



**MONTGOMERY COUNTY
DEPARTMENT OF TRANSPORTATION
DIVISION OF PARKING MANAGEMENT
REQUEST FOR ENERGY PROPOSALS**

**PROCUREMENT OF ON-SITE
SOLAR PHOTOVOLTAIC SYSTEMS WITH FINANCING
HOSTED ON MONTGOMERY COUNTY FACILITIES**

RFEP 01

Issue Date: June 25, 2014

Proposal Due Date: September 5, 2014 at 3:00 pm EDT

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SECTION I OVERVIEW

1. General Background

Montgomery County (“County”) Government is committed to creating a more vibrant, healthy, prosperous and sustainable community. The County’s 2009 Climate Protection Plan and 2010 Green Economy Plan both identify deployment of clean energy systems as a priority of the County’s climate and energy goals. Montgomery County is launching an effort to identify and install solar photovoltaic systems at Montgomery County facilities.

The Montgomery County Department of Transportation (“Department” or “DOT”) is issuing this Request for Energy Proposals (“RFEP”) to solicit proposals from qualified solar electric power (“photovoltaic” or “PV”) project developers (“Solar Provider(s)” or “Providers”) interested in the development of over 3.5 MW of on-site solar electric power generation systems (“solar power” or “Systems”) on twelve (12) municipal parking garages. This RFEP is not associated with the RFEPs issued by the County’s Department of General Services.

To provide best value to the County, various financing options are sought so that the Department can select from appropriate choices including, but not limited to direct purchase, power purchase agreement (“PPA”) and other cost-effective options that create net cost savings to DOT. The Department intends to purchase the Systems OR all electricity generated by the Systems on an annual basis, including the associated Solar Renewable Energy Certificates (“SREC”). The County will consider selling SRECs for a limited period to help offset system cost. This project will provide the County with the following benefits:

- a) Reduce transaction costs, financing and administrative time across a portfolio of facilities;
- b) Achieve competitive contract terms (buyout options, performance guarantees, termination options, etc.) compared to similar projects;
- c) Accelerate financing and deployment of solar energy projects;
- d) Reduce greenhouse gas emissions associated with operations; and
- e) Promote local economic activity and job growth.

At a minimum, Solar Providers must have successfully developed at least five (5) projects totaling at least two (2) megawatts (MW) that are in commercial operation at the time of the issuance of this RFEP, including at least one (1) on a multi-story parking garage. A proposal that fails to meet this standard shall be deemed non-responsive.

2. Process Timeline

EVENT	DATE*
Issue RFEP	June 25, 2014
Initial Questions/Clarifications Due	July 11, 2014 by 3:00 pm EDT
Addendum 1 Issued	July 23, 2014
Site Tours and Pre-Proposal Conference	July 28 – August 5, 2014
Last Day for Questions/Clarifications	August 8, 2014
Addendum 2 Issued	August 20, 2014
RFEP Response Due	September 5, 2014 by 3:00 pm EDT

Evaluation Period	September 5, 2014 – September 26, 2014
Vendor Interviews	October 6 – October 10, 2014
Contract Negotiations	Q4 2014 – Q1 2015
Consideration Award Date	Q1 2015
Contract Start Date	Q2 2015

**Note: Timeline is approximate and subject to change at the Department's sole discretion.*

3. Definitions

For purposes of this solicitation and any resulting contracts the following definitions apply:

A. General Definitions

Clean Energy: The “clean renewable energy” to be provided under this RFEP is intended to be in the form of Solar Renewable Energy Certificates (SRECs), and is separate from any other contract for power supply.

Clean Energy Resources: Electricity generation resources meeting the definition of a Tier 1 Resource under the Maryland Renewable Portfolio Standard, and meeting the standards of Green Power as defined by the U.S. Environmental Agency’s Green Power Partnership. For purposes of this solicitation this means zero-emissions renewable energy resources.

Contractor: Same as Solar Provider

Environmental Attributes: The environmental characteristics intrinsic to the generation of one megawatt-hour (MWh) of electricity, including emissions resulting from generation, any credits or allowances that are assigned or allocated to the source of generation by any federal or state body (such as carbon credits and/or *Allowances* of nitrogen oxides or other criteria pollutants provided under a set-aside by a state within a Cap & Trade region).

Facility: Any building, parking lot, property specified by the County.

Generation Attributes: The characteristics associated with the generation of one (1) MWh of electricity including fuel type, location, and date of electricity generation. For purposes of this RFEP the geographic criteria for eligible SRECs will be those associated with electricity generated within the State of Maryland. As part of the reporting requirements, the Solar Provider must verify the eGRID sub-region within which generation occurred.

Gross Floor Area (GFA): The total floor area calculated by the County across a building’s footprint. Not to be confused with roof area.

Parking Lot Solar System: Solar system built over a surface parking lot or garage, including canopies, solar photovoltaic panels and ancillary equipment. Generally, systems will be designed to not disrupt existing parking.

