

BONITA UNIFIED SCHOOL DISTRICT

REQUEST FOR QUALIFICATIONS AND PROPOSALS

FOR PHOTOVOLTAIC SOLAR ELECTRIC GENERATING SYSTEMS

RFP SCHEDULE

(subject to change)

<u>ACTIVITY</u>	<u>DATE</u>
RFP Issuance	November 18, 2015
Mandatory Pre-Proposal Meeting and Site Walks (Meet at 115 W. Allen Ave., San Dimas)	November 23, 2015, 9:00 am
Latest date/time for Respondents' Submission of Clarifications Requests/RFP Questions	December 2, 2015
District Responses to Respondents' Questions	December 7, 2015
Respondents' Submission of Proposal	January 5, 2016
Interviews (estimated date; at District's discretion)	January 13, 2016
Vendor Selected for Contract Negotiation	January 17, 2016
District Governing Board Action to Approve Design-Build Contract under Government Code Section 4217	March 9, 2016

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**BONITA UNIFIED SCHOOL DISTRICT
REQUEST FOR PROPOSALS AND QUALIFICATIONS (“RFP”)
FOR PHOTOVOLTAIC SOLAR ELECTRIC GENERATING SYSTEMS**

With this Request for Proposals and Qualifications (“RFP”) Bonita Unified School District (“the District”) is seeking written proposals from firms (“Respondents”) providing engineering design, procurement, construction, start-up, commissioning, and ongoing operations, maintenance, and monitoring, and a long-term performance guarantee (“EPC/O&M/PeGu Services” or “Services”) for installation of photovoltaic solar electric generating systems (“Photovoltaic Systems” or “PV Systems”) at thirteen District sites, together with associated warranties and output guarantees as specified herein. The District is seeking Design-Build proposals for these systems and should the District successfully negotiate an energy services contract with a Respondent it intends to seek Board approval of said contract using California Government Code Section 4217.10 *et seq.* The District intends to purchase these Systems and is not interested in any proposals for Power Purchase Agreements.

The District’s sole contact for Respondents during the RFP process is Clyde Murley, consultant to the District (office: (510) 528-8953; mobile: (510) 529-9256; email: clyde@murleyconsulting.com). Detailed submittal requirements are described later in this RFP.

Contact Between Firm and District. The owner and contracting entity for the Project will be the Bonita Unified School District, under direction of the District Superintendent. The project will be coordinated and managed with the assistance of the District’s solar consultant, Clyde Murley of Murley Consulting Group; and the District’s legal counsel. **During this RFP process, firms submitting or considering submitting proposals, and their directors, officers, employees, subconsultants, and subcontractors, are prohibited from communicating about this RFP or the Project with District Board members, the Superintendent, Administration, and Staff. The District reserves the right to disqualify from this RFP process any firm attempting to communicate with District Board members, the Superintendent, Administration, or Staff regarding this RFP or Project. Mr. Murley shall be the sole contact throughout the RFP process, except in the event that a Respondent’s attorney may want to communicate with District’s legal counsel regarding pertinent legal issues.**

1. OVERVIEW, OBJECTIVE, AND PROCUREMENT APPROACH

The Bonita Unified School District is a K-12 public school district with schools in both San Dimas and La Verne. The District has 8 elementary schools, 2 middle schools, and 3 high schools, and a site that houses the District’s administration and transportation functions. With this RFP the District intends to procure solar PV systems at all of these sites. The current annual electricity usage at these sites is approximately 8.7 million kWh. To the extent practicable the District wants to build enough PV at each site to achieve the lowest electric bill while at the same time not overproducing under the current Net Energy Metering rules and tariffs. The District intends to minimize rooftop applications, but is open to them if ground-mounted structures are prohibitively costly or not approvable by DSA. **Respondents are therefore directed to propose rooftops only if they are necessary to achieve the indicated annual kWh target in Table 1.**

The District's goal in installing solar PV systems at the 13 indicated sites is to have enough solar PV self generation to achieve the minimum possible SCE bill. The District has conducted its own analysis to determine the amount of solar PV output that will achieve this outcome. The District expects that SCE's Option R tariff option will be the best choice in this regard. In doing this analysis the District is allowing for a certain amount of future energy efficiency improvements. Table 1 of this RFP indicates the target amounts of solar PV production that are expected to achieve the greatest reduction in the District's SCE electric charges. **Respondents are directed to develop their proposals such that the proposed Solar PV systems match, or come reasonably close to matching, the target PV outputs listed in Table 1.**

Exhibit H of this RFP contains aerials of each candidate site. Each aerial is marked with the areas that the District regards as permissible for installing solar PV. Respondents are directed to propose specific PV systems at each site that provide the target annual PV outputs in Table 1 at the least cost, under the condition that rooftops are to be proposed only when they are necessary to achieve the target kWh figure in Table 1. It is each Respondent's obligation to propose specific PV structures and systems that are in compliance with all applicable codes and regulations, including but not limited to the requirements of the Division of the State Architect ("DSA"). Thus, for example, a PV "lunch structure" or PV "play structure," which appear on many of the campus aerials, if it is proposed, must be located and designed in such a way that DSA will allow it.

As part of its PV System procurement the District expects to secure a 25-year operations and maintenance ("O&M") service agreement and a corresponding 25-year performance guarantee ("PeGu") agreement from the winning solar vendor.

Through this Request for Qualifications and Proposal ("RFP"), the District seeks to identify and select a highly qualified and cost- and value-competitive design-build contractor ("Design-Build Entity" or "DBE") for the survey, design, installation, commissioning, operations, and maintenance of the "grid-connected" Photovoltaic Systems. The overarching objective of the Project is to provide the greatest level of expected return on the capital investment through General Fund savings over the next 25 years, subject to the District's budget constraint, site constraints (both as presented herein and as may be discovered through site walks or otherwise), current and future utility tariffs and rates, and overall cost-effectiveness considerations.

The District's award of contract(s), if any, will be made in accordance with California Government Code section 4217.10, *et seq.*, and will be based on the District's understanding of the Respondents' respective skills, experience, and qualifications; overall PV System and long term cost of maintenance and operations pricing; cost per unit output; expected long-term General Fund savings; Respondent's proven performance; technology components; operations and maintenance support; guarantee of stated kWh output of the PV Systems and pricing of same; and overall thoroughness of proposal and responsiveness to the RFP and during the RFP process. In making its solar PV vendor selection, the District reserves the right to consider, evaluate and weigh these factors as it sees fit.

The District reserves the right to make awards to multiple Respondents, but at this time the District prefers to make a single award for all PV Systems.

District's Solar Budget

In conducting this solar PV procurement, the District expects to use funding obtained through the federal Clean Renewable Energy Bond ("CREB") Program. The District has secured the services of a financial advisor to support this effort and the District's board has approved a resolution to avail itself of this CREBs opportunity. The total CREBs amount requested is expected to be sufficient to fully fund the solar projects described in this RFP.

Timing of Solar PV Installation and Construction Schedule/Phasing

The District is intent on having the solar PV installations installed expeditiously. Ideally, they would all be installed during the District's 2016 summer recess period. The summer recess period begins June 10, 2016 and ends August 21, 2016 (teachers return a week earlier than this, so limitations may need to be imposed during this week). If one or more site is delayed beyond the summer recess period, the District likely will impose various restrictions on the PV system installation process, which will be addressed during contract negotiations with the winning vendor.

PV System Performance Assurance: Operations and Maintenance Program, Warranties, and Performance (Output) Guarantees.

For each of its PV Systems, the District expects to require a 25-year O&M Agreement that otherwise also conforms to the 10-year California Solar Initiative ("CSI") Program requirements, which requires no-cost repair and replacement of PV system components as may be required during the first 10 years of each PV system's operation in order for the systems to function properly.¹ For years 11-25 of the PV Systems' operation, Respondents' proposals will be judged according to the rigor and completeness of the proposed O&M Program, including the degree to which corrective maintenance is included on all system components. The District expects that PV modules will come with at least 25-year limited warranties and that inverters will come with at least 10-year warranties with an option to extend the 10-year warranty to 20 years. Warranties provided on other PV system components will also be part of the District's consideration of Respondents' proposals. Warranty limitations will also be part of the District's evaluation of Respondents' proposals.

In addition to an O&M Agreement and PV System component warranties, the District also expects to require at least a 25-year, 95% performance (or output) guarantee agreement ("PeGu Agreement"). The minimum requirements for the PeGu Agreement are described in **Exhibit G** of this RFP. Performance guarantees longer than 25-years and/or guaranteeing more than 95% of expected output are invited, and if received, such proposals will be evaluated more favorably than those providing just 25 years and/or 95%. When the District analyzes each Proposal and compares Proposals with each other with respect to the projected value of long-term savings, the District will do so based primarily on the 25-year PeGu period, and will base the savings calculation on the amount of output corresponding to the guaranteed levels of PV output. For example, should there be two proposals that are identical in every respect except that the first proposal's PeGu guarantees 95% of the expected output and the second proposal guarantees 98% of the expected output, the 98% PeGu proposal would be superior. As part of their PeGu proposal, Respondents shall submit the audited financial statement of the corporate

¹ All contractors shall provide a minimum 10-year warranty to provide for no-cost repair and replacement of the system for any expenses not otherwise covered by the manufacturer." (pp. 31-32, California Solar Initiative Program Handbook, California Public Utilities Commission, August 2014)

entity that would be providing the performance guarantee in the event that entity is different from the one that would be executing the EPC Services Agreement.

Assumed Soil Conditions to Use in Preparing Responses

The District does not have soils or geotechnical reports that can provide guidance to Respondents in making assumptions with respect to the design of the elevated ground mounted PV structures. Moreover, soils conditions are not uniform across the District's 13 solar sites. The winning Respondent will be responsible for conducting its own tests and other due diligence in this respect to ensure that the PV structures are properly designed and installed.

However, for the sole purpose of the District receiving proposals that contain consistent design and installation assumptions with respect to elevated PV structure footings, Respondents should assume the following in preparing their proposals:

- IBC or UBC Table 1804A.2, Class 3 or equivalent Non-hazardous, sandy gravel and/or gravel;
- Allowable foundation pressure greater than or equal to 2000 psf Lateral Bearing strength below grade equal to 200 (Lbs./Sq. Ft./Ft. of depth);
- Lateral sliding coefficient of friction greater than or equal to 0.35. No sub-grade rocks or rock formations;
- Adequate drainage;
- No seismic-related hazards (e.g. faults, liquefaction, seismically-induced settlement, lateral spreading);
- Limited expansiveness;
- Low to moderate corrosiveness (PH is less than 5.5, electrical resistivity is more than 1000 OHM-cm, chloride is less than 500 ppm, sulfate is less than 2000 ppm);
- Depth to start of passive pressure is 0.5 feet.

2. MINIMUM QUALIFICATIONS

The following criteria shall be applied by the District to determine whether Respondents meet minimum qualifications. Failure to meet any one of the below criteria shall render a Proposal non-responsive.

1. Within the last three (3) years, Respondent has completed at least (3) Solar PV projects for California K-12 or California community college district under a Design-Build Contract, in which each district project totaled at least 500 kWp.
2. Respondent has sufficient bonding capacity for this Project.
3. Respondent meets the contractor license requirements described elsewhere in this RFP.
4. Respondent is able to meet insurance requirements set forth in the form Design-Build Contract (to be provided as an Addendum to this RFP).
5. Respondent has been in business in California under the present company or business name and license number for a minimum of five years.
6. Respondent is eligible to bid on or be awarded a public works contract, or perform as a

subcontractor on a public works contract pursuant to either Labor Code section 1771.1 or Labor Code section 1777.7.

7. Respondent has not been terminated for cause or defaulted on a project during the last ten (10) years.
8. Respondent's license has not have been revoked at any time in the last five (5) years.

If a Respondent is unable to meet one or more of the above criteria, the District shall not consider its Proposal and may reject its Proposal as non-responsive. In their Letter of Interest, Respondents must state whether or not they meet all of these minimum qualifications.

3. POTENTIAL PHOTOVOLTAIC SYSTEM SITES AND SUPPORTING EXHIBITS

Table 1 below contains the list of the potential Solar PV sites, along with current site and service address, utility account and meter numbers, the current and expected post-solar tariffs, approximate current electricity usage data, target annual PV output, and supply voltage.

Solar Mount Type Legend	
R	Roof Mounted
C	Carport Structure
L	Lunch Structure
P	Play Structure
V	View Structure
S	Shade Structure

Table 1. Bonita Unified School District Potential Solar PV Sites

PV System	School Site	Solar Mount Type	Site Address	SCE Service Address	SCE Service Account #	SCE Meter #	Current SCE Rate Schedule	Anticipated SCE Post-Solar Rate Schedule	2014-15* Electricity Usage (kWh)	Target Annual PV Output (kWh)	Supply Voltage**
1	Allen Avenue Elementary School	R C L P	740 E. Allen Avenue, San Dimas, CA 91773	740 E ALLEN AVE	1158926	259000-019218	TOU-GS2-B	TOU-GS2-R	296,000	246,000	Secondary
2	Arma J. Shull Elementary School	R C P S	825 N. Amelia, San Dimas, CA 91773	825 N AMELIA AVE	1158913	259000-025353	TOU-GS2-A	TOU-GS2R	312,000	253,000	Secondary
3	Bonita High School	C	3102 D Street, La Verne, CA 91750	3102 D ST 3102 D ST UNIT B	1158946 26537584	259000-011683 V349N-000489	TOU-GS2-B TOU-8-B	TOU-GS2-R TOU-8-R	1,600,000	1,178,000	Secondary
4	Ed Jones Educational Center / District Office / BUSD Transportation	R C	115 W. Allen Avenue, San Dimas, CA 91773	121 W ALLEN AVE	35486993	V349N-018741	TOU-GS3-A	TOU-GS3-R	852,000	644,000	Secondary
5	Fred Ekstrand Elementary School	R C P	400 N. Walnut, San Dimas, CA 91773	400 N WALNUT AVE 400 N WALNUT AVE	1158927 1158928	259000-013937 223000-010455	TOU-GS2-B TOU-GS2-A	TOU-GS2-R TOU-GS2-R	400,000	305,000	Secondary
6	Gladstone Elementary School	C P	1314 W. Gladstone St., San Dimas, CA 91773	1314 W GLADSTONE ST 1314 W GLADSTONE ST	42264025 1158912	222013-994224 259000-029164	TOU-GS1-A TOU-GS2-B	TOU-GS1-A TOU-GS2-R	326,000	272,000	Secondary
7	Grace Miller Elementary School	R C L P V	1629 Holly Oak St., La Verne, CA 91750	1629 HOLLY OAK ST	1158931	259000-029539	TOU-GS2-B	TOU-GS2-R	309,000	243,000	Secondary
8	J. Marion Roynon Elementary School	R C P V	2715 E Street, La Verne, CA 91750	2715 E ST 2205 8 TH ST	1868915 1158930	259000-015689 259000-016486	TOU-GS2-B TOU-GS2-A	TOU-GS2-R TOU-GS2-R	404,000	308,000	Secondary
9	La Verne Heights Elementary School	C P	1550 E. Baseline, La Verne, CA 91750	1550 BASELINE RD	1158947	259000-066665	TOU-GS2-A	TOU-GS2-R	283,000	219,000	Secondary
10	Lone Hill Middle School	R C V	700 S. Lone Hill, San Dimas, CA 91773	700 S LONE HILL AVE	246000	V349N-019119	TOU-GS3-B	TOU-GS3-R	785,000	620,000	Secondary
11	Oak Mesa Elementary School	C V	5200 N. Wheeler, La Verne, CA 91750	5200 WHEELER AVE	892575	V349N-000332	TOU-GS3-A	TOU-GS3-R	360,000	296,000	Secondary
12	Ramona Middle School	R C	3490 Ramona Ave., La Verne, CA 91750	3490 RAMONA AVE	1158945	V349N-009454	TOU-GS3-B	TOU-GS3-R	927,000	719,000	Secondary
13	San Dimas High School	C S	800 W. Covina Blvd., San Dimas, CA 91773	800 W COVINA BLVD	11415187	259000-016618	TOU-8-B	TOU-8-R	1,746,000	1,349,000	Secondary

* Usage data is for the period from July 1, 2014 to June 30, 2015.

