



Santa Barbara Unified School District

Request for Proposals for **District-Wide Solar PV Energy and Resiliency**

Date of Issue
5/19/2020

Issued by

Santa Barbara Unified School District
720 Santa Barbara St., Santa Barbara, CA 93101

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Definition of Terms

| | |
|----------|---|
| ACH | Automated Clearing House |
| ACSE | American Society of Civil Engineers |
| ADA | Americans with Disabilities Act |
| AHJ | Authority Having Jurisdiction |
| AISC | American Institute of Steel Construction |
| ANSI | American National Standards Institute |
| API | Application Program Interface |
| ASTM | American Society for Testing and Materials |
| AWS | American Welding Society |
| BESS | Battery Energy Storage System |
| CAD | Computer Aided Design |
| CAL-OSHA | Occupational Safety and Health Administration |
| CBC | California Building Code |
| CEC | California Energy Commission |
| CEQA | California Environmental Quality Act |
| CPUC | California Public Utilities Commission |
| CGS | California Geological Survey |
| CREBs | Clean Renewable Energy Bonds |
| COD | Commercial Operation Date |
| Contract | The Power Purchase Agreement (including all attachments and exhibits) between the District and successful Proposer for the Project. |
| DAS | Data Acquisition System |
| DIR | Department of Industrial Relations |
| DSA | California Division of State Architect |
| EPA | Environmental Protection Agency |
| EPC | Engineering, Procurement, and Construction |
| EV | Electric vehicle |
| EVCI | Electric Vehicle Charging Infrastructure |
| FAA | Federal Aviation Administration |
| FCC | Federal Communications Commission |
| FMV | Fair Market Value |
| Firm | An individual proprietorship, partnership, limited liability company, corporation or joint venture that is part of a team responding to this RFP. |
| ITC | Federal Investment Tax Credit |
| GPR | Ground Penetrating Radar |
| ICC | International Code Council |
| IEC | International Electrotechnical Commission |

| | |
|---------------|--|
| IEEE | Institute of Electrical and Electronics Engineers |
| IESNA | Illuminating Engineering Society of North America |
| IFC | Issue for Construction |
| IOR | DSA Inspector of Record (Project Inspector) |
| IOU | Investor Owned Utility (California: PG&E, SCE or SDG&E) |
| LESLI List | State of California Department of Insurance List of Eligible Surplus Lines |
| Local Utility | Southern California Edison (SCE) |
| MACRS | Modified Accelerated Cost Recovery System |
| NEC | National Electric Code |
| NEM | Net Energy Metering |
| NEMA | Net Energy Metering Aggregation or National Electrical Manufacturers Association |
| NFPA | National Fire Protection Association |
| NRTL | Nationally Recognized Testing Laboratory |
| NTP | Notice to Proceed |
| O&M | Operations and Maintenance |
| OCPD | Over-Current Protection Devices |
| Operator | Entity responsible for system operation and management and the financial capability |
| OTC | Over the counter design review with DSA |
| PeGu | Performance Guarantee |
| PPA | Power Purchase Agreement |
| Premises | Location of the System(s) |
| Project | The energy systems, related equipment, structures, and contractual obligations, as described in Attachment A and Attachment C, and as may be otherwise agreed to by the District and the successful Proposer of the Contract. |
| Project Term | The duration of the relevant Contract between the successful Proposer and District |
| Proposer | An individual proprietorship, partnership, Limited Liability Company, corporation or joint venture that is responding to this RFP. Proposer may also be referred to as "Firm", "Vendor" and "Contractor" in the RFP and attachments. |
| PTO | Permission to Operate - Notification from the Local Utility to which the Project is interconnected that the Project may be operated and connected with the Local Utility grid. |
| PV | Photovoltaic |
| SGIP | Self-Generation Incentive Program |
| Purchaser | Entity that will purchase power from the System |
| REC | Renewable Energy Certificate. Renewable Energy Credit, one REC is equivalent to 1 MWh of energy produced from a renewable energy source. |
| Seller | Successful Proposer that will own and operate the System |
| SWPPP | Storm Water Pollution Prevention Plan |
| TOU | Time of Use |
| WREGIS | Western Electricity Coordinating Council |