Photovoltaic Solar System: A system of solar panels and ancillary equipment that converts sunlight to usable electricity. For the purposes of this procurement, electricity delivered to the County to support operations. The output at the County's building interface must be alternating current (AC), unless otherwise specified.

SREC Delivery: This means the delivery of the solar renewable energy certificate to the County, including the provision of all necessary documentation verifying the creation and retirement of the SREC. This will include (to the satisfaction of the County) evidence of registry of the SREC, generation and environmental attributes, and retirement within a regional tracking system. Specific delivery requirements are described in the Scope of Services.

SREC Vintage: The year during which the electricity associated with the SREC was generated (including a period up to six month prior to the calendar year and up to three months after the calendar year) as meets the annual purchasing requirements of the US Environmental Protection Agency's (EPA) *Green Power Partnership*. For example, for purposes of this procurement, a 2014 "vintage" SREC may be associated with power generated any time between July 1, 2013 and March 31, 2015.

Request Energy for Proposals (RFEP): this proposal is covered under COMCOR 11B.04.01 Electricity Procurement Regulations and being issued and administered directly by Department of Transportation (DOT).

Solar Provider: A private or non-profit organization, which is an applicant or an offeror that installs, owns, operates and finances a solar system on a Montgomery County owned facility while selling the electricity to the County government or the County's delegate.

Solar Renewable Energy Certificate (SREC): The renewable attributes of one (1) MWh of electricity generated using clean renewable energy resources in the State of Maryland. Attributes include *generation attributes* and *environmental attributes*. For purposes of this solicitation, SRECs shall come from zero-emissions resources.

SECTION II SOLICITATION PROCESS

1. Process

This RFEP will be evaluated in two stages. In the first stage, the County will review Solar Provider qualifications and price proposals. In the second stage, the County intends to conduct interviews only with Solar Providers within competitive range as determined by the Selection Committee based on the evaluation of first stage proposals using the criteria on this page.

The County reserves and may exercise one or more of the following rights and options in its sole discretion with respect to this RFEP to:

- a) Reject any or all proposals;
- b) Supplement, amend or otherwise modify this RFEP;
- c) Cancel this RFEP with or without the substitution of another RFEP;
- d) Issue additional or subsequent RFEPs;
- e) Conduct investigations with respect to the qualifications of any Provider;
- f) Change any time for performance set forth in this RFEP;
- g) Waive any non-material deviation from this RFEP; and
- h) Negotiate bid pricing and conditions.

2. Selection Committee

The Selection Committee will consist of representatives selected by the DOT who will evaluate all proposals in accordance with evaluation criteria set forth in this RFEP. During evaluation of the proposals, the Selection Committee may contact Providers or their references for written clarification or additional information at the Department's discretion.

3. Evaluation Criteria

The Department reserves the right to determine the number of Solar Providers who will advance to oral presentations. The preliminary scoring will be based on the total points awarded by the Selection Committee to each proposal. Each proposal will be scored on a scale of 1 to 100 points with a maximum number of points possible of 100.

	Proposal Evaluation Criteria	Points
A.	Completeness of Proposal: ALL required schedules, forms and informational items have been submitted. Responses to this RFEP must be complete. Responses that do not include the proposal content requirements identified within this RFEP and Attachments may be considered incomplete and rated a Fail in the Evaluation Criteria.	Pass/ Fail
B.	Technical Proposal: Solar Providers will be evaluated based on the completeness and quality of technical documentation for proposed systems, including preliminary module layouts and electrical diagrams. Submittal should account for available space, proposed orientation and tilt, and site-specific construction conditions (roof type, soils issues, etc.). Total projected energy production should be realistic and account for production guarantee, site-specific constraints and proposed PV system designs. Module and inverter	20

