

CAPE LIGHT COMPACT JPE
RFP FOR ENERGY RELATED SERVICES

Energy Efficiency Program Management

I. GENERAL OVERVIEW

A. Background

The Cape Light Compact JPE (the “Compact”) is a regional energy services governmental organization comprised of and serving its twenty-one towns of Cape Cod and Martha’s Vineyard. The Compact is a joint powers entity and municipal aggregator pursuant to Massachusetts General Laws Chapter 40, §4A ½ and G.L. c. 164, §134. More information about the Compact is available at <https://www.capelightcompact.org>.

The Compact’s mission is to serve its 200,500 customers through the delivery of proven energy efficiency programs, effective consumer advocacy and renewable competitive electricity supply.

The Compact is operating an Energy Efficiency Plan which is reviewed and approved by the Massachusetts Department of Public Utilities.

The Compact seeks energy related services related to implementation of its energy efficiency programs.

B. Project Overview/Scope of Work

The Compact’s Chief Procurement Officer hereby requests the submittal of proposals from qualified professionals to provide services for the program described in Attachment A (the “Project”).

See Attachment A to this RFP for more details on the Project and scope of the work requested. The Compact is strongly committed to ensuring that the Project provides opportunities for businesses and individuals who historically have been underrepresented in the energy efficiency contracting field. In accordance with applicable laws, the Compact seeks proposals that incorporate participation by minority-owned and women-owned business enterprises (M/WBEs) in as many aspects of the Project as possible. In issuing this RFP, the Compact reviewed the state Supplier Diversity Office list of certified businesses to identify potential Proposers.

It is the Compact’s policy to promote equal access and opportunity for diverse-owned businesses as suppliers of goods and services that will drive innovation, increase competition and create a culturally rich supply chain.

II. RFP SCHEDULE AND RELATED MATTERS

A. RFP Schedule

The following is a tentative schedule noting target dates for phases and tasks to be completed:

July 12, 2021	Publication of RFP advertisement
July 12, 2021	RFP issued
July 26, 2021	Informational conference call*
July 27, 2021	Written inquiries due
July 30, 2021	Responses to inquiries posted
August 20, 2021	Proposals due at 12:00 p.m. EST. No exceptions will be allowed.
September 17, 2021	Vendor selected
November 1, 2021	Kick-off meeting
January 1, 2022	Project implementation

*If you are interested in participating in the Informational conference call, please notify Margaret Downey mdowney@capelightcompact.org no later than 12 p.m. EST on Friday July 23, 2021.

B. Questions and Clarifications

Questions or clarifications related to this RFP must be submitted to the Chief Procurement Officer in writing prior to the deadline stated above in order to afford the Compact adequate time to respond with a correction or additional information prior to the deadline for submission of Proposals. Should it be found necessary or useful, a written addendum will be incorporated into this RFP. Parties who have received a copy of this RFP will be notified of issuance of an addendum.

C. Contract Award

All Proposers will be notified of the contract award decision within seven days of the date Proposals are due to the Compact unless otherwise notified by the Compact. In no case will the award be made beyond forty-five (45) days unless Proposer agrees to extend the period of time in which its Proposal is valid.

If a contract is not executed by the chosen Proposer by September 17, 2021, the Compact reserves the right to negotiate with alternative Proposer(s) in order to execute contracts by November 1, 2021.

III. GENERAL QUALIFICATIONS

The following general qualifications apply to all vendors engaged by the Compact and Proposers who cannot meet these requirements should not submit Proposals:

- A. Proposer must be organized or registered to do business in Massachusetts, and in good standing with the Secretary of the Commonwealth.
- B. Proposer must be an individual or established business, corporation, partnership, sole proprietorship, limited liability company, joint venture, firm, agency, or other entity engaged in the regular practice of providing such services as the principal business for which the entity was organized.
- C. Proposer must have all necessary current licenses and registrations required to perform the requested services.
- D. Proposer cannot be debarred under M.G.L. c. 149, § 44C, or disqualified under M.G.L. c. 7, § 38H, as applicable.
- E. Proposer must be able to demonstrate that it is financially solvent.

IV. SPECIFIC QUALIFICATIONS

The Compact has identified the following specific qualifications that are unique to the Project. Proposers who cannot meet these requirements should not submit proposals.

