

INVITATION FOR REQUEST
FOR PROPOSAL

RFP NO.: P11-0022-4

**COMMISSIONING AGENT AND ENERGY MODELING SERVICES FOR THE TWO
NEW LIBRARIES**

CHATHAM COUNTY, GEORGIA

PRE-PROPOSAL CONFERENCE: 10:00 A.M. OCTOBER 27, 2011

PROPOSAL RECEIPT BY: 2:00 P.M. NOVEMBER 10, 2011

THE COMMISSIONERS OF CHATHAM COUNTY, GEORGIA

PETE LIAKAKIS, CHAIRMAN

COMMISSIONER HELEN L. STONE

COMMISSIONER JAMES J. HOLMES

COMMISSIONER PATRICK O. SHAY

COMMISSIONER PATRICK K. FARRELL

COMMISSIONER HARRIS ODELL, JR.

COMMISSIONER DAVID M. GELLATLY

COMMISSIONER DEAN KICKLIGHTER

COMMISSIONER PRISCILLA D. THOMAS

R. JONATHAN HART, COUNTY ATTORNEY

CHATHAM COUNTY, GEORGIA

**CHATHAM COUNTY, GEORGIA
DOCUMENT CHECK LIST**

The following documents, when marked, are contained in and made a part of this Package or are required to be submitted with the proposal. It is the responsibility of the Proposer to read, complete and sign, where indicated, and return these documents with his/her Proposal. FAILURE TO DO SO MAY BE CAUSE FOR DISQUALIFYING THE PROPOSAL.

X GENERAL INFORMATION

X PROPOSAL

 PROPOSAL SCHEDULE

X LEGAL NOTICE

X ATTACHMENTS:

RECEIPT IS HEREBY ACKNOWLEDGED OF ADDENDA NUMBER(S) _____

The undersigned bidder certifies that he/she has received the above listed and marked documents and acknowledges that his/her failure to return each, completed and signed as required, may be cause for disqualifying his/her bid.

BY: _____
SIGNATURE:

DATE:

TITLE:

COMPANY:

Chatham County has established goals to increase participation of minority and female owned businesses. In order to accurately document participation, businesses submitting bids or proposals are strongly encouraged to report ownership status. A minority or woman owned business is defined as a business with 51% or greater minority of female ownership. Please check ownership status as applicable:

African-American _____ **Asian American** _____ **Hispanic** _____

Native American or Alaskan Indian _____ **Female** _____

In the award of "Competitive Sealed Proposals", minority/female participation may be one of several evaluation criteria used in the award process when specified as such in the Request for Proposal.

**CHATHAM COUNTY, GEORGIA
OFFICE OF THE PURCHASING AND CONTRACTING
POST OFFICE BOX 15180
SAVANNAH, GEORGIA 31406
(912) 790-1622**

DATE: October 12, 2011

RFP NO. P11-0022-4

GENERAL INFORMATION FOR REQUEST FOR PROPOSALS

This is an invitation to submit a proposal to supply Chatham County with the professional services as indicated herein. Sealed proposals will be received at the Office of the Purchasing Agent, **1117 EISENHOWER DRIVE, SUITE C, SAVANNAH, GEORGIA** up to **2:00 P.M. (Local Time) NOVEMBER 10, 2011**. The Purchasing Agent reserves the right to reject any and all proposals and to waive formalities.

Instructions for preparation and submission of a proposal are contained in the Request for Proposal package. Please note that specific forms for submission of a proposal are required. Proposals must be typed or printed in ink. If you do not submit a proposal, return the signed invitation sheet and state the reason; otherwise, your name may be removed from our bidders list.

A pre-proposal conference has been scheduled for **10:00 A.M. OCTOBER 27, 2011**, and will be conducted in the Conference Room located at the **Chatham County Purchasing & Contracting Office, 1117 EISENHOWER DRIVE, SUITE C, SAVANNAH, GEORGIA**, to discuss the specifications and resolve any questions and/or misunderstanding that may arise. Firms are encouraged to attend.

Any changes to the conditions and specifications must be in the form of a written addendum to be valid; therefore, the Purchasing Agent will issue a written addendum to document approved changes. Generally when addenda are required, the bid opening date may be changed.

Chatham County has an equal opportunity procurement policy. Chatham County seeks to ensure that all segments of the business community have access to providing services needed by County programs. The County affirmatively works to encourage utilization of disadvantaged and minority business enterprises in our procurement activities. The County provides equal opportunity for all businesses and does not discriminate against any persons or businesses regardless of race, color, religion, age, sex, national origin or handicap. The County expects its consultants to make maximum feasible use of minority businesses and qualified minority employees. The terms "disadvantaged business", "minority business enterprise", and "minority person" are more specifically defined and explained in the Chatham County Purchasing Ordinance and Procedures Manual, Article VII - Disadvantaged Business Enterprises Program.

**SECTION I
INSTRUCTIONS TO PROPOSERS**

1.1 PURPOSE: The purpose of this document is to provide general and specific information for use in submitting a proposal to supply Chatham County with services as described herein. All proposals are governed by the Code of Chatham County, Chapter 4, Article IV, and the laws of the State of Georgia.

1.2 HOW TO PREPARE PROPOSALS:

All proposals shall be typewritten or completed with pen and ink, signed by the business owner or authorized representative, with all erasures or corrections initialed and dated by the official signing the proposal. ALL SIGNATURE SPACES MUST BE SIGNED.

Proposers are encouraged to review carefully all provisions and attachments of this document prior to submission. Each proposal constitutes an offer and may not be withdrawn except as provided herein.

1.3 HOW TO SUBMIT PROPOSALS: All proposals shall be:

- A. Submitted in sealed opaque envelopes, plainly marked with the proposal number and title, date and time for submission, and company name.**
- B. Mailed or delivered as follows in sufficient time to ensure receipt by the Purchasing Agent on or before the time and date specified above.**
 - **Mailing Address: Purchasing Agent, 1117 Eisenhower Drive, Suite C, Savannah, Georgia 31406.**
 - **Hand Delivery: Purchasing Agent, 1117 Eisenhower Drive, Suite C, Savannah, Georgia 31406.**

Chatham County will not accept telegraphic or electronically transmitted bids/proposals.

PROPOSALS NOT RECEIVED BY THE TIME AND DATE SPECIFIED WILL NOT BE OPENED OR CONSIDERED.

1.4 HOW TO SUBMIT AN OBJECTION: Objections from Offerors to this Request for Proposal and/or these specifications should be brought to the attention of the County Purchasing Agent in the following manner:

- A. When a pre-proposal conference is not scheduled, the Proposer shall object in writing not less than five (5) days prior to the Date for submission.**
- B. The objections contemplated must pertain both to form and substance of the Request for Proposal documents. Failure to object in accordance with the above procedure will constitute a waiver on the part of the business to protest this Request for**

Proposal.

- 1.5 **FAILURE TO OFFER:** If a Proposal is not submitted, the business should return this Request for Proposal, stating reason therefore, and indicate whether the business should be retained or removed from the County's bidders list.
- 1.6 **ERRORS IN PROPOSALS:** Proposers or their authorized representatives are expected to fully inform themselves as to the conditions, requirements, and specifications before submitting proposals. Failure to do so will be at the Proposer's own risk.
- 1.7 **STANDARDS FOR ACCEPTANCE OF PROPOSERS FOR CONTRACT AWARD:** The County reserves the right to reject any or all Proposals and to waive any irregularities or technicalities in Proposals received whenever such rejection or waiver is in the best interest of the County. The County reserves the right to reject the Offer of a Proposer who has previously failed to perform properly or complete on time contracts of a similar nature, whom investigation shows is not in a position to perform the contract.
- 1.8 **PROPOSER:** Whenever the term "Proposer" is used it shall encompass the "person", "business", "firm", or other party submitting a proposal to Chatham County in such capacity before a contract has been entered into between such party and the County.
- 1.9 **COMPLIANCE WITH LAWS:** The Proposer shall obtain and maintain all licenses, permits, liability insurance, workman's compensation insurance and comply with any and all other standards or regulations required by federal, state or County statute, ordinances and rules during the performance of any contract between the Proposer and the County. Any such requirement specifically set forth in any contract document between the Proposer and the County shall be supplementary to this section and not in substitution thereof.
- 1.10 **CONTRACTOR:** Contractor or subcontractor means any person, firm, or business having a contract with Chatham County. The Contractor of goods, material, equipment or services certifies that the firm will follow equal employment opportunity practices in connection with the awarded contract as more fully specified in the contract documents. Any subcontracting must be specified in the bid/proposal. All subcontractors must be approved by Chatham County.
- 1.11 **LOCAL PREFERENCE:** The contractor agrees to follow the local preference guidelines as specified in the contract documents, which state "The CONTRACTOR hereby agrees, as part of the consideration to Chatham County for making this Contract, that the CONTRACTOR in the carrying out of this contract will give the citizens of Chatham County preference for employment to perform all labor required by this contract; that the rate of wages to be paid shall not be less than legally required; and that in the purchase of materials to be used in the Work of the Project, preference shall be given to sources from within Chatham County to the maximum extent possible. The CONTRACTOR will cause the forgoing provisions to be inserted in all subcontracts so that provisions will be binding upon each subcontractor."
- 1.12 **MINORITY/WOMAN BUSINESS DEVELOPMENT PROGRAM:** The Chatham

County Board of Commissioners adopted an aggressive program that establishes goals for minority/woman, small and disadvantaged business participation in construction, professional services, and general procurement.

