, phone number, fax number, and e-mail address; and (3) indicates respondent's willingness to comply with the procedures identified in this RFP, including an incorporation by reference of the four (4) exhibits identified above.

Proposals, in whole or in part, are NOT to be marked confidential or proprietary, unless in accordance with the California Public Records Act. EBCE may refuse to consider any proposal or part thereof so marked. Proposals submitted in response to this RFP may be subject to public disclosure and EBCE shall not be liable in any way for disclosure of any such records.

All costs required for the preparation and submission of a bid shall be borne by respondent.

- **SCOPE OF SERVICES.** EBCE has provided detailed Project Objectives below and an outline of services which EBCE anticipates the successful respondent to perform. The outline of services is presented for the primary purpose of allowing EBCE to compare proposals.
 1. Based upon EBCE's outline of services, the respondent shall prepare a complete description of the Scope of Services (***to be labeled: Proposal Exhibit A***) which the respondent intends to perform in order to achieve the Project Objectives. The respondent may identify services in Proposal Exhibit A which differ from the provided outline of services if the respondent believes the changes will assist in more efficiently and effectively achieving EBCE's stated Project Objectives.
 2. Respondent's Scope of Services shall include, at a minimum, a description of the major components of services (or "steps of service"), a description of work product (or "deliverables") to be provided by respondent to EBCE, and the expected time of completion for each component.
 3. **Respondents may propose to provide Engineering Services (Step1a and 1b) AND Project Development Services (Steb 2) OR either Engineering Services OR Project Development Services Individually. EBCE is aware that these service may be best served by different Consultants.**

- **BILLING RATES.** Respondent shall prepare a schedule of Billing Rates (*to be labeled: Proposal Exhibit B*) which identifies:

1. A proposed rate and method of payment for all services to be performed by the respondent, including hourly rates, and a description of any reimbursable charges. EBCE expects Step 1a charges to be per facility, while Step 1b and 2 will be billed at an hourly rate.
2. EBCE and facilities managers may have access to “as-built” roofing, structural and electrical drawings for individual facilities. Proposals shall include costs for Step 1a (Engineering Services) based on both having and not having “as-built” plans.
3. Pricing for the structural assessment of the facility will include an option for a secondary structural engineering review if the initial assessment is inconclusive in verifying the structural capacity of the existing structure for addition of the PV system.
4. A total proposed “Not to Exceed” cost for the performance of all services described in the Scope of Services, Proposal Exhibit A, based on a 150 facility portfolio.
5. An estimated cost breakdown for each component of service, with a cross-reference to each component of service identified in Proposal Exhibit A.

- **STATEMENT OF QUALIFICATIONS.** Respondents shall prepare a Statement of Qualifications (*to be labeled: Proposal Exhibit C*) which identifies:

1. The size, stability, and capacity of respondent organization, including, at a minimum, an identification of:
 - a. (1) Total number of years in operation, (2) total current number of employees, (3) number of office locations (including the location of each office), and (4) number of employees in the office location which is intended to provide the services described in Exhibit A.
 - b. An identification of the respondent’s experience performing services for projects of a similar size, scope, and complexity as the services required by this RFP, including an identification of: (1) the number of years respondent has been performing similar services; and (2) the most recent projects for which the respondent has performed similar services. The list of recent projects shall include the name, contact person, address, and phone number of each party for whom the service was provided, as well as a description of the service performed, the dollar amount of the contract, and the date of performance.

- c. A list of the respondent's principals, employees, agents, and sub-consultants which the respondent intends to assign to this Project. This list shall include a summary of the qualifications (including education, training, licenses, and experience) of each team member; the approximate number of hours each will devote to the Project; and the type of work to be performed by each team member. EBCE will retain under its agreement with the successful respondent the right of approval of all persons performing under the agreement.

G. TERMS OF PROPOSED SERVICE AGREEMENT. Respondent shall prepare a document identifying the terms of the proposed Service Agreement between EBCE and respondent (***to be labeled: Proposal Exhibit D***), including:

1. Identify any portions of EBCE's standard form Service Agreement (attached to this RFP) which the respondent desires to amend (either by addition, deletion, or modification).
2. Disclose any past, ongoing, or potential conflicts of interest which the respondent may have as a result of performing the work for this Project.
3. Identify respondent's ability to comply with EBCE's insurance requirements.

