



Village of Dobbs Ferry, NY

**Request for Proposals for
Energy Performance Contract Consulting
Services**

RFP Solicitation #2021-003

Office of the Village Clerk
112 Main Street, Dobbs Ferry, New York 10522

RFP Issue Date:

November 22, 2021

RFP Submittal Due Date:

December 13, 2021

LEGAL NOTICE

REQUEST FOR PROPOSAL

NOTICE IS HEREBY GIVEN that sealed Requests for Proposal will be received at the Office of the Village Clerk, Village of Dobbs Ferry, 112 Main Street, Dobbs Ferry, New York 10522, until 10:00 AM on December 13, 2021 for the following:

VILLAGE OF DOBBS FERRY

WESTCHESTER COUNTY, NEW YORK

ENERGY PERFORMANCE CONTRACT CONSULTING SERVICES

Beginning November 22, 2021, copies of the Request for Proposal will be available from the Village (i) in hard copy, by appointment (914-231-8504) from the Village Clerk at the above address between the hours of 8:30 AM - 4:00 PM, Monday through Friday, (ii) by e-mail request ldreaper@dobbsferry.com, or (iii) as a download from the Village Website at www.dobbsferry.com

Time is of the essence and interested consultants must submit proposals for receipt by the Village Clerk no later than 10:00 a.m. on December 13, 2021 in sealed envelopes marked "**RFP Solicitation #2021-003 Village of Dobbs Ferry Energy Performance Contract Consulting Services**" to the Village Clerk, Village of Dobbs Ferry, 112 Main Street, Dobbs Ferry, NY 10522.

The awarding authority for this contract is the Village Board of Trustees of the Village of Dobbs Ferry. The Village Board reserves the right to reject any and all submittals of proposals and abandon the proposal or may reject all submittals and re-advertise at a future date.

**By Order of the Village Board of Trustees
of the Village of Dobbs Ferry**

I. Introduction and Summary:

The Village of Dobbs Ferry (Village) is hereby soliciting sealed proposals from well-qualified entities, firms or individuals (“Qualified Provider” or “Consultant”) to support the Village for the following project:

Implementation of an energy performance contract covering the public buildings identified in Appendix “A”.

The Village’s objective in issuing this Request for Proposals (RFP) is to provide a competitive means by which to select a Qualified Provider with whom to enter into one or more performance contracts for developing and implementing a comprehensive energy efficiency program to achieve a reduction in energy costs and to upgrade facilities in the identified public buildings (“Program”).

1. Services in Connection with the Program

The services in connection with the Program will include but will not be limited to the following components:

- (a) assess and document existing conditions and complete energy audits;
- (b) design and installation of energy efficient equipment and systems which will reduce energy consumption associated with all HVAC systems, boiler systems, building envelope, lighting, domestic hot water, and other energy using systems;
- (c) retrofit of existing systems;
- (d) training of existing Village personnel in the operation and maintenance of existing and new equipment installed under the project;
- (e) maintenance of HVAC mechanical equipment and installed systems;
- (f) monitoring of energy costs;
- (g) financing for the project;
- (h) support with available funding grants and utility rebates;
- (i) a written guarantee that total program costs will be 100% covered through existing budgets and or additional revenues generated by the project.
- (j) provide support services and work proactively with the Board of Trustees, Village Administrator, Village Treasurer, Building Department, Department of Public Works, professional consultants and/or departmental staff.

2. Performance Contract

For the purposes of this document, “Performance Contract” means a contract for services and equipment in which the Village’s payment obligation is guaranteed by the performance contractor to be equal to or less than the energy and operational cost avoidance, utility rebates, and overall project revenues available from the project under the term of the agreement. This does not exclude non-energy savings services or equipment supporting improvement of the building environment. A third-party guarantee by the performance contracting firm is not acceptable.