- a. The Chatham County Board of Commissioners under Georgia law may reject any bid as non-responsive if they feel a bidder did not exercise “Good Faith Effort” in obtaining the goal established for M/WBE participation.
- b. The Chatham County Board of Commissioners adopted a policy establishing goals oriented to increase participation of minority and female owned businesses, through MBE/WBE certification and development. In order to accurately document participation, businesses submitting bids, quotes or proposals are encouraged to report ownership status. A bidder or vendor that is certified by any agency of the Federal Government or State of Georgia may submit a copy of their certification with their bid as proof of qualifications. Bidders that intend to engage in joint ventures or utilize subcontractors must submit to the County Contracts Administrator, a report on Minority/Female Business Enterprise participation.

Goals established for this project are 30 % MBE/WBE combined.

- c. A Minority/Woman Business Enterprise (M/WBE) is a business concern that is at least 51% owned by one (1) or more minority/female individuals and whose daily business operations are managed and directed by one (1) or more of the minority/female owners.

1.13 Bidders or proposers are required to make a **Good Faith Effort**, where subcontracting is to be utilized in performing the contract, to subcontract with or purchase supplies from qualified M/WBEs. Bidders or proposers are required to state if they intend to subcontract any part of the work. Goals will be established for each contract at the onset. **Forms** requiring the signatures of bidders or proposers are enclosed as **Attachments** and must be completed and returned with your bid response. If forms are not completed and submitted, the bid may be considered nonresponsive.

Each bidder or proposer is required to maintain records of such efforts in detail adequate to permit a determination of compliance with these requirements. All contracts will reflect **Good Faith Effort** and reporting requirements for the term of the contract. The County particularly urges general contracts to give emphasis to subcontracting with local area firms. For information of the program or M/WBE contractors/vendors please contact **Ms. Arneja Riley, Chatham County Minority and Women Business Coordinator, 124 Bull Street, Suite 310, Savannah, Georgia 31401, (912) 652-7860 phone, (912) 652-7849 fax, or email: alriley@chathamcounty.org.**

SECTION II GENERAL CONDITIONS

2.1 **SPECIFICATIONS:** Any obvious error or omission in specifications shall not inure to the benefit of the bidder but shall put the Proposer on notice to inquire of or identify the same to

the County.

- 2.2 MULTIPLE PROPOSALS:** No Proposer will be allowed to submit more than one offer. Any alternate proposals must be brought to the Purchasing Agent's attention during the Pre-proposal Conference or submitted in writing at least five (5) days preceding the date for submission of proposals.
- 2.3 GEORGIA OPEN RECORDS ACT:** The responses will become part of the County's official files with any obligation on the County's part. Ownership of all data, materials, and documentation prepared for and submitted to Chatham County in response to a solicitation, regardless of type, shall belong exclusively to Chatham County and will be considered a record prepared and maintained or received in the course of operations of public office of agency and is subject to public inspection in accordance with the *Georgia Open Records Act, Official Code of Georgia Annotated, Section 50-18-070, et, Seq.,* unless otherwise provided by law.
- 2.4 GEORGIA TRADE SECRET ACT OF 1990:** In the event that a Proposer submits secret information to the County, the information must be clearly labeled as a "Trade Secret". The County will maintain the confidentiality of such trade secrets to the extent provided by law.
- 2.5 CONTRACTOR RECORDS:** The Georgia Open Records Act is applicable to the records of all contractors and subcontractors under contract with the County. This applies to those specific contracts currently in effect and those which have been completed or closed up to three (3) years following completion. Again, this is a contract specific to the County contracts only.
- 2.6 OFFERS TO BE FIRM:** The Proposer warrants that terms and conditions quoted in his offer will be firm for acceptance for a period of sixty (60) days from bid date submitted, unless otherwise stated in the proposal. When requested to provide a fee proposal, fees quoted must also be firm for a sixty (60)day period.
- 2.7 COMPLETENESS:** All information required by the Request for Proposal must be completed and submitted to constitute a proper proposal.
- 2.8 LIABILITY PROVISIONS:** Where Proposers are required to enter or go into Chatham County property to take measurements or gather other information in order to prepare the proposal as requested by the County, the Proposer shall be liable for any injury, damage or loss occasioned by negligence of the Proposer, his agent, or any person the Proposer has designated to prepare the Offer and shall indemnify and hold harmless Chatham County from any liability arising therefrom. The contract document specifies the liability provisions required of the successful Proposer in order to be awarded a contract with Chatham County.
- 2.9 CERTIFICATION OF INDEPENDENT PRICE DETERMINATION:** By submission of this Offer, the Proposer certifies, and in the case of a joint offer each party thereto certifies as to its own organization, that in connection with this procurement:
- A. Prices in this offer have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other competitor;

- B. Unless otherwise required by law, the prices which have been quoted in this offer have not been knowingly disclosed by the Proposer and will not knowingly be disclosed by the Proposer prior to opening, directly or indirectly to any other competitor; and;
- C. No attempt has been made or will be made by the Proposer to induce any other person or firm to submit or not submit an offer for the purpose of restricting competition.

2.10 AWARD OF CONTRACT: The contract, if awarded, will be awarded to that responsible Proposer whose proposal will be most advantageous to Chatham County, price and other factors considered. The Board of Commissioners will make the determination as to which proposal best serves the interest of Chatham County.

2.11 VENDOR PERFORMANCE EVALUATION: On April 11, 2008 the Board of Commissioners approved a change to the County Purchasing Ordinance requiring Vendor Performance Evaluations, as a minimum, prior to the contract anniversary date. Should the vendor performance be unsatisfactory, the appointed County Project Manager for the contract may prepare a Vendor Complaint Form or a Performance Evaluation to be sent to the Purchasing Agent.

2.12 PROCUREMENT PROTESTS: Objections and protests to any portion of the procurement process or actions of the County staff may be filed with the Purchasing Agent for review and resolution. The Chatham County Purchasing Procedures Manual, Article IX - Appeals and Remedies shall govern the review and resolution of all protests. Protests must be filed prior to contract award.

2.13 NO EXCLUSIVE CONTRACT/ADDITIONAL SERVICES: Consultant agrees and understands that the contract shall not be construed as an exclusive arrangement and further agrees that the County may, at any time, secure similar or identical services at its sole option.

2.14 DEBARRED FIRMS AND PENDING LITIGATION: Any potential proposer/firm listed on the Federal or State of Georgia Excluded Parties Listing (Barred for doing business) **will not** be considered for contract award. Proposers **shall** disclose any record of pending lawsuits, criminal violations (indictment) and/or convictions, pending lawsuits, etc., and any actions that may be a conflict of interest occurring within the last five (5) years. Any proposer/firm previously defaulting or terminating a contract with the County will not be considered.

****All proposers are to read and complete the Disclosure of Responsibility Statement enclosed as an Attachment to be returned with response. Failure to do so may result in your solicitation response being rejected as non-responsive.**

Proposer acknowledges that in performing contract work for the Board, proposer shall not utilize any firms that have been a party to any of the above actions. If proposer has engaged any firm to work on this contract or project that is later debarred, proposer shall sever its

relationship with that firm with respect to Board Contract.

- 2.15 QUALIFICATION OF BUSINESS (RESPONSIBLE PROPOSER):** A responsible Proposer is defined as one who meets, or by the date of the acceptance can meet, all requirements for licensing, insurance, and service contained within this Request for Proposal. Chatham County has the right to require any or all Proposers to submit documentation of the ability to perform, the service requested.