A copy of an insurance certificate or a letter of intent to provide insurance from the issuing company (including a description of types of coverage and dollar amount limits) may be favorably considered.

H. REVIEW OF PROPOSALS. EBCE reserves the right to reject any and all proposals or waive any irregularities in any proposal or the proposal process. EBCE reserves the right to negotiate the terms of the Service Agreement for this Project with one or more respondents. In reviewing the proposals, EBCE may consider the following:

1. The qualifications of the respondent and its agents, employees, and sub-consultants in completing projects of a similar type, size, and complexity. EBCE may consider respondent's timely and accurate completion of similar projects within budget.
2. The feasibility of the proposal based upon the methodology of the proposed Scope of Services, and the reasonableness of the schedule of Billing Rates.
3. Respondent's understanding of the work to be completed based upon the clarity of the proposal and responsiveness to this RFP.
4. Respondent's proposed language for the Services Agreement.

Respondents shall not lobby EBCE staff, EBCE's local government partners, or any member of the EBCE Board of Directors during the evaluation process. Attempts by

respondents to lobby staff or Board members may result in disqualification.

I. AWARD OF AGREEMENT. EBCE anticipates awarding one or multiple agreement(s) for this Project by approximately May 14, 2021. No proposal or agreement for this Project shall be binding upon EBCE until the Service Agreement is signed by the selected Consultant and EBCE.

J. TERM OF AGREEMENT. The initial term of the Service Agreement shall be for one (1) year. EBCE reserves the right to extend the Service Agreement for one (1) additional year.

K. PROPOSED CALENDAR OF EVENTS. Work is expected to begin May 2021. As such, the following timeline will ensure all submissions will have enough time to be thoroughly considered. It is the respondent’s responsibility alone to ensure that the proposal is received by EBCE’s Authorized Representative, jross@ebce.org, at the time and place identified below.

	Action	Date
1.	Issuance of RFP	March 29, 2021
2.	Request for Clarification	April 12, 2019 (5:00 p.m. PST)
3.	EBCE Issues Responses to Request for Clarification	April 14, 2019 (5:00 p.m. PST)
4.	Submission of proposal to jross@ebce.org	April 19, 2021 (5:00 p.m. PST)
5.	Proposal Evaluation	April 19 – April 23 2021
6.	Finalist selection/interviews if requested by EBCE	No later than April 29, 2019
7.	Consultant negotiations and contract approval	April 29 - May 13, 2021
8.	EBCE Board of Directors notification of selected Consultant	May 14, 2021
9.	Award of Contractual Services Agreement by EBCE’s Board of Directors	May 19, 2021
10.	Work begins	May 24, 2021

PROJECT OBJECTIVES

Background

To enhance community energy resilience, EBCE has been working with its local government partners to develop Solar + Storage systems at municipal critical facilities. Over the last 1.5 years, JPA members (e.g., cities and the county) have identified over 300 municipal facilities designated to serve the community time of emergency (e.g., extended grid outages, major events like an earthquake) and provided those details to EBCE for analysis. EBCE retained an external consultant, ARUP, to determine critical loads at these facilities based on the services that would be provided to the community, and sized Solar + Storage systems accordingly.

Due to municipal procurement requirements, EBCE has taken the results of the system sizing analysis and compiled a portfolio of projects for each local government entity, that will be cost effective over the lifetime of the Solar + Storage systems. To ensure overall portfolio cost effectiveness, EBCE also identified the need to include stand-alone solar systems at some non-critical municipal facilities. EBCE then completed a technical and economic assessment at each site using HelioScope and Energy Toolbase to narrow the list of facilities to include in each local government's cost-effective project portfolio.

After the completion of this scope of work EBCE will issue a follow up solicitation for the development and operation of standalone Solar and Solar + Storage projects.

The primary goal of this EBCE led initiative is to efficiently and successfully deploy Solar and Solar + Storage systems at each of the project sites. EBCE will phase this work over the next two to three years in collaboration with its local government partners. Near term, EBCE is focused on developing a deployment model to confirm and hone this phased approach with the goal of accelerating deployment of Solar and Solar + Storage systems at municipal facilities.