** Secondary voltage is assumed if voltage information is not available.

Exhibit D (Design Build Contract and General Conditions) will be issued shortly as an addendum to this RFP.

An editable Excel version of **Exhibit F** is issued with the release of this RFP.

Exhibit H is contained within this RFP document. It contains aerial images of Sites 1-13 indicating the “permissible solar locations” for the purpose of this RFP. Areas eligible for siting solar PV Systems are outlined in red. The location of the relevant SCE meter for each site is also identified. Respondents may not, as part of their *required* response to this RFP, propose solar PV outside of these indicated areas, unless they make this request of and receive written approval from the District. Respondents *may* propose solar PV sites outside of the indicated areas as part of an *alternate* response to this RFP (*i.e.*, a response that is in *addition to* the required response); any such alternate responses should be explained and justified in detail as to what they might be preferable. The District may or may not consider such alternate responses.

Within the given solar-permissible areas at a particular site, Respondents are expected to make their siting selections in the way that provides the most practicable, cost-effective approach for optimizing their overall proposals. Among other factors, all proposed solar PV sites and the expected solar PV outputs should account for current and future shading from trees and buildings such that any solar PV output reductions from expected shading should be reflected in the expected solar PV outputs. The District will be agreeable to certain tree trimming schedules or removals, which will be discussed during the site walk and ultimately confirmed in contract negotiations. For each site, Respondents must identify shading issues as they would affect PV output and describe any requested tree trimmings or removals that would be required to achieve the stated PV outputs.

The District expects that some shade structures will be able to have 9-foot minimum under clearance while others may need to be as high as 14 feet. Respondents are therefore required to provide sufficient clarity in their proposals as to any price differences within this range of minimum under clearance heights.

All Exhibits are incorporated by reference into this RFP.

The District has a variety of as-built drawings that it will make available for review to potential Respondents. Arrangements for reviewing and making copies of these documents will be explained during the pre-proposal meeting.

4. PURPOSE OF RFP

This RFP is part of the process for the District's selection of a qualified DBE to provide Services for PV Systems to be installed at thirteen of Bonita Unified School District's sites. The District intends to award a single contract to a single Respondent for completion of Services; however, the District expressly reserves the right to award separate contracts to separate Respondents for performance of Services at separate Sites. This is not a request for bids or an offer by the District to contract with any party responding to this RFP. The District reserves the right to reject any and all Proposals, to waive any irregularity, and to sit and act as sole judge of the merit and qualifications of the materials and services offered therein.

4.1 District Modifications to RFP

The District expressly reserves the right to modify any portion of this RFP prior to the latest date/time for submission of Proposals, including without limitation, the cancellation of this RFP. Modifications, if any, made by the District to the RFP will be in writing; potential Respondents who have obtained this RFP from the District prior to any such modifications will be issued any modifications to the RFP by written addenda.

4.2 No Oral Clarifications/Modifications

The District will not provide any oral clarifications or modifications to the RFP or the requirements hereof. No employee, office, agent or representative of the District is authorized to provide oral clarifications or modifications to the RFP. Respondents shall not rely on any oral clarification or modification to the RFP. Inquiries must be submitted not later than the time/date indicated elsewhere in this RFP.

4.3 Public Records

Except for materials deemed Trade Secrets (as defined in California Civil Code section 3426.1) and materials specifically marked "Confidential" or "Proprietary," all materials submitted in response to this RFP are deemed property of the District and public records upon submission to the District. The District is not liable or responsible for the disclosure of Proposals, or portions thereof, deemed to be public records, including those exempt from disclosure if disclosure is required by law, by an order of a court of competent jurisdiction, or which occurs through inadvertence, mistake or negligence on part of the District or its agents or representatives. If the District is required to defend or otherwise respond to any action or proceeding wherein request is made for the disclosure of the contents of any portion of a Proposal, by submitting a response to this RFP, each Respondent agrees to defend, indemnify and hold harmless the District in any action or proceeding from and against any liability, including without limitation attorneys' fees arising therefrom.

Pursuant to *Michaelis, Montanari, & Johnson v. Superior Court* (2006) 38 Cal.4th 1065, Proposals submitted in response to this RFP shall be held confidential by the District and shall not be subject to disclosure under the California Public Records Act until after either the District and the successful Respondent have completed negotiations and entered into the Contract attached as **Exhibit D** or the District has rejected all Proposals. Furthermore, the District will have no liability to the Respondent or other party as a result of any public disclosure of any Proposal or Contract.

4.4 Errors/Discrepancies/Clarifications to RFP

If a Respondent: (i) encounters errors or discrepancies in this RFP or portions hereof; or (ii) requires clarifications of any portion of the RFP, the Respondent shall immediately provide written e-mail notice of such to Clyde Murley, at clyde@murleyconsulting.com. Responses of the District to the notice of any

errors or discrepancies herein, or request for clarification, will be in writing. If, in the sole judgment of the District, any clarification response affects the RFP or other Respondents, the District will issue the clarification response by a written addendum distributed to all potential Respondents who have theretofore obtained this RFP from the District. All requests for clarification of this RFP must be submitted and actually received via email by Mr. Murley no later than 1:00 P.M. on November 30, 2015. The District will respond to clarification requests submitted thereafter solely at its discretion.

4.5 Examination of Site and Contract Documents

Each Respondent shall, at its sole cost and expense, inspect the Site and become fully acquainted with the Contract Documents and conditions affecting the Work. The failure of a Respondent to receive or examine any of the Contract Documents or to inspect the Site(s), or any portion thereof, shall not relieve such Respondent from any obligation with respect to the Proposal, or the Work required under the Contract Documents. The District assumes no responsibility or liability to any Respondent for, nor shall the District be bound by, any understandings, representations or agreements of the District's representatives, agents, employees or officers concerning the Contract Documents or the Work made prior to execution of the Contract which are not in the form of Bid Addenda duly issued by the District. The submission of a Proposal shall be deemed *prima facie* evidence of the Respondent's full compliance with the requirements of this section.

5. SERVICES AND COMPONENT REQUIREMENTS FOR PHOTOVOLTAIC SYSTEMS

The successful Respondent or Design-Build Entity ("DBE") will be responsible for completing "turnkey" Photovoltaic Systems on District Sites, including design/engineering, permitting, procurement, construction, installation and equipment commissioning/start-up and interconnection with the SCE distribution system, and ongoing operations and maintenance. The District also expects to require that the DBE guarantee at least 95% of the kWh output stated in its Proposal for each selected Photovoltaic System.

Products, components, construction, and installations must comply with applicable codes, standards, and rating methodologies. Minimum requirements of a general nature are outlined below; the requirements described below are not intended to be complete or comprehensive. The following are intended to provide Respondents with an overview of the general requirements; the following do not modify, limit or waive requirements established by the Contract as awarded.

5.1 General.

- (i) The Photovoltaic Systems must conform to current National Electrical Code and Title 24 of the California Code of Regulations.
- (ii) All outdoor enclosures should be at minimum rated NEMA 3R.
- (iii) Installations must be in compliance with Occupational Health and Safety Administration (OSHA) directives.

- (iv) Installation must comply with the State of California Education Code, including but not limited to Field Act compliance, e.g., receive a Division of State Architect Administrative review (“A-number”) and be reviewed and approved by the Division of the State Architect (DSA).
- 5.1.1 Photovoltaic Modules. Proposed photovoltaic modules must be (i) Monocrystalline or Polycrystalline, (ii) eligible under the California Solar Initiative (“CSI”) Program; (iii) in compliance with IEEE standards, including without limitation, IEEE 1262; (iv) UL listed; and (v) in compliance with the current National Electrical Code.
- 5.1.2 Hazardous Materials. If PV modules using hazardous materials are to be provided by the Respondent, then the environmental impact of the hazardous material usage must be discussed, including any special maintenance requirements and proper disposal/recycling of the modules at the end of their useful life. Modules containing hazardous materials must comply with the EPA Landfill Disposal Requirements. Any additional costs and/or District responsibilities related to PV modules containing hazardous materials must be clearly identified.
- 5.1.3 Inverters. Proposed inverters must be: (i) IEEE 929-2000 compliant; (ii) UL 1741 compliant; and (iii) California Energy Commission eligible.
- 5.1.4 Electrical Power Generation. Power generated by the Photovoltaic Systems must be compatible with the existing distribution systems at the District’s Sites.
- 5.1.5 Utility Interconnection. The District’s potential solar sites receive generation, distribution, and transmission service from SCE. Interconnection of power generated through the Photovoltaic Systems must be in compliance with applicable utility and regulatory requirements. The DBE will be required to assist the District in preparing, submitting, and securing interconnection agreements with SCE for power generated by the Photovoltaic Systems.
- 5.1.6 Structural Requirements. Structures and structural components, fire life safety, and accessibility must be designed: (i) in accordance with all applicable Division of State Architect (DSA) requirements (fire life safety and accessibility); and (ii) with a minimum useful life of thirty (30) years. Structural calculations incorporated into the Design Documents must be stamped by a registered engineer or architect under California law and reviewed/approved by DSA.
- 5.1.7 Monitoring and Metering. The Photovoltaic Systems must incorporate equipment and connections for metering, monitoring and data collection of solar power generated by the Photovoltaic Systems at a time interval of no less than 15 minutes. Meters with industry standard communication telemetry for Ethernet, cellular, or other similar common output must be incorporated into the Photovoltaic Systems. Meters must be situated in easily assessable locations. Provide at least one (1) public information

kiosk-type monitoring station readily assessable to students, staff and the general public which monitors the solar power generated by the Photovoltaic Systems and other related data at the campus where the kiosk is located. The location of the kiosk(s) shall be subject to District direction.

5.2 Codes and Standards.

5.2.1 Photovoltaic Systems. Design Documents prepared by the DBE shall conform to applicable codes, design professional standards and standards of care. DBE shall perform, diligently prosecute and complete the Work in a good and workmanlike manner within the Contract Time, and in strict conformity with all Design Documents. All materials, equipment, workmanship and other items forming a part of the Photovoltaic Systems shall comply with: (i) all applicable codes, regulations, including without limitation requirements established by DSA; and (ii) SCE interconnection requirements.

5.2.2 Legal Requirements. During the course of performance, the DBE will be required to comply with all applicable laws, including but not limited to the following:

5.2.2.1 Prevailing Wages. The Contractor and all Subcontractors shall comply with the requirements set forth in Division 2, Part 7, Chapter 1 of the Labor Code. The District has obtained from the Director of the Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work in the locality in which this work is to be performed for each craft, classification or type of worker needed to execute the Contract. These per diem rates, including holiday and overtime work, as well as employer payments for health and welfare, pension, vacation, and similar purposes, are on file at the District, and are also available from the Director of the Department of Industrial Relations. Pursuant to California Labor Code section 1720 et seq., it shall be mandatory upon the Contractor to whom the Contract is awarded, and upon any subcontractor under such Contractor, to pay not less than the said specified rates to all workers employed by them in the execution of the Contract.

A Contractor or Subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public

work pursuant to Section 1725.5 at the time the contract is awarded.

This Project is a public works project as defined in Labor Code section 1720. Each Contractor bidding on this Project and all Subcontractors (of any tier) performing any portion of the work must comply with the Labor Code sections 1725.5 and 1771.1 and must be properly and currently registered with the California Department of Industrial Relations (“DIR”) and qualified to perform public works pursuant to Labor Code section 1725.5 throughout the duration of the Project. The Contractor and all subcontractors shall furnish certified payroll records as required pursuant Labor Code section 1776 directly to the Labor Commissioner in accordance with Labor Code section 1771.4 on at least on a monthly basis (or more frequently if required by the District or the Labor Commissioner) and in a format prescribed by the Labor Commissioner.

Monitoring and enforcement of the prevailing wage laws and related requirements will be performed by the Labor Commissioner/ Department of Labor Standards Enforcement (DLSE). The Contractor and all Subcontractors shall furnish certified payroll records as required pursuant Labor Code section 1776 directly to the Labor Commissioner in accordance with Labor Code section 1771.4 on at least on a monthly basis (or more frequently if required by the District or the Labor Commissioner) and in a format prescribed by the Labor Commissioner.

- 5.2.2.2 Ineligible Contractors. Pursuant to Public Contract Code § 6109, a Respondent, who is ineligible to perform work on the public works project pursuant to Section 1777.1 or 1777.7 of the Labor Code, may not submit a Proposal or work on this Project.
- 5.2.2.3 Contractor License. Each Respondent shall be a licensed contractor pursuant to the Business and Professions Code and shall be licensed as required herein, in the appropriate classification(s) of contractor’s license(s), for the Project, and must maintain the license(s) throughout the duration of the Project.
- 5.2.2.4 Retention/Substitution of Security. Pursuant to Public Contract Code Section 22300, the successful Respondent may substitute certain securities for funds withheld by the District.
- 5.2.2.5 Bonds. The successful Respondent will be required to furnish the District with a Payment and a Performance Bond equal to 100% of the Design-Build Contract price, prior to execution of the Design-Build Contract. All bonds are to be secured from a surety that meets all of the State of California bonding requirements, as defined in Code of Civil Procedure Section

995.120. Proposals shall include the cost of obtaining such bonds.

5.2.2.6 Non-Collusion Declaration. Respondents shall execute the “Non-Collusion Declaration” attached hereto as Appendix C.

5.2.3 Warranties. Respondents must offer warranty coverage (inclusive of materials, equipment and labor) for materials, equipment, workmanship and operation of the Photovoltaic Systems as follows: (i) at least twenty-five (25) years for photovoltaic panels; and (ii) at least ten (10) years for inverters and all other materials/equipment forming a part of the Photovoltaic Systems. Proposed Photovoltaic Systems must not render void, violate or otherwise limit other existing warranties covering any portion of existing District facilities, materials or equipment.

5.2.4 Operations & Maintenance. DBE must offer at least: (i) semi-annual on-site inspection of all photovoltaic panels, inverters and other equipment/materials forming a part of the Photovoltaic Systems; (ii) routine and scheduled testing and maintenance; (iii) web-accessible real-time monitoring and (iv) annual module washing.

6. DESIGN-BUILD CONTRACT

A form of Design-Build Contract (“Contract”), which the District anticipates executing with the successful Respondent(s) selected through this RFP process, will be issued as an addendum to this RFP (as Exhibit D). Respondents are required to provide a response to this forthcoming document as explained in Section 7.2.4.6 below.