	supply, availability, and quality must meet or exceed RFEP requirements and have a proven track record. Warranty periods for modules, inverter, and workmanship should meet a minimum 10-year/90% and 25-year/80% performance for modules; minimum of 10-years for inverter; and minimum of 10-years for workmanship. Monitoring system and plan should ensure accurate billing and performance and offer the ability to view monitoring data online, and to provide public view of high-level performance information.	
C.	Project Cost: Solar Providers will be required to propose prices for both PPAs (per kilowatt-hour) and direct purchase (per watt). The Solar Provider will be evaluated based on the PPA nominal levelized cost of energy (LCOE) over a 20-year lifetime, including escalation factor AND the direct purchase nominal LCOE over a 20-year lifetime, including operations and maintenance costs. Costs and benefits (savings) should be appropriate given proposed system size, estimated production, forecast energy use of the facility, and bidder must provide transparent methodology and assumptions in performing financial analysis.	40
D.	Project Approach, Implementation Plan and Schedule: The project schedule and timetable should be complete, realistic, with risk mitigation and escalation processes, and appropriate for RFEP requirements. Project plan and schedule should account for RFEP submittal requirements, complexity of project and demonstrate methodology for management of multiple projects simultaneously.	10
E.	Financing Plan and Financing Partners: Solar Providers will be evaluated based on the financial stability and ability to provide timely financing as judged by independently audited financial statements or Dun and Bradstreet report, if available; and evidence of insurance and bonding capacity per RFEP requirements. Proof of funding should be provided for project per RFEP submittal requirements and evidence should be submitted of prior experience of financing partners to successfully complete government projects, with a reasonable cost of financing as demonstrated in project savings model.	10
F.	Qualifications and Experience: Solar Providers will be evaluated based on their demonstrated experience in bringing solar energy projects with collective generation capacity of over two (2) megawatts to commercial operation, including at least one (1) multi-story parking garage. In addition, Solar Providers will be evaluated on the demonstrated experience of the team's senior management personnel in structuring such projects and bringing such projects into commercial operations on time. If the Solar Provider is a team or joint venture of multiple companies, the Selection Committee will consider the experience of each member of the team or joint venture in light of their role in the proposed team or joint venture.	15
G.	Contract Terms and Conditions: Solar Providers will be evaluated based on their conformance with contract language and unique contracting requirements included in RFEP specifications and Attachments providing maximum value and lowest scheduling, performance and cost risk.	5
Total		100

D. Oral Proposals and Interviews

The County will interview no more than five teams as determined by the Selection Committee based on the evaluation of first stage proposals using the criteria on the previous page. If selected for an interview, the project team will deliver a concise 30-minute PowerPoint presentation, with an additional 20 minutes allocated for questions. Each interview will be scored on a scale of 1 to 30 points with a maximum number of points possible of 30. Additional points from oral presentations will be added to a Solar Provider's proposal evaluation score. The point total from the proposal and oral presentation evaluations will be the basis from which the Selection Committee will make award decisions.

	Oral Presentation Evaluation Criteria	Points
A.	Clarity of Presentation: Ability to deliver a concise and professional presentation.	10
B.	Clarity of Responses to Questions: Ability to provide accurate and concise responses to Selection Committee questions.	10
C.	Presentation Distribution by Staff Type: Coordination of presentation across professionals who will be working with financing, construction, project management etc.	10
	Total	30

SECTION III SCOPE OF SERVICES

The scope of this RFEP is to identify qualified providers of on-site solar electric (“photovoltaic” or “PV”) power generation systems at municipal facilities. In general, the selected Solar Developer will be required to develop on-site solar power generation systems (“Systems”) at twelve (12) multi-level municipal parking garages for the purchase of the Systems or all electricity generated from the Systems. Nine (9) of the parking garages have been assessed to have a cumulative estimated PV capacity of approximately 3.5 MW and three (3) have not yet been assessed for potential solar capacity. To provide best value to the County, various financing options are sought so that the Department can select from appropriate choices including, but not limited to direct purchase, PPA and other cost-effective options.

DOT prefers to use either traditional PPAs or a direct purchase method of purchasing solar power generation systems. The Department may also be interested in any alternative PPA structures, financing alternatives or sources of federal, state or local funding that Solar Provider can assist with providing (e.g. equipment leases, government subsidized loans, etc.), pricing pegged to utility rates, Energy Service Contracts, etc. The type of financing method will be determined during the negotiations phase of this solicitation. The contractual obligation will be to either provide design, construction/installation and commissioning of Systems under a direct purchase or financed purchase methodology; or to provide electricity from solar power generation systems under a PPA or other acquisition method as negotiated.

The selected Solar Provider will be required to transfer to the Department all Solar Renewable Energy Certificates (“SRECs”) that are generated from the project in addition to the electricity. The Department will consider selling SRECs for a limited duration of the project, such as a three (3) year strip, or engaging in renewable energy certificate (“REC”) arbitrage with certified RECs from another renewable energy project(s) that may or may not be located in Montgomery County, Maryland.

Although the Department has conducted site surveys and other due diligence, the Solar Providers’ submitted pricing should anticipate that there may be some sites for which unforeseen conditions or other factors exist which may result in the inability to proceed with an individual site or sites as described. In such cases, the Department must have an opportunity to identify and substitute alternate sites of a similar size to those described within this solicitation. The site must be mutually acceptable to both the Department and the Solar Provider. However, the Department is under no obligation to identify a substitute site. Furthermore, the Department reserves the right to determine whether to accept the Recommendation for Award and pricing as submitted. Therefore, pricing as described in **Attachment B.2** should anticipate +/- 10% in total solar capacity to be developed. Solar Providers will be obligated to guarantee pricing.

The Department reserves the right to determine the type of financing based upon the Solar Providers’ proposed pricing and other Evaluation Criteria. Solar Providers will be required to submit both direct purchase and PPA pricing for all sites.

