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May 24, 2019

## **ENERGY SUPPORT SERVICES MASTER AGREEMENT (ESSMA) WORK ORDER SOLICITATION ESS1022 SOCALREN PUBLIC SECTOR PROGRAMS**

### **1.0 Purpose**

Pursuant to the Energy Support Services Master Agreement (ESSMA), the County of Los Angeles (County) Internal Services Department (ISD) is soliciting proposals from qualified ESSMA Contractors to implement Public Sector Programs for the Southern California Regional Energy Network's (SoCalREN). The County is seeking innovative and comprehensive proposals that identify challenges to the adoption of energy efficiency within the public sector market and provide solutions that mitigate the identified barriers.

The County's mission is to improve, enhance, and preserve the environment and promote the County of Los Angeles's long-term environmental sustainability.

Qualified ESSMA Contractors qualified for Energy Efficiency Service Category may submit proposal to any or all of the four (4) Programs described in Attachment 1, 2, 3 and 4. Proposer must meet the Minimum Requirements for each Program as listed in Section 5.0. The County is seeking to award a total of four (4) Work Orders to one or multiple Contractors. Award of Work Order does not guarantee any minimum work. All work is contingent on County funding approval.

### **2.0 Background**

SoCalREN is one of the three Regional Energy Networks currently authorized by the California Public Utilities Commission (CPUC) as an energy efficiency program administrator. SoCalREN administers residential and public sector programs to nearly 10 million County constituents throughout a 70,000-square-mile service area in Southern California. As a program administrator of energy efficiency programs with a mission rooted in public service, SoCalREN embraces its role as a pioneer in the transition to a clean energy future and low-carbon economy. Since its inception in 2013, SoCalREN has been committed to providing cost-effective innovative energy efficiency solutions that assist in meeting the state's energy savings objectives. Today, SoCalREN's commitment to saving energy is stronger than ever.

SoCalREN's revised portfolio structure adopted through the CPUC's Business Plan proceeding now offers a more flexible and simplified structure that intends to yield scaled energy savings at lower costs and allows for more innovative strategies to be deployed throughout the SoCalREN territory. In this new structure, SoCalREN includes a refreshed

public sector portfolio that emphasizes turnkey solutions and offers customer-centric programs at the sector level coupled with cross-cutting programs that complement the public sector.

The County, on behalf of SoCalREN, envisions proposals that will emphasize innovative solutions that meet the needs of the market while providing solutions to barriers faced by public sector energy efficiency program participants, specifically local government agencies. SoCalREN encourages submitting proposals with a high level of innovation and creativity around effective approaches that identify and capture deep, long-term energy savings of all local governments and their communities.

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### 3.0 Proposers' Conference

**Proposers' Conference will be held on June 4, 2019.** Proposers are welcome to attend in-person or remotely via webinar. For those attending in-person, the conference is to be held at the County of Los Angeles Internal Services Department offices located at 1100 N. Eastern Ave, Los Angeles, CA 90063, G101 Conference Room (Basement Floor) at 11:30 am. For those unable to attend in-person, remote access will be available through **Skype** at: <https://meet.lync.com/lacounty-isd/scasillas/F02SHMZH>

### 4.0 Term/Budget

- 4.1 The County is seeking to award a total of four (4) Work Orders to one or multiple Contractors.
- 4.2 The selected Contractor(s) shall provide the services in support of the administration, management and implementation of the SoCalREN Public Sector Programs for the CPUC's 2019 funding cycle. Services shall also be provided during 2020 and beyond in support of the ongoing administration, management and implementation of the SoCalREN Program.
- 4.3 The initial term for the Work Order is effective upon execution of the Work Order through a two-year period, with three (3) one-year renewal options, for a maximum term of five (5) years from award of Work Order. The renewal options will be exercised at the County's discretion.
- 4.4 The Work Order maximum award total shall not exceed the Program budget as follows:

<b><u>PROGRAM</u></b>	<b><u>Annual Contract Budget</u></b>
Public Agency EE PDP	\$6,000,000
DER DAC PDP	\$2,500,000
Public Agency NMEC	\$1,750,000
Public Agency RLF	\$550,000

4.5 County reserves the right to contract for fewer budget dollars, depending on the responses it receives. Proposers may submit proposals on one or all of the SoCalREN's Public Sector Programs.

