

## TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

### Request for Proposals for Energy Engineering Services for the State Energy Conversation Office LoanSTAR Revolving Loan Program (RFP# 219b)

#### Official Responses to Questions from Potential Respondents (December 16, 2016)

1. I see on the request that you are looking for firms to provide services. Our firm has no experience with LoanSTAR but I have done PEER reviews for DOE through ORNL on this type of work and have performed many energy model projects for clients. Do you think it is worth our time to respond to this RFP given the experience clause?

**RESPONSE: It is the potential Respondent's decision whether or not to respond to the RFP.**

2. Per the statement below, we are not able to get financial statements in time. What is an acceptable statement to provide – see paragraph 2 – is a letter from our CPA enough?

#### 4.2.e Financial Statements

In its proposal, Respondent and its parent company, if applicable, must provide evidence of financial stability by providing audited financial statements for each of the last two (2) years of Respondent's operations, or, in the alternative, financial statements compiled, reviewed and attested by an independent certified public accountant or certified public accounting firm.

In lieu of providing audited financial statements in its Proposal, a Respondent may provide a statement regarding the Respondent's financial stability and viability to perform under any resulting contract. If Respondent elects this approach rather than audited financial statements, the Respondent must submit a statement, with appropriate supporting documentation sufficiently detailed to demonstrate financial solvency and to verify the capacity to fulfill the requirements of this RFP.

**RESPONSE: A letter from Respondent's CPA may be acceptable provided it sufficiently demonstrates Respondent's solvency in accordance with Section 4.2.e of the RFP.**

3. Relevant Technical Assistance Experience. This 50% Evaluation Criteria appears to favor existing SECO contractors. Its emphasis on "how many" UAR's or how long to prepare a UAR, or how many retrofit projects were inspected, all in accordance with the LoanSTAR Technical Guidelines appears to give an advantage to existing contractors. Further, Questions 4 through 7 also begin with "how many" again favoring the kind of experience a SECO contractor could offer. Even the sub-paragraphs in Questions 1, 2, and 3 require experience to be similar to LoanSTAR Technical Guidelines requirements. Although treating experience as a SECO contractor as a desirable qualification is understandable, giving it a 50% weight appears to limit fair and open competition.

Will the Texas Controller *[sic]* of Public Accounts consider revising Exhibit G to allow qualified firms to compete more equally with existing, or past, SECO contractors, or alternatively, reduce the weight of this Evaluation Criteria from 50% to, say, 10% and adding Evaluation Criteria that would allow new firms an equal opportunity.

**RESPONSE: As set forth in Exhibit G, Information Worksheet, relevant experience includes the preparation of Utility Assessment Reports (UARs) and Commissioning reports on behalf of borrower-participants in the LoanSTAR program, and also includes prior experience reviewing and/or preparing reports with similar energy efficiency design and specification requirements. Additionally, relevant experience by individuals in Respondent's firm will be considered (Please see Addendum No. 1). The evaluation criteria percentage will remain the same.**

4. The LoanSTAR Technical Guidelines are clear in the Texas Professional Engineer requirement, but less clear on the qualifications for the Commissioning (Cx) reports. Although there are national standards for certifying Cx professionals, SECO appears to be silent on the qualification standard for initial and final Cx Reports.

Will the Texas Controller *[sic]* of Public Accounts consider adding a Cx certification requirement to their minimum qualifications?

**RESPONSE: The Commissioning (Cx) Reports are required to be prepared by licensed Professional Engineers or Engineers under their direct supervision. The licensed Professional Engineers should have experience in the preparation and delivery of Cx Reports and will be required to put their Engineering seal on the final report.**

5. If the Technical Services arm of our company was selected as a Successful Respondent to RFP 119b *[sic]* and, as such, provided technical assistance to state agencies and institutions of higher education, as assigned by the LoanSTAR Program manager, would that preclude the design/build contracting arm of our same company the ability to provide implementation services with that state agency or institution of higher education at a later date, those implementation services related to the engineering work earlier provided?