1. Solar Provider Responsibilities

The Solar Provider must design, install, and, if applicable, maintain and finance a turn-key solar photovoltaic project on County facilities, including but not limited to:

1.1 Pre-/Construction, Implementation, and Maintenance

All solar power generation systems proposed under this RFEP must conform to industry best practices and the requirements described in detail in **Attachment A.4**, along with site information provided in **Attachments A.2 and A.3**, and during site walks, regardless of financing offered.

- a) **Attachment A.4** provides system minimum specifications, warranty requirements, operations and maintenance requirements and performance guarantees. Solar Provider must demonstrate how their proposal will meet these technical requirements and pricing must include these specifications.
- b) Existing lighting shall be removed by the Solar Provider and replaced with light emitting diode (LED) lighting under canopies, where applicable.

1.2 Financing, for PPA and/or Alternative Financing Option

- a) Arrange and execute financing for the life of the project,
- b) Provide a letter of commitment, within 90 days of a signed contract with the County, from any financial party who will underwrite the project,
- c) Aggregate all federal, state, local and utility incentives and incorporate these into the proposed pricing,
- d) Aggregate and market the first 3-5 years of SRECs generated by the system to reduce the cost realized by the County. The County may request that the Solar Provider provide alternative RECs from less expensive national sources to maintain the integrity of carbon reduction claims from the project.
- e) The Solar Provider must provide a price with and without SRECs in the pricing proposal and production form (**Attachment B.2**).

1.3 Electricity Generation and Sales

- a) Provide the County all electricity generated by the system, unless explicitly waived by the County,
- b) In the case a system is designed to exceed the County facility's annual electricity consumption, the Solar Provider must provide the County first right of refusal to apply the generation to another County facility via Maryland's virtual net metering law (COMAR 20.50.10). If electricity is exported through the wholesale electricity market, the Solar Provider shall be responsible, at the County's request, for negotiating with the County's electricity supplier/consultants to apply it to other accounts. Currently, the County is under contract with a full requirement supplier, but future utility purchasing strategy changes may increase wholesale market exposure.

1.4 End of Service Life

The Solar Provider must execute the following at the County's discretion at the end of the contract term.

- a) Offer the system to the County at a fair market value identified by an independent appraiser approved by both the County and Solar Provider. Fair market value to be determined six months to 1 year prior to expiration of the contract period.
- b) If a residual contract is not reached, Solar Provider must decommission and remove the system (panels, conduits, racking, etc.). Upon decommissioning, Solar Provider

must restore any areas of the facility modified to accommodate the photovoltaic system, including light poles and fixtures, back to its original pre-project state, subject to normal wear and tear.

2. County Requirements

The County will be responsible for the following:

- a) Providing necessary space to host the system, as identified in design documents approved by the County,
- b) Providing access to the site for all agreed upon installation and maintenance,
- c) Providing a notice to proceed in a timely manner,
- d) Purchasing the electricity for the term and value identified in the contract and pricing model. Note this term may vary depending on the facility,
- e) In the case of termination for convenience. The County will either relocate the system to an alternative facility at the County's expense, or purchase the system at the buy-out price specified in the pricing model.

SECTION IV PROJECTS AND SITES

The Montgomery County Department of Transportation has identified 12 facilities that it is making available for Solar Providers to price as part of this solicitation. Solar Providers shall submit a proposal that includes all facilities included in Attachment A.1.

1. Phase I Projects

DOT and its team of consultants have organized the site information in an attempt to optimize Solar Providers' assessment of the sites. Site information has been provided for Solar Providers' reference. All referenced documents are available in **Attachments A.1-A.4** in this RFEP.

- a) Master Site List of Facilities – **Attachment A.1**
- b) Site Technical Overview Documents – **Attachment A.2**
- c) Site Historical Electricity Usage – **Attachment A.3**
- d) Solar PV Specifications and Requirements – **Attachment A.4**

DOT makes no representations with respect to the sites, including their suitability. The Solar Provider and its Partners take sole and full responsibility for conducting any necessary due diligence and assessing the sites and their conditions in developing its proposal.

1.1 Preliminary Site Assessment Data

In order to select potential sites, the Department with a reputable solar energy consulting firm completed feasibility studies for nine (9) of DOT's twelve (12) municipal parking garages proposed for solar project development. The three (3) sites for which feasibility studies have not been conducted did pass pre-screening criteria and are expected to be viable projects. Detailed site information regarding each site is included in **Attachment A.2** for Solar Provider review.

1.2 Site Visits

The Department may not be able to coordinate individual site visits for every site. However, bid walks of representative sites will be conducted. A list and schedule of the bid walks will be provided to Solar Providers in an Addendum. Although these site walks are not mandatory, they are strongly recommended, and Solar Providers will be expected to make themselves aware of all site conditions at these and all sites prior to submitting a proposal.

2. Phase II Projects

In addition to the projects listed in Phase I, the County anticipates that the selected Solar Provider will be able to evaluate and propose projects on additional facilities in the County's portfolio. The County will work with the Solar Provider to screen appropriate facilities. The County anticipates the identification of additional projects will occur simultaneously with the implementation of Phase I projects, but may add or adjust as needed.