Phase 1 likely includes four (4) city portfolios representing up to 40 facilities and a total of 5MW of Solar and 5MW of Storage. These systems will be operated primarily to:

- Reduce customer energy bills
- Provide resiliency backup for critical loads in the event of grid outages, if applicable to site

Project Overview

EBCE is seeking the assistance of engineering services consulting firms with strong experience in site evaluation and/or construction management for Solar and Solar + Storage systems to support the procurement of these technologies across 150-200 facilities over the next 2 years. Each of these facilities is owned by EBCE's local government partners in Alameda and San Joaquin Counties. The selected Consultant

will work directly and collaboratively with EBCE staff as well as municipal facility personnel in performance of key activities.

The selected Consultant will act as an independent engineer on Solar and Solar + Storage project development, but will not itself deploy, own, operate, or manage Solar and Solar + Storage systems at municipal facilities. A separate Request for Proposals (“RFP”) solicitation will be conducted utilizing outputs from the scope of work here to contract vendor(s) for Solar and Solar + Storage deployment and operations. **Please note that a respondent entering into a contract for this project with EBCE would be ineligible to participate in a follow-on RFP solicitation for Solar and Solar + Storage at sites evaluated through this scope of work.** It is expected, however, that the selected Consultant would be retained to provide independent support and evaluation for a follow-on Solar and Solar + Storage procurement at these sites.

Scope of Work

The overall project will consist of the following phases. More details on each step are included in the Key Activities section below.

Step 1a – Engineering Assessment	<p>For specified sites, working with EBCE personnel and input from City facilities staff to:</p> <ul style="list-style-type: none"> ● Evaluate roof condition, assess facility structural integrity and identify and point of connection for Solar and Solar + Storage systems per EBCE’s proposed specifications ● Per EBCE system specifications, identify any shading or other mechanical limitations of the proposed design ● If roof, structural or electrical capacity upgrades are necessary at the site, provide a cost estimate of the improvement required
Step 1b – RFP design	<p>Assist EBCE and Arup in the development of specifications for the above-referenced RFP solicitation to contract a Solar and Solar + Storage vendor(s) for deployment and operations of proposed systems and evaluation of vendor(s).</p>
Step 2 – Project and Construction Management	<p>Provide oversight during project construction, commissioning, and initial operations.</p>

Key Activities

Key activities for each Step are noted below. These are proposed as a guide, but respondent should use its own expertise to determine any other key activities required in support of the overall project goal. Please note, throughout the remainder of this

solicitation Solar and Solar + Storage will be referred to as distributed energy resources (“DER”).

Step 1a Key Activities:

- Conduct walkdown at each municipal facility to document/take measurements of site attributes as necessary to confirm EBCE DER system sizing and configuration options
- Evaluate structural integrity and requisite load-bearing capabilities of any structures in or on which DER equipment would be installed, along with informed cost estimation of any required structural improvements to enable DER system deployment
- Evaluate potential interconnection options. This includes identification and preliminary cost estimation for any required electrical equipment, and potential upgrade costs
- Determine DER system sizing and associated validation of required space and capability to connect to facility electrical panel, along with identification and pricing of any required site electrical or other upgrades to support DER equipment

Step 1b Key Activities:

- Assist EBCE staff and Arup as necessary in providing specifications required to draft a follow-on RFP solicitation to select vendor(s) to deploy DER systems at municipal facilities
- Assist in evaluation of bidders, contractors and subcontractor qualifications including evaluation of proposed equipment, pricing and development timelines.
- Determine oversight activities for Step 2

Step 2 Key Activities:

- Project manage the development and construction of DER systems including oversight of selected vendor(s) final design approval, permitting and interconnection activities. Liaise with EBCE staff, facility managers, vendor(s) on equipment delivery and timelines.
- Review engineering, procurement and construction (“EPC”) designs at 50% and 90% design phases for civil, electrical and local permitting viability
- Oversee EPC in delivery of projects to specification
- Review EPC milestones and advice on acceptance/rejection
- Provide feedback and guidance on any change order requests
- Conduct periodic oversight activities as determined in Step 2 to ensure projects are deployed and function as specified
- Review commission plan and commissioning reports

- Work with EBCE staff, selected vendor(s), and municipal facility staff as necessary in the resolution of any technical problems that arise during project deployment

Project Sites

The types of sites in this project vary and include but are not limited to: fire stations, administration buildings, community centers, libraries, corporation yards, among other sites. Rooftop and carport DER systems will be among the configurations deployed. Ground mounted systems may also be applicable at some of the municipal facilities in the project portfolio. All sites are planned for behind the meter Net Energy Metering Interconnection. The full, unredacted site list will be made available to selected Consultant(s).

