

**Request for Qualifications (RFQ)
For A
WASTEWATER ENERGY PERFORMANCE
CONTRACT**

Submittal Date
Monday, July 20, 2009

**City of Houston
Public Works and Engineering Department**

In partnership with the Clinton Climate Initiative

REQUEST FOR QUALIFICATIONS (RFQ)
FOR A
WASTEWATER ENERGY PERFORMANCE CONTRACT

I. PURPOSE

The Public Works and Engineering Department (PWE) invites the submittal of Statements of Qualifications (SOQs) from firms interested in providing engineering analysis, design and construction of energy savings measures for its Wastewater Operations Branch. It is the City's intent to award a wastewater energy savings performance contract to the most qualified firm(s) pursuant to Texas Local Government Code Chapter 302. The services will be performed on a work order basis as assigned by the City.

The firm(s) will provide all services necessary to implement and guarantee energy savings measures to the City's wastewater operations branch over a term not to exceed 20 years, including, but not limited to, the following: assess and verify existing conditions; develop an investment-grade audit of the City's wastewater facilities, which includes, for the purposes of this RFQ only, the following Best Management Practices (BMPs):

- Anaerobic digestion at appropriate plants;
- High-efficiency dryers and co-generation at appropriate plants;
- Biosolids management (including, but not limited to handling, transportation, disposal or co-generation or other beneficial use);
- Primary clarification at appropriate plants;
- Consolidation or regionalization of appropriate plants;
- Replace existing coarse air system with fine bubble diffusers at all appropriate plants;
- Install grit removal systems at all appropriate plants;
- Install dissolved oxygen controls at all appropriate plants;
- Install VFD to replace constant speed pumps and positive displacement blowers at all appropriate plants;
- Install telemetry equipment and system for all appropriate lift stations;

provide drawings and specification; provide computer-aided design and drafting (CADD) documentation; provide permitting services; estimate construction costs; provide value engineering; arrange and conduct meetings; carry on normal construction administration and perform all construction activities; provide training to City staff to encourage professional development and enhanced project management skills for City staff, as well as provide contract project management staff; assist in warranty reviews; and provide a guarantee of energy savings.

II. PRE-SUBMITTAL MEETING

A pre-submittal meeting will be held at 10:30 a.m. on July 6, 2009, at 611 Walker, 20th Floor, Conference Room 2039, to discuss this solicitation. Attendance at the meeting is not mandatory.

Before the pre-submittal meeting date, the City will welcome any written questions submitted by either U.S. mail, facsimile or email to:

Ms. Dannelle Belhateche, P.E.
Senior Assistant Director, Wastewater Operators Branch
Public Works and Engineering Department
4545 Groveway Drive
Houston, Texas 77087
Email: Dannelle.belhateche@cityofhouston.net

The City will not be bound by any information conveyed verbally. The City will provide, in writing, any clarifications, changes or other information deemed to be necessary, as an addendum to this RFQ. Any addendum will be provided only to attendees of the pre-submittal meeting and known RFQ holders registered with PWE. No addendum will be issued later than noon on Tuesday before the Submittal Date, except that the City reserves the right to issue an addendum with minor clarifications, one withdrawing the RFQ or postponing the Submittal Date.

III. REQUIRED QUALIFICATIONS AND SELECTION CRITERIA

The City is seeking highly qualified firm(s) to implement energy savings measures at its Wastewater Operations Branch. The required qualifications are to be demonstrated in the experience of the proposed team. A Selection Committee composed of representatives from PWE and other City departments will review the SOQs. The criteria used to evaluate the RFQ responses will include the following:

1. Completeness of submittal response: SOQ follows the prescribed format and contains all information requested in RFQ (maximum 10 points).
2. Experience: in similar or relevant projects by firm. In order to receive full points, a responding firm must have at least ten performance contracting references of similar size, scope or focus; references which received guarantee energy savings shortfall checks; or examples or savings calculation methods using the utility rate structure the City pays on its facilities. All previous experiences must demonstrate the firm's ability to train City staff in the implementation of BMPs (maximum 30 points).
3. Business qualifications: project track record of firm, number of years in business as an energy services company (ESCO) or provider of the

- services being offered for this program; ESCO annual revenues; office location from which this project will be managed (maximum 15 points).
4. Financial qualifications: the long-term financial viability of the entity proposed to provide technical and financial guarantees; may be demonstrated by audited financial statements including income statements, balance sheets and statements of change for two most recent completed fiscal years (maximum 15 points).
 5. Personnel qualifications: background and professional qualifications of personnel assigned and committed to work on this project. In order to receive full points, a responding firm must also have personnel that will serve as the City's project manager (maximum 15 points).
 6. Project management qualifications: ability to adhere to schedules and to timely complete all phases of the performance contracting program process (maximum 15 points).