7. PROPOSALS

7.1 RFP Activities; Timeline.

The summary on the first page of this RFP describes the principal activities to be completed under this RFP and the date for anticipated completion of each activity. The District expressly reserves the right to amend the extent, nature or scope of RFP activities and/or the time for completing RFP activities. No firm may withdraw its proposal for a period of ninety (90) days after the date set for receipt. **There is a mandatory pre-proposal meeting and site walk that will take place on Monday, November 23, 2015 starting at 9:00 AM at the District’s administrative offices at 115 West Allen Avenue, San Dimas, CA. Failure to attend the pre-proposal meeting and site walk may disqualify the non-attending Respondent from submitting a Proposal in response to this RFP. Please dress appropriately and limit the number of personnel attending the site walk to not more than four individuals per potential Responding firm. Call Clyde Murley at (510) 529-9256 if you have difficulty finding the starting location for the site walks.**

Submission of Proposals.

- 7.1.1 Latest Date/Time and Locations for Submission of Proposals. **The latest date/time and requirements for submission of Proposals, which must be made to two locations, are as follows: (Location One) two hard copies and one complete digital copy are due by 3:00 P.M. on January 5, 2016 to the District's consultant, Clyde Murley, at 1031 Ordway Street, Albany, CA 94706 (phone number: 510/528-8953); and (Location Two) four hard copies and one complete digital copy are due by 3:00 P.M. on January 5, 2016, to the Bonita Unified School District, at 115 West Allen Avenue, San Dimas, CA 91773, Attention Ann Sparks (phone number 909/971-8320 ext. 5200).** Proposals that are not actually received by these respective times at these respective locations may be rejected by the District for non-responsiveness. Respondents are solely responsible for the timely submission of Proposals. For each Location, an identical complete electronic version of its Proposal must also be provided on a USB flash drive. The USB flash drive should also contain any spreadsheet files (in excel format) used in the preparation of the RFP, including but not limited to the completed Exhibits, including but not limited to the **Exhibit F** excel tables, and the hourly PV production files. **Hard copies of the PV hourly output files should not be provided.**
- 7.1.2 Proposal Costs. All costs and expenses incurred by a Respondent to prepare and submit a response to this RFP and all other related activities shall be borne solely and exclusively by the Respondent. The District will not reimburse Respondents for the cost of Proposal preparation.
- 7.1.3 Accuracy of Information. Respondents shall provide only complete and accurate information. Respondents acknowledge that the District is relying on the truth and accuracy of the responses contained herein. Each Proposal must be signed under penalty of perjury in the manner designated at the end of the form, by an individual who has the legal authority to bind the Respondent on whose behalf that person is signing. If any information provided by a Respondent becomes inaccurate, the Respondent must immediately notify the District and provide updated accurate information in writing, under penalty of perjury. Should a Respondent omit requested information or falsify information, the District may reject the Proposal.

7.2 Proposal Format/Contents.

Each Proposal must conform to the following described format and must include the content described below. All materials submitted in response to this RFP shall be on 8 ½" x 11" paper, preferably in portrait orientation, except for drawings, tables, and graphics, which may be submitted in landscape and/or larger format, folded as practicable to fit into 8 ½" x 11" size. All submitted materials must be bound in either a three-ring binder or spiral bound notebook. Labeled dividers that extend beyond the edges of the bound sheets must be used to identify and separate discrete sections of the Proposal described below. Respondents are not prohibited from submitting materials in addition to those

specifically responding to the matters described below; however, the Respondent shall bind all such additional materials separately from the Proposal.

Failure of a Respondent to submit its Proposal in a format and with content conforming to the following requirements may be a basis for the District's rejection of such Proposal for non-responsiveness.

- 7.2.1 Cover Sheet. Identify the submittal as the Response to this RFP and include an identification of the firm submitting the Proposal along with the firm's address, telephone/fax numbers and email addresses of the firm's principal contracts in connection with this RFP or the Proposal.
- 7.2.2 Letter of Interest. Include a brief letter expressing the interest of the Respondent in providing Services for the Photovoltaic Systems and a brief statement of the qualifications of the Respondent to provide the Services described in the Contract. Provide contact information, including the telephone number, fax number and email address for the personnel of the Respondent who will be receiving notices and other communications from the District regarding the RFP. The letter of interest should be bound with other materials responding to this RFP.
- 7.2.3 Executive Summary. Include an overall description of the Respondent's Photovoltaic Systems proposal. Include a table that lists the following, for each proposed PV System at each Site: Site identification by address and name as identified in this RFP; system capacity (in both CEC-AC and DC); installation type; expected annual and 25-year output; number, size, manufacturer, and model of inverters and PV modules; all-inclusive PV System price (excluding O&M and output guarantee costs, which the RFP requires elsewhere).
- 7.2.4 Table of Contents. Include a Table of Contents reflecting the Respondent's responses to each of the items set forth below.
- 7.2.4.1 Tab 1: Proposal. Complete and execute the form of Proposal included with this RFP as Attachment A and required documents as noted in Section of the Proposal at Attachment A.

In providing the total cost for each Photovoltaic System, be sure to provide the all-inclusive system price including all design, permitting, installation, commissioning, warranties, and maintenance services. Such cost and services shall include, but not necessarily be limited to:

- All electrical switchgear preparation to accept Photovoltaic Systems system;
- All electrical connectors, cabling & components necessary for a complete solar system;
- Complete electrical engineering services including diagrams;

- Complete structural engineering services including diagrams;
- Planning and design review services, including all meetings with the District, DSA, SCE, etc.;
- Utility interconnection agreement processing costs;
- Local building and electrical inspection coordination;
- Secure storage facility at job site for all PV System equipment and supplies;
- Lavatory facility at job site, if needed;
- System operation and safety manuals and customer training;
- Final PV System “as-built” schematics;
- Final cleanup to “broom clean” conditions.

7.2.4.2 Tab 2: Non-Collusion Affidavit and Statement of Qualifications. Complete the Non-Collusion Affidavit and Respondent’s Qualifications documents, which are incorporated into this RFP as **Exhibit B** and **Exhibit C**, respectively.

7.2.4.3 Tab 3: Financial Statement. Include the most current financial statement for the Respondent Firm. Financial Statements must be reviewed or audited by a California licensed Certified Public Accountant.

7.2.4.4 Tab 4: Proposed Project Team. Identify key personnel proposed as part of the Project Team and indicate who key personnel work for (i.e. Respondent, sub-consultant or an independent contractor). The Design Consultants must include the following disciplines: (i) structural; (ii) electrical; (iii) civil; and (iv) landscape/irrigation. Include an organization chart illustrating the roles and relationships among the Respondent’s proposed Project Team (including proposed Design Consultants, Project Manager and superintendents) and between the proposed Project Team and District personnel responsible for implementing the Project. Submit resumes of the key personnel which include the educational backgrounds as well as the skills and experience of such personnel in developing, preparing and completing commercial PV Systems.

7.2.4.5 Tab 5: Licenses and Permits. The District requires that Respondents possess, at the time of submission of a Proposal, at the time of award of the Contract and at all time during construction activities, the following classification(s) of California Contractor License: (A) General Contractor License (Class B)

and C-10: Electrical Contractor License, OR (B) General Engineering License (Class A) and C-10: Electrical Contractor License. It is acceptable for a Respondent that does not possess a C-10: Electrical Contractor License to list a Subcontractor with C-10: Electrical Contractor License. A C-46: Solar Contractor License is desired but not mandatory. Any Respondent not so duly and properly licensed shall be subject to all penalties imposed by law. Respondents shall provide evidence of these licenses in their Proposals. The District also requires that Respondents and their respective subcontractors possess, at the time of submission of a Proposal, at the time of award of the Contract and at all time during construction activities, all applicable Department of Industrial Relations (“DIR”) permits. Respondents shall provide their DIR permit number(s) in their Proposals.

- 7.2.4.6 Tab 6: Contract Comments. Forthcoming as an addendum to this RFP is **Exhibit D**, the Design-Build Form Contract and General Conditions (“Contract”). Respondents must thoroughly review this Contract and (a) identify each and every term or condition of the Contract that the Respondent would seek to have modified or deleted; (b) set forth a clear explanation of any modification that is sought and provide specific alternate language; and (c) propose any additional terms or conditions that Respondent would want to have included in the contract along with a clear explanation of same. The District will review but is not obligated to accept any proposed changes.
- 7.2.4.7 Tab 7: Customer References and Photovoltaic System Information. Included with this RFP as **Exhibit E** is the table “Customer References and Photovoltaic System Information,” which Respondents must complete.
- 7.2.4.8 Tab 8; Project Components. Complete Tab 8-A: Technical Description, Tab 8-B: Architectural Plans, and Tab 8-C: Project Schedule following the guidelines provided below and include each as separate sub-parts to Tab 8.

Tab 8-A -- Technical Description. Included in this RFP as Exhibit F are Tables 8-A-1 and 8-A-2 in Excel file form. Include the completed Excel file as “Exhibit F: Tabs 8-A-1 and 8-A-2” of your response. Completed Tables 8-A-1 and 8-A-2 should be included both in hard copy form in Tab 8 of your response and as a separate Excel file provided on disk or flash drive. Refer to the guidelines below in completing Tables 8-A-1 and 8-A-2.

Guide to Completing Table 8-A-1

Please complete the Excel spreadsheet “Table 8-A-1” by providing the following information for each potential solar PV site.

1. System Capacity
 - 1a) Power capacity measured at the point of inverter input (DC kW) based on applicable California Energy Commission conventions.
 - 1b) Power capacity measured at electrical interconnection point (CEC-AC kW) based on applicable California Energy Commission conventions.
2. Cost
 - 2a) Total Installed System Cost (\$) including all interconnection costs (which should be separately itemized). Include materials, labor, permitting, taxes, and any other applicable system costs. Do not include maintenance or performance guarantee costs (see items 7 and 8, below).
 - 2b) Cost per Watt-dc. This should equal the total installed system cost in 2a divided by the DC power capacity in watts corresponding to 1a.
3. PV Modules
 - 3a) The number of PV modules proposed at the site.
 - 3b) The manufacturer and model name/number of PV modules proposed at the site.
 - 3c) PV module efficiency (%).
 - 3d) PV cell efficiency (%).
 - 3e) PV module PTC rating.
4. Inverters
 - 4a) The number and size of inverters. If inverters proposed at the specific site are of different sizes, indicate the number of inverters of each size.
 - 4b) Inverter manufacturer and name/model number.
 - 4c) Inverter efficiency (%).
5. Production
 - 5a) Provide the expected annual output production (AC kWh) during an average weather year. Assume first full year of operation and no aged-related degradation in output.
 - 5b) In a separate Excel file, provide the expected annual PV production data in hourly intervals for each site. The data should be provided for all potential solar PV sites, with each site clearly labeled and with the first record corresponding to the first hour of a calendar year (i.e., for each site one column with 8760 rows of consecutive hourly output data). **Do not provide a hard copy version of the hourly PV production data in your Proposal.**
6. Interconnection

Provide a detailed description of the integration of Photovoltaic Systems with campus electrical system and the interconnection of Photovoltaic Systems with utility grid.
7. 25-Year O&M Agreement
 - 7a) Provide the first-year annual price (\$) (itemized separately from the cost of the Photovoltaic Systems) of the O&M program.

- 7b) Provide the annual price escalator (%), if any, for years 2-25.
8. 25-Year Performance Guarantee
- 8a) Indicate what the first-year annual cost, if any, would need to be added to each of your PV System proposals to include a performance guarantee as described above and in Exhibit G.
- 8b) Provide the annual price escalator (%), if any, for years 2-25.

Guide to Completing Table 8-A-2

Please complete the Excel spreadsheet "Table 8-A-2" by providing the following supporting information for the proposed PV Systems. We expect that the response to each question in Table 8-A-2 will often apply across all potential solar PV sites, but if the response differs by site please indicate the sites to which each part of the response pertains. Please label any requested attachments in an Appendix labeled Appendix 8-A-2 and label each attachment with the corresponding name and number/letter (e.g., "Data Sheets, 10a")

9. Choice of Modules and Inverters
- 9a) Explain the factors that led to your choice of PV module, including any and all due diligence regarding expected module or cell failure rates and degradation over time. Third-party analyses or studies supporting expected failure and degradation rates are encouraged.
- 9b) Explain the factors that led to your choice of inverter, including any and all due diligence regarding expected performance over time.
10. Data Sheets
- 10a) Provide the manufacturing data sheets for the modules. Please provide the data sheets as a labeled attachment to your proposal.
- 10b) Provide the manufacturing data sheets for the inverters. Please provide the data sheets as a labeled attachment to your proposal.
11. PV Mounting System
- 11a) Rooftop Mounting System – Describe for each proposed rooftop system the type of mounting system proposed, and its features to optimize performance and aesthetics.
- 11b) Parking Lot Mounting System - Describe the type of parking lot mounting system proposed, and its features to optimize performance and to enhance aesthetics at each site.
- 11c) Indicate whether the parking lot design has a current DSA precheck and if so identify the DSA precheck #.
12. Metering
- 12a) Describe the metering system that will be used to measure the output of the PV System.
- 12b) Confirm that the meter is currently listed with the California Energy Commission and meets the minimum meter requirements set forth in the California Solar Initiative ("CSI") Handbook, Section 5, Metering Requirements.
13. System Commissioning

- 13a) Describe in detail the commissioning process your firm would employ for each PV System, including but not limited to references to manufacturer's specifications, calibration according to NIST, and how the proposed process would meet or exceed the requirements contained in Section 4 of the CEC's Guide to Photovoltaic System Design and Installation.
- 13b) Confirm that all labor, equipment, and costs necessary to conduct system commissioning, and system startup, including any required troubleshooting and corrections will be provided by your firm as part of the Design-Build process, and that no costs for same will be incurred by the District.
14. System Startup
- 14a) Describe the system startup and proving period processes that your firm will undertake and complete, including the documentation of results that will be provided to the District.
15. Performance Verification and Monitoring
- 15a) Indicate if and how your firm would provide system performance monitoring and historical data access for the District via a secure website.
- 15b) Describe the staff and/or subcontractors employed by your firm in charge of system monitoring and provide the total number of FTE (full time equivalent) associated with this function across this and all other projects.
- 15c) In a separate attachment, provide resumes of employees and/or subcontractors engaged in system monitoring for your firm.
- 15d) Provide a detailed description of your proposed system output performance verification methodology. Is it remote? Is it web-based? Provide a detailed description of the end-user interface.
- 15e) Provide the number of operational systems under management by your firm.
- 15f) Provide a detailed explanation of your firm's response protocols to the full range of sources of Photovoltaic System underperformance.
16. Operations and Maintenance Program
- The District intends for the DBE to provide comprehensive maintenance, including preventive and corrective maintenance, of the Photovoltaic Systems for 25 years.
- 16a) Thoroughly describe the scope of the proposed maintenance program. Be sure to clearly explain the extent, and limitations, of the corrective maintenance aspect of this program, i.e., what is and is not the DBE's responsibility to correct.
- 16b) In a labeled attachment, provide a copy of your firm's proposed operations and maintenance service contract.
- 16c) Describe your firm's relevant prior experience performing system maintenance and support. Highlight distinguishing elements of the services to be provided that will benefit the District and optimize system performance.

16d) Provide the location of the service office(s) that would be responsible for the system maintenance and performance monitoring of the District's Photovoltaic Systems.