3. Eligibility Requirement - Experience with Performance Contracts

Qualified Providers should demonstrate experience and success with performance contracting projects. References of performance-based contracts, especially with public sector entities in New York shall be provided (“Performance Contract References”). The Performance Contract References must be appended to RFP submissions and shall include the following information at a minimum:

- (a) annual first party financial guarantee
- (b) bundled energy retrofits
- (c) ongoing support services
- (d) financing of program costs
- (e) an executive summary of each project, applicable contact person (name, title, address, e-mail address and telephone number).

The Village retains the right to refuse consideration of RFP submissions not meeting this eligibility requirement.

4. Minimum Performance Standards

The selected Qualified Provider shall employ generally accepted professional standards and adhere to the highest level of ethical standards as appropriate to use and expenditure of public funds and shall act at all times appropriate to the role of a Village consultant and in compliance with any title or professional license mandates.

II. Background Information on Dobbs Ferry:

The Village of Dobbs Ferry is a diverse “Rivertown” community of approximately 11,093 residents located on the east shoreline of the Hudson River in southwestern Westchester County 20 miles north of downtown Manhattan. The Village has a total land area of 3.2 square miles. The Village is accessible by vehicle to major highways, including the NYS Thruway and the Saw Mill River Parkway, and has its own train station on Metro North Railroad’s Hudson line. The Westchester Bee Line has several bus routes that serve Dobbs Ferry. The Old Croton Aqueduct Trailway and the South County Trailway run north and south through the Village on its western and eastern sides.

Residents of the Village of Dobbs Ferry elect a Mayor and six Trustees who constitute the Village Board. The Village Board appoints (i) a Village Administrator to oversee the daily operations of the Village, including oversight of preparation of bid specifications for public works, and (ii) a Building Inspector who is the administrative head of the Building Department.

III. Instructions, Details and Procedure for Pre-Submission Questions:

1. General Instructions

This RFP requires Qualified Providers to demonstrate the experience, stability, expertise, and financial criteria required to provide the services of a performance contractor in the development and implementation of the Program for the Village.

Nothing herein is intended to exclude any Qualified Provider or, in any way, restrain or restrict competition. On the contrary, all Qualified Providers are encouraged to submit proposals. The responsibility for the final selection rests solely with the Dobbs Ferry Village Board of Trustees. Solicitation by this RFP does not commit the Village of Dobbs Ferry to pay any costs incurred in the preparation or submission of responses to said RFP.

This RFP contains information and instructions that will enable qualified providers to prepare and submit proposals, estimates and supporting materials. On or after November 22, 2021, electronic copies of the RFP may be obtained electronically either by (i) downloading from the main page of the Village of Dobbs Ferry's Web Site at www.dobbsferry.com with a follow up notification by e-mail to the Village Clerk (for purposes of notice should the solicitation be amended or supplemented in accordance with Section V. herein) or (ii) upon request to the Village Clerk, ldreaper@dobbsferry.com. You may also obtain hard copies by appointment 914-231-8504 on weekdays between the hours of 8:30 a.m. and 4:00 p.m. from the Office of the Village Clerk, 112 Main Street, Dobbs Ferry, New York 10522.

Before submission, each respondent is advised to (a) examine the RFP thoroughly, (b) become familiar with local conditions that may in any manner affect estimates and performance of the services, (c) be aware of federal, state and local Village laws, ordinances, rules and regulations; and (d) study and carefully correlate observations with the responsive proposals.

2. Pre-Submission Questions

All questions concerning this RFP shall be submitted to Village Clerk, Liz Dreaper, in writing by e-mail: ldreaper@dobbsferry.com. In order to receive consideration, questions must be received by no later than 11:00 AM December 6, 2021. Any interpretations of questions raised, which in the opinion of the Village require clarification will be issued by Addenda to RFP emailed to all parties recorded as having received the RFP no later than four (4) days in advance of the date fixed for the submission of proposals. Only emailed questions to the following address will be acknowledged:
ldreaper@dobbsferry.com.