SECTION V CONTRACT TERMS AND TASK ORDERS

1. Task Orders

The County will award one contract and issue a Task Order specific to each property, incorporating the Solar Provider's proposal by reference and a site access/license agreement (See **Attachment C.3** for sample). The task order will specify the Contract term (e.g., years) and applicable sites. The County may choose to retain two or more vendors, but no more than one Provider per site.

2. Payment

Under a PPA or other financed procurement, invoices will be paid net 30 days after the beginning of metered electricity production by the system.

SECTION VI INSTRUCTIONS

1. County Contact

Shri Gondhalekar
Department of Transportation
100 Edison Park Drive, 4th Floor
Gaithersburg, Maryland 20878
240-777-8724
shri.gondhalekar@montgomerycountymd.gov

2. Determination Of Responsibility

Upon request by the County or the Selection Committee, the Provider will affirmatively demonstrate its responsibility in connection with this RFEP. The County reserves the right to consider as non-responsible a Provider that has previously failed to perform properly or to complete, in a timely manner, contracts of a similar nature, or if investigation shows the Provider to be unable or unlikely to perform the requirements of the contract.

At any time, the County may request a Provider to provide additional information, references and other documentation and information that relate to the determination of responsibility. Failure of a Provider to furnish requested information may constitute grounds for a finding of non-responsibility of the Provider. The County may deny the award, renewal, or assignment of a contract to or for any Provider that is in default of payment of any money due the County.

Factors that may be considered in connection with a determination of responsibility include:

- a) The ability, capacity, organization, facilities, and skill of the Provider to perform the contract or provide the goods or services required;
- b) The ability of the Provider to perform the contract or provide the services within the time specified without delay, interruption or interference;
- c) The integrity, reputation, and experience of the Provider, and its key personnel;
- d) The quality of performance of previous contracts or services for the County or other entities. Past unsatisfactory performance, for any reason, is sufficient to justify a finding of non-responsibility;
- e) The sufficiency of financial resources of the provider to perform the contract or provide the services;
- f) Provide Performance Bond, during the construction of solar system only;
- g) The certification of an appropriate accounting system, if required by the contract type; and
- h) Past debarment by the County or other entity.

The County may require Provider to furnish satisfactory evidence that they are qualified and regularly engaged in performing the services for which they are submitting a proposal and maintain a regularly established place of business. An authorized representative of the County may visit any Provider's place of business during normal business hours to determine ability, capacity, reliability, financial stability and other factors necessary to perform the contract. If so requested, a Provider must submit information about its reputation, past performance, business and financial capability and other factors that demonstrate that the Provider is capable of

satisfying the County's needs and requirements for a specific contract.

3. Late Proposals

Responses to each step of this RFEP received after the date and time specified are considered late, and may not, under any circumstances, be considered for any award resulting from this RFEP.

4. Montgomery County Code And Electricity Procurement Regulations

The Montgomery County Code and the Montgomery County COMCOR 11B.04.01 Electricity Procurement Regulations apply to this RFEP.

5. Proposal Withdrawal/Modification

A Provider may withdraw or modify a Stage 1 proposal upon receipt by the County of a written request received from the Provider before the time specified for the due date and time.

6. Proprietary & Confidential Information

Providers are notified that the County has unlimited data rights regarding proposals submitted in response to this solicitation. Unlimited data rights means that the County has the right to use, disclose, reproduce, prepare derivative works, distribute copies to the public, or perform publicly and display publicly any information submitted by the Providers in response to this or any solicitation issued by the County. However, the County will exempt information that is confidential commercial or financial information of a Provider, as defined by the Maryland Public Information Act, State Government Article, Section 10-617, from disclosure. It is the responsibility of the Provider to clearly identify each part of its proposal that is confidential commercial or financial information by stamping the bottom right-hand corner of each pertinent page with one-inch bold face letters stating the words "confidential" or "proprietary." The Provider agrees that any portion of the proposal that is not stamped as proprietary or confidential is not proprietary or confidential. As a condition for the County keeping the information confidential, the Provider must agree to defend and hold the County harmless if any information is not released at the request of the Provider.

7. Public Posting

The County will publicly post awarded Solar Providers and the announcement of any contract award(s) on the County's Department of Transportation Website and physical versions are available from the Department of Transportation, 100 Edison Park Drive 4th Floor, Gaithersburg, MD 20878.

8. RFEP Amendments

In the event that the County issues an amendment to this RFEP ("RFEP Amendment"), all terms and conditions will remain in effect unless they are specifically and explicitly changed by the amendment. Providers must acknowledge receipt of such RFEP Amendments, to the designated place, and prior to the hour and date specified in this RFEP or RFEP Amendment for receipt of proposals. Providers may acknowledge RFEP Amendments by doing one of the following:

- a) By returning one signed copy of the RFEP Amendment either with its proposal or separately to Shri Gondhalekar at the address set forth on the cover page of this RFEP.
- b) By acknowledging receipt of the RFEP Amendment on the Acknowledgment submitted.
- c) By stating that the RFEP Amendment is acknowledged in a signed letter that refers to the procurement and RFEP Amendment numbers.