Completion Definitions

| | |
|------------------------|--|
| Substantial Completion | The date at which the solar photovoltaic (PV) system is wholly installed and operational at each project site such that all requirements for PTO have been completed, DSA Inspector of Record has signed off on the Project sufficient to achieve PTO, and PTO has been formally requested from the Local Utility. |
| COD | Commercial Operation Date. The date, specific for each PV system, when the system is commissioned and receives PTO from the Local Utility. For the Contract, COD includes formal acceptance by the District to begin the terms of the Contract, including the PeGu. |
| Final Completion | The date at which Substantial Completion has been achieved; COD has occurred; all punch lists have been completed to the satisfaction of the inspector(s) and District representatives; all documentation has been delivered to the District; all other Contract items have been completed, delivered, and accepted by the District; and final AHJ approvals have been obtained (i.e., the Project is certified and closed out with all AHJs). |

1. Request for Proposals

1.1 Scope of Services—Overview

Santa Barbara Unified School District (SBUSD or District) is issuing this Request for Proposals (RFP) pursuant to California Government Code section 4217.10 et seq. to contract with one firm to finance, design, permit, build, commission, own and operate, and maintain the energy infrastructure projects summarized in Table 1-1 and specified in RFP Attachment A (Project). Project milestones are listed in Section 2.1. The District expects to enter a contract agreement in 2020; to host major construction during the summer 2021 school break; and to achieve COD by December 2021.

In compensation, the District is requesting **Best Value PPA pricing at no capital cost** to the District for the design, construction, installation, operation, and maintenance of the systems, inclusive of a Performance Guarantee (PeGu) and all Project Development Reimbursement Fees outlined in the Cost Proposal Form, Attachment B2. This proposal shall adhere to the terms provided in Attachment C, including **a 0% PPA rate annual escalator over a 25-year term** and other specified terms. Specifically, the District is interested in third-party owned and operated net-energy-metered solar photovoltaic (PV) systems that will generate power that the District will buy through a long-term Power Purchase Agreement (Contract), with available buyout options. Where applicable, the Contract(s) shall be inclusive of ongoing maintenance and replacement of BESS and microgrid resiliency capabilities for the entire Contract term.

The District encourages and is open to reviewing Alternative Proposals for PPA project(s) including areas outside of PV locations shown in the PV Array Areas Site Drawings in Attachment A, alternative interconnection scenarios, or other value engineering opportunities. Respondents to this RFP shall be responsible for determining the appropriate system size with their proposed design not to exceed the production targets at each site outlined in this RFP (refer to Attachment A). The District has conducted an evaluation and determined that all base proposals shall be for NEMA or direct NEM projects. The District has established goals to implement electric vehicle charging infrastructure (EVCI) at all District sites in the next five years (as shown on the site maps in Attachment A); and therefore, spare conduits for future electric vehicle (EV) chargers will be required at all affected solar canopies located in District parking lots.

With this Project, the District intends to reduce electrical energy costs, add emergency energy resiliency, reduce the District's carbon footprint, and add shade as an amenity on their campuses. Cost savings are to be achieved by entering a Contract with a goal of immediate annual utility cost savings to the District, while producing a hedge against future utility rate inflation.

This Project is a result of the District's commitment to sustainability by providing cost-effective and reliable energy systems through a combination of energy conservation and diverse sources of energy generation that collectively help minimize the District's environmental footprint.

Table 1-1. General project summary.

| Project Element and General Description | General Nature of Construction | General Location |
|---|--|--|
| Base Scope of Work | | |
| Solar Photovoltaic (PV) systems¹ , supporting structures, and associated electrical components with approximately 4.5 MW-DC total PV capacity in aggregate | <p>DSA Pre-Check solar shade canopies over existing parking lots and playgrounds</p> <p>DSA-exempt ground-mount system at Washington Elementary</p> | 15 SBUSD-owned sites² , including: 3 comprehensive high schools 4 junior high schools 6 elementary schools District Office/continuation HS Facilities warehouse |
| Battery Energy Storage Systems (BESS) with Microgrid Resiliency Capabilities for back-up power during utility power outages and delivering up to approximately 1.7 MW / 3.9 MWh storage capacity in aggregate | <p>BESS: Grid-connected, PV-connected, housed exterior to building in dedicated utility shelter</p> <p>Microgrid: Fully automated system designed to provide islanded operation of critical loads for 2-6 hours via BESS; and indefinitely via paired PV-BESS.</p> | 6 SBUSD-owned sites² , including: 3 comprehensive high schools La Cumbre JHS ³ Facilities warehouse ³ District Office (data center only) |
| Additive Alternative | | |
| BESS up to approximately 2.7 MW / 6.0 MWh storage capacity in aggregate | Grid-connected, PV-connected, and housed exterior to building in dedicated utility shelter | <p>Select SBUSD-owned sites^{2,3} where BESS installation will yield positive financial returns from retail tariff management when compared to PV-only installation.</p> <p>4 Equity SGIP-eligible sites³: La Cumbre JHS Facilities warehouse Franklin Elementary District Office/continuation HS</p> |
| General Project Summary Notes | | |
| <p>¹ Net-metered interconnections: NEMA at 8 sites; NEM at 7 sites. SCE is the utility electricity provider.</p> <p>² Eight sites have multiple meters available for PV development, including all three of the comprehensive high schools, one (of four) of the junior high schools, and four (of six) elementary schools.</p> <p>³ Four sites are eligible for Equity SGIP—applications have been submitted, grant award status TBD. Proposals should address expected impacts on PPA adder pricing if one or more Equity SGIP incentives are awarded.</p> | | |

