

City of Albany, New York

REQUEST FOR PROPOSALS FOR THE PROVISION OF ENERGY & SUSTAINABILITY SERVICES

RFP No. 2010-04
February 3, 2010

SECTION 1: PURPOSE

- 1.1 The City of Albany is soliciting qualified individuals or firms to provide consulting services in connection with developing, implementing and managing a City-wide Energy and Sustainability Plan and Program for the City of Albany, New York. This is a new program designed to lead the City's energy and sustainability efforts.

The selected proposer will be responsible for coordinating and developing programs and finalizing the City's Greenhouse Gas (GHG) Emissions Inventory as part of ICLEI's Five Milestone process; coordinating and developing the new City of Albany Energy and Sustainability Office; conducting research, analysis and overseeing public process to identify, develop and manage innovative and effective programs to improve the energy sustainability of municipal operations, as well as commercial, institutional and residential sectors; and monitoring, measuring and reporting program performance. Minority Business Enterprises and Women's Business Enterprises are encouraged to submit proposals.

SECTION 2: RECEIPT OF PROPOSALS

- 2.1 Five (5) copies of the Proposal must be received in a sealed envelope marked "Proposal Enclosed – Energy and Sustainability Services" no later than **Wednesday, February 24, 2010 at 3:00 p.m.** at the following address:

Douglas Melnick
Director of Planning
Department of Development and Planning
21 Lodge Street
Albany, NY 12207

- 2.2 Each proposal submitted will be the document upon which the City of Albany will make its initial judgment regarding each proposer's qualifications, methodology, and ability to provide the requested services.
- 2.3 Those submitting proposals do so entirely at their own expense. There is no express or implied obligation by the City to reimburse any firm or individual for

any costs incurred in preparing or submitting proposals, preparing or submitting additional information requested by the City, or participating in any selection interviews.

- 2.4 Submission of any proposal indicates an acceptance of the conditions contained in this Request for Proposals unless the submitted proposal clearly and specifically states otherwise.
- 2.5 The City of Albany reserves the right to accept or reject any and all proposals in whole or in part, to waive any and all informalities, and to disregard all non-conforming, non-responsive or conditional proposals.
- 2.6 The City of Albany reserves the right to award the contract, in whole or in part, to one or more firms and individuals.
- 2.7 Any award of the professional energy and sustainability services work shall be conditioned on the later execution of a formal written contract. The City of Albany reserves the right to revoke or rescind any award at any time prior to the full execution of a formal written contract.

SECTION 3: QUALIFICATIONS OF PROPOSER:

- 3.1 Each proposer shall provide a statement of qualifications including:
 - a. A brief history and description of the individual or firm submitting the proposal.
 - b. Identification of the individual or the firm's professional staff members who will be engaged if the proposal is selected. Include a resume for each such professional staff member, which details qualifications, years and types of experience, education, accomplishments, etc. Specify the extent of the availability and commitment of each such professional staff member who will be assigned to this engagement if the firm's proposal is selected.
 - c. At least three (3) references, including addresses and telephone numbers.
 - d. A signed cover letter from the individual or a person within the firm who is authorized to make representations on behalf of the firm and to bind the firm.
 - e. A summary of the individual's or firm's general experience in Energy and Sustainability as outlined in sections 3.3-3.5.
 - f. Any additional information which would serve to distinguish the firm from other firms submitting proposals such as examples of work on projects similar to the project contemplated by this RFP, any special expertise or experience of the firm, etc.

3.2 The City of Albany may make such inquiries it deems necessary to determine the ability of each proposer to perform the services contemplated by this RFP. Proposers shall promptly furnish all information and data for this purpose as may be subsequently requested by the City of Albany.