9. Proposal Preparation Expenses

All costs incurred in the preparation and submission of proposals will be borne by the Provider and will not be incurred in anticipation of receiving reimbursement from the County.

10. Verbal Explanations

Verbal explanations or instructions given by an agent or employee of Montgomery County to a Provider in regard to this proposal will not be binding on the County. Any binding information given to a Provider in response to a request will be furnished to all Providers as an RFEP Amendment if such information is deemed necessary for the preparation of proposals, or if the lack of such information would be detrimental to the uninformed Providers. Only such RFEP Amendments, when issued by the County, will be considered binding on the County.

11. Terms And Conditions

All Contracts awarded as a result of this proposal will contain the RFEP Terms and Conditions of Contract between the County & Solar Provider contained in **Attachment C.1** of this RFEP, except and unless modified by the County prior to the Stage 2 process. In addition, Contracts involving deliveries of energy conforming to the Clean Renewable Energy requirements described below will contain Solar Provider warranties, representations and covenants with respect to meeting such requirements.

Each Provider must acknowledge that it agrees to all Electricity Purchase Terms and Conditions of Contract (see Acknowledgment page).

12. Protests

All protests will be processed in accordance with the Montgomery County Code and the Montgomery County COMCOR 11B.04.01 Electricity Procurement Regulations.

SECTION VII MANDATORY SUBMISSIONS

In order to reduce paper consumption, the County is accepting only proposals on electronic media. Solar Providers must deliver three (3) sets of their proposal and supporting documents via USB drive or CD-ROM to the Montgomery County, Department of Transportation, 100 Edison Park Drive 4th Floor, Gaithersburg, MD 20878 **no later than 3:00 PM EDT, September 5th, 2014**. Files must be in either Adobe PDF or Microsoft Word format, with exception of the pricing sheet, which may only be provided in Microsoft Excel format. A one-page cover letter may be provided.

In order to facilitate quick review, accurate scoring and timely award of the project, the Solar Provider must submit their proposal within the following guidelines and format.

PART I Table of Contents

Proposals shall include a table of contents listing the individual sections of the proposal and their corresponding page numbers.

PART II Project Narrative

Each Solar Provider should provide a summary of no more than four (4) pages of the information contained in the following sections. Bid responses shall include a description of Solar Provider's capabilities and approach in providing its goods and/or services to the Department, and provide a brief synopsis of the highlights of the Proposal and overall benefits of the Proposal to the Department.

PART III Qualifications and Experience

Solar Providers are to complete Experience Form contained in **Attachment B.1** providing information demonstrating relevant project experience in terms of project type, size, client type, and financing mechanism. Solar Providers shall identify the number of installations completed in the Government sector, including system sizes, in the past three years and broken down by system type, where applicable (i.e. ground mount, roof mount, parking lot, and parking garage). All multi-level parking garage installations performed by the Provider shall be included in this Part.

In addition to completing the Experience Form, Providers are encouraged to provide additional information describing their relevant experience and why it makes them the most qualified firm to perform the work. Shall not exceed 10 pages.

PART IV Key Personnel

Proposals shall include a complete list of all key personnel associated with the solar power generation systems being delivered. This list must include all key personnel who will provide services/training to County staff and all key personnel who will provide financing, maintenance and support services for all project phases. Shall not exceed 25 pages. For each person on the list, the following information shall be included:

- a) The person's relationship with Solar Provider, including job title and years of employment with Provider;

- b) The role that the person will play in connection with the solar power generation systems being delivered;
- c) Address, telephone, fax numbers, and e-mail address;
- d) Person's educational background; and
- e) Person's relevant experience, certifications, and/or merits and track record of successfully delivering renewable energy systems.

PART V Pricing Proposal and Production Form

The Solar Provider shall submit project pricing in substantially the form of completed worksheet from **Attachment B.2** in unlocked electronic Excel format. In addition, the Solar Provider shall submit the Certification of Cost and Price form in **Attachment B.3**.