3. Format, Contents and Deadline for Submission

All submissions, including materials and substantiating evidence, should be organized for ease of review and evaluation. Each RFP response will be reviewed for completeness before evaluation.

Qualified Providers shall submit three (3) hard copies and one (1) one digital copy of the following:

- a. Proposals responsive to the RFP in content and format, and
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- b. Financial Statements for the three (3) preceding fiscal years.

All submittals shall be sent or delivered for receipt by the Village Clerk no later than 10:00 a.m. on December 13, 2021 at Village of Dobbs Ferry, 112 Main Street, Dobbs Ferry, New York 10522.

4. Review and Evaluation

The following criteria will be included in the evaluation of submissions:

- Experience and Background
- Capabilities
- Financial Solution
- Project Implementation
- Legal Approach
- On-going Support Program
- Guarantee Methodology

5. Selection of Performance Contractor and Condition to Proceed

Following evaluation, the Village will issue a Letter of Intent (LOI) to the selected Qualified Provider who shall conduct a comprehensive energy audit of the identified facilities set forth in Appendix A as a pre-requisite to development of a plan and final performance contract(s) detailing all aspects of their proposed program.

IV. Contents, Format and Details for RFP Response

All proposals must contain information responsive to each of the following areas. Begin each section and subsection on a separate page. Number the pages in each section consecutively with each page containing the name of the respondent indicated clearly at the upper right corner. If any confidential and/or proprietary information is included, then each page containing such information must be so “stamped”.

1. Table of Contents

This section should indicate the section and page number of the information included.

2. Executive Summary

Statements shall include a concise abstract of not more than two (2) pages stating the respondent's overview of the RFP response.

3. Experience and Background

A. *Profile and Financial Stability*

Provide general information on the responding firm, including name, business address, local telephone number, officers of the firm, and contact person for this project. Each firm should provide their bonding capacity and bonding rate. If the firm is a branch or subsidiary, specify the legal business classification, state of incorporation, provide copies of the last three (3) years of audited annual reports, and summarize the financial strength and longevity of the firm. If the firm is a separate legal entity from the manufacturer, specify the legal business classification of the responding firm, describe the legal relationship between the responding firm and the manufacturer, provide audited financial statements of the local firm for the last three (3) years, and summarize the longevity and financial strength of the local firm.

B. *Experience*

Provide references of similar projects including the completion date of installation, ongoing maintenance services and equipment provided, energy savings performance, value of guaranteed savings, project costs and financing description, contract term, benefits to the owner, owner's name and address and the name, title, telephone number and e-mail address of the contact person.

C. *Guarantee Experience*

Document the current quantity of guaranteed savings contracts and total dollar amount currently guaranteed by the firm. Provide supporting data to substantiate that the firm has the financial resources to financially guarantee the results of this project.

4. Total Capabilities

Provide a detailed description of the firm's total capabilities; include but do not limit descriptions to the follow areas:

- Existing business operation facilities and proximity to the Village
- Technical solution capabilities including in-house engineering, design, and construction
- In-house maintenance and service of systems and/or equipment installed as part of a performance contract
- Project management
- Customer training programs
- Specialized capabilities, i.e. fire alarm, security, and indoor air quality

5. Financial Solution

A. *Project Financing*

Describe the source and types of financing the offeror intend to use to implement this project. Indicate the prior use and experience with this method of financing. Indicate whether your firm provides the financing or arranges through another entity. The financial package should allow for

annual payments which will allow the Village to pay for the cost of the program within a mutually agreed upon time frame. Include a sample copy of all forms and or documents related to financing that the Village may be required to execute.

B. *Financial savings calculation methodology*

Provide a detailed description of the financial savings calculation methodology.

C. *Energy baseline calculation methodology*

Describe the process, methodology and procedures carried out by your firm in developing an energy guarantee baseline.

D. *Reconciliation of guaranteed sums*

Provide a detailed description of the reconciliation process, types of reports, schedules, etc. Include a sample comprehensive energy audit from one of the references listed in section 3-B of this response.