IV. SUBMITTALS

Seven paper copies of sealed submittals are required. **Submittals shall be delivered to the Purchasing Agent** of the City of Houston, Mr. Ray DuRousseau, City Hall, 901 Bagby Street, Basement Level, Houston, Texas 77002, at or before 2:00 p.m. C.D.T. **Monday, July 20, 2009**. Late submittals will not be accepted for any reason. All submittals must be provided in a sealed box clearly labeled on the outside with the Respondent's name, name of Project and Department of Public Works and Engineering.

To enable the City to efficiently evaluate SOQs, Respondents are urged to strictly follow the required format in preparing their SOQ.

Each copy of the SOQ shall be bound, using GBC or other semi-permanent binding method, to minimize the risk that pages are lost. Each copy shall be no more than 50 pages. Pages shall be no larger than 8 ½ " X 11" or, if folded to that dimension, no larger than 11" X 17". Each section, as defined below, shall be separated by a tabbed divider. One of the submittals shall be labeled "ORIGINAL" on its outside cover and shall contain original documents as specified below.

Each SOQ shall be organized in the following order:

A. **Outside Cover and/or first page:** Shall contain the name of the SQQ ("Statement of Qualifications for an Energy Savings Performance Contract"), the name of the Respondent, and the submittal date. Remember to label the cover of one copy, with original documents in it, "ORIGINAL" on the cover.

B. **Table of Contents:** The next page shall be a table of contents.

C. Section 1 Divider (Letters and Forms)

1. *Transmittal Letter*: The first page following the divider shall be a one-page letter transmitting the SOQ to Ms. Dannelle Belhateche, P.E., Public Works and Engineering Department. The transmittal letter shall say that the signer of the document is authorized by the Respondent to sign the document. At least one copy of the transmittal letter shall contain the original signature of a partner, principal, or officer of Respondent.
2. *MBE/SBE Letter(s)*: Following the transmittal letter shall be a one-page letter from each City-certified MBE/SBE firm included on the team, indicating the MBE/SBE firm's desire to be included on the team and indicating a general statement of the scope of services the MBE/SBE firm will perform if Respondent is selected. **NOTE:** The scope of services proposed by the MBE/SBE firm must match the service for which the MBE/SBE firm is certified by the City. At least one copy of each of these letters shall contain the original signature of a partner, principal or officer of the MBE/SBE firm.
3. *Copy of Conflict of Interest Questionnaire*: (Texas Ethics Commission Form CIQ found at www.ethics.state.tx.us/forms/CIQ.pdf). Local Government Code Chapter 176 requires firms seeking to do business with the City to file a Conflict of Interest Questionnaire with the City Secretary. The original form shall be filed with City Secretary, 900 Bagby, Public Level, Houston, Texas 77002. Respondents shall include a copy of the form that was submitted to the City Secretary as part of the SOQ package. The completed Conflict of Interest Questionnaire will be posted on the City Secretary's website. It is the submitting firm's responsibility to submit the latest version of the Conflict of Interest questionnaire form as promulgated by the Texas Ethics Commission. Any questions about filling out this form should be directed to Respondent's attorney.
4. *Concurrence with Clinton Foundation Memorandum of Understanding*: Identify whether your response to this RFQ is in agreement with your executed Memorandum of Understanding with the Clinton Foundation.

D. Section 2 Divider (Team Organization and Experience)

1. *Organizational Chart*: A simple organizational chart of the team, showing the reporting structure between the team members designated to perform the work.

2. *Project Brief:* The Respondent shall select a total of six projects: three wastewater energy saving BMP projects to highlight as best representing the firm's experience, and three wastewater energy saving BMP projects to highlight the Project Manager's experience, and provide a briefing sheet for each, as BMPs are defined in section I. Each briefing sheet shall be one-page and should contain information, which shows the capability of the firm and Project Manager to provide the range of services that are required by this project. The work described must have been performed within the past seven years. At least one of the projects shall be for \$30 million, or more, in construction cost. No more than two of the projects may be for the same client. Minimally, each brief shall contain:
 - a. Project name and location;
 - b. Year project completed (or "in design" or "under construction") and brief explanation regarding steps Respondent's team member took to maintain project schedule;
 - c. Short summary of project and description of services provided;
 - d. How this project experience relates to this RFQ project;
 - e. Name of client and/or owner/operator and current telephone number and e-mail address;
 - f. Final construction cost, and whether it was within the project's original budget;
 - g. Total construction time, and whether the project was completed on time;
 - h. Details of the savings or performance guarantee and what measurement and verification process was utilized, if applicable, including the results and performance of savings during the course of the contract.
3. *Graphic Information:* If the Respondent includes photographs, drawings or other graphical information about any of the six projects, the back of the project brief, the facing page or a separate page may be utilized for this purpose. Photographs or other graphical information used to illustrate these projects may also be incorporated into the one-page brief sheet itself.