16e) If a sub-contractor will perform maintenance, identify the subcontractor and provide their location and a detailed description of their relevant experience and qualifications.

17. Performance Estimation

17a) Identify and describe all models and data sources that were employed to estimate the performance of your PV Systems.

17b) Provide a detailed description of the methodology and procedure that will be used to estimate the performance of your PV Systems.

17c) Describe any research conducted by or on behalf of your firm to calibrate and ensure the accuracy of performance modeling.

17d) Explain the basis for your firm's choice of performance model(s) and data sources.

17e) Describe your firm's or subcontractor's experience developing performance estimates.

17f) In a labeled attachment, provide resumes of your employees and/or subcontractors engaged in performance estimation.

18. Warranties and Service

18a) State the PV module warranty period.

18b) In a labeled attachment, provide a copy of the PV module warranty.

18c) State the inverter warranty period.

18d) In a labeled attachment, provide a copy of the inverter warranty.

18e) Provide your firm's standard system warranty and service contract provisions.

19. Performance Guarantee

The District expects to require a performance guarantee for a term of 25 years. Details on the performance guarantee are contained in **Exhibit G**. The Performance Guarantee will be designed such that the DBE will be obligated to compensate the District for the cost of utility electricity purchases resulting from electrical output over a defined "true-up" period (the District expects a true-up period no longer than 3 years) being less than an agreed-upon minimum output expressed as a percentage of the output stated in the DBE's proposal. Guaranteed output levels may be adjusted upward or downward to compensate for weather conditions and there would be certain allowed provisions for adjusting the minimum output levels for reasons of data loss and factors outside the DBE's control, including *force majeure* events.

19a) Identify any concerns or issues with the District's performance guarantee requirement that you believe would need to be addressed as a condition for your entering into this performance guarantee.

19b) Optional: Provide any additional material regarding the performance guarantee that may be useful for the District to consider. This information may be entered here, or provided in a labeled attachment.

20. Excluded Costs

- 20a) Identify any types or categories of costs that the District may reasonably need to incur in order to properly operationalize and maintain the PV Systems included in your Proposal and that are excluded from the pricing provided in your Proposal.

Tab 8-B -- Architectural Plans and Schematics. In a separately tabbed section, provide drawings, elevations, models, photo simulations and/or other graphic materials which clearly, specifically, and accurately illustrate the proposed Photovoltaic Systems at each campus, including but not necessarily limited to proposed PV array layout and locations, electrical single-line diagrams, proposed inverter location(s), equipment lists, and equipment cut sheets or specifications. These documents must illustrate the size, character, and quality of the project and demonstrate that it meets the performance specifications defined in this RFP.

Tab 8-C -- Project Schedules. In a separately tabbed section provide the proposed schedule, describing each project activity and its associated time duration.

7.3 Selection Criteria.

- 7.3.1 **General.** The District will review timely submitted Proposals. A Response to the RFP that does not comply with the requirements of this RFP will be subject to rejection for non-responsiveness, provided that the District reserves the right to waive any deviation in a response to this RFP.
- 7.3.2 **Evaluation Criteria and Metrics.** The following set forth the criteria and metrics by which the District expects that each Proposal will be evaluated. The District and the selection committee reserve the right to exercise discretion in the weight and priority of the evaluation criteria.
- 7.3.2.1 ***Economic Value.*** Responses will be evaluated based on the anticipated economic, budget reducing, and budget stabilization value of the electricity produced by the PV Systems. The primary measures of this value are the total system costs, the number of kWh's of electricity that the District believes it is reasonable to assume will be produced by the Photovoltaic Systems, and the reasonably expected value of these kWh's in terms of avoided electricity costs and. As noted previously, emphasis will be placed on the PeGu-adjusted outputs in conducting these analyses. The District expressly reserves the right to award the contracts, if at all, to a Respondent whose proposal does not contain the lowest cost or the greatest projected economic value. The District expects to conduct its economic analysis within the following parameters:

1. *Utility Escalation Rates.* The District expects to apply a reasonable range of utility escalation rates in evaluating the expected long-term General Fund savings produced by the Photovoltaic Systems. The primary range of rates employed for this purpose are expected to be between 3.0% and 4.5% (including expected inflation), although rates outside this range may also be used for purposes of conducting additional sensitivity analyses.
 2. *On-Site Electrical Usage.* The District expects to rely primarily on actual FY 2014-15 electricity usage data as recorded by SCE at the relevant electric accounts, although higher and lower usage values may be assumed in sensitivity analyses. For purposes of determining the desired annual PV outputs at each site, which are specified elsewhere in this RFP, the District is assuming that future energy efficiency measures will reduce usage at each site by approximately 10% relative to current usage.
 3. *Electric Tariffs.* The District intends to seek placement on the most favorable permissible tariffs once the Photovoltaic Systems are operational. For most accounts, this is expected to be SCE's Option R of the otherwise applicable tariff. All PV Systems will also be placed on the Net Energy Metering tariff.
 4. *Long-Term O&M Costs.* In its economic analysis the District will assume ongoing annual O&M costs, including reasonably inverter replacement costs not covered under a particular Proposal, for a full 25 years.
 5. *Discount Rate.* In instances in which the District may choose to discount future benefits and costs for economic analysis purposes it expects to use an annual discount rate that approximates anticipated inflation rates. The District believes that it is reasonable to assume a long-term annual inflation/discount rate of 2.5%.
- 7.3.2.2 *Type of Technology.* Pursuant to Government Code § 4217.18, the District shall have great latitude, and sole discretion, in characterizing, evaluating and determining the appropriate technological components that are integrated into and comprise the Photovoltaic Solar Systems installed at District sites. Accordingly, Responses will be evaluated based on the type of technology proposed including, without limitation, power capacity, PV module description and brand and model number, PV module efficiency; PV cell efficiency, manufacturing data sheets for the proposed PV modules, the PTC ratings for the proposed PV modules, Inverter brand(s), model(s), efficiency (in %), and manufacturing data sheets, etc.
- 7.3.2.3 *Relevant Experience, Ability, and Track Record.* The Respondent and its proposed Project Team will be evaluated based on experience and ability in providing Services for

photovoltaic solar electric generating systems and prior experience with successfully providing Services for commercial-scale carport-mounted solar photovoltaic electric generating systems, placing particular emphasis on those systems installed on a campus of a K-12 district or community college district. The Respondent and its Project Team will also be evaluated based on the District's overall assessment of Respondent's past record in designing and building reliably performing Photovoltaic Systems and its record of predicting and monitoring performance and providing strong operations and maintenance services and performance guarantees. Customer reference checks may be used as one means of evaluating a Respondent's experience, ability, and track record.

7.3.2.4 *Responsiveness to RFP.* The District will evaluate the Respondent's responsiveness to the requirements of this RFP and the content of those responses. The District will evaluate the prior experience and success of the Respondent to establish effective working relationships within the setting of a public higher education or K-12 institution, including the relationships with management, administrative, technical and end-user staff of prior clients.

7.3.2.5 *Availability.* The District will evaluate the availability of the Respondent, the personnel of the Respondent to be dedicated to the Project within the District's anticipated schedule for completing the design and construction of the Project.

7.4 Interviews.

The District may, in its sole discretion, require Respondents to participate in an interview with a Selection Committee established by the District. Interviews, if conducted by the Selection Committee, will generally consist of no more than forty-five (45) minutes for each Respondent's presentation, followed by questions posed by the Selection Committee. Respondents selected for the interview process shall be at the sole discretion of the District. If requested by the Selection Committee, any Respondent invited to participate in the interview process shall have present at the interview its key personnel of the Respondent and its Project Team.

7.5 Cost Negotiations.

The District reserves the right to request that Respondents timely submitting a Proposal to subsequently require Respondents to take part in cost negotiations and/or submit a Best and Final Offer. The Proposal of a Respondent who fails to participate in cost negotiations and/or submit a Best and Final Offer in the form and format directed by the District within the time requested by the District may be rejected for non-responsiveness.

7.6 Protest Procedures.

A Respondent may protest a Contract award if the Respondent believes that the award was inconsistent with applicable District policy or this RFP was not in compliance with the law. A protest must be filed in writing with the District's Purchasing Officer at the address set forth in Section 5.4 herein, within five (5) working days after receipt of notification of the Contract award. The Respondent shall submit all documents supporting or justifying the protest. A Respondent's failure to timely file a protest shall constitute a waiver of its right to protest the award of the Contract. Any Respondent submitting a Proposal may file a protest of the District's intent to award the Contract provided that each and all of the following conditions are met:

- 7.6.1 The protest must be submitted in writing to the District (e-mail is not acceptable), before 2 p.m. of the fifth business day following notification of the proposed Contract award.
- 7.6.2 The initial protest document must contain a complete statement of any and all basis for the protest, including without limitation all facts, supporting documentation, legal authorities and argument in support of the grounds for the protest; any matters not set forth in the written protest shall be deemed waived.
- 7.6.3 All factual contentions must be supported by competent, admissible and creditable evidence.
- 7.6.4 The protest must refer to the specific portions of all documents that form the basis for the protest.
- 7.6.5 The protest must include the name, address, email, and telephone number of the person representing the protesting party.

Any protest not conforming to the preceding shall be rejected by the District as invalid. Provided that a protest is filed in strict conformity with the foregoing, the District, in the form of the Deputy Superintendent and Chief Business Official, shall review and evaluate the basis of the protest. The District shall provide the Respondent submitting the protest with a written statement concurring with or denying the protest. The District Board of Trustees ("Board") will render a final determination and disposition of a protest by taking action to adopt, modify or reject the disposition of a Contract award. Action by the District Board relative to a Contract award shall be final and not subject to appeal or reconsideration. The action by the District Board to adopt, modify or reject the disposition of the Contract award reflected in such written statement shall be an express condition precedent to the institution of any legal or equitable proceedings relative to the Proposal process, the District's intent to award the Contract, the District Board's disposition of any protest or the District's decision to reject all Proposals. The procedure and time limits set forth in this Section are mandatory and are the Respondent's sole and exclusive remedy in the event of protest. Failure to comply with these procedures shall constitute a waiver of any right to further pursue the protest, including filing a Government Code claim or legal proceedings.

8. AWARD OF CONTRACT

The District's Board of Trustees will have the exclusive authority to take action for the award of the Contract, including but not limited to the right to reject any and all Proposals, to waive any irregularity, and to sit and act as sole judge of the merit and qualifications of the materials and services offered therein.

Exhibits

Exhibits A, B, C, E, F, and G are contained in this RFP document. **Exhibit F** (as an excel file) is contained in a separate document on the District website along with this RFP document. **Exhibit D** will be provided shortly as an addendum to this RFP to all Respondents that send an email request to Clyde Murley at clyde@murleyconsulting.com.

All of these exhibits are incorporated by reference into this RFP.

**EXHIBIT A:
PROPOSAL**

TO: **Bonita Unified School District**, acting by and through its Governing Board ("The District").

FROM: _____
(Name of Bidder)

(Address)

(City, State, Zip Code)

(Telephone/Telecopier)

(Email Address of Bidder's Representative(s))

(Name(s) of Bidder's Authorized Representative(s))

OFFICE LOCATION CLOSEST TO THE DISTRICT, IF DIFFERENT FROM ABOVE:

(Address)

(City, State, Zip Code)

(Telephone/Telecopier)

PROJECT: BONITA UNIFIED SCHOOL DISTRICT SOLAR PROJECT

To the Governing Board of the Bonita Unified School District ("The District"):

The undersigned proposes to provide the work, labor, materials and services necessary to complete engineering design, procurement, construction, start-up and commissioning ("Services") of photovoltaic solar electric generating systems ("Photovoltaic Systems") at District Site[s] ("Project").

- 1 **Proposal Submission.** This Proposal is submitted by _____ ("Respondent"); if the Design-Build Contract for the Project is awarded to the Respondent, the Respondent shall execute the Contract in the form substantially provided in **Exhibit D**, subject to discussion and consent of the District and shall complete the Services for the Project in accordance with the Contract Documents, for the Contract Price and within the Contract Time set forth therein.

- 2 **Respondent Acknowledgements.** By submitting this Proposal, the Respondent acknowledges that the Respondent has: (i) conducted observations of the Site as

deemed reasonable and prudent by the Respondent; (ii) carefully reviewed and examined the Contract Documents; (iii) been afforded the opportunity to request clarification or explanation of the Photovoltaic Systems requirements and the Contract Documents; and (iv) committed to permit acceptance of this Proposal by the District within ninety (90) days of the date of this Proposal.

- 3 **Documents Accompanying Proposal.** The Respondent confirms that the following documents are submitted concurrently with this Proposal: (i) Non-Collusion Affidavit (Attachment B); (ii) Statement of Respondent’s Qualifications (Attachment C); (iii) Financial Statement; (iv) Project Team Description; (v) Project Approach Statement; (vi) Energy Services Contract Comments; (vii) Technical Components (Attachment F); and (viii) Verification of a valid Contractors License for the work the Respondent is planning to perform.

- 4 **Addenda.** The Respondent acknowledges its receipt of the following Addenda issued by or on behalf of the District and that the Proposal incorporates the matters addressed in each of the following Addenda. The Respondent further acknowledges that if the Respondent does not acknowledge receipt of all Addenda issued by or on behalf of the District and that this Proposal incorporates the matters raised by all Addenda, this Proposal may be rejected for non-responsiveness.

Addenda Number	Addenda Received by Respondent		Addenda Incorporated Into Proposal	
	Yes	No	Yes	No
	Yes	No	Yes	No
	Yes	No	Yes	No

5 Price Proposals.

In accordance with the RFP Instructions, the undersigned Respondent hereby submits its proposed pricing options (“Proposed Pricing”) to provide complete Engineering, Procurement, and Construction (“EPC”), Operations and Maintenance (“O&M”), and Performance Guarantee (“PeGu”) Services and at least a 10-year inverter warranty for the Photovoltaic Systems as follows.

Table 5.1 Price Proposal for All Sites		
Item No.	Item	For All 13 Sites
1	System Type	
2	System Capacity (kW-dc)	
3	System Capacity (kW-CEC-ac)	
4	Expected System Output (kWh; first full year)	
5	Design Fee	\$
6	Procurement & Construction Costs excluding Interconnection	\$
7	Interconnection Procurement and Construction Costs	\$
8	Permit fees	\$
9	Equipment Start-Up, Commissioning, and Closeout	\$
10	Total System Cost to District (total items 5-9) excluding O&M and Performance Guarantee Costs	\$
11	Total System Cost \$/watt-dc	\$
12	First Year O&M Price*	\$
13	First Year 95% Performance Guarantee Price	\$
14	Annual price escalator % for O&M Performance Guarantee years 2-25	%
15	Cost for optional Years 11-20 Inverter Warranty cost, if any	\$
<p>Any additional pricing terms or offers (use additional space as may be needed). Such offers may include price discounts for various terms of prepayments for O&M and/or PeGu Services, for example, or various PeGu % levels higher than the required 95% minimum level.</p> <p>* O&M Services and associated pricing must include component replacements as may be required to maintain full operation of Systems throughout at least the first 25 years, except for inverter replacement, which must be included for at least the first 10 years.</p> <p>If proposal contains more than one option for each PV System or Subsystem, please duplicate and complete this table for additional proposed options. Add any additional pricing options if and as proposed.</p>		

The Respondent confirms that the foregoing Proposed Prices are inclusive of: (i) all work, labor, materials, services and all other obligations under the Contract Documents; (ii) all general administrative overhead costs and expenses, whether for home-office, field office or otherwise; and (iii) profit.