- Proposer must have a minimum of two (2) similar projects or equivalent experience during the past five (5) years in Massachusetts.
- The winning Proposer will be responsible for implementation of the program described in Attachment A (the “Program”). This means it will manage and operate the Program, including management, supervision and control of all subcontractors and independent contractors participating in the Program. The winning Proposer will be required to fully indemnify the Compact from the acts and/or omissions of the subcontractors and independent contractors, and from any third-party claims relating to same. The winning Proposer will need to ensure that it has adequate insurance to cover these responsibilities. In addition, the winning Proposer will be responsible for entering into and managing the contractual relationships with the subcontractors and independent contractors and ensuring that such subcontractors and independent contractors understand, acknowledge, and agree that the Compact has no liability to them in connection with winning Proposer’s management and operation of the Program.
- The Proposer must have necessary licenses and insurance.

V. CONTRACT

The Compact’s standard form of agreement is set forth as Attachment B to the RFP (the “Contract”). The Compact reserves the right during Contract negotiations to expand, modify, supplement and/or add to the form of agreement.

The Contract has a term through December 31, 2024 with option to renew for three one-year extensions.

The following Contract terms are considered to be material and are generally non-negotiable:

- 1.2 Termination
- 1.3 Termination or Suspension Due to Changes in Funding
- 2.5 Conflicts of Interest
- 2.7 Safety
- 3.1 Prevailing Wage (applicable sentences)
- 3.6 Bonds (to be determined by Compact staff)
- 7 Indemnification
- 8 Choice of Law and Dispute Resolution
- 11.7 Solicitation

If a Proposer believes that a mandatory Contract term will affect its liability risk, it should adjust its contract price accordingly.

Non-mandatory Contract terms may be modified and expanded through negotiations. Proposer must identify the specific language in the Compact's form of agreement that it would like to modify and submit with its Proposal all requested edits to the form of agreement.

Proposers may not submit its own standard contract form as a response to this RFP.

VI. PROPOSAL FORMAT AND CONTENTS

A. Cover Letter

Proposer must submit a cover letter which includes its business name(s), address and telephone number, signed in ink by someone authorized to sign such documents. Proposer must acknowledge any addenda, if any. All responses must include a statement that the Proposal is in accordance with this RFP and that Proposer has read and understands all sections and provisions herein.

B. General Background Information

Proposer must provide its full official business name, any other names that it uses to conduct its business, tax identification number, and its main office address. Proposer must provide a company profile including length of time in business and core competencies.

Proposer must provide the following statements: (i) statement as to whether business or affiliate has commenced, or been forced into, any insolvency proceeding within the last five (5) years; (ii) statement as to whether business or affiliate has been subject to any litigation in the last five (5) years; (iii) statement as to whether business or affiliate has been subject to any investigation by a

state or federal agency within the last five (5) years; and (iv) statement as to the number, if any, of consumer complaints filed with a state, federal, or local agency, against the business or affiliate within the last five (5) years.

C. Staffing and Facilities Requirements

1. Proposer should identify the Project managers, and all individuals to be assigned to Project. Describe what each individual's role will be, their duties and responsibilities.
2. Proposer must briefly describe its organizational capacity to provide the services to be rendered in connection with the Project. More specifically, it should briefly describe the percentage of staff that would work on these services' relative to its entire staff (using full time equivalents). For example, if Proposer would use one full time staffer on the Project and Proposer has a staff of ten (10), the percentage would be ten percent (10%).
3. The Proposal must include resumes, experience, and qualifications of any proposed subcontractors or consultants that would be utilized by Proposer in the performance of the Contract. Field staff must have experience with non-lighting technologies in order to offer a comprehensive service to customers.
4. Proposer must provide a schematic diagram showing organizational overview including identification of key staff and summary of their qualifications including technical training, licensing, etc. (e.g, Professional Engineers), and any supporting vendors or sub-contractors, if applicable.
5. If Proposer intends to hire additional staff in order to provide requested services, a description of its approach to hiring and the qualifications it will require of prospective employees should be included.
6. Proposer should describe the sales training provided to field staff (if none, please provide a plan to provide sales training).
7. Proposer should describe its current call center operational capacity including the number of full-time and part-time call center staff, current hours of operation and call volume.
8. Proposer is required to have/obtain suitable office, dispatch and warehouse facilities and vehicles as necessary, located within easy access to all parts of the Compact's service territory. Proposer should describe the planned facilities and equipment to be used in Program implementation and identify the extent to which such facilities and equipment are already on hand. If acquisition of facilities and equipment is required a timeline should be stated in its response.