## 5.0 Minimum Requirements

5.1 Proposer must be a qualified ESSMA Contractor under the Energy Efficiency Service Category at the time of proposal submission. Proposals received from non-qualified vendors will be returned.

5.2 **For each Program proposal response:** Proposer must demonstrate a minimum of two (2) consecutive years of experience in the last five (5) years providing services for each of the following categories:

5.2.1 Providing all work described in the respective Program Statement of Work attachment, implementing a public sector energy efficiency program(s) for an energy efficiency program administrator with a service territory population of at least 100,000.

5.2.2 Providing all work described in the respective Program Statement of Work attachment for an energy efficiency program administrator.

5.3 Proposers shall submit documentation (including references) to clearly demonstrate they meet requirements stated in Subsection 5.2 above, **for each Program** proposal. For each reference provided, include the following information:

- Program Name
- Scope of Work under said program and its alignment with tasks under Attachment 1-4 Statement of Work
- Origination of Program/Funding Source
- Budget
- Start/End Dates
- Contact Person information (Title, Phone, and Email)

## 6.0 Schedule of Events

Solicitation Release:	May 24, 2019
Solicitation Requirements Review Due:	June 3, 2019
Proposers' Conference:	June 4, 2019 11:30 a.m. Pacific Time
Initial Written Questions Due:	June 5, 2019 11 a.m. Pacific Time
Response to Written Questions Release:	June 6, 2019
Proposals Due:	June 20, 2019 2:00 p.m. Pacific Time

## 7.0 Proposal Submission Requirements

Proposals shall be delivered in person, sent via United States Postal Service or commercial express carriers. **Proposals are due on or before 2:00 p.m. (Pacific Time), June 20, 2019.** Late Proposals will not be accepted. Proposals received after the due date and time will be returned unopened.

**For each Program proposal, the Proposer must submit:**

An original **Business Proposal**, three (3) numbered copies, and one (1) flash drive containing all portions of the Proposal, with forms completed and saved in their original file formats, shall be enclosed in a sealed envelope or box, plainly marked in the upper left-hand corner with the name and address of the Proposer.

An original **Cost Proposal** and three (3) numbered copies, and one (1) flash drive containing all portions of the Cost Proposal, with forms completed and saved in their original file formats, shall be enclosed in a sealed envelope or box, plainly marked in the upper left-hand corner with the name and address of the Proposer.

Proposal packages must be clearly marked “ISD/Contracting Division, Work Order ESS10122 – SoCalREN Public Sector Programs” and delivered to:

Internal Services Department  
Contracting Division  
1100 N. Eastern Avenue, Room 101  
Los Angeles, CA 90063  
Attention: Susana Ortega

Proposals received from non-qualified vendors will be returned unopened. See Subsection 5.1.

**8.0 Preparation of the Proposals**

Proposers at their discretion may apply for any of Programs. **For each Program Proposal, separate proposals must be submitted (Business Proposal and Cost Proposal for each Program.)** Proposals must be bound and submitted in the prescribed format. Any Proposal that deviates from this format may be rejected without review at the County’s sole discretion.

**8.1 Business Proposal Format**

The content and sequence of the proposal must be as follows:

- Table of Contents
- Executive Summary (Section 1)
- Proposer’s Experience and Qualifications (Section 2)
- Proposer’s Approach to Provide Required Services (Section 3)

**8.1.1 Table of Contents**

List all materials included in the Proposal. Include a clear definition of the material, identified by sequential page numbers and by section reference numbers.

**8.1.2 Executive Summary (Program Business Proposal - Section 1)**

Condense and highlight the contents of the Proposer’s Proposal to provide a broad understanding of the Proposer’s approach, qualifications, experience, and staffing for Program.