1.2 District Expectations and General Instructions for Proposers

Evaluation of Proposals

The most qualified Proposals will be evaluated and ranked according to “Best Value” for the District, based upon several substantive variables, including but not limited to:

- PPA rate
- PV/BESS/Resiliency system components
- PV/BESS/Resiliency system performance
- Lifetime energy cost savings
- Vendor experience, qualifications, financial stability, and references
- System design
- Schedule
- Maintenance program
- Performance guarantee
- Educational support component
- Exceptions to Contract Terms
- Overall thoroughness of Proposal and responsiveness to this RFP

Proposal PPA rates shall be firm and include assumptions related to the Federal Investment Tax Credit (ITC), SGIP incentives, MACRS, and all current or proposed import trade tariffs at the time of proposing. Proposers shall assume the PPA contracts will be executed prior to the end of the 2020 calendar year. Changes to the PPA rate due to inability of contractor to safe harbor or procure materials will not be permitted.

All Proposals must be inclusive of Project Development Costs detailed on Form B2 and comprehensive maintenance of the systems, including a PeGu, for the entire Contract term. Details on the PeGu requirements can be found in Attachment C.

Proposers should submit a realistic critical path schedule with their proposal that seeks to meet the Project Schedule (see Section 2.1). The District will work with the selected Proposer to establish an acceptable schedule for both parties. The target commercial operation dates (COD) are shown in Table 2-1 and will be negotiated with the highest-ranked Proposer. However, the COD date shall be in no event later than the date shown in Table 2-1, excepting delays outside of the Contractor’s control.

Optional, Additive-Alternate Proposals

The District encourages and proposers may choose to submit Proposals inclusive of the add-alt scope of work indicated in Table 1-1. This add-alt scope involves developing BESS at selected sites where BESS would provide clear additional financial savings to the District above and beyond the savings afforded by implementing solar PV systems. BESS add-alt proposals will be considered and

evaluated separately from the solar PV projects. If offered, please provide a complete description of the proposed BESS operational plans with supporting documentation of savings analysis. The cost proposal should include a third-party finance option as an additive price to the PPA Contract price. For the purposes of evaluating BESS proposals, please provide BESS pricing for the term of the Contract. If BESS is selected, shorter terms will be considered during contracting with the selected Proposer.

If the District selects BESS at any site, all modeling, sizing, incentive procurement/management, design, installation, associated equipment, enclosures, etc. for a complete and operational energy storage system would be the responsibility of the Proposer. The Proposer would receive all incentives associated with BESS. Energy storage systems shall include monitoring with capabilities and data access similar to PV production monitoring. All ground-mounted equipment should be located adjacent to the existing main service and provided with an equipment pad and a secure enclosure matching adjacent finishes. BESS details should be provided in Form B1 and B2, including the following details:

- BESS provider, manufacturer, and software provider
- General description of the system and function provided
- Proposed layout showing BESS component locations and conductor paths
- Performance reporting, including monitoring system and reports issued to the District
- Performance guarantee
- Warranty and software licensing details
- Proposed third-party finance method
- SGIP incentives reservation Step assumptions (i.e., Step 1, Step 2, etc.)

If an optional Proposal is offered, Proposers shall include a narrative of their offering in Form B1; attach alternative design site plan layouts, cut-sheets, or additional material (if applicable); and complete a separate Cost Proposal Form B2 for the alternative scenario. The District reserves the right to choose whether to evaluate and/or include the optional proposals in the final Project scope.