PART VI Technical Proposal

The Technical Proposal shall describe the equipment, materials, and methods to be employed by Solar Provider to meet the goals of the Department for the Project and the requirements set forth in this RFEP. Solar Providers shall provide a narrative that describes the equipment and systems proposed, and demonstrates how they meet the requirements of the RFEP and site specific constraints (roof type and age, soils issues, etc.). The technical Proposal shall include the following:

- a) Proposed System Overview: Technical narrative that describes the proposed systems, including but not limited to: general considerations, rated kWp DC capacity, expected kWh AC output in the first year and over a twenty-five (25) year period, mounting approach (tilt, tracking), system layout and design, and total area required for the PV system.
- b) Proposed Equipment List: Model, technical specifications, quantity and characteristics of: modules, inverters, mounting structures, tracking system (if any), generation meters, Data Acquisition System (DAS) and monitoring system. The Technical proposal will describe the availability, supply and quality of proposed equipment.
- c) Proposed Equipment Warranties: Documentation describing warranties for all major system components including modules, inverters, monitoring systems, tracking systems and mounting structures. Documentation must describe the duration of the warranty, and the nature of the performance guarantee(s).
- d) Preliminary Layout of the System: Provide a plan view layout drawing describing the locations of modules, inverters, inverter pads and shelters, transformers, trench and conduit runs, and other relevant information. Inverter locations shall be shown on each layout and scaled to convey the approximate space needed for the inverters and all associated equipment to be installed in the same location.
- e) Canopy and Racking Details: Explain in detail how proposed layouts and racking systems will facilitate easy access to canopy structures for ongoing maintenance and repairs. Place particular emphasis on adherence to the specifications in **Attachment A.4**.

- f) Proposed Structural Alterations: Provide sketches and explain in detail how proposed installations will necessitate structural alteration to existing parking garage structure.
- g) Single-line Electrical Diagram of Proposed Systems.
- h) Monitoring System Preliminary Design: Overview of the proposed Data Acquisition System (DAS), including quantity and model of proposed sensors, data acquisition hardware and software, screen shots of proposed solutions, and IT requirements. Providers shall identify requirements for connecting the DAS to the Internet.
- i) Monitoring / Data Presentation Information: Specifications of proposed monitoring software, including screenshots of user interface and system diagnostic capabilities, as well as hosting requirements, performance data and billing management plan and processes. DAS shall include a minimum of one (1) public display kiosk or monitor to provide for public viewing of monitored data.
- j) Supporting Data: Provider shall submit, in **Attachment B.2**, proposed quantity and model of modules and inverters for each site being proposed. Providers shall also submit annual estimated production data copied and pasted into the appropriate cells in **Attachment B.2**. Provider must also submit estimated production results report(s) from NREL's PVWatts™ Calculator (<http://pvwatts.nrel.gov/>) for each site. If there are multiple arrays with different azimuth and/or tilt values at the same site, then each sub-array must have a separate output report. Provider must adhere to following method:
 - 1. Enter address
 - 2. For Solar Resource Data value, Provider must use default recommended weather data at "WASHINGTON DC REAGAN AP, VA"
 - 3. For System Info, Provider may enter all input values based on proposed system specifications to run the simulation, with the exception of "DC-to-AC Derate Factor" which must be set at 0.81. "DC System Size" value must match those calculated by **Attachment B.2**.
 - 4. For Results, Provider must select "Print Results" command and create PDF of 1-page results report and submit proposals. Annual estimated production data and total system size, from all sub-arrays if applicable, must match values submitted in **Attachment B.2**.

Solar Providers may be required to provide more detailed estimated production data using software, such as PVsyst software or other industry leading tools.

PART VII Proposed Project Approach:

The Proposal shall include a description of the approach Solar Provider will use to design, procure long-lead time equipment, construct, and commission the solar power generation systems to meet the goals of the Department as described in this RFEP. The Proposal shall describe how Solar Provider will comply with the requirements of the RFEP, obtain timely permits and approvals, and accommodate ongoing operations during construction, including how Solar Provider intends to meet the Department's schedule.

The Proposal shall describe Solar Provider's approach to Project and construction management, document control, and Project administration including risk mitigation and escalation processes. Due to the number of potential PV sites, Respondent shall clearly indicate how the Work will be phased to meet the goals of the Department. The Proposal shall include a narrative addressing how Solar Provider recommends phasing the Work in order to efficiently execute the design, Design Review, installation, and commissioning of the systems. The Proposal shall also describe quality assurance procedures and safety plans. The Proposal shall contain a description of Solar Provider's strategy for communicating with the Department and assisting them in their efforts to achieve the overall objective(s) of the Project as described herein. Shall not exceed 10 pages.

PART VIII Financial Strength

All Solar Providers must provide information as requested below relating to their team's financial ability to build, own (if necessary) and operate (if necessary) the Projects. Please note that at any time during the entire selection and implementation process, the County may request additional financial information. Please acknowledge your understanding of this statement and discuss any limiting considerations.

Solar Provider must provide either a) or b):

- a) If available, provide audited financial statements for the past three years for the prime firm and all supporting firms (excluding financing partners). Links to this information would be preferable.

If audited financial statements are not available then describe each firm's financial ability to build, own (if necessary) and operate (if necessary) the projects. Please include the following information:

1. Liquidity, including cash on hand and/or ways to finance short-term cash flow requirements (lines of credit, revolving debt, etc.).
2. The basis for the ability to meet ongoing construction, operating and debt commitments (i.e. annual "free cash flow").
3. Are there any current, pending or anticipated lawsuits, commitments or other issues that would preclude the building, owning or operating the Projects? If so, describe how you would mitigate these issues in connection with the Projects.
4. The number of employees at each firm.