- 6 **Project Duration.** DBE shall achieve Final Completion of the Services for on or before [_____]. Final Completion means that each of the following has been achieved in accordance with Prudent Industry Practices and the other requirements of the Contract Documents: (a) Achievement of Mechanical Completion and all conditions thereto continue to be satisfied; (b) All of the electrical works and all other infrastructure necessary to achieve connection of the System to the Utility’s electricity transmission system are fully energized; (c) Successful testing of all systems comprising the System in accordance with the requirements of the Contract; (d) The System is capable of operating safely in accordance with Prudent Industry Practices and all applicable Laws; (e) all applicable DSA requirements have been met; Permission to Operate has been granted by SCE.
- 7 **Schedule Proposal.** The undersigned Respondent proposes to complete activities and tasks necessary for design and construction of the Project in accordance with the Proposed Project Schedule) incorporated into Tab 8 of this Proposal. The Proposed Project Schedule is summarized as follows:

Activity/Task	Respondent’s Proposed Start Date	Respondent’s Proposed Completion Date
Prepare Design Documents and Submit to District for Review and Comment		
District Review/Comment Period		
Incorporate District Comments and Finalize Design Documents		
Submit to DSA and Obtain Construction Permits		
Construction Period to Point of Substantial Completion		
Take Project From Substantial to Final Completion		

7.1 Respondent's Acknowledgment. The undersigned Respondent acknowledges that if it is subject to Liquidated Damages liability, the District may deduct Liquidated Damages from the Contract Price then or thereafter due the Respondent, the District may seek recovery of Liquidated Damages from the Respondent's Performance Bond Surety and/or the District may seek recovery of Liquidated Damages from the Respondent or the Performance Bond Surety without having exhausted remedies against the other.

8 Contractor's License. The undersigned Respondent certifies that Respondent or Respondent's contractor: (a) it is duly licensed as required by the California Contractors License Law, in the necessary class(es) for performing the Work of the Contract Documents, under the following classification(s) _____, bearing License Number(s) _____; (b) that such license(s) shall be in full force and effect throughout the duration of the performance of the Work under the Contract Documents; and (c) that all Subcontractors providing or performing any portion of the Work shall be properly licensed as required by California law to perform or provide such portion of the Work.

9 Design Professional's License. The undersigned Respondent certifies that Respondent or Respondent's design professional(s) providing professional services hereunder are properly licensed as required by California law.

10 **Award of Contract.**

10.1 District Actions. The Respondent acknowledges that action to award the Contract is vested solely in the Board of Trustees of the District and that the District may waive irregularities in the RFP process or the District may reject all Proposals.

10.2 Respondent Responsibilities. If the undersigned Respondent is awarded the Contract, the Respondent shall execute and return the executed Contract to the District within ten (10) calendar days of the date of the Board of Trustees action awarding the Contract to the Respondent. Concurrently with return of the executed Contract, the Respondent shall also submit: (i) Certificates of Insurance evidencing that the policies of insurance in the minimum coverage amounts set forth in the RFP and the Contract Documents have been obtained by the Respondent; (ii) duly executed and issued Labor & Materials Payment Bond and Performance Bond; (iii) duly completed and executed Workers Compensation Certification, Criminal Background Investigation Certification, Lead Products Certification, Drug-Free Workplace Certification, Asbestos & Other Hazardous Materials Certification, and Roofing Certification.

The individual executing this Proposal on behalf of the above-identified Respondent warrants and represents to the District that: (i) he/she is duly authorized to execute this Proposal on behalf of the Respondent and to bind the Respondent to this Proposal; and (ii) this Proposal is complete and accurate.

Dated: _____, 2015

By: _____

Title: _____

END OF EXHIBIT A

**EXHIBIT B:
NON-COLLUSION DECLARATION**

This Non-Collusion Declaration shall be executed by the Respondent and shall be submitted with its Proposal.

The undersigned declares:

I am the _____ of _____, the party making the foregoing bid.
Title Firm

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____, at
Date

_____, _____.
City State

By: _____
Respondent Signature

Name: _____
Printed or Typed

Date: _____

END OF EXHIBIT B

**EXHIBIT C:
STATEMENT OF RESPONDENT'S QUALIFICATIONS**

Bidder Name: _____

Project: BONITA UNIFIED SCHOOL DISTRICT SOLAR PROJECT

1 Bidder's Organization

1.1 Form of entity of Bidder, i.e., corporation, partnership, etc. _____

1.1.1 If a corporation, state the following:

State of incorporation: _____

Date of incorporation: _____

President/Chief
Executive Officer: _____

Secretary: _____

Treasurer/Chief
Financial Officer: _____

1.1.2 If a partnership, state the following:

Type of partnership, i.e., general partnership, limited partnership: _____

Date of Organization: _____

Names of all general partners, if any of the general partners are not natural persons, provide the information for each such general partner requested by Paragraphs 1.1.1, 1.1.2 and 1.1.4 as appropriate:

1.1.3 If a proprietorship, state the names of all proprietors: _____

1.1.4 If a joint venture, state the following:

Date of organization: _____

Names of all joint venture members. For each member of the joint venture, provide the information requested by Paragraphs 1.1.1, 1.1.2 and 1.1.3 for each joint venture member, as applicable: _____

1.2 Number of years your organization has been in business as a contractor: _____

1.3 Number of years your organization has conducted business under its present name: _____

1.4 If your organization has conducted business under a name or name style different than your organization's present name, identify all prior name(s) or name style(s): _____

1.5 Your organization's Federal Tax Identification Number: _____

2 Construction Licensing

2.1 California Contractors License:

Number: _____

Expiration Date: _____

Responsible Managing Employee/Officer: _____

License Classification(s): _____

2.2 Has a claim or other demand ever been made against your organization's California Contractors License Bond? Yes No

If yes, on a separate attachment, state the following: (i) the name, address and telephone number of each person or entity making claim or demand; (ii) the date

of each claim or demand; (iii) the circumstances giving rise to each such claim or demand; and (iv) the disposition of each such claim or demand.

- 2.3 Has a complaint ever been filed against your organization’s California Contractors License with the California Contractors State License Board?
 Yes No

If yes, on a separate attachment, state the following for each complaint: (i) the name, address and telephone number of each person or entity making the complaint; (ii) the date of each complaint; (iii) the circumstances giving rise to each such complaint; and (iv) the disposition of each such complaint, including without limitation, any disciplinary or other action imposed or taken by the California Contractors State License Board as a result of any such complaint.

3 Professional Engineering Licensing

- 3.1 For each of the following engineering disciplines, please state whether your company employs a professional engineer, and if yes, list the name and license number of at least one engineer employed by your company in this discipline:

Discipline	Full Time (FT)/ Part Time (PT)	Name	License No.
Electrical			
Structural			
Mechanical			

4 Experience

- 4.1 Categories of work (other than management/supervision) your organization typically performs with your own forces _____

- 4.2 On a separate sheet attachment labeled *Attachment C-4.2*, provide details of and discuss public education (both K-12 and higher education) **installations of photovoltaic solar generating projects your organization has completed** that reflect the skills, experience and other qualifications of the Respondent and its proposed personnel to successfully complete Services. The discussion of experience must specifically address: (i). Completed Services for a California K-12 district or California community college district within the past three (3) years for roof-mounted or carport-mounted grid-connected photovoltaic solar generating projects of at least 500 kW capacity; (ii) Design phase and construction phase quality control measures and programs; and (iii) Experience with DSA reviews, approvals and permitting processes and procedures.

4.3 Describe all **currently operating, non-residential, grid-connected PV projects greater than 500 kW** for which your firm has **completed** installations in California for either community college or K-12 district projects within the past three (3) years (not in development). For each system, provide the following information, using this tabular format, *adding additional columns as required*.

	Project 1	Project 2	Project 3	Project 4
Total kWp installed				
Number of PV Sites/Campuses				
Range of System Sizes (kWp)				
District Name				
Location(s)				
Rooftop, Ground-based, or Carport?				
Installation Date(s)				
Date(s) of Operation				
Current operating status				
Precise role(s) your company performed for this project (e.g., material supplier, lead contractor, electrical subcontractor, design, consulting, etc.)				

4.4 Describe all **non-residential, grid-connected PV projects greater than 500 kW** for either community college or K-12 district projects that your organization currently has in progress. For each system, provide the following information, using this tabular format, *adding additional columns as required*.

	Project 1	Project 2	Project 3	Project 4
Total kWp installed				
Number of PV Sites/Campuses				
Range of System Sizes (kWp)				
District Name				
Location(s)				
Rooftop, Ground-based, or Carport?				
Expected Completion Date				
Precise role(s) your company is performing for this project (e.g., material supplier, lead contractor, electrical subcontractor, design, consulting, etc.)				

5 Performance History

5.1 Claims and lawsuits (if you answer yes to any of the following, you must attach details).

5.1.1 Have any lawsuits or other administrative, legal, arbitration or other proceedings, ever been brought or commenced against your organization or any of its principals, officers or equity owners in connection with any construction contract, construction project or photovoltaic solar generating project? Yes No

If so, describe the circumstances, the amount demanded or other relief demand and the disposition of each such lawsuit or other proceeding.

5.1.2 Has your organization ever filed a lawsuit or commenced other administrative, legal or other proceedings in connection with any construction contract, construction project or photovoltaic solar generating project? Yes No

If so, describe the circumstances, the amount demanded or other relief demand and the disposition of each such lawsuit or other proceeding.

5.1.3 Are there any judgments, orders, decrees or arbitration awards pending, outstanding against your organization or any of the officers, directors, employees or principals of your organization? Yes No

If so, describe each such judgment, order, decree or arbitration award and the present status of the satisfaction or discharge thereof.

5.2 Has your firm or any predecessor to your firm, or any of its owners, officers, or partners ever been found liable in a civil suit, or found guilty in a criminal action, for making any **false claim or material misrepresentation** to any public agency or entity? Yes No

If "yes" provide details of each conviction on a separate attachment.

5.3 At any time during the last five years, has your firm or any predecessor to your firm, or any of its owners, officers or partners ever been **convicted of a crime** involving any federal, state, or local law related to construction? Yes No

If "yes" provide details of each conviction on a separate attachment.

5.4 At any time during the last five years, has your firm or any predecessor to your firm, or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty? Yes No

If "yes" provide details of each conviction on a separate attachment.

5.5 Is your firm currently the debtor in a bankruptcy case? Yes No

If “yes” provide details on a separate attachment.

- 5.6 Was your firm, or any predecessor to your firm, in bankruptcy any time during the last five (5) years? (This question refers only to a bankruptcy action that was not described in answer to question 5-5, above). Yes No

If “yes” provide on a separate attachment.

- 5.7 In the last five (5) years, has your firm or any predecessor to your firm, been denied an award of a public works contract based on a finding by a public agency that your organization was not a responsible bidder? Yes No

If “yes” provide details on a separate attachment.

- 5.8 Within the last five (5) years, has there ever been a period when your organization had employees but was without workers’ compensation insurance or state-approved self-insurance? Yes No

If “yes” provide details on a separate attachment.

- 5.9 Has your organization ever refused to sign a construction contract or photovoltaic solar generating project awarded to it? Yes No

If “yes,” on a separate attachment, state the following: (i) describe each such contract; (ii) the owner’s name, address, telephone number and contact person; and (iii) the circumstances of your refusal to sign such contract.

- 5.10 Has your organization ever failed to complete a construction contract or photovoltaic solar generating project contract? Yes No

If “yes,” on a separate attachment, state the following: (i) describe each such contract; (ii) the owner’s name, address, telephone number and contact person; and (iii) the circumstances of your failure to complete such contract.

- 5.11 Has your organization ever been declared in default under a construction contract or photovoltaic solar generating project contract? Yes No

If “yes,” on a separate attachment, state the following: (i) describe each such contract; (ii) the owner’s name, address, telephone number and contact person; and (iii) the circumstances of each such declaration of default.

- 5.12 Has any construction contract or photovoltaic solar generating project contract to which your organization was/is a party been terminated for the convenience of the project owner? Yes No

If “yes,” identify the project and project owner along with a description of the circumstances under which the convenience termination occurred.

- 5.13 Has your organization been required to pay a premium of more than one percent (1%) for a performance and payment bond on any project(s) on which your firm worked at any time during the past three (3) years? Yes No

If “yes” state the percentage that your organization was required to pay. You may provide an explanation for a percentage rate higher than one percent (1%), if you wish to do so.

- 5.14 Has a claim or other demand ever been asserted against any Bid Bond, Performance Bond, or Payment Bond posted by your organization in connection with any construction contract or your submittal of a bid proposal for a construction contract or photovoltaic solar generating project contract? Yes No

If “yes,” on a separate attachment, state the following: (i) the name, address, telephone number and contact person for each claimant; (ii) the date upon which each such demand or claim was made; and (iii) the disposition of each such demand or claim.

- 5.15 List all sureties (surety name, name of surety contact person, full address, telephone and email of surety and surety contact person) that have issued bonds for your organization during the last five (5) years, including the inclusive dates during which each issued the bonds:

- 5.16 During the past five (5) years, has your organization ever been denied bond coverage by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required? Yes No

If “yes,” on an attachment indicating the date when your organization was denied coverage and the name of the company or companies which denied coverage; and the period during which you had no surety bond in place.

- 5.17 At any time during the past five (5) years, has any surety company made any payments on behalf of your organization to satisfy any claims made against a performance or payment bond issued on your firm’s behalf, in connection with a construction project, either public or private? Yes No

If “yes,” on a separate attachment set forth: (i) the amount of each such claim; (ii) the name and telephone number of the claimant; (iii) the date of the claim; (iv) the grounds for the claim; (v) the present status of the claim; (vi) the date of resolution of such claim if resolved; (vii) the method by which such was resolved if resolved; (viii) the nature of the resolution; and (ix) the amount, if any, at which the claim was resolved.

- 5.18 In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm? Yes No

6 Safety.

6.1 Workers Compensation Insurance Experience Modification Rating ("EMR"):

Current Year EMR _____

Prior Year EMR _____

6.2 Within the past two (2) years has your firm been subject to any Cal-OSHA citation for "serious", "willful" or "repeat" safety violations? Yes No

If "yes," on a separate attachment provide details including but not limited to the date of the citation, the grounds for the citation, the present status of the citation, and the nature of the resolution, if any.

7 Labor; Prevailing Wage and Apprenticeship Compliance

7.1 At the time of submitting this Statement of Qualifications, is your organization ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to either Labor Code §1777.1 or Labor Code section §1777.7? Yes No

If "yes," state the beginning and ending dates of the period of debarment: _____

7.2 Has there been more than one occasion during the past five (5) years in which your organization was required to pay either back wages or penalties for your own organization's **failure to comply with California prevailing wage laws**?

NOTE: This question refers only to your own organization's violation of prevailing wage laws, not to violations of the prevailing wage laws by a subcontractor.

____ Yes ____ No

If "yes," on a separate attachment, describe the nature of each violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid and the amount of back wages and penalties that you were required to pay.