Project Execution Timeline

EBCE aims to execute this project as expeditiously as possible. It is expected that Phase I sites will be completed within 3 months of execution of a contract arising from this solicitation.

Solicitation for DER vendor(s) will follow immediately thereafter.

Step 1 Deliverables:

1. Report on EBCE's proposed DER system design and project development feasibility
2. Report on roof, structural and electrical capacity to support proposed projects
3. Estimated costs of required upgrades for all facilities

Step 2 Deliverables:

1. As needed, develop technical specification for inclusion in the RFP solicitation to be issued by EBCE
2. Development cost and schedule

Step 3 Deliverables:

1. Weekly project development reports
2. Review and approval of EPC change orders as needed
3. Final project commissioning report

Progress Reports

Monthly progress reports will be due to EBCE describing progress toward completion of the work outlined above until the end of the Project.

Schedule

This Project has an ambitious timeline and will commence immediately upon successful Contractual Service Agreement completion. EBCE intends to adhere to the following timeline:

Step 1a:

- May 24: EBCE project kickoff with Consultant
- May 25: EBCE schedules site assessments with Consultant and Phase I project cities
- May 25 – July 1: Consultant conducts site assessments and documents any roof, structural and/or electrical capacity upgrades necessary to deploy the proposed DER systems.
- July 1: Consultant confirms whether EBCE proposed system configuration is accurate, and if modification is needed based on site assessments submits proposed changes to EBCE.
- July 1: Consultant delivers cost estimate report for required upgrades to EBCE
- July 15: EBCE Issues Solicitation for development of DERs

Step 1b: Dates TBC after Step 1a completion

Step 2: Dates TBC after Step 1b completion

Budget

EBCE will fund the entirety of this project. Respondents to this RFP shall include a proposed budget that lists the total amount of funding requested, itemized by task. The proposed budget shall also include a list of project team members with their qualifications, their proposed role for the project, their hourly rate, and the number of anticipated hours they will spend on project tasks. Other project costs, such as for materials or travel, shall also be itemized within the proposal.

References

Respondents are to provide a minimum of three (3) current and past clients. References must be satisfactory as deemed solely by responsible EBCE staff. References should have similar scope, volume, and requirements to those outlined in these specifications, terms and conditions. Respondents must verify the contact information for all references provided is current and valid and are encouraged to notify all references that EBCE may contact them to obtain a reference (e.g., determine respondents performance record on work like that described in this request). EBCE staff reserves the right to contact references other than those provided in the response and to use the information gained from them in the evaluation process.

References: Respondent Name _____

Company Name:	Contact Person:
Address:	Telephone Number:
City, State, Zip:	E-mail Address:
Services Provided / Date(s) of Service:	

Company Name:	Contact Person:
Address:	Telephone Number:
City, State, Zip:	E-mail Address:
Services Provided / Date(s) of Service:	

Company Name:	Contact Person:
Address:	Telephone Number:
City, State, Zip:	E-mail Address:
Services Provided / Date(s) of Service:	

Company Name:	Contact Person:
Address:	Telephone Number:
City, State, Zip:	E-mail Address:
Services Provided / Date(s) of Service:	

Company Name:	Contact Person:
Address:	Telephone Number:
City, State, Zip:	E-mail Address:
Services Provided / Date(s) of Service:	

EBCE TERMS AND CONDITIONS

GENERAL

Incurring Cost. This RFP does not commit EBCE to award or pay any cost incurred in the submission of the proposal, or in making necessary studies or designs for the preparation thereof, nor procure or contract for services or supplies. Further, no reimbursable cost may be incurred in anticipation of a contract award.

Claims Against EBCE. Neither your organization nor any of your representatives shall have any claims whatsoever against EBCE or any of its respective officials, agents, or employees arising out of or relating to this RFP or these RFP procedures, except as set forth in the terms of a definitive agreement between EBCE and your organization.

Guarantee of Proposal. Responses to this RFP, including proposal prices, will be considered firm and irrevocable for one hundred eighty (180) days after the due date for receipt of proposals and/or one hundred eighty (180) days after receipt of a best and final offer, if one is submitted.

Basis for Proposal. Only information supplied by EBCE in writing by jross@ebce.org in connection with this RFP should be used as the basis for the preparation of proposals.

Form of Proposals. Proposals must be submitted electronically by e-mail.