If the above is not available, then please provide the most recent Dun & Bradstreet Supplier Qualifier Report. For information on how to obtain a Supplier Qualifier Report, contact Dun & Bradstreet at 1-800-424-2495 or <http://www.dnb.com/government/contractor-management-portal.html>;

- b) Attach a certified statement from a bonding firm authorized to do business in Montgomery County, Maryland. The certificate shall be submitted in original form and must indicate the maximum bonding coverage the surety will issue on the firm's behalf for a single contract, and shall also specify the total bonding that the surety will issue for all of the firm's work including uncompleted contracts.

PART IX Financing Methodologies

All Solar Providers must provide information as requested below relating to their financing methodologies. As requested below, all Solar Providers must describe the financing methodology they intend to use for the sites. This section of the bid response should not exceed 10 pages. Please note that at any time during the entire selection and implementation process, the County may request additional information regarding the financing methodologies or financing partners. Please acknowledge your understanding of this statement and discuss any limiting considerations.

Solar Provider must:

- a) For a PPA plan of finance, describe the structure of your partnership with the financial partners you anticipate using for these Projects. If self-financing, please describe the financing plan, the source of funding and number of projects that the prime firm has financed utilizing this methodology. In addition, if self-financing, then the prime firm must demonstrate proof of funding sufficient for all sites.
- b) For a PPA plan of finance, identify any financing or funding mechanisms you are considering that are not found in typical PPAs (e.g. debt provided by the government entity, new market tax credits, etc.).
- c) Please describe any additional sources of federal, state and local funding that may be available to the Department. If additional sources are a loan or credit support, please provide indicative metrics (principal payments, interest rates, debt service schedules, final maturity, etc.).
- d) Identify whether the prime firm has ever filed for bankruptcy or experienced a delayed renewable energy generation project that resulted from a lack of available funding and/or a loss of funding to a client due to the inability to secure a financial partner. If yes, please explain.
- e) Provide representation that the prime firm and anticipated financial partners have not, nor has any of the members of its governing board or principal officers, been indicted or convicted of fraud, corruption, collusion, bribery, or money laundering. If Solar Provider is unable to so warrant, then describe the circumstances and provide evidence that whatever is the case will not prevent it from entering into the contemplated agreements and fulfilling all services required.
- f) Those Solar Providers proposing an alternate financing mechanism must:
 1. Describe any alternate financing mechanisms. Provide indicative metrics (principal payment structure, interest rates, debt service schedules, final maturity, up-front fees, credit requirements, demographic requirements, etc.).
 2. Provide examples and references of similar successful financing placements using the proposed method(s).
 3. Provide a discussion on the difficulty of implementation and a description of the financing timeline.

PART X Implementation Plan

Solar Providers are to provide a detailed GANTT style schedule describing all phases of the project and Solar Provider's services, major milestones, task dependencies, associated with financing, designing, permitting, and installing the sites. This implementation narrative shall include the financing strategy and timing, the procurement strategy for equipment and materials, steel fabrication plan, workforce plan, staging, construction, equipment installation, acceptance testing, project close-out, and commitment from financial partners and suppliers and/or manufacturers substantiating the availability of major long lead-time equipment or resources to meet the proposed schedule.

This implementation plan must inform the Department of critical path decision milestones, and include time for review and approvals. Solar Providers must identify the allocation of staffing resources necessary to deliver the projects. The plan, excluding the electronically submitted schedule, should be no more than five pages in total and shall cover all sites for which the Solar Provider intends to submit bid proposals.

PART XI Exceptions to Terms and Conditions Form

All Solar Providers may note their exceptions to the standardized terms and conditions in **Attachment B.4**, if necessary. Exceptions to Terms and Conditions will be reviewed as part of the evaluation process as an indicator of expedient negotiations. NOTE: Exceptions to terms and conditions may be grounds for disqualification.

PART XII Sample PPA Template

Solar Provider must include with proposal a proposed template PPA agreement that outlines terms and conditions that are desired in a final contract. Final PPA agreement terms and conditions will be negotiated with the selected Solar Provider.

PART XIII County Requirement Forms

Only successful Solar Provider/s will be required to submit the following forms to satisfy specific County requirements:

- a) Acknowledgement Page and Instructions – **Attachment B.5**
- b) MWCOC Rider Clause – **Attachment B.6**
- c) Certifications and References – **Attachment B.7**
- d) Mandatory Insurance Requirements – **Attachment B.8**
- e) Minority-Owned Business Performance Plan – **Attachment B.9**
- f) Wage Requirements Certification – **Attachment B.10**
- g) Performance Bond – **Attachment B.11** (for the period of initial construction only)

ATTACHMENTS