6. Project Implementation

Provide an overview of your proposed project team. Include a list of qualifications, certifications, licenses, etc. held by direct employees of your firm which will facilitate the implementation of this performance contract.

7. Legal Approach

Include a copy of a sample legal agreement and samples of other documents that will require execution by the Village.

8. On-going Support Program

Provide details of an On-going Support Program available to the Village throughout the term of the contract, which will assist in meeting the goals and objectives set forth in the performance contract. The support services program capabilities shall demonstrate the ability to provide consistent, reliable, and quality service to meet the Village's needs. The qualified firm must have an in-house service department capable of directly supporting the Village. Outline your capabilities to provide training and ongoing support services as required to support the Village personnel and the equipment or systems installed under a performance contract.

A. *Local Program Support*

Provide documentation of the firm's local capabilities to support the services and technologies implemented by your firm. Include an overview of your local office and licensed HVAC service technicians in the area. A minimum of 3 licensed HVAC service technicians shall be required within a 100-mile radius of the Village. The licensed service technicians must be

under direct employment by your firm. Include the name and licenses of the service technicians in this response.

V. Village Reservation of Rights and Options:

The Village, at its sole discretion, reserves all rights, including the following:

- A. To supplement or otherwise amend this RFP and provide notice of such supplement or amendment to respondents which have provided contact information to the Village Clerk upon receipt of the RFP;
- B. To determine which respondent(s), if any, will be selected for follow up, interview or negotiations;
- C. To reject any portion of any submittal and/or reject all submittals or information received pursuant to this RFP;
- D. To cancel this RFP with or without the substitution of another RFP or pre-qualification process;
- E. To request additional data or information after the submittal date, if such data or information is deemed pertinent to aid the review and selection process;
- F. To conduct investigations with respect to the qualifications and experience of any respondent;
- G. To require one or more respondents to supplement, clarify or provide additional information to assist with evaluation of the proposals;
- H. To waive any informalities, technicalities or irregularities in the submittals;
- I. To take any other action affecting the RFP or the services subject to this RFP that would be in the best interests of the Village;
- J. To require the chosen Consultant to enter into a written agreement based on the response to the RFP.

VI. Additional Requirements for Consultants:

The following are general requirements expected from all consultants under contract:

- 1. The Consultant shall, at its sole expense, acquire, continuously maintain during the period in which the Consultant is performing services, and provide the Village with acceptable proof of professional liability insurance coverage with policy limits of not less than \$1,000,000 each occurrence and \$2,000,000 general aggregate covering acts, errors, or omissions of a professional nature committed or alleged to be committed by the Consultant or any of its subcontractors as a part of its performance of professional services. The Consultant shall also maintain Workers Compensation Insurance in full force and effect.
- 2. Any Agreement resulting from this RFP shall not be effective until Consultant provides to Village certificates of insurance evidencing compliance with the insurance requirements of this paragraph. The certificates will show the Village as an additional insured, which must be primary and non-contributory with respect to the additional insured.

3. The Consultant shall indemnify and save harmless the Village against all liabilities, claims and demands for personal injury or property damages or other expenses suffered or arising out of or caused by the negligence or intentional acts or omissions of the Consultant, its subcontractors, agents, or employees incurred in the performance of the services

APPENDIX A

RFP (Solicitation #2021-003)

Village of Dobbs Ferry, NY

List of Public Buildings, Facilities & Locations

Non-Seasonal:

Dobbs Ferry Public Library – 55 Main Street

Village Hall – 112 Main Street

Memorial Park Building – 105 Palisade Street

DPW Office – 1 Stanley Avenue

Ambulance Corps. Building – 81 Ashford Avenue

Ogden Engine Company – 198 Ashford Avenue

Embassy Community Center – 60 Palisade Street

Street Lighting

Seasonal:

Pool House and Offices at Gould Park –Ashford Avenue & Beacon Hill Drive