8 **References** (Include name, contact person, telephone/facsimile and address for each reference provided):

8.1 Trade References (three (3) minimum)

8.2 Bank References

9 Accuracy and Authority

The undersigned is duly authorized to execute this Statement of Respondent's Qualifications under penalty of perjury on behalf of the Respondent. The undersigned warrants and represents that he/she has personal knowledge of each of the responses to this Statement of Respondent's Qualifications and/or that he/she has conducted all necessary and appropriate inquiries to determine the truth, completeness and accuracy of responses to this Statement of Respondent's Qualifications.

The undersigned declares and certifies that the responses to this Statement of Respondent's Qualifications are complete and accurate; there are no omissions of material fact or information that render any response to be false or misleading and there are no misstatements of fact in any of the responses.

Executed this ___ day of _____ 20__ at _____
(City and State)

I declare under penalty of perjury under California law that the foregoing is true and correct.

(Signature)

END OF EXHIBIT C

EXHIBIT D: DESIGN BUILD CONTRACT AND GENERAL CONDITIONS

(SEPARATELY PROVIDED IN FORTHCOMING RFP ADDENDUM)

EXHIBIT E
CUSTOMER REFERENCES AND PHOTOVOLTAIC SYSTEM INFORMATION

Provide at least three (3) K-12 or community college district customer references and associated information regarding Photovoltaic Systems your firm previously installed for them.

	District Name / Contact Person	Email and Phone Number	Overall Project Size (kW-dc) and Number of Systems	System(s) Type (carport, rooftop, ground; fixed or tracking)	System(s) Online Date(s)	Expected First Full Year Production (kWh) per Contract	Number of Full Years of Operation (e.g., 1, 2, or 3 years)	Actual Energy Production During Indicated Full Years of Operation (kWh)	Ratio of Actual vs. Expected Full-Year(s) Energy Production To Date (%)
1									
2									
3									
4									
5									

Dated: _____, 2015

By: _____

Title: _____

**EXHIBIT F:
TABS 8-A-1 AND 8-A-2 --
SOLAR SYSTEMS -- TECHNICAL COMPONENTS**

This Exhibit pertains to Section 7.2.4.8 of this RFP and must be completed using the Excel file issued with this RFP entitled “**Exhibit F - Solar Systems -- Technical Components.**” Provide completed Tables 8-A-1 and 8-A-2 both in hard copy in your proposal and by separately providing the electronic Excel version.

The Excel file is posted separately from this RFP document at the District’s website.

**EXHIBIT G:
PERFORMANCE GUARANTEE MINIMUM REQUIREMENTS**

DBE shall provide a performance guarantee (“PeGu”) of at least 95% of kWh output for each PV System as stated in DBE’s proposal, during the first 25 years of operation. The cost, if any, for including this performance guarantee, shall be itemized in the DBE’s response to this RFP. The performance guarantee obligates DBE to compensate the District for (a) the cost of utility electricity purchases, plus (b) any lost utility incentive payments, that the District would not have incurred had the PV System performed at or above the 95% level of production over a defined “true-up” period. Such payment, if any, shall be made at the end of each true-up period. The District will make an allowance for gradual degradation of output over the term of the PeGu, the annual rate of which Respondent must state in its proposal. Determinations of under- or over-performance (i.e., the number of kWh’s, respectively, below and above the 95% kWh output level) will be made at the end of each “true-up” period. The District anticipates requiring a three-year true-up period, and PeGu pricing should reflect this. The monetary value of any over-performance may not be carried forward and applied to the subsequent true-up period as a credit against under-performance in that or any further subsequent true-up period.

Guaranteed output levels may be adjusted upward or downward to compensate for variance between actual weather conditions and those assumed in the modeling of PV System performance. The District expects that DBE will rely on TMY3 weather data for modeling expected performance. Deviations from this data source will be considered on a case-by-case basis. Any proposed deviations must be supported with a detailed explanation and justification.

Downward adjustments in expected performance may be permitted in the following cases:

- 1) There is structural failure in a building which failure affects the support of the System or affects the integrity of the data acquisition system used to measure solar system performance and associated weather data;
- 2) There is any failure of the System to perform caused by legislative, administrative or executive action, regulation, order or requisition of any federal, state or local government, local utility or public utilities commission;
- 3) There is an event of Force Majeure; or
- 4) There is a change in usage of or structures on the Site, or buildings or vegetation at or near the Site, without the prior written approval of DBE, that can be reasonably expected to reduce solar PV performance.

In cases (1) – (4) above, DBE shall develop a reasonably accurate estimate of the lost kWh output properly attributable to any or all of these causes and the performance requirement for the applicable true-up period will be adjusted accordingly.

Adjustments in expected generation in the event of data loss shall be addressed as follows:

- 1) In lieu of lost solar energy output data (i.e., insolation, temperature, or wind speed), DBE will utilize such data obtained from a nearby meteorological station that DBE monitors and selects for such purpose.
- 2) In lieu of lost electricity data, DBE will utilize the cumulative data from System meter readings to calculate the electricity generated during the missing interval. In the event that data from the System meter is inaccurate or missing, DBE will simulate electricity production during the missing interval utilizing measured meteorological data and DBE's electricity production simulation model. The simulated electricity production during the missing interval will be added to the actual generation for the subject year.

EXHIBIT H: PERMISSIBLE SOLAR LOCATIONS

The figures H-1 through H-13 in this exhibit contain aerials of each potential Solar PV site. The red rectangles/polygons delineate rooftops and/or parking lot areas within which Solar PV systems may be proposed. Respondents are responsible for ensuring that any proposed PV systems are built and located such that they would be in compliance with any and all applicable codes, regulations, laws, and ordinances. At sites where there is more potential solar area than needed to achieve the requested PV kWh output, Respondents are directed to avoid roofs if possible and otherwise optimize the location and orientation of the PV systems while also optimizing cost efficiency. The location of the SCE meter associated with each Solar PV System is also indicated in the figures and have been labeled with an 'M' symbol. Electricity usage data is from the most recent fiscal year: July 1, 2014 to June 30, 2015.

FIGURE H-1: ALLEN AVENUE ELEMENTARY SCHOOL

FIGURE H-2: ARMA J. SHULL ELEMENTARY SCHOOL

FIGURE H-3: BONITA HIGH SCHOOL

FIGURE H-4: ED JONES EDUCATIONAL CENTER / DISTRICT OFFICE / BUSD
TRANSPORTATION

FIGURE H-5: FRED EKSTRAND ELEMENTARY SCHOOL

FIGURE H-6: GLADSTONE ELEMENTARY SCHOOL

FIGURE H-7: GRACE MILLER ELEMENTARY SCHOOL

FIGURE H-8: J. MARION ROYNON ELEMENTARY SCHOOL

FIGURE H-9: LA VERNE HEIGHTS ELEMENTARY SCHOOL

FIGURE H-10: LONE HILL MIDDLE SCHOOL

FIGURE H-11: OAK MESA ELEMENTARY SCHOOL

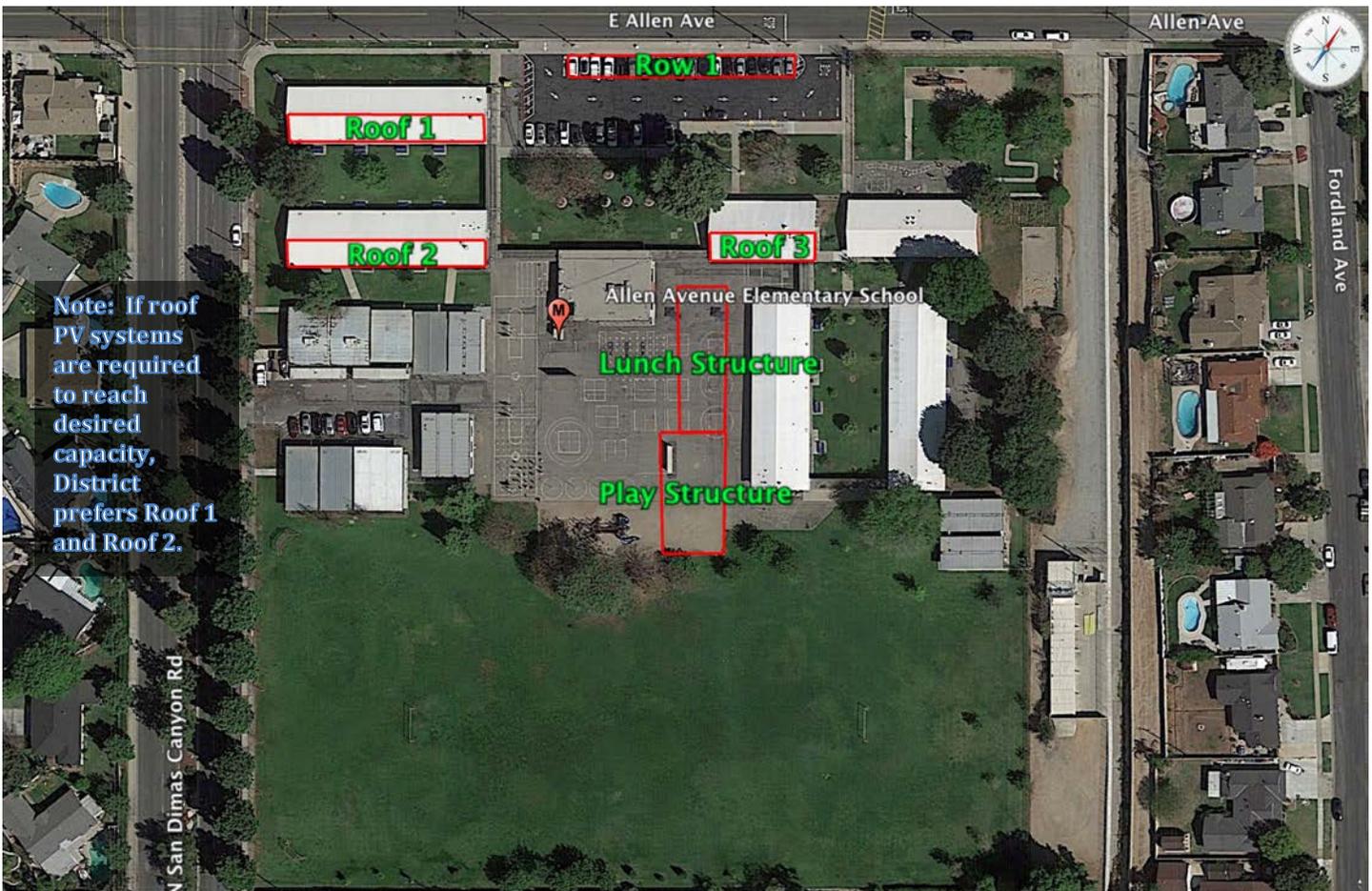
FIGURE H-12: RAMONA MIDDLE SCHOOL

FIGURE H-13: SAN DIMAS HIGH SCHOOL

Figure H-1: Allen Avenue Elementary School

740 E. Allen Avenue, San Dimas, CA 91773

SCE Service Account #	SCE Meter #	Annual Electricity Usage (kWh)	Annual Maximum Demand (kW)	Target Annual PV Output (kWh)	Current SCE Rate Schedule
1158926	259000-019218	296,000	192	246,000	TOU-GS2B



Note: If roof PV systems are required to reach desired capacity, District prefers Roof 1 and Roof 2.

Figure H-2: Arma J. Shull Elementary School

825 N. Amelia, San Dimas, CA 91773

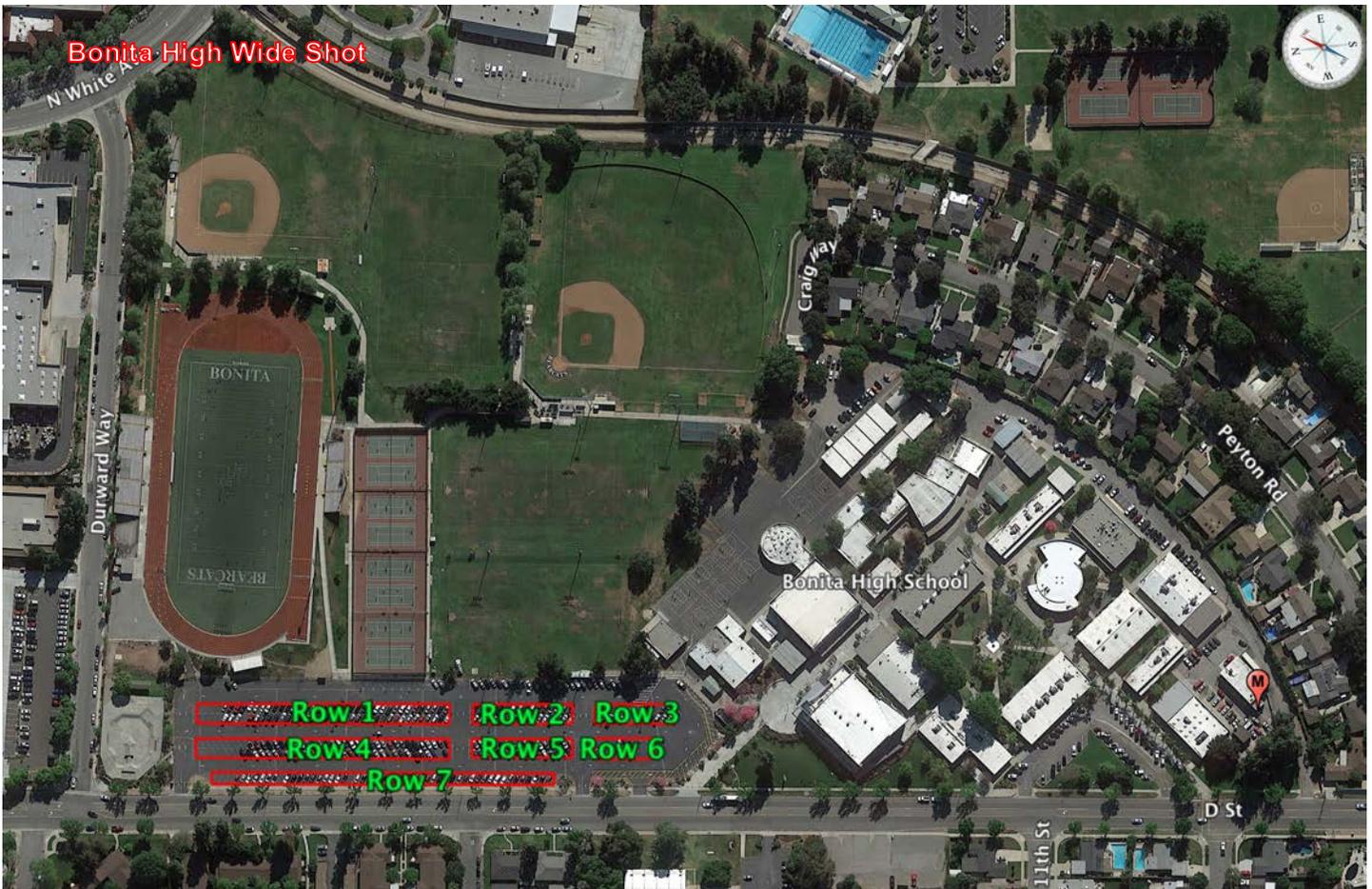
SCE Service Account #	SCE Meter #	Annual Electricity Usage (kWh)	Annual Maximum Demand (kW)	Target Annual PV Output (kWh)	Current SCE Rate Schedule
1158913	259000-025353	312,000	192	253,000	TOU-GS2A