**8.1.3 Proposer’s Experience and Qualifications (Program Business Proposal - Section 2)**

8.1.3.1 Proposer shall provide resumes of staff that will perform the work as described in the Program Statement of Work (Attachment 1-4) to

confirm experience and qualifications.

Provide a summary of relevant background information to demonstrate that the Proposer meets the minimum mandatory requirement(s) stated in Section 5.0 of this solicitation and has the capability to perform the required services identified in the Program Statement of work.

- 8.1.3.2 Proposer must provide a minimum of two (2) references where the same or similar scope of services for the specific Program were provided. It is the Proposer's sole responsibility to ensure that the firm's name, and point of contact's name, title and phone number for each reference are accurate. The same reference(s) may be used to satisfy Subsection 5.3.

County may disqualify a Proposer if:

1. References fail to substantiate Proposer's description of the services provided; or
2. References fail to support that Proposer has a continuing pattern of providing capable, productive and skilled personnel.
3. The Department is unable to reach the point of contact with reasonable effort. It is the Proposer's responsibility to inform the point of contact of normal working hours.

#### **8.1.4 Proposer's Approach to Provide Required Services (Program Business Proposal – Section 3)**

- 8.1.4.1 Proposer shall provide a plan to implement the work as described in the respective Program Statement of Work (Attachment 1-4). The Implementation Plan shall include:

- A detailed approach for administering SoCalREN programs; incorporating contractor tasks listed in specific Program SOW;
- an organizational chart showing the working relationships between the County, Proposer, and subcontractors (if any).

- 8.1.4.2 Present a detailed description of the methodology the Proposer will use to complete the work as described in the SOW for each Program. This description should include, but not limited to, the following tasks **(specific by Program)**:

- 8.1.4.2.1 Public Agency Energy Efficiency Project Delivery Program:

- Describe how your firm monitors, coordinates, and evaluates key public sector project activities.
- Describe how your firm proposes to provide each of the required tasks set forth in the Program SOW. Including, but not limited to, the following:
  - Overcoming barriers in the public agency market segment such as, but not limited to, lack of sufficient in-house subject matter expertise, lack of necessary

financial resources and lack of manpower to cover all aspects of the project lifecycle.

- Services to streamline energy efficiency project implementation with sustained technical assistance, and support in accessing project funding.
- Best practices for filing “project delivery gap” amongst public agencies.

#### 8.1.4.2.2 Public Agency Distributed Energy Resource DAC Project Delivery Program:

- Describe how your firm monitors, coordinates, and evaluates key public sector project activities.
- Describe how your firm proposes to provide each of the required tasks set forth in the Program SOW. Including, but not limited to, the following:
  - Increasing the number of DAC public agencies that engage their communities in DER energy actions and strategies, thereby reducing overall community energy consumption.
  - Increasing the ability of public agencies to meet local, regional, and state DER and DAC energy goals.
  - Influencing DAC Public agencies to go beyond energy efficiency retrofits.
  - Influencing DAC public agencies to actively engage their constituents about energy and DER programs and strategies, with a focus on disadvantaged and hard-to-reach communities.

#### 8.1.4.2.3 Public Agency Distributed NMEC Program:

- Describe how your firm monitors, coordinates, and evaluates key public sector project activities.
- Describe how your firm proposes to provide each of the required tasks set forth in the Program SOW. Including, but not limited to, the following:
  - How the proposal intends to provide the necessary resources to facilitate NMEC projects and get them completed in order to meet and go beyond code or standard practice.
  - Streamline processes involved in NMEC implementation and reduce lengthy project implementation schedules.
  - Will leverage external financing and companion SoCalREN public sector programs.
  - Best practices for implementing NMEC strategies and tactics.

- Providing tools and resources so after project close out there is a persistence of savings.
- **Meet or exceed** SoCalREN's annual performance targets as adopted by the CPUC's Annual Budget Advice Letter filings.

#### 8.1.4.2.4 Public Agency Revolving Loan Fund:

- Describe how your firm monitors, coordinates, and evaluates key public sector project activities.
- Describe how your firm proposes to provide each of the required tasks set forth in the Program SOW. Including, but not limited to, the following:
  - Coordination with SoCalREN's companion programs.
  - Establish evaluation criteria that tie RLF to broader Public Sector goals.