Critical Information Provided to Proposers

Attachments to the RFP provide critical project information that should be considered by proposers in preparing a response.

[Project Information](#). Proposers should carefully consider all information provided in Attachments A and D, which provide details about the Project and about the District-owned sites that have been selected for participation in the Project (such as service details, electricity consumption data, production targets, conceptual energy project designs, and other information as available).

Elements of information included in Attachment A will form the basis of the Contract scope of work, including:

- Scope of Work (A1)

- General Project Criteria (A2)
- Submittals and Process Requirements (A3) for design, construction, and commissioning
- Site Energy Project Details and Drawings (A4), including conceptual design layouts
- Construction Specifications (A5)
- Microgrid Information (A6)

At each site, a single service is targeted for interconnection. Systems are intended to be physically interconnected to the main service at each site. Service electrical details to be verified by Proposers via site photos and single line diagrams. SCE transformer ratings have been provided by the utility.

PV production targets are based on tariff modeling using conservative NEM 2.0 assumptions. Systems are sized to offset approximately 100% of the estimated future energy consumption at each site.

Attachment D provides additional useful background and technical information about Project sites, if and when available (e.g., available geotechnical reports, site design plans or as-built drawings, and other information). The District is providing and will provide all relevant information known to the District, in good faith without any known defects in the information. However, the District cannot and will not warranty the completeness or accuracy of information provided, for which the Proposer will be required to take appropriate measures, subject to legal limitations and the evaluation of each Proposal's Best Value.

The successful Proposer shall **not** rely on the District's geotechnical reports. It shall be the sole responsibility of the successful Proposer to independently verify the District's as-built drawings and perform their own geotechnical investigations and site due diligence prior to design and construction. In submitting its Proposal, the successful Proposer warrants and accepts that the District shall not be liable for any misrepresentations or inaccuracies set forth in the District's as-built drawings, geotechnical studies, or other informational documents provided with this RFP.

[Contract Requirements.](#) Required general contract terms are specified in Attachments A and C as follows.

- Public Contracting Requirements (A1, C)
- Bonding Requirements (C)
- Insurance Requirements (C)
- Permitting Requirements/Fees (A1, A2, C)
- Performance Guarantee Terms (C)
- Required Warranties (A2, C)

All Firms shall comply with the contracting requirements specified in Attachment C when submitting their Proposals. In submitting a Proposal to the District, each Firm represents and agrees to be bound by the terms and conditions set forth in Attachment C, as may be applicable. Any significant

deviations from the terms and conditions set forth in Attachment C must be identified in the proposal as “exceptions” in Attachment B3.

Minimum Qualifications

The District has established qualifying criteria for Proposers on this Project, including minimum qualifying criteria and experience with similar projects (as indicated in Attachment B1). The District shall consider whether Proposers meet minimum qualifying criteria before continuing to evaluate proposals. Failure to meet any of the following criteria may render a Proposal non-responsive. Proposer must include information in its proposal demonstrating that it can satisfy all of the below minimum qualifications:

1. Within the last five (5) years Proposer or its subcontractor(s) have achieved COD for at least three (3) DSA-approved, multi-site solar PV projects of 1000 kW DC or larger utilizing DSA pre-check solar PV canopy structures.
2. Within the last five (5) years Proposer has financed or secured financing of at least two (2) Power Purchase Agreement (PPA) projects of at least 1,000 kW DC each.
3. BESS provider has installed and received permission to operate, or is actively engaged on project construction, with a California Investor-Owned Utility for at least three BESS projects 1000 kWh or greater in size.
4. Microgrid provider has installed and received permission to operate, or is actively engaged on project construction, for at least one microgrid project.
5. Proposer has sufficient bonding capacity for this project, as detailed in Attachment C.
6. Proposer or its subcontractor(s) possess a valid California Class B and either a C-10 or C-46 license.
7. Proposer and its subcontractor(s) meet the insurance requirements set forth in Attachment C.
8. Proposer and Installation Contractor(s) have Worker’s Compensation Experience Modification Rate (EMR) equal to 1.25 or less.
9. Proposer been in business in California under the present company or business name and license number for a minimum of two years.
10. Proposer is eligible to be awarded public works contracts and subcontractors are eligible to perform as subcontractors on public works contracts, pursuant to either Labor Code section 1771.1 or Labor Code section 1777.7.
11. Proposer and all subcontractors are registered with the California Department of Industrial Relations (DIR) and will hold a current DIR registration number from the time of contract award throughout the completion of installation.
12. Proposer or its subcontractor(s) have not been terminated for cause or defaulted on a project during the last ten (10) years.