Chatham County has the right to disqualify the proposal of any Proposer as being unresponsive or irresponsible whenever such Proposer cannot document the ability to deliver the requested service.

- 2.16 COUNTY BUSINESS LICENSE REQUIREMENT:** A current Chatham County or municipal business license (within the State of Georgia) is required unless otherwise specified. A firm need not have a Chatham County Business License prior to submitting a proposal. However, a license must be obtained by the successful vendor prior to award of contract.

Please contact the Chatham County Department of Building Safety and Regulatory Services at (912) 201-4300 for additional information.

- 2.17 INSURANCE PROVISIONS:** The selected CONSULTANT shall be required to procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant, his agents, representatives, employees or subcontractors. The cost of such insurance shall be included in the Consultant's fee proposal. **Contract work will not proceed unless Chatham County has in their possession, a current Certificate of Insurance.**

2.17.1 General Information that shall appear on a Certificate of Insurance:

- I. Name of Producer (Consultant's Insurance Broker/Agent).
- II. Companies affording coverage (there may be several).
- III. Name and address of the Insured (this should be the Company or Parent of the firm Chatham County is contracting with).
- IV. A summary of all current insurance for the insured (includes effective dates of coverage).
- V. A brief description of the operations to be performed, the specific job to be performed, or contract number.
- VI. Certificate Holder (This is always to included Chatham County).

Chatham County as an Additional Insured: Chatham County invokes the defense of sovereign immunity. In order not to jeopardize the use of this defense, the County **is not to be included as an Additional Insured on insurance contracts.**

2.17.2 Limits of Insurance: Effective coverage shall have the following limits:

- A. *Commercial General Liability:* Provides protection against bodily injury and property damage claims arising from operations of a Consultant or Tenant. This policy coverage includes: premises and operations, use of independent contractors, products/completed operations, personal injury, contractual, broad form property damage, and underground, explosion and collapse hazards. Minimum limits of \$1,000,000 combined single limit general aggregate for bodily injury, and property damage per occurrence and annual aggregate.
- B. *Business Auto Liability:* Coverage insures against liability claims arising from the Consultant's use of automobiles. Minimum limit: \$1,000,000 combined single limit per accident for bodily injury and property damage. Coverage should be written on an "Any Auto" basis.
- C. *Worker's Compensation:* provides statutory protection against bodily injury, sickness or disease sustained by employees of the Consultant while performing within the scope of their duties. Employer's Liability coverage is usually included in Worker's Compensation policies, and insures common law claims of injured employees made in lieu of or in addition to a Worker's Compensation claim. Minimum limits: \$500,000 for each accident, disease policy limit, disease each employee and Statutory Worker's Compensation limit.
- D. *Malpractice and Professional Liability:* Insure errors or omission on behalf of architects, engineers, attorneys, medical professionals, and consultants. Minimum limits: \$1,000,000 per claim/occurrence. If claims-made, retroactive date must precede or coincide with the contract effective date or the date of the Notice to Proceed. The professional must state if tail coverage has been purchased and the duration of the coverage.

2.17.3 SPECIAL REQUIREMENTS:

- A. *Claims-Made Coverage:* The limits of liability shall remain the same as the occurrence basis, however, the retroactive date shall be prior to the coincident with the date of any contract, and the Certificate of Insurance shall state the coverage is claims-made. The retroactive date shall also be specially stated on the Certificate of Insurance.
- B. *Extended Reporting Periods:* The contractor shall provide the County with a notice of the election to initiate any Supplemental Extended Reporting Period and the reason(s) for invoking this option.
- C. *Severity of Interest:* Where applicable, any insurance coverage provided by any party other than Chatham County, and which may

indemnify Chatham County, the limits stated under such coverage shall apply separately to Chatham County.

- D. *Reporting Provisions:* Any failure to comply with reporting provisions of any applicable policy shall not affect coverage, if any, afforded on behalf of Chatham County, its officials, officers, employees, or volunteers.
- E. *Cancellation/Non-Renewal Notification:* Each applicable insurance policy shall be endorsed to state the coverage shall not be suspended, voided, or cancelled, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to Chatham County.
- F. *Proof of Insurance:* The Consultant is required to carry insurance under this contract and shall furnish Chatham County with Certificates of Insurance with original endorsements affecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf.
- G. *Insurer Acceptability:* Insurance is to be placed with an insurer having an A.M. Best's rating of A and a five (5) year average financial rating of not less than V. If an insurer does not qualify for averaging on a five (5) year basis, the current total Best's rating will be used to evaluate insurer acceptability.
- H. *Lapse of Coverage:* A lapse of insurance coverage shall constitute ground for termination of this contract by the Chatham County Board of Commissioners.
- I. *Deductibles and Self-Insured Retention:* Any deductibles or self-insured retention must be declared to, and approved by, the County. At the option of the County, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as related to the County, its officials, officers, employees, and volunteers; or the Contractor shall procure a bond guaranteeing payment of related suits, losses, claims, and related investigation, claim administration and defense expenses.

2.17.4 Additional Coverage for Specific Procurement Projects:

- A. **Professional Liability:** Insure errors or omission on behalf of architects, engineers, attorneys, medical professionals, and consultants.

Minimum Limits: \$1 million per claim/occurrence

Coverage Requirement: If claims-made, retroactive date must

precede or coincide with the contract effective date of the date of the Notice to Proceed. The professional must state if tail coverage has been purchased and the duration of the coverage.

2.19 INDEMNIFICATION: The Consultant agrees to protect, defend, indemnify, and hold harmless Chatham County, Georgia, its commissioners, officers, agents, and employees from and against any and all liability, damages, claims, suits, liens, and judgments, of whatever nature, including claims for contribution and/or indemnification, for injuries to or death of any person or persons, or damage to the property or other rights of any person or persons caused by the Consultant or its subcontractors. The Consultant's obligation to protect, defend, indemnify, and hold harmless, as set forth herein above shall include, but not be limited to, any matter arising out of any actual or alleged infringement of any patent, trademark, copyright, or service mark, or any actual or alleged unfair competition, disparagement of product or service, or other business tort of any type whatsoever, or any actual or alleged violation of trade regulations. Consultant further agrees to investigate, handle, respond to, provide defense for, and to protect, defend, indemnify, and hold harmless Chatham County, Georgia, at his sole expense, and agrees to bear all other costs and expenses related thereto, even if such claims, suits, etc., are groundless, false, or fraudulent, including any and all claims or liability for compensation under the Worker's Compensation Act arising out of injuries sustained by any employee of the Consultant or his subcontractors or anyone directly or indirectly employed by any of them.

The Consultant's obligation to indemnify Chatham County under this Section shall not be limited in any way by the agreed-upon contract price, or to the scope and amount of coverage provided by any insurance maintained by the Consultant.

2.20 COMPLIANCE WITH SPECIFICATION - TERMS AND CONDITIONS: The Request for Proposal, Legal Advertisement, General Conditions and Instructions to Proposers, Specifications, Special Conditions, Proposers Offer, Addendum, and/or any other pertinent documents form a part of the Offeror's proposal and by reference are made a part hereof.

2.21 SIGNED RESPONSE CONSIDERED AN OFFER: The signed Response shall be considered an offer on the part of the Proposer, which offer shall be deemed accepted upon approval by the Chatham County Board of Commissioners, Purchasing Agent or his designee. In case of a default on the part of the Proponent after such acceptance, Chatham County may take such action as it deems appropriate, including legal action for damages or lack of required performance.

2.22 NOTICE TO PROCEED: The successful proposer shall not commence work under this Request for Proposal until a written contract is awarded and a Notice to Proceed is issued by the Purchasing Agent or his designee. If the successful Proposer does commence any work or deliver items prior to receiving official notification, he does so at his own risk.

2.23 PAYMENT TO CONSULTANT: Instructions for invoicing the County for service

delivered to the County are specified in the contract document.

- A. Questions regarding payment may be directed to the Chatham County Finance Department, at (912) 652-7900 or the County's Project manager as specified in contract documents.
- B. Consultant will be paid the agreed upon compensation upon satisfactory progress or completion of the work as more fully described in the contract document.
- C. Upon completion of the work, the Consultant will provide the County with an affidavit certifying all suppliers, persons or businesses employed by the Consultant for the work performed for the County have been paid in full.
- D. Chatham County is a tax exempt entity. Every consultant, contractor, vendor, business or person under contract with Chatham County is required by Georgia law to pay State sales or use taxes for products purchased in Georgia or transported into Georgia and sold to Chatham County by contract. Please consult the State of Georgia, Department of Revenue, Sales and Use Tax Unit in Atlanta (404) 656-4065 for additional information.