D. Proposed Scope of Work and Related Experience

1. Scope of Work.

Proposer should provide a general explanation of its proposed plan/approach to the services requested by the Compact in this RFP related to the Project.

A draft Scope of Work is attached as Attachment A. Proposer must submit its proposed edits to the Scope of Work. Proposers may include enhancements, improvements and additions to the Scope of Work. This proposed Scope of Work will be used as the basis for negotiating the final Scope of Work for inclusion in Exhibit A of the Contract, Attachment B to this RFP.

Questions on the draft Scope of Work shall be submitted in accordance with Article II(B) above.

2. Related Experience.

Proposers should submit statements regarding the following:

1. Clear indication of which scopes and which segments are part of the bid response.
2. Detailed description of the proposed approach for implementing the applicable services.
3. Describe how you would provide comprehensive services to our customers. How would you engage other Vendors in order to serve a customer comprehensively?
4. Please indicate how the staff will provide services to non-English speakers.
5. Detailed explanation of how the Bidder proposes to coordinate and develop subcontracting relationships.
6. Detailed description of the proposed approach to electronically communicate with Cape Light Compact
7. Detailed description of the proposed approach to ensuring an exceptional customer experience (i.e., initial scheduling, implementation scheduling, backlog management, addressing barriers, proactive approach to environmental justice)
8. Detailed description of the tracking and follow up process that will be used to implement comprehensive measures over multiple years (include how data will be tracked so as to allow both calendar year reporting of savings and total savings by customer for these multi-year projects).
9. Detailed description of the proposed approach for following-up with customers on recommendations they have not acted on (must include mechanism for assessing the effectiveness of the approach).
10. Complete description of Bidder's technological capabilities in the areas of Information Management Systems hardware and software, electronic data transfer, and rebate processing capabilities.
11. List other similar contracts in force in Massachusetts and/or nationally along with the names or references to be contacted regarding performance for programs that are within the size and scope of the Compact's Commercial Program.
12. Assurances that the Bidder has the ability to be in the field at the appropriate start up time given the proposed services(s), such that Cape Light Compact's anticipated delivery projections will not be adversely delayed.
13. Complete description of Bidder's ability to provide robust marketing support in order to meet Program goals.
14. Detailed description of quality control policies and procedures (energy assessment delivery

- services, measure installations and post-installation inspections).
15. Customer scheduling policies and procedures (describe a proposed approach for allowing assessments to be scheduled from the field).
 16. Protocols for resolving customer dissatisfaction, either at the time of the site visit, or after.
 17. Current warranty policy, if applicable and;
 18. Please list and describe any deviations from the Scope as outlined in this Request for Proposals.

E. Pricing

Proposals must include a pricing schedule for each service being proposed, with all labor, overhead, travel, other direct costs associated with the services (Attachment F). All general and administrative costs must be included in the requested format and should apply to subcontractor costs as well. Proposals should also state the rates that would apply for out-of-scope work relating to the requested services which may be contracted for during the original Contract term.

F. References

Proposer must provide a list of clients that has performed similar work for in the past three (3) years and any other relevant references with the names and telephone numbers of contact persons for each client. List the role your firm played in each proposal and any coordination your firm did with other supporting Vendor(s) on each.

G. Redlined Contract or Contract Acceptance Letter

Proposer must provide a redlined Microsoft Word version of any requested changes to the form of Contract set forth in Attachment B. It may not request changes to the non-negotiable provisions listed in Article V. If Proposer is not requesting any changes to the form of Contract, it should submit a letter to the Compact with its Proposal stating that it accepts all of the terms and conditions of the Contract as set forth in this RFP.

H. Supplier Diversity.

The Compact encourages supplier diversity among its vendors. Proposers should provide information on its effort to encourage supplier diversity in its workforce and in the selection of subcontractors when permitted. Proposers that have workforce or supplier diversity, equity and inclusion plans should include them as part of their Proposals.