13. Proposer or its subcontractor(s) have not had a professional or contractor's license revoked at any time in the last five (5) years.
14. Neither the Proposer, nor any of its owners, officers, or partners, have been found liable in a civil suit, nor have they been convicted/found guilty in a criminal action within the last ten (10) years involving any of the following: (a) any contract award for a government construction project, (b) bidding or performance of a government contract, or (c) fraud, theft or any other act of dishonesty, including but not limited to the California False Claims Act, or Federal False Claims Act.
15. CAL OSHA has not cited or assessed penalties against Proposer or its subcontractor(s) for any "serious," "willful," or "repeat" violations of its safety or health regulations in the last five (5) years.

The general prevailing rates of per diem wages and the general prevailing rates for regular (straight) time, holiday, and overtime work in Santa Barbara County for each craft, classification, and type of worker needed to execute the Contract shall be as set forth in the current General Prevailing Wage Determinations made by the Director of Industrial Relations pursuant to California Labor Code Part 7, Chapter 1, Article 2, Sections 1770, 1773, and 1773.1 and any amendments thereof. The current General Prevailing Wage Determinations are incorporated into the Contract, and are available at the California Department of Industrial Relations' website (www.dir.ca.gov/DLSR/PWD/index.htm) or upon request from the District.

No contractor or subcontractor may be listed on a proposal unless registered with the Department of Industrial Relations (DIR) pursuant to Labor Code section 1725.5 at the time of proposal submission. Additionally, no contractor or subcontractor may be awarded a contract unless registered with DIR pursuant to California Labor Code section 1725.5. This Contract is subject to monitoring and enforcement by the DIR pursuant to Labor Code Section 1771.4.

Other General Instructions and Expectations

This is an RFP only and should not be interpreted as a solicitation for services. Submittals should be concise and responsive to the goals stated in the RFP. Submittals should be formatted and contain the information prescribed by the Instructions to Bidders stated in the RFP. Innovative and creative solutions are encouraged to be included as optional proposals. All costs for proposals and design are entirely the responsibility of the proposing firm and shall not be charged to the District.

The District reserves the right to select one or multiple sites or not build a project based on the pricing received.

The District reserves the right to conduct independent investigation into each Proposer, including contacting other public agencies for whom the Proposer has performed work, in order to research the Proposer's quality of work, timeliness of performance, adherence to safety requirements, adherence to predetermined schedule, and maintenance of budget. The District may, in its sole discretion, factor the findings into its final selection of a Proposer.

The top-ranked firms may be asked to interview with the District prior to final ranking of Proposals. The top-ranked Proposer will be offered the opportunity to negotiate a Contract with the District that includes terms and conditions outlined in Attachment C, subject to further modification and revision by the District as necessary. If the-top ranked Proposer is unable to successfully negotiate a Contract with the District, the District may enter negotiations with the next-highest-ranked Proposer. The District intends to award the contract to a single firm; however, the District reserves the right to award the contract to more than one firm.

The District has not established a labor compliance program for this work. Responsibility for labor law enforcement remains with the Division of Labor Standards Enforcement.

The District will prepare all necessary California Environmental Quality Act (CEQA) documentation, including any applicable exemption documentation, once the final scope of the Project has been determined. The District will act as the lead agency in the preparation of the CEQA documentation. The selected Firm shall reimburse the District for CEQA-related fees and legal costs in preparation of the documentation per assumptions in Form B2. The selected Firm is expected to provide supporting information regarding the proposed design to the District in this process and adhere to any mitigation requirements identified in the CEQA documents.

Public Record

All Proposals become property of the District. All Proposals, including the entirety of the accepted Proposal and any subsequent contract approved by the Board of Trustees become public records per the requirements of the California Government Code, Sections 6250-6270, "California Public Records Act". Proprietary material must be clearly marked as such and comport with criteria of California Government Code section 6254.7 regarding trade secrets. For the purposes of this RFP, pricing and service elements of the successful Proposal are not considered proprietary information.

The District will treat all information submitted in a Proposal as available for public inspection once the District has a contract finalized with the selected contractor. If Firm believes that Firm has a legally justifiable basis under the California Public Records Act for protecting the confidentiality of any information contained within Firm's Proposal, Firm must identify any such information, together with the legal basis of Firm's claim, in Firm's Proposal. A Firm that indiscriminately identifies all or most of its Proposal as exempt from disclosure without justification may be deemed non-responsive. Proposers, by submittal of a Proposal, agree and acknowledge that the District has sole discretion to determine application of the California Public Records Act to each Proposal and each document contained therein.