2.24 VENDOR DEFAULT: Chatham County reserves the right, in case of vendor default, to procure the articles or services from other sources and hold the defaulting vendor responsible for any excess costs occasioned thereby. Should vendor default due to a failure to perform or because a request for price increase, Chatham County reserves the right to remove the vendor from the County's bid/proposal listing for twenty-four months.

2.25 MERGERS: If a selected firm is sold or merged with another organization, the County will consider the contract binding regardless of any name changes. If there is a conflict of interest, the County reserves the right to terminate said contract.

2.26 RESTRICTIVE OR AMBIGUOUS SPECIFICATIONS OR REQUIREMENTS: It is the responsibility of the prospective proposer to review the entire request for proposal (RFP) packet and to notify the Purchasing Department if the specifications are formulated in a manner that would unnecessarily restrict competition. Any such protest or question regarding the specifications or bidding procedures must be received in the Purchasing Division not less than seventy-two (72) hours prior to the time set for proposal opening. These requirements apply to specifications that are ambiguous.

2.27 SECURITY AND IMMIGRATION COMPLIANCE ACT AND SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE): On July 1, 2008, the Georgia Security and Immigration Compliance Act (SB 529, Section 2) became effective. All contractors and subcontractors entering into a contract or performing work must sign an affidavit that he/she has used the E-Verify System. E-Verify is a no-cost federal employment verification system to insure employment eligibility. Affidavits are enclosed in this solicitation. You may download M-274 Handbook for Employers at <http://www.dol.state.ga.us/spotlight/employment/rules>. You may go to <http://www.uscis.gov>, to find the E-Verify information.

O.C.G.A. § 50-36-1, requires Georgia’s counties to comply with the federal **Systematic Alien Verification for Entitlements (SAVE) Program**. SAVE is a federal program used to verify that applicants for certain “public benefits” are legally present in the United States. Contracts with the County are considered “public benefits.” Therefore, the successful bidder will be required to provide the Affidavit Verifying Status for Chatham County Benefit Application prior to receiving any County contract. The affidavit is included as part of this bid package but is only required of the successful bidder.

The undersigned proposer certifies that he/she has carefully read the preceding list of instructions and all other data applicable hereto and made a part of this invitation; and, further certifies that the prices shown in his/her proposal are in accordance with all documents contained in this Request for Proposal package, and that any exception taken thereto may disqualify his/her proposal.

This is to certify that I, the undersigned Proposer, have read the instructions to Proposer and agree to be bound by the provisions of the same.

This _____ day of _____ 20 ____.

BY: _____

SIGNATURE

TITLE

COMPANY

ADDRESS

PHONE NO.

**SECTION III
REQUEST FOR PROPOSAL
CHATHAM COUNTY, GOVERNMENT**

3.1 DESCRIPTION AND OBJECTIVES Chatham County is seeking a qualified firm to provide Commissioning Agent and Energy Modeling Services for the new Islands Branch and Garden city Branch Libraries. The intent behind this selection process is to select the firm/individual who best understands the County’s needs; can manage the program for the County, and can provide the required services necessary to receive LEED certification.

3.2 METHODOLOGY: The procurement described herein is being conducted in a two-step process.

STEP ONE: All technical requirements, unless otherwise specified, must be met by the proponent or such proposal will be disqualified as being non-responsive.

Fee proposals shall be submitted along with the proposal and will be evaluated and ranked accordingly. Fees should be quoted in “all inclusive” dollars. Fees will only be opened from those consultants considered to be qualified. The evaluation committee will make the selection of the firm which it believes is best qualified to provide the service, fee proposal and other qualitative factors considered. It is emphasized that the firm which offers the lowest fee proposal will not necessarily be the firm selected to provide the service. The selection will be made of that firm which provided the best proposal. “Best” is defined as the best combination of qualitative factors and fee proposal. **FEE PROPOSAL WILL BE SUBMITTED ON THE FORM PROVIDED, IN A SEPARATE #10 ENVELOPE, CLEARLY MARKED WITH THE RFP TITLE AND NUMBER. ONLY THE ORIGINAL OF THE FEE PROPOSAL IS REQUIRED.**

STEP TWO - INTERVIEWS: The evaluation committee *may* decide to conduct interviews with “short-listed” firms. It is the sole responsibility of the evaluation committee to determine if interviews will be required. If interviews are conducted, each of the “short listed” firms will be scheduled for an interview. The interviews will be scored.

3.3 PRE-PROPOSAL CONFERENCE: A pre-proposal conference will be conducted at **10:00A.M. OCTOBER 27, 2011** at the **Purchasing & Contracting Office, 1117 Eisenhower Drive, Suite C, Savannah, Georgia**, to discuss specification and/or any misunderstandings that may arise. Representatives from Chatham County will be in attendance. *Firms are encouraged to attend.*

3.4 PROPOSAL DEADLINE: The response to the Request for Proposal must be received by the Chatham County Office of Purchasing and Contracting no later than **2:00 P.M. (LOCAL TIME) NOVEMBER 10, 2011.** Any proposal received after the time stipulated will be rejected and returned to the proponent. The County may, for good and sufficient reason, extend the response deadline, in which case all potential proponents will receive an addendum setting forth the new date and time.

Proposals must be responsive to the General Conditions (Information and Instructions),

Special Conditions, Technical Specifications, and any attachments.

- 3.5 WITHDRAWAL OF PROPOSAL:** Your proposal may be withdrawn by written request received by the County before the time fixed for receipt of proposals. Withdrawal of your proposal will not prejudice the right of the proponent to submit a new proposal, providing the latter is received timely as provided herein.
- 3.6 CONFIDENTIALITY OF DOCUMENTS:** Upon receipt of a proposal by the County the proposal shall become the property of the County without compensation to the proponent, for disposition or usage by the County at its discretion. The particulars of the proposal documents will remain confidential until final award of the contract. Only final points and ranking of proposals will be openly disclosed prior to approval by the Board of Commissioners.
- 3.7 CONE OF SILENCE:** Lobbying of Procurement Evaluation Committee members, County Government employees, and elected officials regarding this product or service solicitation, Invitation to Bid (ITB) or Request for Proposal (RFP) or contract by any member of a proposer's staff, or those people employed by any legal entity affiliated with an organization that is responding to the solicitation is strictly prohibited. Negative campaigning through the mass media about the current service delivery is strictly prohibited. Such actions may cause your proposal to be rejected.
- 3.8 FORMAT OF RESPONSES:** To be considered, proponents must submit a complete response to the Request for Proposal. The format provided in this Section is not negotiable. To assure a uniform review process and obtain the maximum degree of comparability, each proposal shall include the following content and shall be presented in the following order:
- A. Executive Summary
 - B. Business Profile
 - C. Experience and Capability
 - D. Project Understanding and Methodology
 - E. References
 - F. Other Relevant Facts/Information

FEE PROPOSAL WILL BE SUBMITTED ON THE FORM PROVIDED HEREIN AND SEALED IN A SEPARATE #10 ENVELOPE.

Each proposal must be submitted in one (1) original and two (2) copies bound to:

Mr. Robert Marshall
Senior Procurement Specialist
Chatham County Purchasing Department
1117 Eisenhower Drive - Suite C
Savannah, GA 31406
(912) 790-1622 ph
(912) 790-1627 fax
rmarshal@chathamcounty.com

Technical questions relating to the proposal may be directed to the County in writing through the Purchasing Agent. Telephone inquiries may be directed to Robert Marshall, Senior Procurement Specialist, Purchasing at (912) 790-1622.

- 3.9 COMPENSATION:** The County has attempted in SECTION V to provide as much information about the project as possible to enable firms to structure the most cost effective offer.
- 3.10 REJECTING PROPOSALS:** The County reserves the right to reject any or all proposals and is not bound to accept any proposal if that proposal is contrary to the best interest of Chatham County. Similarly, the County is not bound to accept the lowest dollar proposal if the offer is not considered in the County's best interest.
- 3.11 COST TO PREPARE RESPONSES:** The County assumes no responsibility or obligation to the respondents and will make no payment for any costs associated with the preparation or submission of the proposal.
- 3.12 INQUIRIES:** Direct any questions related to this RFP to Robert Marshall, Senior Procurement Specialist, and submit all questions in writing. Include the RFP number, page, and paragraph number as a reference to each question. If you choose to mail your questions, do not place the RFP number on the outside of the envelope. *DEADLINE FOR ALL QUESTIONS IS 72 hours prior to due date.* All questions shall be delivered by hand, mail, fax or e-mail as follows:

Chatham County Purchasing and Contracting Division
Attn: Robert Marshall, Senior Procurement Specialist
1117 Eisenhower Drive, Suite C
Savannah, GA 31406
(912) 790-1627 (FAX)
rmarshal@chathamcounty.org

THE ONLY OFFICIAL ANSWER OR POSITION OF CHATHAM COUNTY WILL BE THE ONE STATED IN WRITING.