Proposers are encouraged to submit Business Diversity Certification information in their Proposals. This certification may be from the Commonwealth of Massachusetts, regionally or nationally based organizations and industry sources, including, but not limited to:

National Minority Supplier Development Council (NMSDC)

<http://www.nmsdc.org/nmsdc/>

Small Business Administration 8(a) or Small Disadvantaged Business (SDB) Programs (SBA) <http://www.sba.gov/>

Women's Business Enterprise National Council (WBENC) <http://wbenc.org/>

National Women's Business Owners Corporation (NWBOC) <http://www.nwboc.org/>

The National Gay and Lesbian Chamber of Commerce (NGLCC) <http://www.nglcc.org/>

US Department of Veteran Affairs (VA)

<http://www.va.gov/OSDBU/veteran/verification.asp>

National Veteran Business Development Council (NVBDC) <http://www.nvbdc.org/>

Massachusetts Minority Contractors Association 100 Hallet St, Dorchester Center, MA 02124 1 617-287-2400 <http://www.massmca.org/>

I. Ancillary Documents

Proposer must have signed the Certificate of Non-Collusion (see Attachment C) and all other required Proposal forms (including the Proposal Checklist set forth in Attachment D) and have included them in the Proposal submittal.

J. Other

Any other information that Proposer considers relevant for the purpose of evaluating its qualifications for the Project.

K. Signature Requirements

The Proposal must be signed by an officer or authorized representative who has authority to bind Proposer to a firm price.

VII. SUBMISSION PROCEDURES

A. Number of Copies and Format

Proposer must submit one (1) electronic, one (1) original and one (1) copies of the proposal. Proposals must be typewritten on 8 1/2" x 11" paper and each page must be numbered.

B. Proposal Due Date and Labeling

Proposals must be signed and delivered to the Compact within the time set forth in Article II of this RFP. Proposals must be enclosed in sealed envelopes and marked as follows:

RFP Title: Commercial & Industrial Program Services RFP
Proposer's Name: [insert]
Delivered to: Cape Light Compact JPE
261 Whites Path, #4
South Yarmouth, MA 02664
Attention: Margaret Downey
mdowney@capelightcompact.org
Cape Light Compact JPE Chief Procurement Officer

C. Modification or Withdrawal of Proposals

A Proposer may correct, modify or withdraw its original Proposal on or before the date and time set forth in Article II. Corrections or modifications must be in sealed envelopes, clearly marked to indicate the contents, with the name and address of Proposer. Any late correction or modification to the Proposal will not be accepted. Proposers who wish to withdraw a Proposal must make a request in writing.

D. Late Proposals

Any Proposal received after the due date and time stated in Article II will be deemed non-responsive and will not be opened. Unopened Proposals will be returned to Proposer.

E. Offer to Provide Services

Proposer understands and agrees that its Proposal to the Compact to provide services will remain valid for forty-five (45) days past the submission deadline.

VIII. SELECTION PROCESS

The final selection of the winning Proposer will be based on the following set of minimum evaluation criteria:

1. Responsiveness to the Project goals and desired outcomes as set forth in this RFP.
2. Satisfaction of all qualifications set forth in Articles III and IV.
3. Proposed plan/approach to manage and perform the requested services.
4. Team qualifications and experience.
5. Quality of references.
6. Proposed edits to the form of Contract.
7. Proposed edits and enhancements to the scope of work.
8. Submission of all required documentation and certifications detailed in Article VI (Proposal Contents).
9. A minimum of five (5) years related experience in the energy efficiency field.

The Chief Procurement Officer will review all Proposals to make sure minimum requirements are met. Proposals that meet all of the minimum requirements set forth in this RFP and are

determined to be both responsive (those that offer all of the services requested in the RFP and contain all of the required information and completed forms) and those that are responsible (those with the capability, integrity, and reliability to perform under the Contract) will be further reviewed by the Chief Procurement Officer.

The Chief Procurement Officer will make a preliminary determination of the most advantageous proposal from a responsible and responsive Proposer taking into consideration price and the evaluation criteria set forth above. Proposals will be evaluated on each criteria set forth above; each criterion will be assigned a rating of “highly advantageous,” “advantageous,” “not advantageous” or “unacceptable. The Chief Procurement Officer may negotiate all terms of the Contract not deemed mandatory or non-negotiable with such Proposer. If after negotiation with such Proposer the Chief Procurement Officer determines that it is in the best interest of the Compact, the Chief Procurement Officer may determine the proposal which is the next most advantageous proposal from a responsible and responsive Proposer taking into consideration price and the evaluation criteria set forth above and may negotiate all terms of the Contract with such Proposer. The Chief Procurement Officer will award the Contract to the Proposer who submitted the most advantageous proposal taking into consideration price, the evaluation criteria set forth above, and the terms of the negotiated Contract.