3.3 Requirements

Bachelor's degree in Environmental Sciences, Environmental Policy or Management, Urban Planning, or closely related field. Three to five years related professional experience including development and implementation of energy efficiency, sustainability and renewable energy programs. Knowledge and experience in environmental management, climate change, energy efficiency, renewable energy and environmental sustainability principles. Demonstrated ability to work independently with minimal supervision, to assume responsibility, to prioritize and resolve problems, to work under pressure, and to coordinate and manage complex projects. Excellent interpersonal skills, including the ability to maintain effective working relationships with business contacts, the general public, boards, consultants and with employees at all levels of the organization. Ability to research, analyze and synthesize complex information, develop and present recommendations and prepare concise written reports, correspondence and recommendations. Experience in research, policy development, and report writing. Ability and willingness to attend evening meetings. Experience with or knowledge of Microsoft Word, Access, Excel, PowerPoint, ICLEI's CACP 2009 and CAPP, and EPA's Portfolio Manager Software.

3.4 The Energy and Sustainability Coordinator must have the experience and skills required to assess, plan, coordinate and supervise implementation of climate protection solutions for local jurisdictions. At a minimum, Proposer must demonstrate the following:

- a. Experience with analysis of climate protection and energy issues, development and implementation of innovative programs and solutions. Preferably knowledge of national, New York State, and local climate protection plans and programs.
- b. Ability to analyze and present technical information in a comprehensive and effective manner to public agency staff, management, and elected and appointed officials.
- c. Ability and experience in speaking to elected and appointed boards and other constituencies at public meetings.

3.5 Proposer shall demonstrate an understanding of the spectrum of key stakeholders involved in local sustainability planning and shall be prepared to build the relationships required for a successful collaboration across public agencies. Proposer is not expected to be an expert at implementing programs across all climate action and energy initiatives but have a working knowledge of them and be able to leverage existing programs and develop new programs where gaps exist.

SECTION 4: SCOPE OF SERVICES:

4.1

Summary

The purpose of the scope of services, as detailed below is to make Albany a model city for innovative, ecologically sustainable operations, policies, and development practices, and connect the City with regional and national sustainable development programs. The Energy and Sustainability Coordinator will be responsible for helping the City take advantage of the multiple benefits generated by adopting more environmentally sound practices. These include economic opportunities for businesses and encouraging “green collar” jobs; reduced operating costs for the City, schools and other institutions, and businesses; a healthier, safer, more livable community; natural resource conservation and restoration, and mitigating and adapting to climate change. In particular, the selected proposer will do the necessary cross-departmental work that will be key to the success of the City’s programs, including working with the Mayor and City Council on recommending and prioritizing sustainability activities. In addition, a major responsibility will include coordinating with the general public, and Albany’s numerous institutions, including New York State Government, which has Albany as its capital.

4.2

Responsibilities

The selected Proposer will be required to work with City Departments, the City of Albany Sustainability Working Group, and other local partners to organize sustainable programming and introduce new initiatives. The Energy and Sustainability Coordinator will be charged with the responsibility to pursue environmental excellence in the areas of regulatory compliance, green building, and sustainability.

The selected Proposer will be expected to dedicate a minimum of 37.5 hours per week to this engagement.

4.3

Scope of Work

The selected Proposer shall provide the following services:

- a. Provide vision and leadership in the development of an Energy and Sustainability Program that grows, improves, and becomes self-financing over time.
- b. Research, develop, and implement sustainability concepts within the City of Albany government and community sectors; identify and address barriers to their success.
- c. Develop criteria, policies and procedures for energy and sustainability programs.
- d. Establish annual performance targets; analyze, monitor and report on progress in meeting these goals and their effectiveness.