- 3.13 METHOD OF SOURCE SELECTION:** Chatham County is using the Competitive Sealed Proposal method of source selection, as authorized by Section V of the Chatham County

Purchasing Ordinance and Article VI of the Purchasing Procedures Manual for this procurement.

An award, if made, will be made to the responsible offeror whose proposal is most advantageous to Chatham County, taking into consideration price and other factors set forth in this Request for Proposal (RFP). Purchasing and Contracting will not use any other factors or criteria in the evaluation of the proposals received.

3.14 MINIMUM CRITERIA USED TO DETERMINE RESPONSIBILITY OF EACH OFFEROR:

The following criteria will be used as a minimum, to determine the responsibility of each Offeror:

- A. Does the Offeror demonstrate an understanding of the County's needs and proposed approach to the project?
- B. Does the Offeror possess the ability, capacity, skill, and financial resources to provide the service?
- C. Can the respondent take upon himself the responsibilities set forth in the RFP and the resulting contract and produce the required outcomes in a timely manner?
- D. Does the Offeror have the character, integrity, reputation, judgment, experience and efficiency required by the contract?
- E. Has the Offeror performed satisfactorily in previous contracts of similar size and scope; or if the prime consultant has not performed a contract of similar size and scope, has it, and/or it's team members otherwise demonstrated its capability to perform the contract that the County seeks to establish through this RFP?
- F. Does the Offeror propose to perform the work at a fair and reasonable cost?
- G. Has the Offeror declared bankruptcy within the past 10 years?

3.15 EQUAL EMPLOYMENT OPPORTUNITY: During the performance of this contract, the CONSULTANT agrees as follows:

The Consultant will not discriminate against any employee or applicant for employment because of race, creed, color, sex, age, national origin, place of birth, physical handicap, or martial status.

**SECTION IV
SPECIAL CONDITIONS**

4.1 PENDING LITIGATION: Proposals will not be accepted from any company, firm, person, or party, parent subsidiary, against which Chatham County has an outstanding claim, or a financial dispute relating to prior contract performance. If the County, at any time, discovers such a dispute during any point of evaluation, the proposal will not be considered further.

4.2 EVALUATION FACTORS: Factors such as proponents overall capability, specialized

experience, reputation, past performance on similar projects, technical competence, financial stability, ability to meet program goals, delivery under the contract terms, and fee schedule will be considered in the award recommendation. Commitment in the level of MBE/FBE firms, consultants and employees will also be considered in the evaluation of proposals.

4.3 SELECTION PROCESS: *Proposals will be evaluated initially on the basis of the written document. Thus, the proposal must be complete, concise and clear as to the intent of the respondent.* Further evaluation may include an oral presentation which will be scheduled after receipt of the written proposal and approval of the shortlist.

4.4 TERM OF CONTRACT: The term of the contract will be through the completion of this project UNLESS OTHERWISE DIRECTED BY THE CHATHAM COUNTY BOARD OF COMMISSIONERS.

4.5 PROPOSALS MUST BE RESPONSIVE TO:

4.5.1 *EXECUTIVE SUMMARY (SECTION A):* The Executive Summary of the Proposal shall be limited to three (3) single-spaced typewritten pages. The purpose of the Executive Summary is to provide a high-level description of the offeror's ability to meet the requirements of the RFP.

4.5.2 *BUSINESS PROFILE - 15 points (SECTION B):* State the full name, address, telephone number, fax, email and website of your organization and include:

- A. The name, title, address, and telephone number of the person (s) who will be assigned to perform service under the proposal.
- B. Resumes/credentials of the person(s) who will perform the services required and state how long they have been with your firm. For each **key** staff person that will participate in the program, attach a resume. Highlight key and relevant experience. Credentials may be subject to verification.
- C. Adequate information to describe the nature of the offeror's experience in providing the Commissioning Agent and Energy Modeling Services required and described herein.
- D. State if your firm has operated under a different name within the past 10 years and provide the name that your firm previously operated under.
- E. Provide complete details of any contract that your firm has been fired during the last five (5) years.

4.5.3 *EXPERIENCE - 20 points AND CAPABILITY - 25 points (SECTION C):* Provide information to describe the scope/nature of your firm's previous experience in providing Commissioning and Energy Modeling Services. List current and former clients with requirements similar in scope and content to the proposed contract, a contact person and current telephone number at each client location. Chatham County reserves the right to verify the information furnished. Demonstrate the capability of the firm to provide Commissioning and Energy Modeling Services for the

construction of the two new libraries.

4.5.4 PROJECT UNDERSTANDING AND METHODOLOGY - 25 Points (SECTION D): Discuss the approach to rendering the required services. Any special techniques, strategies and capabilities should be discussed here. A detailed narrative statement to demonstrate the offerors' understanding of the Scope of Work described below. The statement shall include but not necessarily be limited to the offerors' proposed organizational structure and procedures to provide the required services, software and equipment to be used, expectations regarding the County's responsibilities and contributions under the contract, any limitations in delivering all the required services, any potential problem areas that might impede the successful implementation of the contract, and any other information not specifically required elsewhere in this RFP but considered pertinent by the offeror.

4.5.4 REFERENCES - 15 points (SECTION E): Please provide five (5) references, to be contacted, and a recent list of government entities which you are currently providing Commissioning Agent / Energy Modeling Services.

4.5.5 FEE PROPOSAL - TOTAL POSSIBLE POINTS: 30 : Provide the basis for your fee on the fee proposal form provided. ONLY ONE ORIGINAL FEE PROPOSAL IS REQUIRED. All fee proposals shall be sealed in a "separate" #10 envelope, clearly marked with the RFP number and title.

4.6 All proposals must remain valid for a period of *not less than sixty (60) days* from due date of proposal.

4.7 All respondents must provide a statement of disclosure which will allow the County to evaluate possible conflicts of interest.

4.8 The County shall have sole discretion in evaluating both the responses and qualifications of the respondents.

4.9 CONTRACT: The successful respondent will be expected to execute a contract within 30 days of notice to award. Upon award of the contract, the proponent shall be bound to deliver services on the terms and conditions of this document and any negotiations which may occur. As well, the County shall be bound on the said terms and conditions to procure the services described and remit payment to the proponent when services are completed and accepted.

4.10 PERFORMANCE AND APPROVAL OF SUB-CONTRACTORS: The proponent will perform the project as an independent contractor and not as an agent or employee of the County. Joint ventures and sub-contractor arrangements are not prohibited; however, the proponent shall secure written permission from Chatham County before subcontracting any part of this service. Such permission should be obtained during the proposal evaluation stage. Proponents are encouraged to use Minority/Woman Business Enterprises and are reminded of reporting requirements when utilizing these arrangements.

4.11 LICENSES, PERMITS, TAXES: The price or prices for the work shall include full compensation for all fees that the proponent is or may be required to pay.

4.12 CHANGES: In the event a contract is awarded, the County may, at any time during the

contract period, make changes within the general scope of the contract and its technical provisions. If any such change causes any increase or decrease in the proponent's cost of performing any part of the contract, whether changed or not changed by any such notice, an equitable adjustment shall be made in the contract prices, or in the time of performance, or in both. A written memorandum of such adjustment shall be made.

Any claim by the proponent for an equitable adjustment shall be supported by detailed cost and pricing data, which the County shall have the right to verify by audit of the proponent's records or, at the County's election, by other appropriate means. Any claim by the proponent for an equitable adjustment shall be made in writing and prior to proceeding with the additional services or capital investments. The County may accept and act upon claims made later if, in the County's sole discretion, circumstances justify so doing. Nothing in this clause shall excuse the proponent from proceeding with performance of this contract in accordance with its original terms and conditions and any approved changes.