Proposals which are incomplete, conditional or obscure, will be rejected. No award will be made to any Proposer who cannot satisfy the Compact that it has sufficient ability and resources to enable it to meet the requirements of this RFP. The Compact’s decision or judgment on these matters shall be final, conclusive and binding.

IX. CONFIDENTIALITY/RETENTION OF RFP SUBMITTALS

Each Proposal will be held confidential by the Compact until such time as the evaluation and selection process has been completed.

If any proprietary information is contained in the Proposal and Proposer wishes that the Compact treat such information as confidential, it should be clearly identified. The Compact will take commercially reasonable efforts to protect such information. Under Massachusetts law, the Compact cannot assure the confidentiality of any material or information that may be submitted by a Proposer in response to this RFP.

Proposers who choose to submit confidential material or proprietary information do so at their own risk. The Compact is not liable for any action taken or omitted to be taken related to such proprietary information.

In general, proposals are public documents available for inspection by interested parties after the completion of this procurement. Upon completion of the evaluation and the award of the Contract, all proposals and information submitted in response to this RFP are subject to the Massachusetts Public Records Law, M.G.L. c. 66, § 10, and to M.G.L. c. 4, § 7, cl. 26. Any statements in proposals that are inconsistent with these statutes will be disregarded.

Further, as the Compact is a public entity it may become necessary to provide Proposer or Contract information to regulatory agencies for review. At Proposer's specific request, and if commercially reasonable, the Compact will request that such information be treated confidentially by the regulatory agencies.

X. MISCELLANEOUS

A. Supplementary Information

The Compact may request that supplementary information be furnished to assure the Compact that a Proposer has the technical competence, and the business and financial resources adequate to successfully perform the requested services.

B. Proposal Costs

All costs involved in preparing the Proposal will be borne by Proposer. Proposer must be familiar with all state, local and other laws relating to these services and must obtain all permits required and must pay all expenses for same.

C. Cancellation

The Compact may cancel this RFP, in whole or in part, or may reject all Proposals, or may procure only some goods and/or services outlined in this RFP whenever such action is determined to be fiscally advantageous to the Compact, or if it is otherwise in the best interest of the Compact.

ATTACHMENTS

- A Project Overview/Scope of Work
- B Form of Contract
- C Certification of Non-collusion
- D Proposal Checklist
- E-1 Data exchange invoice format samples municipal
- E-2 Data exchange invoice format samples small business
- F Commercial Program Services Cost Bid Sheet

ATTACHMENT A

Project Overview/Scope of Work

ATTACHMENT B

Form of Contract

ATTACHMENT C

CERTIFICATE OF NON-COLLUSION

The undersigned certifies under penalties of perjury that the bid or proposal it submitted in response to the RFP was made and submitted in good faith and without collusion or fraud with any person. As used in this certification, the word “person” shall mean any natural person, business, partnership, corporation, union, committee, club or other organization, entity or group of individuals.

Signature of individual submitting bid or proposal/Title:

Proposer Name

ATTACHMENT D
Proposal Checklist

Proposer has submitted the following as part of its Proposal:

- 1. Cover letter with signature. [Article VIA and K]
- 2. Statement that the Proposal is submitted in accordance with this RFP, and that Proposer has read and understands all sections of the RFP. [Article VI A]
- 3. General background information. [Article VI B]
- 4. Company profile. [Article VI B]
- 5. Four background statements. [Article VI B]
- 6. Identification of Project staff and assigned roles. [Article VI C]
- 7. Resumes for key staff. [Article VI C]
- 8. Organizational capacity. [Article VI C]
- 9. Resumes and qualifications of subcontractors or consultants. [Article VI C]
- 10. Schematic diagram. [Article VI C]
- 11. Other statements/descriptions regarding staffing and facilities [Article VI C]
- 12. Proposed plan/approach. [Article VI D]
- 13. Proposed edits to Scope of Work [Article VI D]
- 14. Statements regarding related experience [Article VI D]
- 15. Pricing (including rates for out of scope work). [Article VI E]
- 16. References. [Article VI F]
- 17. Redlined Contract or Contract acceptance letter. [Article VI G]
- 18. Certificate of Non-collusion (Attachment C)
- 19. Checklist (this document).
- 19. Other from Specific Qualifications. [Article IV]. N/A