Distribution of RFP Materials

This document and any attachments, appendices, and addenda will be distributed electronically via a password-protected website. Sage Energy Consulting will provide access to this website to the designated contact of Firms interested in responding to the RFP. **It is prohibited to repost or distribute this document or any attachments, appendices, and addenda via other RFP**

clearinghouses or services. Sage Energy Consulting can be contacted at rfp@sagerenew.com with questions regarding document distribution.

District / Contract Administrator

The Contract Administrators for this RFP and the resulting Contract(s) are the District's Director of Business Services and the Director of Facilities and Modernization. Sage Energy Consulting serves as a representative of the Contract Administrators and is managing the RFP process for the District. The Contract Administrators, Sage, and the District's legal counsel are the only entities authorized on behalf of the District to make any modifications via addenda or otherwise to this RFP and the resulting Contract, if any.

The Proposer shall not rely on any oral change from anyone, or a written request for change from someone other than the Contract Administrators. All changes/addenda must be in writing, issued by the Contract Administrator, Sage, or District legal counsel and distributed via password-protected website. Any and all addenda issued by the Contract Administrator, Sage, or District legal counsel shall be incorporated into this RFP and are a part herein as if originally set forth in this RFP.

2. Procurement Process

2.1 Procurement Activities and Project Schedule

Dates are provided for Proposers' convenience and, while the District does not anticipate changing the dates at this time, this schedule may be revised at the sole discretion of the District (see Table 1-1).

Table 2-1. Schedule of procurement process and project milestones.

| Event | Date | Time |
|--|---|-----------------|
| RFP Published | Tuesday, May 19, 2020 | |
| Deadline for registration for mandatory pre-proposal online conference | Friday, May 22, 2020 | 5:00 pm |
| Memorial Day Holiday | Monday, May 25, 2020 | |
| Mandatory pre-proposal online conference (video webinar) | Tuesday, May 26, 2020 | 9:00 am |
| Deadline for questions and photo requests from proposers | Monday, June 1, 2020 | 12:00 pm |
| Response to questions and addenda published | Friday, June 5, 2020 | |
| Deadline for notification by proposers of intent to submit | Wednesday, June 24, 2020 | 4:00 pm |
| Deadline for submittal of proposals (electronic upload to secure website) | Thursday, June 25, 2020 | 4:00 pm |
| Potential interview of top-ranked firms | Thursday, July 9, 2020 | |
| Notification to top-ranked firm | Friday, July 10, 2020 | |
| Target date for contract finalization | Thursday, August 6, 2020 | |
| Publish notice of public hearing | No later than Tuesday, August 11, 2020 | |
| District Board meeting for contract approval, NTP for design | Tuesday, August 25, 2020 | |
| DSA OTC | January 2021 | |
| Construction begins** | June 2021** | |
| Heavy construction completed | August 2021 | |
| COD | September 2021 | |
| Final Completion | December 2021 | |

**The academic calendar and attendance policies for the 2020-2021 school year are unsettled due to the COVID-19 pandemic. The selected contractor should plan for flexibility in the project schedule to take advantage of opportunities for early construction.

2.2 Mandatory Pre-Proposal Conference

A mandatory pre-proposal conference will be conducted via video webinar at the date and time shown in Table 2-1. The purpose of the conference is to provide a project overview, review proposal requirements, review each Project site via virtual site walks, and allow the Proposers attending the meeting to ask questions about the Project and RFP.

Registration is required for the mandatory pre-proposal conference. Attendees must register for the conference by the date and time shown in Table 2-1. **Proposers shall register by sending an email to rfp@sagerenew.com with the subject line, "SBUSD Solar PV & Resiliency RFP – Pre-Proposal Conference Registration".**

Due to current "Shelter in Place" requirements, an in-person site walk is not currently feasible. An electronic photo gallery of all project sites will be provided via RFP addendum. It is the Proposer's responsibility to review these photos and determine if additional photos are necessary to develop an accurate Proposal. Proposers will have the opportunity to request specific additional site photos. **To request specific additional photos, proposers must submit a request by emailing rfp@sagerenew.com with the subject line "SBUSD Solar PV & Resiliency RFP – Photo Request".** Photo requests must include a detailed description of the requested photos and must be submitted by the date and time shown in Table 2-1. Requested photos will be provided via addendum.