Figure H-3: Bonita High School

3102 "D" Street, La Verne, CA 91750

SCE Service Account #	SCE Meter #	Annual Electricity Usage (kWh)	Annual Maximum Demand (kW)	Target Annual PV Output (kWh)	Current SCE Rate Schedule
1158946, 26537584	259000- 011683, V349N- 000489	1,600,000	760	1,178,000	TOU-GS2B, TOU-8B



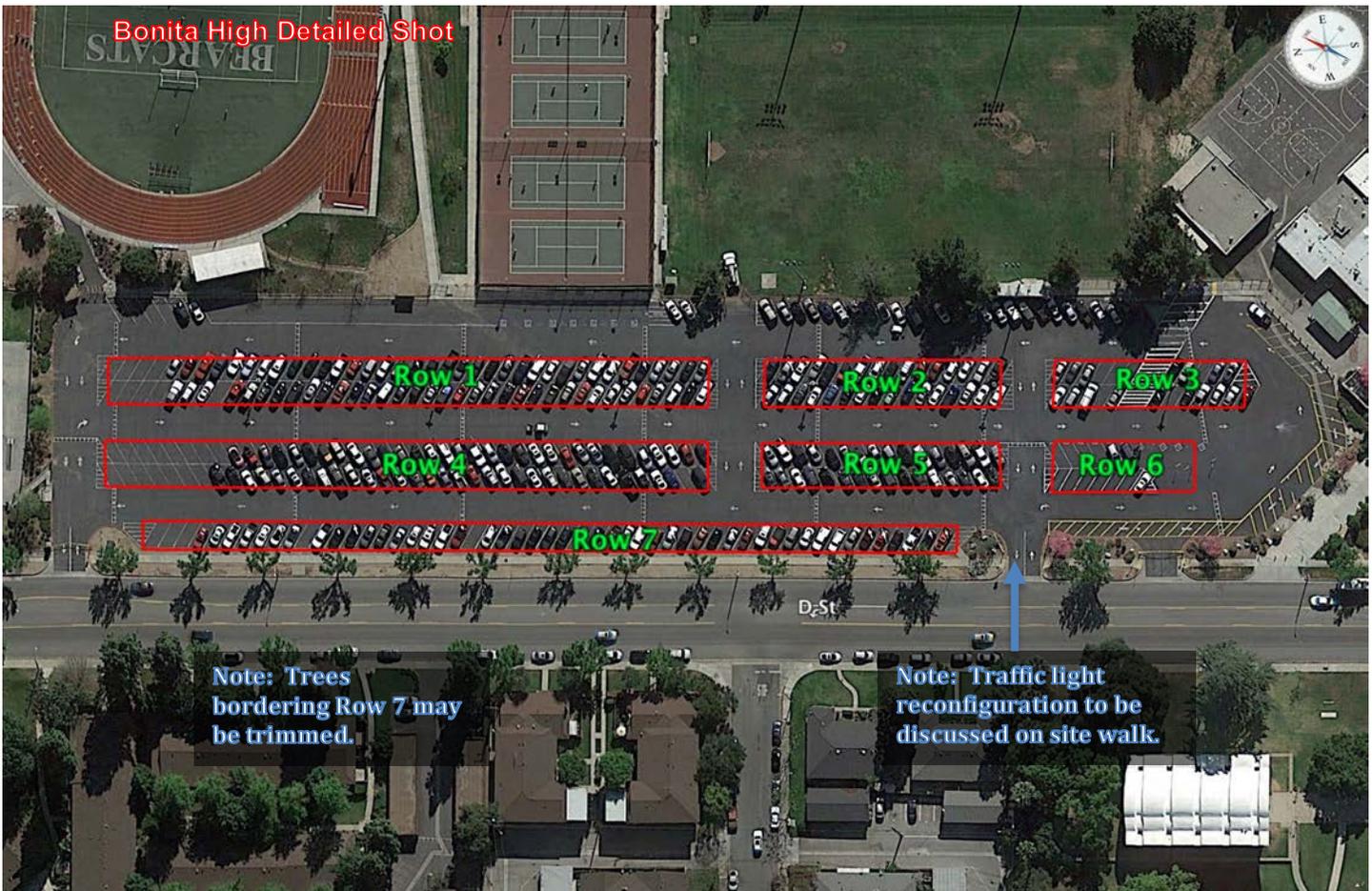


Figure H-4: Ed Jones Educational Center / District Office / BUSD Transportation

121 W. Allen Avenue, San Dimas, CA 91773

SCE Service Account #	SCE Meter #	Annual Electricity Usage (kWh)	Annual Maximum Demand (kW)	Target Annual PV Output (kWh)	Current SCE Rate Schedule
35486993	V349N-018741	852,000	305	644,000	TOU-GS3A

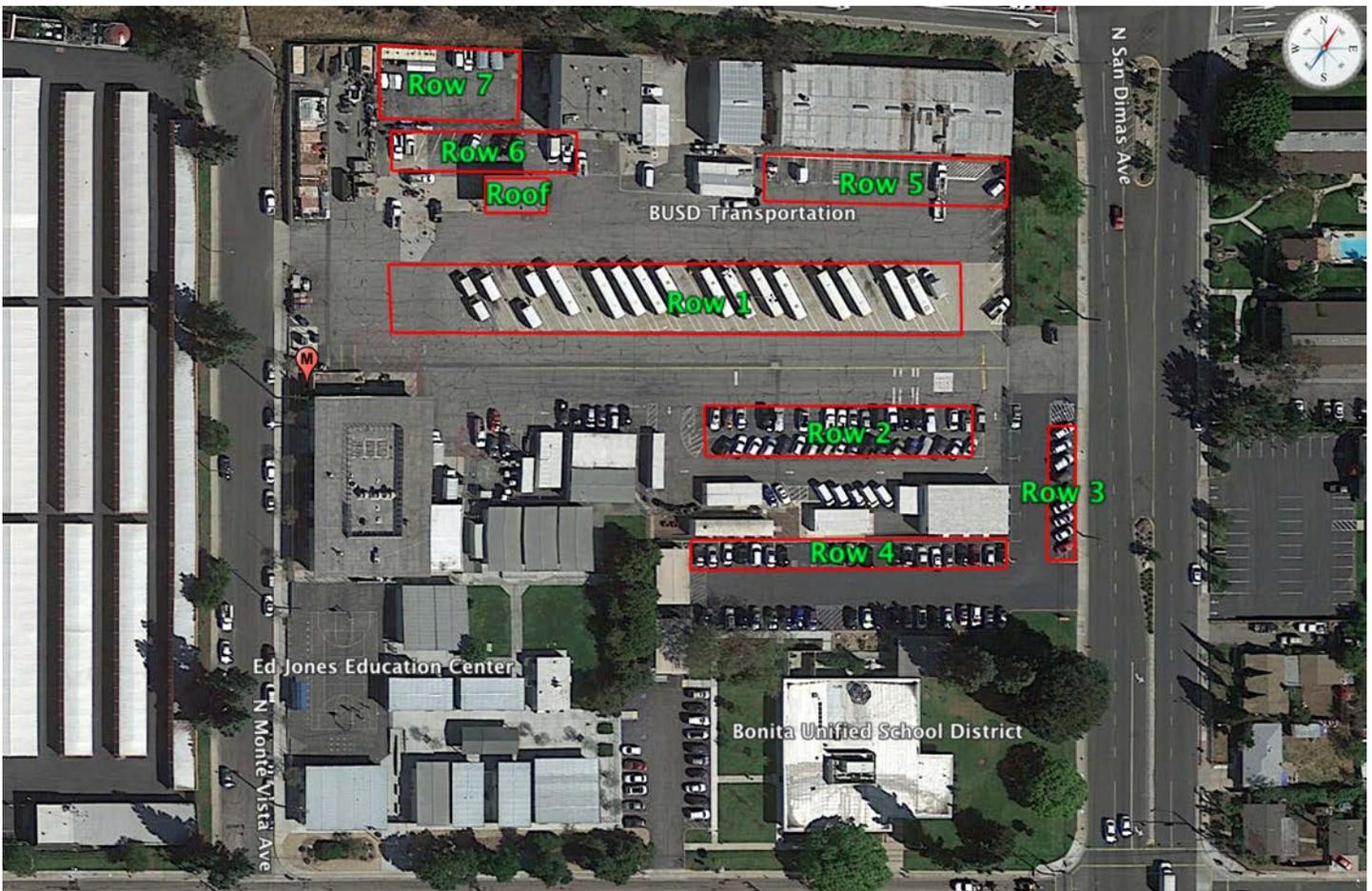


Figure H-5: Fred Ekstrand Elementary School

400 N. Walnut, San Dimas, CA 91773

SCE Service Account #	SCE Meter #	Annual Electricity Usage (kWh)	Annual Maximum Demand (kW)	Target Annual PV Output (kWh)	Current SCE Rate Schedule
1158927, 1158928	259000-013937, 223000-010455	400,000	246	305,000	TOU-GS2B, TOU-GS2A

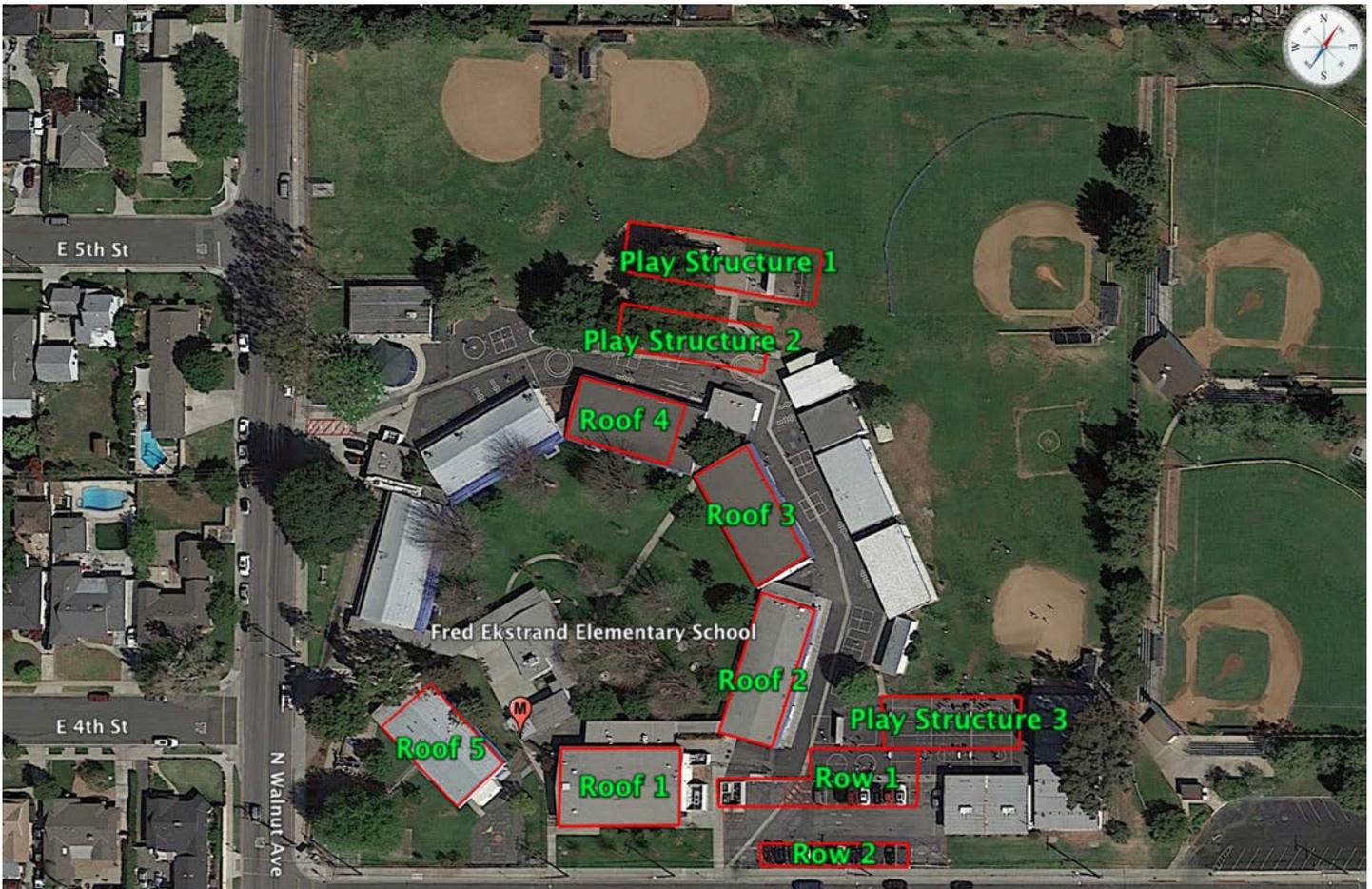


Figure H-6: Gladstone Elementary School

1314 W. Gladstone St., San Dimas, CA 91773

SCE Service Account #	SCE Meter #	Annual Electricity Usage (kWh)	Annual Maximum Demand (kW)	Target Annual PV Output (kWh)	Current SCE Rate Schedule
42264025, 1158912	222013-994224, 259000-029164	326,000	193	272,000	TOU-GS1A, TOU-GS2B