**RESPONSE: An Engineer that has provided 3<sup>rd</sup> party review services for a project that receives a LoanSTAR funded loan is not eligible to provide any implementation services on that project.**

6. I was hoping to determine who the previous contract holder was for this RFP, or if this was a new requirement.

**RESPONSE: The vendors currently providing 3<sup>rd</sup> party review services for the LoanSTAR program are Jacobs Engineering Group and Texas Energy Engineering Services.**

7. Does the professional energy engineering services require a Professional Engineering license? Is there or will there be a requirement to sign and seal any documents?

**RESPONSE: A Professional Engineering license is required. The 3<sup>rd</sup> Party Engineer will be required to sign and seal their reviews.**

8. Does the performance of these building energy audits exclude us from performing the install of the proposed energy conservation measures?

**RESPONSE: An Engineer that has provided 3<sup>rd</sup> party review services for a project that receives a LoanSTAR funded loan is not eligible to provide any other services on that project.**

9. What is the required/recommended/desired energy modeling program to be used?

**RESPONSE: Energy modeling is generally not needed to review the submitted Utility Assessment Reports. Should energy modeling be required as a result of a Utility Assessment Report utilizing energy modeling, it would be the 3<sup>rd</sup> party Engineer who would decide which energy model to use for validation purposes.**

10. What does “quality oriented process” mean? Page 5 item 2.2.1.... ”Successful respondent shall recommend the “quality oriented process”...

**RESPONSE: In the retrocommissioning process, the 3<sup>rd</sup> party Engineer should be able to understand whether the proposed commission process is both efficient and thorough, one that will lead to its intended results. The 3<sup>rd</sup> party Engineer should ensure that the commissioning results can be verified and documented.**

11. Are we able to obtain a list of facilities/buildings that would relate to the projects selected for the SECO Loan Star *[sic]* Revolving Loan Program?

**RESPONSE: The State Energy Conservation Office does not maintain a master list of facilities and buildings for project retrofits financed through the LoanSTAR program. A list of active LoanSTAR loans can be found at the following location, <http://www.seco.cpa.state.tx.us/l/>.**

12. May the information requested for Exhibit G, Section 2A, Item 3 be provided in Item 4 (resumes)?

**RESPONSE: The specific information which is requested under Item 3 in Section 2.A, Firm Personnel, in Exhibit G, Information Worksheet, must be provided in the specific order and formats set forth under Item 3.**

**If the resumes provided under Item 4 contain the same specific information in the same specific order as required under Item 3, then Respondent need not provide the information twice.**

13. In reference to Exhibit G, Section 2A, Item 3 bullet point 3, regarding the one page limitation – are we to create a single page with summaries of each person on our team on that one page? On bullet point 5, is the RFP saying that we can include one page per person in addition to each resume?

**RESPONSE: The page limit for the third bullet point under Item 3 in Section 2.A, Firm Personnel, in Exhibit G, Information Worksheet, is one (1) page for each key person.**

**The page limit for the fifth bullet point under Item 3 in Section 2.A, Firm Personnel, in Exhibit G, Information Worksheet, is one (1) page for each key person**

**There is no page limit on resumes for the key personnel identified in item 4.**

14. Can SECO provide further clarification to Exhibit G, Section 3. Evaluation Criteria, Question 9?

Please consider:

The time to produce a UAR will vary widely depending upon project scale. It also depends upon a client's ability to grant access to site, provide utility information, and provide existing operating schedules in a timely manner.

The time to perform a 3<sup>rd</sup> party Review on a UAR will also depend upon Project scale, a client's ability to grant access to site, utility information, existing operating schedules, etc.

**RESPONSE: While there may be extenuating circumstances that create delays in the time to prepare any particular UAR, most UARs fall into a general range of days for completion of a UAR. Question 9 in Section 3 of Exhibit G, Information Worksheet, calls for Respondent to provide the average time it takes Respondent to complete a UAR.**