- e. Pursue and manage grants and other funding opportunities, recognition/awards, where appropriate, to support the implementation of sustainability programs.
- f. Assist city departments to reduce environmental impacts and energy consumption from operations and improve environmental performance.
- g. Coordinate GHG inventory and reduction programs to achieve GHG emissions reduction targets for governmental and community sectors. This includes research, program planning and evaluation of projects and programs. Take responsibility for implementation and outcomes, including cost-effectiveness, community equity, and tracking. Specific tasks include:
 - Finalize the city's Greenhouse Gas (GHG) Emissions Inventory.
 - Coordinate programs to improve energy efficiency and renewable energy use in the residential and commercial sectors.
 - Develop project or program budgets and work plans, evaluate program performance, and determine areas for program expansion.
 - Perform policy analysis, and help draft potential GHG and energy policies.
 - Manage GHG program tracking.
 - Develop and maintain partnerships with residential groups, business organizations, energy efficiency and renewable energy contractors, and local, state, and federal government agencies involved in energy efficiency and renewable energy.
 - Prepare plans, reports, memos and other materials to communicate GHG program strategies and results to the Mayor, Common Council, city departments, boards and community.
 - Research, analyze and report technical information on programs implemented elsewhere to improve program offerings.
- h. Oversee development of and manage Energy Performance Contracting for municipal facilities.
- i. Serve as team leader for City staff to develop sustainability initiatives and assess their cost effectiveness, technical feasibility and implementation strategies.
- j. Serve as a catalyst to produce a culture change within the City that integrates sustainability and environmental values into how the City conducts business through policy, media, alerts and other creative programs (e.g., car-sharing, bike and bus ridership, supplies sharing, double-sided printing, etc.).
- k. Develop a multi-faceted communication strategy within the organization and the community to promote the City's efforts. Work closely with public relations staff to communicate the City's energy and sustainability goals and accomplishments. Oversee development and maintenance of city sustainability website.

- l. Provide research and support to Mayor, city departments, committees, boards and Common Council; perform other related duties as required or assigned.
- m. Represent the City within the community; increase awareness of sustainability initiatives through participation in civic, neighborhood and professional group activities.
- n. Develop programs to encourage citizen adoption of sustainability practices and changes in behavior, through targeted education and outreach.
- o. Ensure that City activities complement related initiatives from and funding opportunities of other organizations (e.g., NYSERDA, USDOE, etc). Evaluate the applicability and appropriateness of City participation in international, state, and regional sustainability initiatives and build relationships with these organizations and other government entities that strengthen common goals.
- p. Facilitate the implementation of the City's climate action goals through usage of technology, environmental tracking matrices, coordination with International Council for Local Environmental Initiatives (ICLEI), including enhanced membership and software tools, etc.
- q. Assist with the research, review and amendment of city codes related to promotion of energy and sustainability agenda across public and private sectors including transportation, building codes, green infrastructure, and municipal operations.

SECTION 5: RELATIONSHIP:

The selected proposer is, and will function as an independent contractor under the terms of this AGREEMENT and shall not be considered an agent or employee of the City of Albany for any purposes, and the employees of the selected proposer shall not in any manner be, or be held out to be, agents or employees of the City.

SECTION 6: COST PROPOSAL:

- 6.1 Provide the total not to exceed yearly fee for providing all of the services requested in Section 4 above, as well a breakdown of the total not to exceed yearly fee including an hourly fee schedule.
- 6.2 Clearly set forth in detail any and all additional expenses for which you expect to be reimbursed. The proposal must provide a guarantee that no additional fees will be charged to the City of Albany without prior written consent by the City.
- 6.3 The selected proposer shall submit itemized bills, properly executed claim forms, vouchers, and such other necessary information or supporting documentation as may be required by the City of Albany in order to process payment.

SECTION 7: CONTRACT:

- 7.1 The selected proposer(s) will be required to execute a contract with the City of Albany. A sample City of Albany Professional Services Agreement is available upon request. The term of the contract will be (1) one year with (2) two one-year options to renew based upon performance. The City reserves the right to terminate the contract at any time, with or without cause, upon (30) thirty days written notice to the selected proposer.
- 7.2 This is a grant-funded position and compensation will be based upon qualifications. It is expected that the Energy and Sustainability Coordinator will work approximately 37.5 hours per week for the contract period.