2.3 Questions Relating to the RFP

All questions pertaining to this RFP must be submitted via email to rfp@sagerenew.com with the subject line, "SBUSD Solar PV & Resiliency RFP – Questions". All questions must be received by the date and time specified in Table 2-1. Questions sent directly to District Staff or after the deadline will not be answered. No oral questions will receive any response, other than as made at and in the presence of all attendees at the mandatory pre-proposal conference, or as reflected in writing in any addenda to the RFP.

Responses to questions and modifications to RFP documents will be addressed via addenda and will be published via password-protected website.

2.4 Proposal Contents and Submission

Proposals will be received via electronic document upload to a secure website by the date and time shown in Table 2-1.

Proposal packages shall be submitted electronically and must contain both a complete electronic version of the contents and file formats outlined in Table 2-2 plus one signed cover letter, one signed Form B1 Signature Page, and one signed Form B2 Signature Page, found on the "Overview and Signature" tab of the Form B2 Excel file. Proposal documents must be received electronically no later than the date and time specified in Table 2-1.

Proposers must notify Sage Energy Consulting that they plan on submitting Proposals no later than twenty-four (24) hours before Proposals are due by emailing rfp@sagerenew.com with the subject line "SBUSD Solar PV & Resiliency RFP – Intent to Submit". Sage will provide further instructions on uploading Proposal documents to the password secured electronic file-sharing website.

To ensure fairness, responses received after the deadline will **not** be accepted or reviewed. The Proposer is responsible for ensuring that all responses are received by the deadline. All responses to the RFP will become the property of the District and will not be returned. The District will not reimburse Proposers for any of the costs associated with the preparation and submission of Proposals.

Table 2-2. Proposal contents and submittal formats.

| Submittal Item/Format | Document | Description |
|-----------------------|---------------------|---|
| 1. A Single PDF File | Cover Letter | Introduction/cover letter with full business address and contact details of the Proposer, signed by an individual with authority to bind Firm. |
| | Form B1 | Qualifications & Proposal Form with all questions addressed, and signed and dated proposal certification. |
| | Form B1 Attachments | Minimum Attachments shall include: <ul style="list-style-type: none"> • Class B License & any other Licenses • Evidence of Bonding Ability • Evidence that Insurance Requirements can be met • A Conceptual Design of the PV Facilities • Photographs of the carport and/or shade structures proposed for this project • A Detailed Schedule • Screen Shots of Monitoring Software • Example of Performance Reporting • Example of Monthly Billing • Proposed Warranty • Example of Performance Guarantee Reporting • Optional Proposal Details |
| | Form B2 | Cost Proposal, PDF Format |
| | Form B3 | Response Completion Checklist |
| | Form B4 | Exceptions Form |
| | Forms B5 | District-Required Forms – Contractor's Licensing Statement, Noncollusion Affidavit, Good Faith Efforts to Include Disabled Veteran Business Enterprises in the Project, Iran Contracting Act Certification, Contractor's Certificate Regarding Worker's Compensation |
| | | |

| Submittal Item/Format | Document | Description |
|-----------------------|-----------------------------|--|
| 2. A Single PDF File | Form B1, Attachment Item Q3 | Financial Performance – Reviewed/audited financial statements submitted separately and marked Proprietary – Not for Public Disclosure for private Firms. |
| 3. MS Excel File | Form B2 | Cost Proposal, MS Excel format. A PDF of this file should be included in the main proposal. The Excel file should exactly match the PDF document. |

Proposers shall provide only complete and accurate information. Proposers acknowledge that the District is relying on the truth and accuracy of the representations contained in each Proposal. Each Proposal must be signed under penalty of perjury in the manner designated at the end of the form, by an individual who has the legal authority to bind the Proposer on whose behalf that person is signing. If any information provided by a Proposer becomes inaccurate, the Proposer must immediately notify the District upon discovery of the inaccuracy and provide updated accurate information in writing, under penalty of perjury. Should a Proposer omit requested information or falsify information, the District may reject the Proposal. Should a Proposer omit requested information or falsify information, the District may reject the Proposal. Accepting an award based on false or misleading information may expose the Proposer to legal liabilities.