4.13 TERMINATION OF CONTRACT: Each party to the contract shall have the right to terminate any contract to be made hereunder for its convenience by giving the proponent written notice 30 days in advance of its election to do so and by specifying the effective date of such termination. The proponent shall be paid for services rendered and not in question or dispute through the effective date of such termination. Further, provided a contract is awarded, if a proponent shall fail to fulfill any of its obligations hereunder, the County may, by giving written notice to the proponent at issue, terminate the agreement with said proponent for such default. If this agreement is so terminated, the proponent shall be paid only for work satisfactorily completed.

4.14 ASSIGNMENT: The Consultant shall not assign or transfer any interest of the contract without prior written consent of the County.

SECTION V TECHNICAL SPECIFICATIONS

5.1 BACKGROUND: Chatham County, Georgia, is under contract for the design of two new library branches for the Live Oak Public Libraries. One branch will be located in Garden City, Georgia and the other will be located on Wilmington Island in Chatham County, Georgia.. Each building will be approximately 18,000 to 20,000 square feet in size. Both facilities shall be, at the minimum Silver LEED certified. Chatham County, along with the Design Consultant, agrees that a third party Commissioning Agent is necessary for the LEED certification.

5.2 REQUIREMENTS:

Successful firm must:

1. Have a Commissioning Agent who is a registered engineer in Georgia as part of the prime firm
2. Have a staffed, permanent office (not a PO Box) in Georgia
3. Be licensed by the Secretary of State to do business in Georgia
4. Have a principal of the prime firm be a Commissioning Hold membership in a professional commissioning organization (such as the Building Commissioning Association or ACG)
5. Have successfully commissioned five completed and certified LEED Silver buildings in Georgia;

- proposal must include references for these projects.
6. Have successfully completed energy models for five completed and certified LEED Silver buildings in Georgia; proposal must include references for these projects.
 7. Include a LEED AP on the team assigned to this project.
 8. Firm must be capable of self-performing the work as a prime; no subs.

5.3 COMMISSIONING:

Systems to be commissioned:

1. HVAC Systems and Associated Controls
2. Lighting and Lighting Controls
3. Domestic Hot Water
4. Renewable Energy
5. Energy Management & Control Systems
6. Central Heating & Chiller Plants and Distribution
7. Plumbing
8. Building Envelope

5.4 COMMISSIONING SCOPE OF WORK:

5.4.1 Performance Criteria and Systems Design Review:

- A. Joint meetings/conference calls with owner and design team for project orientation and review of the OPR and the BOD for the energy-related systems.
- B. Conduct a DD design review for all commissioned systems. Hold a meeting/conference call to discuss findings and recommendations. Coordinate with the design team to incorporate appropriate design review comments.
- C. Review 95% CDs to assure incorporation of comments.
- D. Perform a submittal review of commissioned systems.

5.4.2 Incorporation of Commissioning Requirements:

- a. Incorporate the commissioning requirements into the construction documents including contractor responsibilities in a commissioning specification section or equivalent documents.

5.4.3 Create Commissioning Plan:

- A. Develop and utilize a commissioning plan for the systems that will be commissioned indicating the Contractor's responsibilities for assisting in the commissioning process. This "working" document should be continuously revised and updated during the Commissioning process.

5.4.4 Commissioning Test Protocols;

- A. Work with contractor and design engineers to create commissioning test protocols for each system to be commissioned.

5.4.5 Installation Verification:

- A. Provide site visits to verify installation of systems and components for proper maintenance access and equipment replacement. The commissioning agent (CxA) will verify that the installed equipment matches design documents & review equipment connections for power, piping, controls, ductwork, etc.

5.4.6 Functional Performance Testing:

- A. The mechanical and electrical division contractors should complete start-up sheets for each piece of mechanical equipment to be commissioned. Copies of these sheets should be submitted to the CxA.
- B. Contractor to perform the functional performance tests supplied by the CxA and prepare a Certificate of Readiness stating that the systems are ready for witnessed testing.
- C. CxA is to witness functional performance and operational sequences testing for the systems to be commissioned (e.g. HVAC, lighting and domestic hot water) in the presence of the contractor. The performance of the systems will be demonstrated by contractor for all modes of operation.

Test each sequence in the sequence of operations in all modes:

1. Start-up
2. Shut down
3. Unoccupied modes
4. Manual modes
5. Modulation up and down unit's range of capacity
6. Power failure
7. Alarms
8. Component staging
9. Backup upon failure
10. Sensor and actuator calibrations

- D. Review the HVAC test and balance (TAB) report. Verification with the TAB contractor of the TAB report values
- E. Prepare a summary report consisting of equipment start-up and functional performance testing results. Identify deficiencies needing correction
- F. Perform site visits to confirm that corrective measures are performed by the Contractor for compliance with the contract documents

5.4.7 O&M Manual Review:

- A. Review the O&M Manuals for completeness and applicability to building operating personnel

5.4.8 Training:

- A. Review the training and approve the training plan and procedures. Verify that the training of operating personnel and building occupants was completed

5.4.9 Commissioning Report:

Prepare Final Commissioning Report:

- *Executive summary of the process and the results of the commissioning program
- *History of any system deficiencies identified and how they were resolved
- *Systems performance test results and evaluation
- *A summary of the design review process
- *A summary of the submittal review process
- *Summary of the O&M documentation and training process.

5.4.10 Systems Manual:

Provide a systems manual that provide future operating staff the information needed to understand and optimally operate the commissioned systems

5.4.11 Warranty Review:

Perform a 10-month Warranty Review site visit, interview occupants, identify problems or concerns, provide suggestions for improvements, and assist facility staff to develop documents or service requests to remedy found problems

5.5 ENERGY MODELING:

5.5.1 Energy Modeling scope of work includes:

- A. Develop a Standard 90.1-2007 Baseline eQUEST® energy model of the proposed building
- B. Work interactively with the design team to optimize energy performance
- C. Make suggestions to improve energy performance
- D. Work strategically to gain maximum possible energy points
- E. Evaluate up to five (5) alternative design feature alternatives
- F. Create a final As-Designed eQUEST energy model
- G. Prepare the LEED documentation for EAc1
- H. Respond to any review comments from USGBC
- I. Revise and resubmit if necessary

SECTION VI

EVALUATION AND AWARD

6.1 EVALUATION: Each response to this RFP shall be subject to the same review and assessment process. Proposals will be evaluated and ranked on the basis of points awarded by the Evaluation Committee. A description of the factors which will be analyzed, and the relative weight accorded each factor follows. *The County will not consider the proposal of any Offeror who lacks accreditation or authorization to provide Commissioning Agent / Energy Modeling Services.*

STEP 1: PROPOSAL AND FEE PROPOSAL SUBMITAL (*TOTAL POSSIBLE POINTS: 130*).

<i>Evaluating Factor:</i>	<i>Points Possible:</i>
Business Profile - Provide the resume, education, professional certification and relevant experience in Commissioning Agent/Energy Modeling of the proposed Project Manager	15
Experience- firm's previous experience in providing Commissioning Agent/Energy Modeling Services.	20
Capability- Demonstrate the capability of the firm/individual to provide Commissioning Agent/Energy Modeling Services.	25
Project Understanding and Methodology - Demonstrate your understanding and plan to provide Commissioning Agent/Energy Modeling Services.	25
References- Provide a minimum of five (5) references of agencies or firms that you have provide the same or similar Commissioning Agent/Energy Modeling Services within the past five (5) years	15

FEE PROPOSAL/COST DATA (*TOTAL POSSIBLE POINTS: 30*)

STEP 2- INTERVIEWS/PRESENTATIONS- **IF REQUIRED** (*TOTAL POSSIBLE POINTS: 30*)

6.2 **CONTRACT AWARD:**

6.2.1 Proposals will become part of the contract.

6.2.2 No work shall be performed under the contract until a contract has been fully executed by both parties. A notice to proceed will be issued by Chatham County.