SECTION 8: PROPOSAL EVALUATION:

- 8.1 Proposals shall remain valid until the execution of a contract by the City of Albany.
- 8.2 Proposals shall be examined and evaluated by the City of Albany Department of Development and Planning and the Corporation Counsel's Office to determine whether each proposal meets the requirements of this RFP. A recommendation will be made for a contract award based on the following criteria:

- * Proposer's demonstrated capabilities, professional qualifications, and experience in the fields of energy and sustainability including, but not limited to the following:
 - Demonstrated management experience and ability to manage projects in relevant areas of expertise--public administration, urban planning, environmental sciences, energy and sustainability or other related field and five years of progressively responsible experience; excellent communication skills--ability to make effective and persuasive speeches and presentations on controversial or complex topics to top management, public groups, state and federal agencies, business and institutional leaders, and/or elected officials; grant-writing skills; ability to build coalitions within the community; deep knowledge of current ecological challenges including global warming and renewable energy; green buildings; natural resources conservation and restoration; sustainability, and mobility. Experience securing and administering federal, state, and private grants. Experience with performance contracting, ghg inventories and analysis, and revolving energy loan funds and innovative financing mechanisms (PACE, BerkeleyFIRST, Aspen Canary Tags, etc).
- * The wherewithal of the proposer(s) to render the requested services to the City in a timely fashion.
- * Total proposed cost.
- * Completeness of the proposal.

8.3 The selection of a proposal will not be based solely on a monetary evaluation. Considerable weight will be given to experience in the areas required and the track record of the proposer.

8.4 Respondents may be required to make a presentation of their qualifications.

SECTION 8: ALTERNATIVES:

8.1 Proposals may include alternative matters or items not specified or requested in this RFP. However, all such alternative matters or items must be listed separately from the proposal and the cost(s) thereof must be separate and itemized.

SECTION 9: INDEMNIFICATION:

9.1 The selected proposer will be required to defend, indemnify, and save harmless the City of Albany, its employees and agents, from and against all claims, damages, losses and expenses (including without limitations, reasonable attorney's fees) arising out of, or in consequence of, any negligent or intentional act or omission of the selected proposer, its employees or agents, to the extent of its or their responsibility for such claims, damages, losses, and expenses.

SECTION 10: SPECIFICATION CLARIFICATION:

10.1 All inquiries with respect to this Request for Proposals shall be directed to:

Douglas Melnick
Director of Planning
Division of Planning
21 Lodge Street
Albany, New York 12207

10.2 All questions about the meaning or intent of the specifications shall be submitted in writing to the individual referenced above in Section 10.1. Replies will be issued by Addenda mailed or delivered to all parties recorded as having received the proposal documents. Questions received less than four (4) days prior to the date of submission of proposals will not be answered. Only questions answered by formal written Addenda will be binding. Oral or other interpretations or clarifications will be without legal effect.

SECTION 11: MODIFICATION AND WITHDRAWAL OF PROPOSALS:

11.1 Proposals may be modified or withdrawn by an appropriate document duly executed (in the manner that a proposal must be executed) and delivered to the place where proposals are to be submitted at any time prior to the opening of proposals.

11.2 If within twenty-four (24) hours after the proposals are opened, any proposer files a duly signed written notice with the City and promptly thereafter demonstrates to the reasonable satisfaction of the City that there was a material and substantial

mistake in the preparation of its proposal, that proposer may withdraw its proposal and the proposal security will be returned. Thereafter, that proposer will be disqualified from further proposal on the work.

SECTION 12: INSURANCE AND SECURITY REQUIREMENTS:

- 12.1 The selected proposer will be required to procure and maintain at its own expense the following insurance coverage:
- (a) **Workers' Compensation and Employer's Liability Insurance:** A policy or policies providing protection for employees in the event of job-related injuries.
 - (b) **General Liability Insurance:** A policy or policies of comprehensive general liability insurance with limits of not less than three million dollars (\$3,000,000.00) per occurrence.
 - (c) **Errors and Omissions Insurance:** A policy or policies of errors and omissions insurance. Said insurance must be issued by an insurer licensed to do business in the State of New York and must have an A.M. Best rating of not less than "A".
 - (d) **Automobile Liability Insurance:** A policy or policies with limits of not less than \$1,000,000 for each accident because of bodily injury, sickness, or disease, including death at any time, resulting therefrom, sustained by any person caused by accident; and a policy or policies with limits of not less than \$1,000,000 for damage because of injury to or destruction of property, including the loss of use thereof, caused by accident and arising out of the ownership, maintenance, or use of any automobiles.
 - (e) **Professional Liability Insurance:** A policy or policies with limits of not less than \$1,000,000.
- 12.2 Each policy of insurance required shall be in form and content satisfactory to the City of Albany, and shall provide that:
- (a) The City of Albany is named as an additional named insured.
 - (b) The insurance policies shall not be changed or cancelled until the expiration of thirty (30) days after written notice to the City of Albany.
 - (c) The insurance policies shall be automatically renewed upon expiration and continued in force unless the City of Albany is given sixty (60) days written notice to the contrary.
- 12.3 No work shall commence under the contract until the selected proposer has delivered to the City of Albany or its designee proof of issuance of all policies of insurance required by the Contract to be procured by the selected proposer. If at any time, any of said policies shall be or become unsatisfactory to the City, the selected proposer shall promptly obtain a new policy and submit proof of insurance of the same to the City for approval. Upon failure of the selected proposer to furnish, deliver, and

maintain such insurance as above provided, the contract may, at the election of the City, be declared suspended, discontinued or terminated. Failure of the selected proposer to procure and maintain any required insurance, shall not relieve the selected proposer from any liability under the contract, nor shall the insurance requirements be constructed to conflict with the obligations of the selected proposer concerning indemnification.

**SECTION 13: NON-COLLUSIVE PROPOSAL CERTIFICATE &
ACKNOWLEDGMENT**

- 13.1 Each proposer shall complete and submit with its, his, or her proposal the “Non-Collusive Proposal Certificate” and the “Acknowledgment” found on the two (2) pages that follow this page.

NON-COLLUSIVE PROPOSAL CERTIFICATE
PURSUANT TO NEW YORK STATE GENERAL MUNICIPAL LAW SECTION 103-D

By submission of this proposal, each proposer and each person signing on behalf of any proposer certifies, and in the case of a joint proposal each party thereto, certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- (1) The prices in the proposal have been arrived at independently, without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other proposer or with any competitor;
- (2) Unless otherwise required by law, the prices which have been quoted in this proposal have not been knowingly disclosed by the proposer and will not knowingly be disclosed by the proposer prior to the opening, directly or indirectly, to any other proposer or to any competitor; and
- (3) No attempt has been made or will be made by the proposer to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

(date)

(signature)

(name and title)
(printed name and title)

(name of firm)

ACKNOWLEDGMENT BY PROPOSER

If Individual or Individuals:

STATE OF _____)
COUNTY OF _____) SS.:

On this _____ day of _____, 200_, before me personally appeared _____ to me known and known to me to be the same person(s) described in and who executed the within instrument, and he/she/they severally acknowledged to me that he/she/they executed the same.

Notary Public, State of _____
Qualified in _____
Commission Expires _____

If Corporation:

STATE OF _____)
COUNTY OF _____) SS.:

On this _____ day of _____, 200_, before me personally appeared _____ to me known, who, being by me sworn, did say that he/she is the (give title) _____ of the (name of corporation) _____, the corporation described in and which executed the above instrument; that he/she knows the seal of the corporation, and that the seal affixed to the instrument is such corporate seal; that it was so affixed by order of the board of directors of the corporation, and that he/she signed his/her name thereto by like order.

Notary Public, State of _____
Qualified in _____
Commission Expires _____

If Partnership:

STATE OF _____)
COUNTY OF _____) SS.:

On this _____ day of _____, 200_, before me personally came _____, to me known to be the individual who executed the foregoing, and who, being duly sworn, did depose and say that he/she is a partner of the firm of _____ and that he/she has the authority to sign the same, and acknowledged that he/she executed the same as the act and deed of said partnership.

Notary Public, State of _____
Qualified in _____
Commission Expires _____