## 8.2 Cost Proposal Format

8.2.1 Proposer shall provide hourly rates as stated in the corresponding Cost Proposal Sheets (**Attachment 5** – Cost Proposal Sheets) for each Program. You must include the name, position and proposed rates for each proposed staff.

8.2.2 Additional proposed staff and the corresponding hourly rates may be proposed by the selected Consultant(s) during the term of the Work Order and must be approved by the County prior to the start of any work.

## 9.0 Local Small Business Enterprise Preference Program

9.1 The County will give Local SBE preference during the solicitation process to businesses that meet the definition of a Local Small Business Enterprise (Local SBE), consistent with Chapter 2.204.030C of the Los Angeles County Code. A Local SBE is defined as either (1) a business which is certified by the State of California as a small business and has had its principal office located in Los Angeles County for at least one year or alternatively, (2) in federally funded solicitations subject to the federal restriction on geographical preferences, a business which is certified as small by the federal Small Business Administration or which is registered as small on the federal Central Contractor Registration data base. The business must be certified by Internal Services Department as meeting the requirements set forth in 1 and 2 above prior to requesting the Local SBE Preference in a solicitation.

9.2 To apply for certification as a Local SBE, businesses may register with Internal Services Department at <http://laosb.org>.

9.3 Certified Local SBEs must attach a copy of their Local SBE Certification Letter with their proposal. Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain certification as a certified Local SBE.

- 9.4 Information about the State's small business enterprise certification regulations is in the California Code of Regulations, Title 2, Subchapter 8, Section 1896 et seq., and is also available on the California Department of General Services Office of Small Business Certification and Resources Web site at <http://www.pd.dgs.ca.gov/smbus/default>.

## **10.0 Proposal Selection Process**

The County reserves the sole right to judge the contents of the Proposals submitted pursuant to this Solicitation and to review, evaluate and select the successful Proposal(s). The selection process will begin with receipt of proposals.

The Department will use the evaluation approach described herein to select a Contractor. Proposals shall be evaluated to determine compliance with the Minimum Requirements as set forth in Section 4.0. Proposers who do not meet the minimum requirements will be disqualified and eliminated from further consideration.

All Proposals that meet the minimum requirements will be evaluated based on the criteria listed below. All Proposals will be scored and ranked in numerical sequence from high to low.

The County and Contractor may negotiate the final contract. If a satisfactory agreement cannot be negotiated, the County may, at its sole discretion, begin negotiations with the next qualified Proposer who submitted a Proposal, as determined by the County.

The County retains the right to select a Proposal(s) other than the Proposal receiving the highest number of points if County determines, in its sole discretion, another Proposal is the most overall qualified, cost-effective, responsive, responsible and in the best interests of the County.

## **11.0 Proposal Evaluation and Criteria**

### **11.1 Proposer's Experience and Qualifications (30%)**

11.1.1 Proposer will be evaluated on the verification of references provided in Subsection 5.3 of this solicitation. In addition to the references provided, a review will include the County's Contract Database and Contractor Alert Reporting Database (CARD), if applicable, reflecting past performance history on County or other contracts. This review may result in point deductions up to 100% of the total points awarded in this evaluation category.

11.1.2 Proposer will be evaluated on their experience and capability as a corporation or other entity to perform the required services based on information provided in response to Subsection 5.3 of this solicitation.

### **11.2 Proposer's Approach to Providing Required Services/Implementation Plan (40%)**

11.2.1 The Proposer will be evaluated on its description of the methodology to be used to meet the County's requirements based on information provided in response to subparagraph 9.1.4 of this solicitation.

11.2.2 The Proposer will be evaluated on its proposed Project Team provided in response to subparagraph 9.1.4 of this solicitation.



### **11.3 Cost Evaluation Criteria (10%)**

The maximum number of possible points will be awarded to the proposal with the lowest blended rate by Program. All other proposals will be compared to the Program proposal with the lowest blended rate and points awarded accordingly.