2.5 Proposal Evaluation

The District will first evaluate the qualification section of each Proposal. The qualification section appears at the beginning of Form B1. **Proposers should ensure they meet the minimum qualifications outlined in Section 1.2 of this document and Form B1 before preparing a proposal.**

The District will then, at its sole discretion, evaluate some or all of the qualified Proposals. Ranking of Proposals will consider, but not be limited to, the list of items provided in Section 1.2.

All Proposals will be evaluated by an Evaluation Committee designated by the District. The Evaluation Committee, upon completion of evaluating the Proposals, may elect to hold interviews with the firms with the top-ranked proposals or may solely rely on proposals to make its evaluation. The Evaluation Committee will determine the highest-ranked Proposer as the basis of any recommendation to the District Board that a Contract be negotiated with a Proposer.

The District will provide Contract Administration and support immediately after the highest-ranked Proposer is determined. The District reserves the right to investigate the qualifications of all Proposers under consideration and to confirm any part of the information furnished by a Proposer, or to require other evidence of managerial, financial, or technical capabilities which are considered necessary for the successful performance of the work.

During the course of the Proposal evaluation, the District may request clarification of, or information about, any item in the Proposal. The Proposer shall respond within the time requested. If the clarification or information is not forthcoming, the District may, at its sole discretion, disqualify a Proposal if it determines that evaluation of the Proposal cannot proceed in the absence of clarification. However, the District, in its sole discretion, may review and evaluate Proposals and award a Contract based solely on the materials contained in the Proposal. The District may elect to hold interviews with the Proposers with the highest-ranked Proposals or may solely rely on Proposals to make its selection.

The District reserves the right to waive minor irregularities and omissions in the information contained in the Proposal submitted and to make all final determinations. There is no appeal from the District's decision not to review a Proposal due to an incomplete or late Proposal submission.

The Proposal, its completion and submission by the Proposer, and its use by the District, shall not give rise to any liability on the part of the District to the Proposer or any third party or person. This is not a solicitation for bid. No guarantees are made or implied that the Project will be constructed, either in part or whole. The Proposer accepts all risk and cost associated with the completion of the Proposal without financial guarantee. Any attempts by Proposers to lobby or influence the District decision, in any form, are strictly prohibited. During the course of the Proposal submission and evaluation periods, there shall be no contact with the District Board of Trustees or District office staff regarding this project or RFP. Failure to comply with these requirements will result in the disqualification of the Proposer.

2.6 Award Process

The District intends to award a Contract to the qualified Proposer whose offer substantially conforms to the RFP, whose Proposal outlines a Project which will provide the best value to the District, best meets the District's needs, and is most likely to assist the District in achieving its objectives, which the District shall determine at its sole discretion. If the successful Proposer is unable and/or unwilling to execute the Contract as negotiated by the District, the District, at its sole discretion, may begin negotiations with the next-highest-ranked Proposer.

The District reserves the right, at its sole discretion, to accept a response that does not satisfy all requirements but which, in the District's sole judgment, sufficiently demonstrates the ability to produce, deliver, design, permit, and install the Project and to satisfy the substantive requirements set forth in this RFP. The District expects to complete its evaluation process to select a qualified Proposer but reserves the right to change key dates and action as the need arises. Only the District Board possesses the authority to award the Energy Services Agreement, at its sole discretion, and any recommendation by District staff for contract award shall not be binding on the District.

The District intends to award the Project to one Proposer; however, the District retains the right to award one or more separate Contracts to one or more Proposers, or to not award a Contract, at the District's sole discretion.

Attachment A

Project Details and Requirements

(Available for download in Attachment A Folder)

- A1 Scope of Work
- A2 General Project Criteria
- A3 Submittals & Process Requirements
- A4 Site Energy Project Details & Drawings
- A5 Construction Specifications
- A6 Microgrid Information

Attachment B

Proposal Forms

(Available for download in Attachment B Folder)

- B1 Main Proposal
- B2 Cost Proposal
- B3 Exceptions Form
- B4 Addenda Receipt Form
- B5 District Forms
- B6 Response Checklist

Attachment C

Contract Terms

(Available for download in Attachment C Folder)

C1 PPA & Performance Guarantee
Contract Terms

C2 District General Conditions and
Certifications

Attachment D

Additional Information

(Available for download in Attachment D Folder)

- D1 Energy Consumption Data and Forecasts
- D2 Site Electrical Load Diagrams
- D3 As-Built and Design Plan Drawings
- D4 Site Use Plans
- D5 Existing Geotechnical Information
- D6 2020-2021 School Calendar