Amended Proposals. Respondent may submit amended proposals before the Deadline to Submit Proposals. Such amended proposals must be complete replacements for previously submitted proposals and must be clearly identified in a written format. EBCE will not merge, collate, or assemble proposal materials.

Withdrawal of Proposal. Respondents may withdraw their proposals at any time prior to the Deadline to Submit Proposals. Respondents must submit a written withdrawal request signed by the respondent's duly authorized representative addressed to and submitted to jross@ebce.org.

Late Responses. To be considered, proposals must be received electronically by email by April 19, 2021 5:00 PM PST.

No Public Proposal Opening. There will be no public opening for this RFP.

California Public Records Act (CPRA). All proposals become the property of EBCE, which is a public agency subject to the disclosure requirements of the California Public Records Act ("CPRA"). If respondent's proprietary information is contained in documents submitted to EBCE, and respondent claims that such information falls within one or more CPRA exemptions, the respondent must clearly mark such information "CONFIDENTIAL AND PROPRIETARY," and identify the specific lines containing the information. In the event of a request for such information, EBCE will make best efforts to provide notice to respondent prior to such disclosure. If respondent contends that any documents are exempt from the CPRA and wishes to prevent disclosure, it is required to obtain a protective order, injunctive relief, or other appropriate remedy from a court of law in Alameda County, before EBCE's deadline for responding to the CPRA request. If respondent fails to obtain such remedy within EBCE's deadline for responding to the CPRA request, the EBCE may disclose the requested information.

Respondents and the selected Consultant further agrees that it shall defend, indemnify, and hold EBCE or its agents, harmless against any claim, action, or litigation (including, but not limited to, all judgments, costs, fees, and attorney's fees) that may result from EBCE's assertion of an exemption or privilege as a basis for withholding any information marked confidential by the respondent.

Confidentiality. All data and information obtained from or on behalf of EBCE by the respondent and its agents in this RFP process, including reports, recommendations, specifications, and data, shall be treated by the respondent and its agents as confidential. The respondent, selected Consultant and its agents shall not disclose or communicate this information to a third party or use it in advertising, publicity, propaganda, or in another job or jobs, unless written consent is obtained from EBCE. Generally, each proposal and all documentation, including financial information, submitted by a respondent to EBCE is confidential until a contract is awarded, when such documents become public record under State and local law, unless exempted under CPRA.

Electronic Mail Address. Most of the communication regarding this procurement will be conducted by electronic mail (e-mail). Respondents agree to provide jross@ebce.org with a valid e-mail address to receive this communication.

EBCE Rights. EBCE reserves the right to do any of the following at any time:

- a. Reject any or all proposal(s), without indicating any reason for such rejection;
- b. Waive or correct any minor or inadvertent defect, irregularity, or technical error in a proposal or the RFP process, or as part of any subsequent contract negotiation;
- c. Request that respondents supplement or modify all or certain aspects of their proposals or other documents or materials submitted;
- d. Terminate the RFP, and at its option, issue a new RFP;
- e. Procure any equipment or services specified in this RFP by other means;
- f. Modify the selection process, the specifications or requirements for materials or services, or the contents or format of the proposals;
- g. Extend a deadline specified in this RFP, including deadlines for accepting proposals;
- h. Negotiate with any or none of the respondents;
- i. Modify in the final agreement any terms and/or conditions described in this RFP;
- j. Terminate failed negotiations with any Consultant without liability, and negotiate with other Consultant(s);
- k. Disqualify any respondent or selected Consultant on the basis of a real or apparent conflict of interest, or evidence of collusion that is disclosed by the proposal or other data available to EBCE;
- l. Eliminate, reject, or disqualify a proposal of any respondent or selected Consultant who is not a responsible respondent or Consultant, or fails to submit a responsive offer as determined solely by EBCE or its representative; and/or
- m. Accept all or a portion of a Consultant's proposal.

EXHIBIT B: BILLING RATES

EXHIBIT C: STATEMENT OF QUALIFICATIONS

EXHIBIT D: TERMS OF SERVICE AGREEMENT

Contract Provisions and Insurance Requirements

Attached is a sample template of the Service Agreement the selected Consultant will be required to sign. Respondents must include in their proposals a statement as to their willingness to sign an agreement with the existing contractual language. Proposals must include specifics as to any contractual language or insurance requirements the respondent wishes to change. Please note that if you submit a proposal that does not address exceptions to the agreement, you will be held to have accepted all terms and conditions contained therein.