### **11.4 Interview (20%)**

Proposer will be evaluated on their experience and capability as a corporation or other entity to perform the required services based on the information provided during the in-person interview and the responses provided to the County evaluation committee. The maximum number of possible points will be awarded to the proposal with the lowest blended rate. All other proposals will be compared to the proposal with the lowest blended rate and points awarded accordingly.

## **12.0 Solicitation Requirements Review**

Any person or entity may seek a Solicitation Requirements Review by submitting Transmittal Form to Request a Solicitation Requirements Review (Exhibit A) to the Department conducting the solicitation as described in this Section. A request for a Solicitation Requirements Review may be denied, in the Department's sole discretion, if the request does not satisfy all of the following criteria:

- 12.1 The request for a Solicitation Requirements Review is made within ten business days of the issuance of the solicitation document;
- 12.2 The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a proposal.
- 12.3 The request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and
- 12.4 The request for a Solicitation Requirements Review asserts either that:
  - 12.4.1 Application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or,
  - 12.4.2 Due to unclear instructions, the process may result in the County not receiving the best possible responses from prospective Proposers.

The Solicitation Requirements Review shall be completed and the Department's determination shall be provided to the requesting person or entity, in writing, within a reasonable time prior to the proposal due date.

## **13.0 Disqualification Review**

A proposal may be disqualified from consideration if ISD determined it was non-responsive at any time during the review/evaluation process. If ISD determines that a proposal is disqualified due to non-responsiveness, ISD shall notify the Proposer in writing.

Upon receipt of the written determination of non-responsiveness, the Proposer may submit a written request for a Disqualification Review within the timeframe specified in the written determination.

A request for a Disqualification Review may, in the Department's sole discretion, be denied if the request does not satisfy all of the following criteria:

- 13.1 The person or entity requesting a Disqualification Review is a Proposer;

- 13.2 The request for a Disqualification Review is submitted timely (i.e., by the date and time specified in the written determination); and
- 13.3 The request for a Disqualification Review asserts that the ISD's determination of disqualification due to non-responsiveness was erroneous (e.g. factual errors, etc.) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

The Disqualification Review shall be completed and the determination shall be provided to the requesting Proposer, in writing, prior to the conclusion of the evaluation process.

#### **14.0 Proposer's Requirements and Certifications**

##### **14.1 Notices to Proposers Concerning the Public Records Act**

- 14.1.1 Responses to this solicitation shall become the exclusive property of the County. Absent extraordinary circumstances, the recommended proposer's proposal will become a matter of public record when (1) contract negotiations are complete; (2) ISD receives a letter from the recommended Proposer's authorized officer that the negotiated contract is the firm offer of the recommended Proposer; and (3) ISD releases a copy of the recommended Proposer's proposal in response to a Notice of Intent to Request a Proposed Contractor Selection Review under Board Policy No. 5.055.

Notwithstanding the above, absent extraordinary circumstances, all proposals will become a matter of public record when the ISD's proposer recommendation appears on the Board agenda.

Exceptions to disclosure are those parts or portions of all proposals that are justifiably defined as business or trade secrets, and plainly marked by the Proposer as "Trade Secret," "Confidential," or "Proprietary."

- 14.1.2 The County shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the California Public Records Act or otherwise by law. A blanket statement of confidentiality or the marking of each page of the proposal as confidential shall not be deemed sufficient notice of exception. The Proposers must specifically label only those provisions of their respective proposal which are "Trade Secrets," "Confidential," or "Proprietary" in nature.
- 14.1.3 In the event the County is required to defend an action on a Public Records Act request for any of the aforementioned documents, information, books, records, and/or contents of a proposal marked "confidential," "trade secrets," or "proprietary," Proposer agrees to defend and indemnify County from all costs and expenses, including reasonable attorneys' fees, incurred in connection with any action, proceedings, or liability arising in connection with the Public Records Act request.