REQUEST FOR PROPOSAL

CHATHAM COUNTY, GEORGIA

FEE PROPOSAL FORM

RFP NO. P11-0022-4

COMMISSIONING AGENT / ENERGY MODELING SERVICES FOR THE NEW ISLANDS BRANCH AND GARDEN CITY BRANCH LIBRARIES

I have read and understand the requirements of this proposal, RFP No. P11-0022-4, and agree to provide the required services in accordance with this proposal, and all other attachments, exhibits, etc. I agree to furnish the Services as describe in the RFP for the fee listed below. I understand that the County will not be responsible for the reimbursement of any costs not specifically set forth in this proposal. In addition, the County reserves the right to accept any part or all of the fee schedule and to negotiate any charges contained herein unless qualified otherwise. **PLEASE PROVIDE DETAIL OF COSTS BROKEN DOWN BY TASK AS AN ATTACHMENT.**

PROPOSAL FEE: \$ _____

FIRM NAME: _____

PROPOSER: _____

SIGNATURE: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

TELEPHONE: _____

FAX NUMBER: _____

E-MAIL: _____

BUSINESS TAX CERTIFICATE/LICENSE NUMBER: _____

CITY/COUNTY/STATE: _____

MINORITY BUSINESS ENTERPRISE? _____ /YES _____ /NO

MINORITY CLASSIFICATION: _____

Attachment A

DRUG FREE WORKPLACE CERTIFICATION

The undersigned certifies that the provisions of Code Sections 50-24-1 through 50-24-6 of the Official Code to Georgia Annotated, related to the Drug Free Workplace have been complied with in full.

1. A drug-free workplace will be provided for the employees during the performance of the contract; and;
2. Each sub-contractor under the direction of the Contractor shall secure the following written certification:

_____ (Contractor) certifies to Chatham County that a drug-free workplace will be provided for the employees during the performance of this contract known as COMMISSIONING AGENT / ENERGY MODELING SERVICES FOR THE NEW ISLANDS BRANCH AND GARDEN CITY BRANCH LIBRARIES pursuant to paragraph (7), of subsection (B) of Code Section 50-24-3. Also, the undersigned further certifies that he/she will not engage in the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana during the performance of the contract.

CONTRACTOR: DATE:

NOTARY: DATE:

Attachment B

PROMISE OF NON-DISCRIMINATION STATEMENT

Know All Men By These Presents, that I (We), _____,
_____, Name Title

Name of Bidder

(herein after "Company") in consideration of the privilege to bid/or propose on the following Chatham County project procurement (COMMISSIONING AGENT / ENERGY MODELING SERVICES FOR THE NEW ISLANDS BRANCH AND GARDEN CITY BRANCH LIBRARIES), hereby

consent, covenant and agree as follows:

1. No person shall be excluded from participation in, denied the benefit of or otherwise discriminated against on the basis of race, color, national origin or gender in connection with the bid submitted to Chatham County or the performance of the contract resulting therefrom;
2. That it is and shall be the policy of this Company to provide equal opportunity to all business persons seeking to contract or otherwise interested with the Company, including those companies owned and controlled by racial minorities, and women;
3. In connection herewith, I (We) acknowledge and warrant that this Company has been made aware of, understands and agrees to take affirmative action to provide minority and women owned companies with the maximum practicable opportunities to do business with this Company on this contract;
4. That the promises of non-discrimination as made and set forth herein shall be continuing throughout the duration of this contract with Chatham County;
5. That the promises of non-discrimination as made and set forth herein shall be and are hereby deemed to be made a part of and incorporated by reference in the contract which this Company may be awarded;
6. That the failure of this Company to satisfactorily discharge any of the promises of non-discrimination as made and set forth above may constitute a material breach of contract entitling the County to declare the contract in default and to exercise appropriate remedies including but not limited to termination of the contract.

Signature Date

Attachment C

DISCLOSURE OF RESPONSIBILITY STATEMENT

Failure to complete and return this information will result in your bid/offer/proposal being disqualified from further competition as non-responsive.

1. List any convictions of any person, subsidiary, or affiliate of the company, arising out of obtaining, or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract.

2. List any indictments or convictions of any person, subsidiary, or affiliate of this company for offenses such as embezzlement, theft, fraudulent schemes, etc. or any other offenses indicating a lack of business integrity or business honesty which affects the responsibility of the contractor.

3. List any convictions or civil judgments under states or federal antitrust statutes.

4. List any violations of contract provisions such as knowingly (without good cause) to perform, or unsatisfactory performance, in accordance with the specifications of a contract.

5. List any prior suspensions or debarments by any governmental agency.

6. List any contracts not completed on time.

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7. List any penalties imposed for time delays and/or quality of materials and workmanship.

8. List any documented violations of federal or any state labor laws, regulations, or standards, occupational safety and health rules.

I, _____, as _____

Name of individual

Title & Authority

of _____, declare under oath that

Company Name _____

the above statements, including any supplemental responses attached hereto, are true.

Signature

State of _____

County of _____

Subscribed and sworn to before me on this _____ day of _____

20__ by _____ representing him/herself to be

_____ of the company named herein.

Notary Public

My Commission expires: -----

Resident State: _____

Attachment D

**LETTER OF INTENT TO PERFORM AS A MINORITY/WOMEN BUSINESS ENTERPRISE
SUBCONTRACTOR/JOINT VENTURE PARTNER**

THIS FORM MUST BE COMPLETED BY THE SUCCESSFUL SUB-CONTRACTOR AND SUBMITTED BY THE APPARENT SUCCESSFUL BIDDER OR PROPOSER BEFORE APPROVAL OF CONTRACT AWARD IS REQUESTED BY COUNTY STAFF FROM THE BOARD OF COMMISSIONERS.

PROJECT: RFP # P11-00122-4 -Commissioning Agent / Energy Modeling Services for the New Islands and Garden City Branch Libraries

PROPOSER: _____

DATE: _____

The undersigned has agreed to perform work in connection with the above project as:

a sole proprietorship (individual)

a corporation

a partnership

a joint venture

Detailed description of work items to be performed: _____

at the following price \$ _____.

Type or Print Name of M/WBE Sub-Contractor

By: _____

Title: _____

Printed Name: _____

The undersigned will enter into a written agreement with the above M/WBE Contractor for the work described upon award and execution of a contract with Chatham County.

Type or Print Name of Firm

Signature: _____ Title: _____

Printed Name: _____ Date: _____

Attachment E

CONTRACTOR AFFIDAVIT AND AGREEMENT

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A.13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with (name of public employer) has registered with and is participating in a federal work authorization program* [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91.

The undersigned further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to this contract with (name of public employer), contractor will secure from such subcontractor(s) similar verification of compliance with O.C.G.A. 13-10-91 on the Subcontractor Affidavit provided in Rule 300-10-01- 08 or a substantially similar form. Contractor further agrees to maintain records of such compliance and provide a copy of each such verification to the (name of the public employer) at the time the subcontractor(s) is retained to perform such service.

EEV / Basic Pilot Program* User Identification Number

BY: Authorized Officer or Agent
(Contractor Name)

Date

Title of Authorized Officer or Agent of Contractor

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE

____ DAY OF _____, 200__

Notary Public

My Commission Expires:

* As of the effective date of O.C.G.A. 13-10-91, the applicable federal work authorization program is the "EEV / Basic Pilot Program" operated by the U. S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA).

SUBCONTRACTOR AFFIDAVIT

By executing this affidavit, the undersigned subcontractor verifies its compliance with O.C.G.A. 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services under a contract with (name of contractor) on behalf of (name of public employer) has registered with and is participating in a federal work authorization program* [any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603], in accordance with the applicability provisions and deadlines established in O.C.G.A. 13-10-91.

EEV / Basic Pilot Program* User Identification Number

BY: Authorized Officer or Agent
(Subcontractor Name)

Date

Title of Authorized Officer or Agent of Subcontractor

Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
____ DAY OF _____, 200__

Notary Public

My Commission Expires:

* As of the effective date of O.C.G.A. 13-10-91, the applicable federal work authorization program is the “EEV / Basic Pilot Program” operated by the U. S. Citizenship and Immigration Services Bureau of the U.S. Department of Homeland Security, in conjunction with the Social Security Administration (SSA).

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Attachment F

CHATHAM COUNTY, GEORGIA

BIDDER'S CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

The undersigned certifies, by submission of this proposal or acceptance of this contract, that neither Contractor nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntary excluded from participation in this transaction by any Federal department or agency, State of Georgia, City of Savannah, Board of Education or local municipality. Bidder agrees that by submitting this proposal that Bidder will include this clause without modification in all lower tier transactions, solicitations, proposals, contracts and subcontracts. Where the Bidder or any lower tier participant is unable to certify to this statement, that participant shall attach an explanation to this document.

Certification - the above information is true and complete to the best of my knowledge and belief.

