

ENERGY SERVICE COMPANY RFP ADDENDUM 1
September 28, 2017

REQUEST FOR PROPOSALS
Energy Performance Contract
SBC No. 540/013-05-2016
UT Health Science Center - Memphis

This Addendum forms a part of the Request for Proposals (RFP) and modifies the original RFP documents issued September 6, 2017.

Request for Proposals

Item 1.1 Request for Proposals – Article 3

A. Proposal Deadline has been changed to the following:

Schedule of Events - Proposal Deadline is changed to Wednesday October 4, 2017 at 12:00 pm EDT.

Item 1.2 Article 5.2.4

A. Article has been replaced by the following:

A proposal in response to this RFP shall consist of the following three documents, each of which is further described in a later section and in an RFP attachment.

1. Certification Statement with required attachments (RFP Attachment 1)
2. Qualifications and Technical Proposal (RFP Attachment 2)
3. Cost Proposal (RFP Attachment 3)

Item 1.3 Article 5.2.7

A. Certification Statement submissions has been replaced by the following:

Only **one** original Certification Statement and Security Deposit signed and dated by an individual empowered to contractually bind the Proposer. These items should be packaged in a sealed envelope labeled:

Certification Statement

Energy Savings Company
Energy Performance Contract, UT Health Science Center
SBC No. 540/013-05-2016

Item 1.4 Article 5.18.1

A. Article has been replaced by the following:

The Owner will be guided in the evaluation of proposals by the process described herein. The evaluation process is designed to award the contract to the Proposer with the best Total Score derived by adding their Qualifications and Technical Proposal Score to their Cost Proposal Score as shown in RFP Attachment 5.

Item 1.5 Article 5.19.1

A. Article has been replaced by the following:

After the Proposal Deadline, the RFP Coordinator will open and review each Qualifications and Technical Proposal for a "Pass" or "Fail" evaluation based on compliance with each of the Mandatory Requirements detailed in Section A of RFP Attachment 2 and the following Proposal format and content requirements.

1. Received on or before the Proposal Deadline.
2. Copies submitted and packaged as required.
3. Formatted as required and does not exceed size or page number limits.
4. Contains no cost data, except as requested.
5. Proposer did not submit any voluntary alternate proposals.
6. Proposer did not submit multiple proposals in a different form.
7. Does not contain any restrictions of the rights of the Owner or other qualification of the proposal

Item 1.6 Article 5.19.7

A. Article has been replaced by the following:

The Owner reserves the right to receive an oral presentation from a Proposer. Oral presentation topics and number of firms presenting are at the sole discretion of the Owner. All scores on proposed firms from evaluators will carry into the oral presentations. After the oral presentations, each evaluator will be given the opportunity to adjust their scores of each of the proposers who have given a presentation.

Item 1.7 Article 5.19.9

A. Article has been replaced by the following:

After Qualifications and Technical Proposal evaluations are completed the RFP Coordinator will either, inform Proposers of firms selected for an oral presentation or proceed with opening the Cost Proposals and use RFP Attachment 5 to develop Cost Proposal scores.

Item 1.8 Article 5.19.11

A. Article has been replaced by the following:

The RFP Coordinator will use RFP Attachment 5 to develop Cost Proposal Scores.

Item 1.9 Article 6.6.3

A. Article has been replaced by the following:

It the ESCO fails to achieve the guaranteed savings as set forth within the establish contract, the ESCO shall reimburse the Owner the shortfall within 30 days. **The Owner is to be guaranteed compensation for any monetary loss up to the amount of the ESCO's contract bond.**

RFP Attachment 1 Certification Statement

Item 2.1 Article 8

A. Alternate submission for Article 8:

Audited financial statements can be submitted on the same flash drive in .pdf format as the Qualifications and Technical Proposal. File name should use the following format: *(Proposer Name) UTHSC EPC – financial statement.*

Item 2.2 Signature can be digitally signed if signature validation is included.

RFP Attachment 3 Cost Proposal

Item 3.1 Section B

A. Article has been replaced by the following:

The proposer shall indicate below in preferred tabular format, the billable labor rates for the individuals indicated in Section B.5 of Attachment 2.

RFP Exhibit 1 Pro Forma Master Contract

Item 4.1 Article E.3.1

A. Article has been replaced by the following:

The Owner shall be allowed to review and retain all backup data and calculations used to derive all ideas, technical approaches, and ESCo deliverables developed as a part of the MC.

RFP Master Contract Attachment 1.A

Item 5.1 Performance Period Requirements Article 2.1.1

A. Article has been replaced by the following:

Corrective maintenance and repair of the equipment and systems installed by the Contractor and existing equipment and systems which are modified, upgraded, or otherwise enhanced as related to intended system performance by the Contractor shall be the Contractor's responsibility and shall be performed at the Contractor's expense during the performance period. Corrective maintenance is defined as "a task performed to identify, isolate, and rectify a fault so that the failed equipment, machine, or system can be restored to a satisfactory operational condition within the tolerances or limits established for in-service operation." This provision covers if equipment, devices, or controls are misapplied or not installed per manufacturer's recommendations as part of the MC such that pre-mature failure or adverse operation results, thus affecting performance and/or savings, Routine equipment failures are not the responsibility of the Contractor. The required response time for maintenance and repair will be indicated within each ECM. In critical areas of facilities, a response time of one hour may be required.

Item 5.2 Terminology Article 14.1.1

A. Article has been replaced by the following:

Direct Payroll Expense of labor directly associated with the installation of the work;

Clarifications

Item 6.1 Project Budget

Project Budget approved by the State Building Commission (SBC) is \$4,917,000. Any increase in project costs requires SBC approval.

Item 6.2 RFP Exhibit 3 Pro Forma Delivery Order Contract Article 2.2

Liquidated damages will be set forth for each Delivery Order Contract and the conditions are as stated in the Specification Section 00 72 13 General Conditions shown in the UTFP Designers Manual.

END OF ADDENDUM 1