#### **15.0 Department's Proposed Contractor Selection Review**

##### **15.1 Departmental Debriefing Process**

Upon completion of the evaluation, the Department shall notify the remaining Proposers in writing that the Department is entering negotiations with another Proposer. Upon receipt of the letter, any non-selected Proposer may submit a written request for a Debriefing within the timeframe specified in the letter. A

request for a Debriefing may, in the Department's sole discretion, be denied if the request is not received within the specified timeframe.

The purpose of the Debriefing is to compare the requesting Proposer's response to the solicitation document with the evaluation document. The requesting Proposer shall be debriefed only on its response. Because contract negotiations are not yet complete, responses from other Proposers shall not be discussed, although the Department may inform the requesting Proposer of its relative ranking.

During or following the Debriefing, the Department will instruct the requesting Proposer of the manner and timeframe in which the requesting Proposer must notify the Department of its intent to request a Proposed Contractor Selection Review (see Subsection 14.2 below), if the requesting Proposer is not satisfied with the results of the Debriefing.

## 15.2 Proposed Contractor Selection Review

Any Proposer that has timely submitted a notice of its intent to request a Proposed Contractor Selection Review as described in this Section may submit a written request for a Proposed Contractor Selection Review, in the manner and timeframe as shall be specified by the Department.

A request for a Proposed Contractor Selection Review may, in the Department's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting a Proposed Contractor Selection Review is a Proposer;
2. The request for a Proposed Contractor Selection Review is submitted timely (i.e., by the date and time specified by the Department);
3. The person or entity requesting a Proposed Contractor Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:
  - a. The Department materially failed to follow procedures specified in its solicitation document. This includes:
    - i. Failure to correctly apply the standards for reviewing the proposal format requirements.
    - ii. Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the proposals as specified in the solicitation document.
    - iii. Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.
  - b. The Department made identifiable mathematical or other errors in evaluating proposals, resulting in the Proposer receiving an incorrect score and not being selected as the recommended contractor.
  - c. A member of the Evaluation Committee demonstrated bias in the conduct of the evaluation.
  - d. Another basis for review as provided by state or federal law; and
4. The request for a Proposed Contractor Selection Review sets forth sufficient detail to demonstrate that, but for the Department's alleged failure, the

Proposer would have been the lowest cost, responsive and responsible bid or the highest-scored proposal, as the case may be.

Upon completing the Proposed Contractor Selection Review, the Department representative shall issue a written decision to the Proposer within a reasonable time following receipt of the request for a Proposed Contractor Selection Review, and always before the date the contract award recommendation is to be heard by the Board.

## **16.0 County Independent Review Process**

Any Proposer that is not satisfied with the results of the Proposed Contractor Selection Review may submit a written request for a County Independent Review in the manner and timeframe specified by the Department in the Department's written decision regarding the Proposed Contractor Selection Review.

A request for County Independent Review may, in the County's sole discretion, be denied if the request does not satisfy all of the following criteria:

1. The person or entity requesting a County Independent Review is a Proposer;
2. The request for a County Independent Review is submitted timely (i.e., by the date and time specified by the Department); and
3. The person or entity requesting review by a County Independent Review has limited the request to items raised in the Proposed Contractor Selection Review and new items that (a) arise from the Department's written decision and (b) are one of the appropriate grounds for requesting a Proposed Contractor Selection Review as listed in Section 16.0 above.

Upon completion of the County Independent Review, ISD will forward the report to the Department, which will provide a copy to the Proposer.

## **17.0 Questions**

Questions regarding this solicitation must be addressed to Susana Ortega at (323) 881-5178 or via e-mail at: [sortega@isd.lacounty.gov](mailto:sortega@isd.lacounty.gov).

### Attachments

- 1 – Statement of Work for Public Agency Energy Efficiency Project Delivery Program
- 2 – Statement of Work for Public Agency Distributed Energy Resource DAC Project Delivery Program
- 3 – Statement of Work for Public Agency Distributed NMEC Program
- 4 – Statement of Work for Public Agency Revolving Loan Fund Program
- 5 – Cost Proposal Sheets

### Exhibits

- A – Transmittal Form to Request a Solicitation Requirements Review