4. *Subcontractors and Suppliers:* Include proposed major subcontractors' experience on projects of similar scope, complexity and value. Provide name, address and telephone number of contacts, so that City may contact.

E. Section 3 Divider (Narrative)

1. *Narrative:* The Respondent will provide no more than three pages of narrative that describes:
 - Firm's understanding of the City's needs and Firm's approach to this project;
 - Firm's knowledge of the elements involved in this project, and approach to be taken for the services requested. Elements of the project such as assessment of existing conditions, timely scheduling, cost-effectiveness, energy savings and operational efficiency, other environmental issues, quality control, agency regulations, operation, maintenance, and security may be included;
 - Firm's systems and processes for insuring quality and timely performance on projects;
 - Firm's track record of meeting deadlines; and
 - Firms' track record of providing best practices in EPC, including, but is not limited to, working with a guaranteed maximum cost; guaranteed savings; transparency in pricing; gain-sharing mechanisms.

F. Section 4 Divider (Quality of Service)

1. *Testimonials:* Respondents may include no more than three one-page letters from clients that they have worked with on previous projects. At least one copy of these letters shall contain the original signature of the person writing the letter. Letters should comment on budget and scheduling experiences, plus qualitative matters related to services received from the Respondent.
2. *Additional Remarks.* Respondent may address issues that do not fall into any of these categories or expand on their previous answers; however, these remarks may not exceed two pages.

V. ADDITIONAL INSTRUCTIONS, NOTIFICATIONS AND INFORMATION

- A. Respondents shall not offer any gratuities, favors or anything of monetary value to any official or employee of the City for the purposes of influencing this selection. Any attempt by the Respondent to influence the selection process by any means, other than disclosure of qualifications and credentials through the proper

channels, shall be grounds for exclusion from the selection process.

- B. Respondents who provide false or misleading information, whether intentional or not, in any documents presented to the City for consideration in the selection process shall be excluded. Any false or misleading information in these documents would, in effect, render the entire document suspect and therefore useless.
- C. INTERVIEW – After the screening of SOQs, Respondents will be notified, in writing, of their status in the selection process. If interviews are needed, short-listed Respondents may be given additional information for interviews. These interviews will relate less to the past experience and qualifications already detailed in the submittal and more to identification of the Respondent’s program approach and to an appraisal of the people who would be directly involved in the project.
- D. INQUIRIES – Please do not contact the City during the selection process to make inquiries about the progress of this selection process. Respondents will be contacted when it is appropriate to do so.
- E. COST OF SOQS – The City will not be responsible for costs incurred by anyone in the submittal of qualifications or for any costs incurred prior to the execution of a formal contract.
- F. CONTRACT NEGOTIATIONS – This RFQ is not to be construed as a contract or as a commitment of any kind. If this RFQ results in a contract offer by the City, a specific scope of work, fees, insurance coverage and other contractual matters will be determined during contract negotiations. To ensure that the appropriate staff is assigned to the project, the City may make the inclusion of a “key persons” clause a part of the contract negotiations.
- G. CONFIDENTIAL INFORMATION – All responses shall be held confidential from other parties by the City to the extent allowable by law until after the selection process is completed. Respondents should be aware that at the completion of the selection process the contents of their SOQs are subject to the provisions of the Texas Open Records Act and may be made public. CONFIDENTIAL or SENSITIVE information should not be included in the SOQ.
- H. CITY POLICIES & ORDINANCES – Respondents should be aware of and therefore, familiar with all pertinent City of Houston ordinances and policies that relate to contracting with the City.

More detailed guidance is available on request. The following is a partial list of relevant subjects:

1. Equal Employment Opportunity
 2. MBE/SBE Participation Goals of 14% and 3% respectively.
 3. City of Houston Fair Campaign Ordinance
 4. Mayor's Drug Detection and Deterrence Policy and Procedures
 5. City Contracts and Indebtedness to Taxing Authorities
 6. Insurance requirements
- I. The City of Houston reserves the sole right to (1) evaluate the qualifications submitted; (2) waive any irregularities therein; (3) select Respondents for the submittal of more detailed qualification; (4) accept any submittal or portion of a submittal; and/or (5) reject any or all Respondents submitting qualifications, should it be deemed in the City's best interest.

Dannelle Belhateche, P. E.
Senior Assistant Director
Department of Public Works and
Engineering

Date: June 15, 2009