(Printed or typed Name of Signatory)

(Signature)

(Date)

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001

END OF DOCUMENT Mod. CC P & C 6/2005

Attachment G

Chatham County

Minority and Women Business Enterprise Program

M/WBE Compliance Report

Name of Bidder: _____

Name of Project: _____

Bid No: _____

M/WBE Firm	Type of Work	Contact Person/ Phone #	City, State	%	MBE or WBE

MBE Total _____%

WBE Total _____%

M/WBE Combined _____%

The undersigned should enter into a formal agreement with M/WBE Contractor identified herein for work listed in this schedule conditioned upon execution of contract with the Chatham County Board of Commissioners.

Signature _____ Print _____

Phone () _____ Fax () _____

Attachment H

Systematic Alien Verification for Entitlements (SAVE)

Affidavit Verifying Status for Chatham County Benefit Application

By executing this affidavit under oath, as an applicant for a Chatham County, Georgia Business License or Occupation Tax Certificate, Alcohol License, Taxi Permit, Contract or other public benefit as reference in O.C.G.A. Section 50-36-1, I am stating the following with respect to my bid for a Chatham County contract for _____. [Name of natural person applying on behalf of individual, business, corporation, partnership, or other private entity]

1.) _____ I am a citizen of the United States.

OR

2.) _____ I am a legal permanent resident 18 years of age or older.

OR

3.) _____ I am an otherwise qualified alien (8 § USC 1641) or non-immigrant under the Federal Immigration and Nationality Act (8 USC 1101 et seq.) 18 years of age or older and lawfully present in the United States.*

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of Code Section 16-10-20 of the Official Code of Georgia.

Signature of Applicant:

Date

Printed Name:

SUBSCRIBED AND SWORN

* _____

BEFORE ME ON THIS THE

Alien Registration number for non-citizens.

____ DAY OF _____, 20__

Notary Public _____

My Commission Expires: _____

LEGAL NOTICE

CC NO. 165090

Chatham County, Georgia is seeking proposals from firms interested in providing Commissioning Agent and Energy Modeling Services for the new Islands Branch and Garden City Branch Libraries. **Request for Proposal No. P11-0022-4.**

A pre-proposal conference will be conducted at **10:00 A.M. OCTOBER 27, 2011**, in the Chatham County Purchasing and Contracting Office, 1117 Eisenhower Drive, Suite C, Savannah, Georgia, to discuss the specifications and to resolve any questions and/or misunderstanding that may arise. Firms are encouraged to attend.

Proposals are due by **2:00 P.M. NOVEMBER 10, 2011** and must be mailed or hand delivered to the Chatham County Purchasing and Contracting Office, 1117 Eisenhower Drive, Suite C, Savannah, Georgia 31406.

All firms requesting to do business with Chatham County must also register on the County's website at <http://purchasing.chathamcounty.org>.

A copy of this Request for Proposal is available in the **Chatham County Purchasing Office, 1117 Eisenhower Drive, Suite C, Savannah, Georgia 31406, or can be downloaded from the Chatham County website at <http://purchasing.chathamcounty.org>**. For additional information concerning specifications, please contact Mr. Robert Marshall, Senior Procurement Specialist, at (912) 790-1622.

CHATHAM COUNTY RESERVES THE RIGHT TO REJECT ANY/AND ALL BIDS AND TO WAIVE ALL FORMALITIES. "CHATHAM COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER, M/F/H, ALL BIDDERS ARE TO BE EQUAL OPPORTUNITY EMPLOYERS".

MARGARET H. JOYNER, PURCHASING AGENT
CHATHAM COUNTY, GEORGIA

- Savannah News- INSERT: Oct. 18, 2011

NEWS ONLY-

Please send two copies of affidavit to:

Chatham County Purchasing Department

P.O. Box 15180

Savannah, GA 31416

(912) 790-1622

Chatham County | RFQ for Two New Libraries

Agent certified by an independent 3rd party organization (ACG/AABCCG, ASHRAE, BCA, AEEC, etc.) *Person registered should be a firm principal and not just a staff engineer.*

REQUIREMENTS

Successful firm must:

- .Have a Commissioning Agent who is a registered engineer in Georgia as part of the prime firm
- .Have a staffed, permanent office (not a PO Box) in Georgia
- .Be licensed by the Secretary of State to do business in Georgia
- .Have a principal of the prime firm be a Commissioning Hold membership in a professional commissioning organization (such as the Building Commissioning Association or ACG)
- .Have successfully commissioned five completed and certified LEED Silver buildings in Georgia; proposal must include references for these projects.
- .Have successfully completed energy models for five completed and certified LEED Silver buildings in Georgia; proposal must include references for these projects.
- .Include a LEED AP on the team assigned to this project.
- .Firm must be capable of self-performing the work as a prime; no subs.

COMMISSIONING

Systems to be commissioned:

- o HVAC Systems and Associated Controls
- o Lighting and Lighting Controls
- o Domestic Hot Water
- o Renewable Energy

- o Energy Management & Control Systems
- o Central Heating & Chiller Plants and Distribution
- o Plumbing
- o Building Envelope

Commissioning Scope of Work includes:

Performance Criteria and Systems Design Review

- 1) Joint meetings/conference calls with owner and design team for project orientation and review of the OPR and the BOD for the energy-related systems.
- 2) Conduct a DD design review for all commissioned systems. Hold a meeting/conference call to discuss findings and recommendations. Coordinate with the design team to incorporate appropriate design review comments.
- 3) Review 95% CDs to assure incorporation of comments.
- 4) Perform a submittal review of commissioned systems.

Incorporation of Commissioning Requirements

- 5) Incorporate the commissioning requirements into the construction documents including contractor responsibilities in a commissioning specification section or equivalent documents.

Create Commissioning Plan

6) Develop and utilize a commissioning plan for the systems that will be commissioned indicating the Contractor's responsibilities for assisting in the commissioning process. This "working" document should be continuously revised and updated during the Commissioning process.

Commissioning Test Protocols

7) Work with contractor and design engineers to create commissioning test protocols for each system to be commissioned.

Installation Verification

1) Provide site visits to verify installation of systems and components for proper maintenance access and equipment replacement. The commissioning agent (CxA) will verify that the installed equipment matches design documents & review equipment connections for power, piping, controls, ductwork, etc.

Functional Performance Testing

2) The mechanical and electrical division contractors should complete start-up sheets for each piece of mechanical equipment to be commissioned. Copies of these sheets should be submitted to the CxA.

3) Contractor to perform the functional performance tests supplied by the CxA and prepare a Certificate of Readiness stating that the systems are ready for witnessed testing.

4) CxA is to witness functional performance and operational sequences testing for the systems to be commissioned (e.g. HVAC, lighting and domestic hot water) in the presence of the contractor. The performance of the systems will be demonstrated by contractor for all modes of operation.

Test each sequence in the sequence of operations in all modes:

- o Start-up
- o Shut down
- o Unoccupied modes
- o Manual modes
- o Modulation up and down unit's range of capacity
- o Power failure
- o Alarms

- o Component staging
- o Backup upon failure
- o Sensor and actuator calibrations

11) Review the HVAC test and balance (TAB) report. Verification with the TAB contractor of the TAB report values

12) Prepare a summary report consisting of equipment start-up and functional performance testing results. Identify deficiencies needing correction

13) Perform site visits to confirm that corrective measures are performed by the Contractor for compliance with the contract documents

O&M Manual Review

- 14) Review the O&M Manuals for completeness and applicability to building operating personnel

Training

- 15) Review the training and approve the training plan and procedures. Verify that the training of operating personnel and building occupants was completed

Commissioning Report

- 16) Prepare Final Commissioning Report:
 1. Executive summary of the process and the results of the commissioning program
 2. History of any system deficiencies identified and how they were resolved
 3. Systems performance test results and evaluation
 4. A summary of the design review process
 5. A summary of the submittal review process
 6. Summary of the O&M documentation and training process.

Systems Manual

- 7) Provide a systems manual that provide future operating staff the information needed to understand and optimally operate the commissioned systems

Warranty Review

- 8) Perform a 10-month Warranty Review site visit, interview occupants, identify problems or concerns, provide suggestions for improvements, and assist facility staff to develop documents or service requests to remedy found problems

ENERGY MODELING

Energy Modeling scope of work includes:

- 1) Develop a Standard 90.1-2007 Baseline eQUEST® energy model of the proposed building
- 2) Work interactively with the design team to optimize energy performance

- a. Make suggestions to improve energy performance
- b. Work strategically to gain maximum possible energy points

Evaluate up to five (5) alternative design feature alternatives

3)

Create a final As-Designed eQUEST energy model

4)

5) Prepare the LEED documentation for EAc1

- a. Respond to any review comments from USGBC
- b. Revise and resubmit if necessary