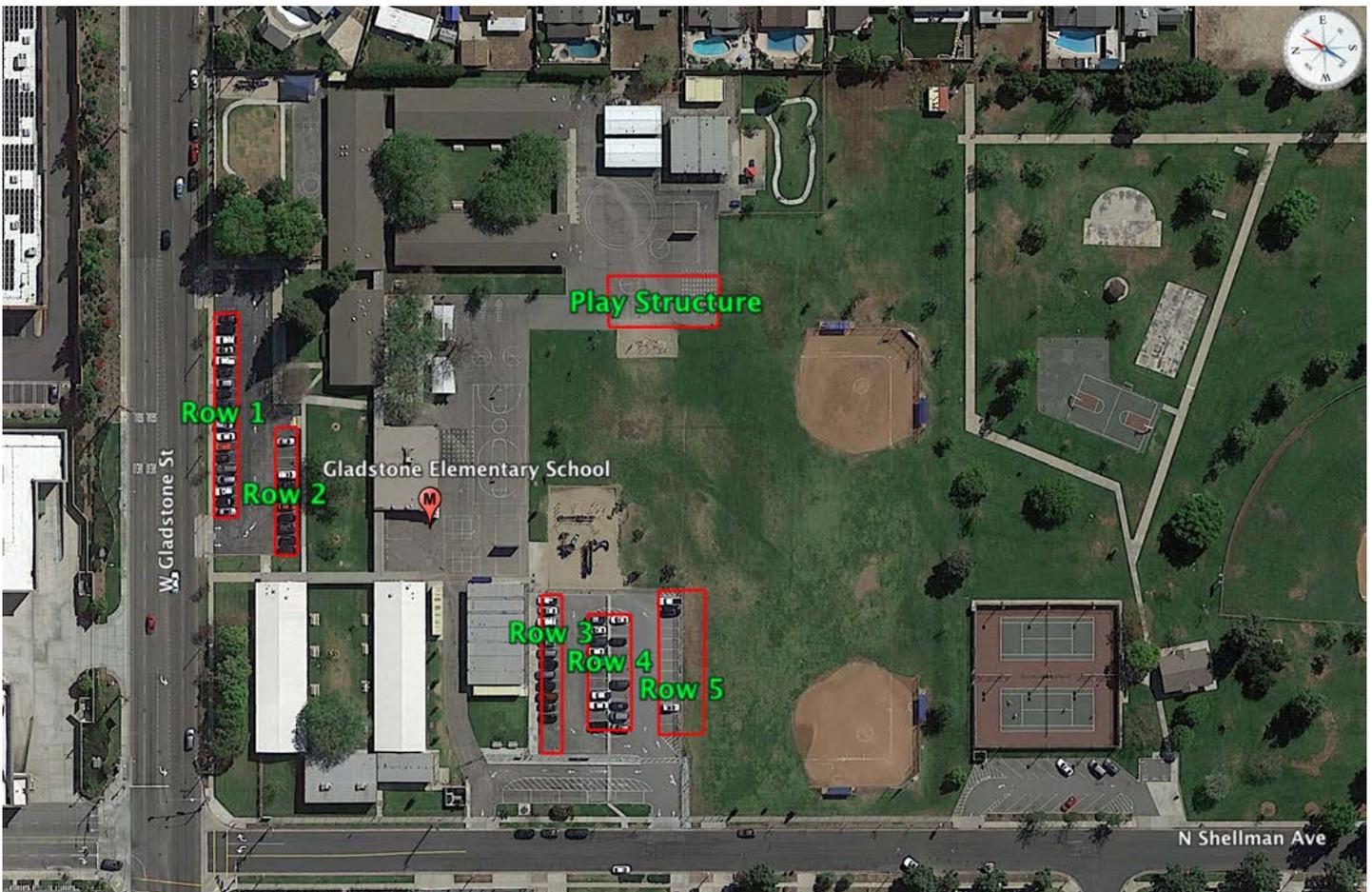
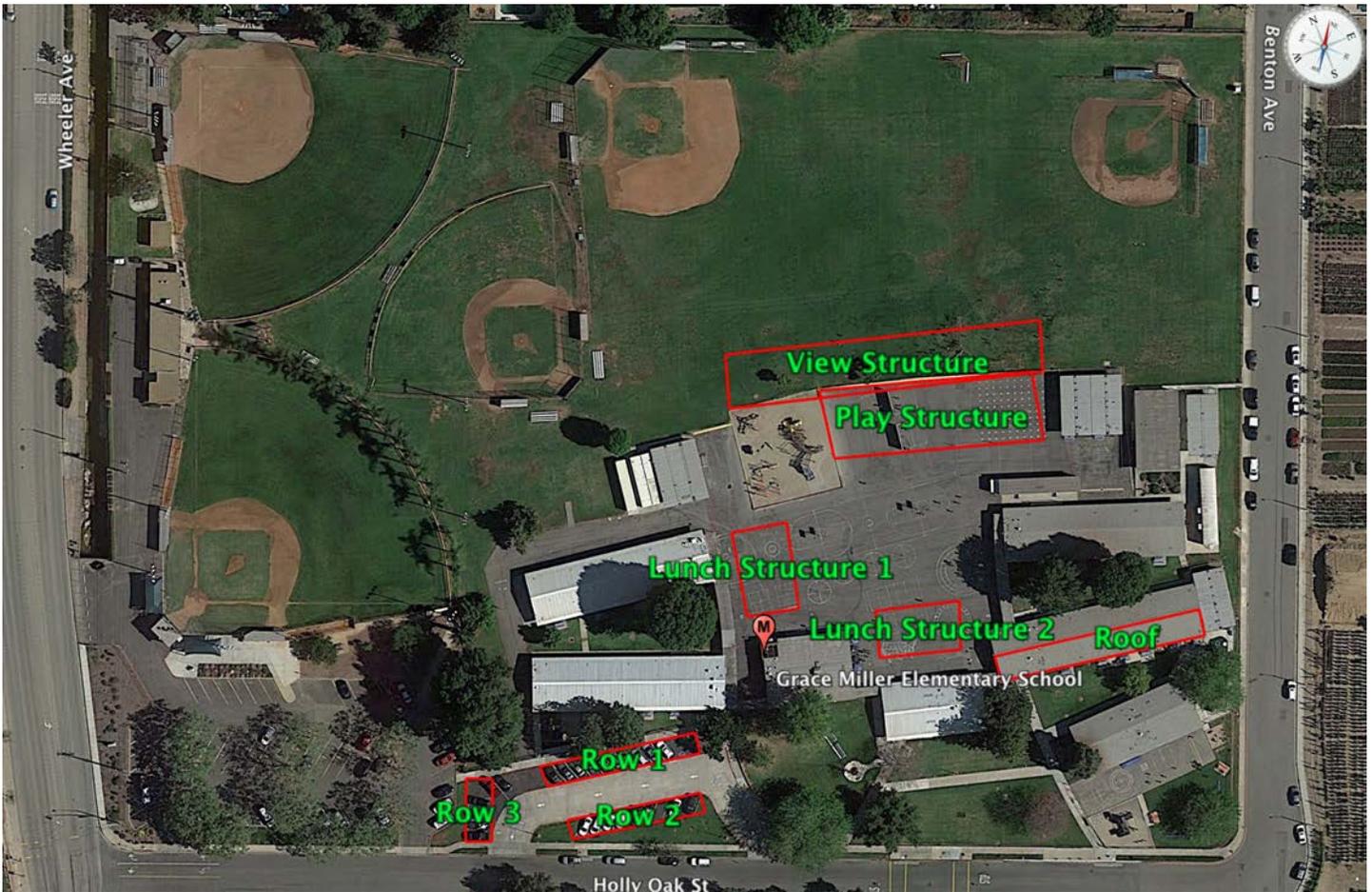


Figure H-7: Grace Miller Elementary School

1629 Holly Oak St., La Verne, CA 91750

SCE Service Account #	SCE Meter #	Annual Electricity Usage (kWh)	Annual Maximum Demand (kW)	Target Annual PV Output (kWh)	Current SCE Rate Schedule
1158931	259000-029539	309,000	163	243,000	TOU-GS2B



Note:

Respondents may propose either the View Structure or the Play Structure, but not both.

Figure H-8: J. Marion Roynon Elementary School

2715 "E" Street, La Verne, CA 91750

SCE Service Account #	SCE Meter #	Annual Electricity Usage (kWh)	Annual Maximum Demand (kW)	Target Annual PV Output (kWh)	Current SCE Rate Schedule
1868915, 1158930	259000-015689, 259000-016486	404,000	259	308,000	TOU-GS2B, TOU-GS2A

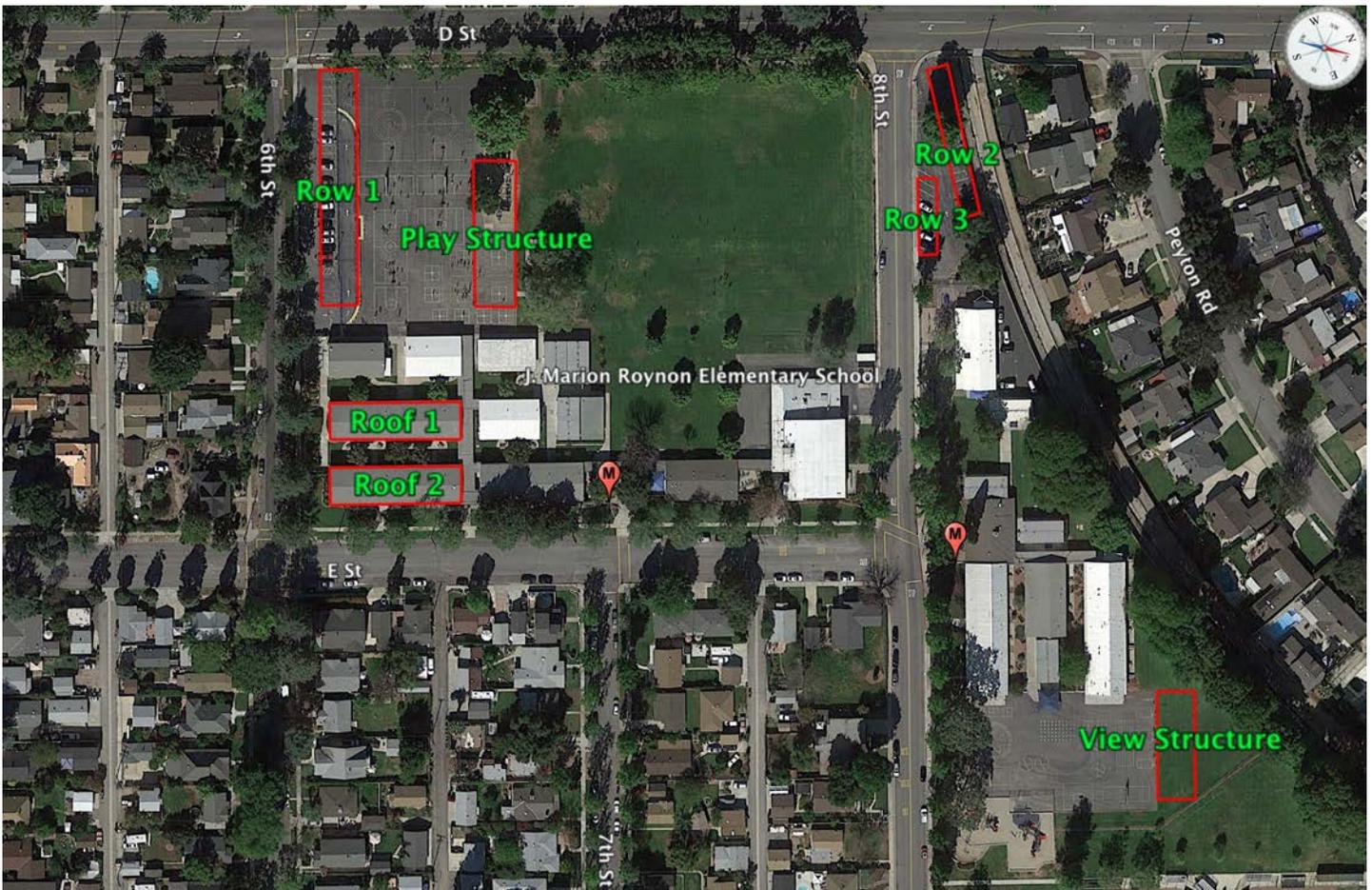


Figure H-9: La Verne Heights Elementary School

1550 E. Baseline, La Verne, CA 91750

SCE Service Account #	SCE Meter #	Annual Electricity Usage (kWh)	Annual Maximum Demand (kW)	Target Annual PV Output (kWh)	Current SCE Rate Schedule
1158947	259000-066665	283,000	186	219,000	TOU-GS2A



Figure H-10: Lone Hill Middle School

700 S. Lone Hill, San Dimas, CA 91773

SCE Service Account #	SCE Meter #	Annual Electricity Usage (kWh)	Annual Maximum Demand (kW)	Target Annual PV Output (kWh)	Current SCE Rate Schedule
246000	V349N-019119	785,000	409	620,000	TOU-GS3B

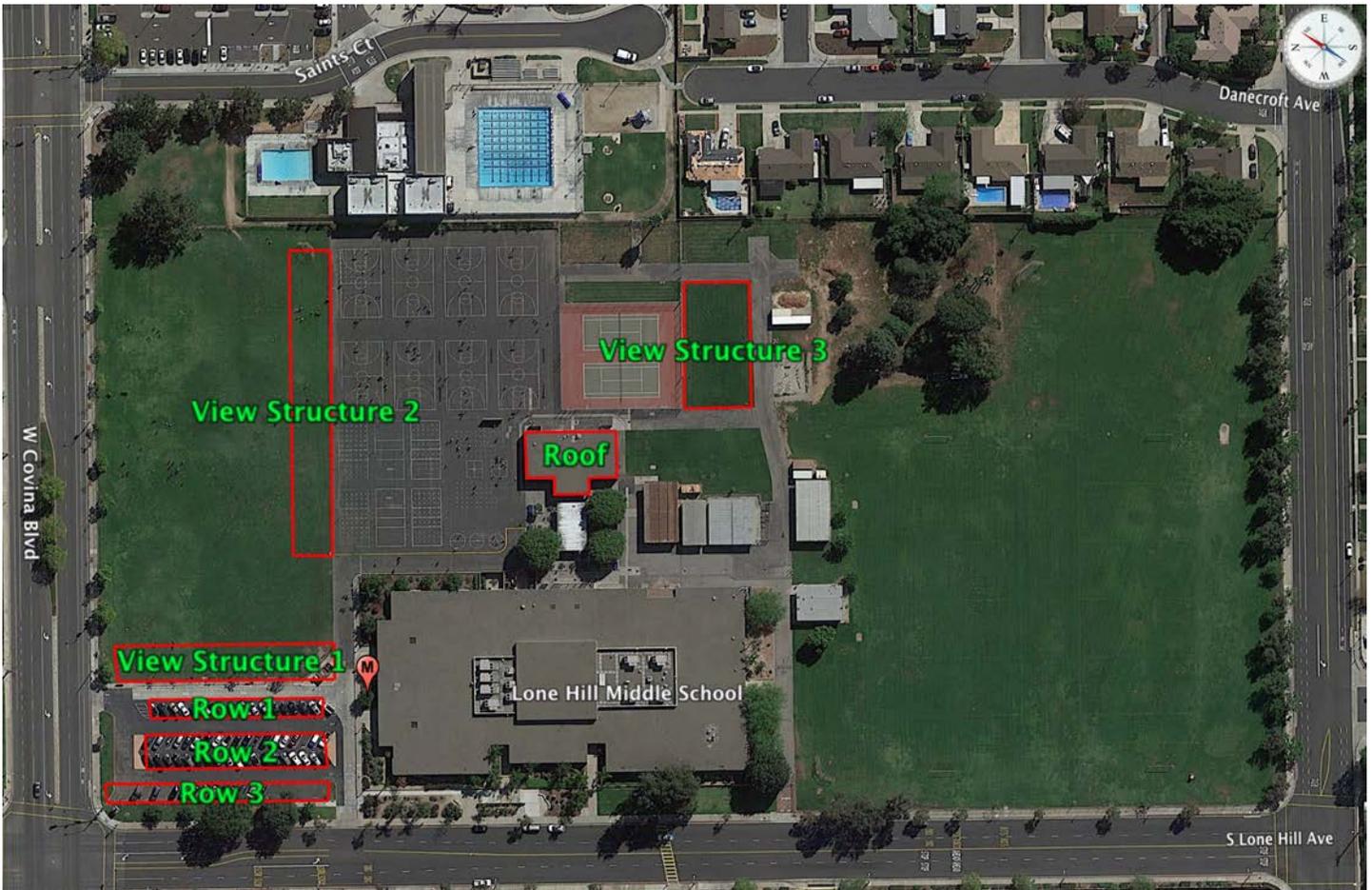


Figure H-11: Oak Mesa Elementary School

5200 N. Wheeler, La Verne, CA 91750

SCE Service Account #	SCE Meter #	Annual Electricity Usage (kWh)	Annual Maximum Demand (kW)	Target Annual PV Output (kWh)	Current SCE Rate Schedule
892575	V349N-000332	360,000	288	296,000	TOU-GS3A

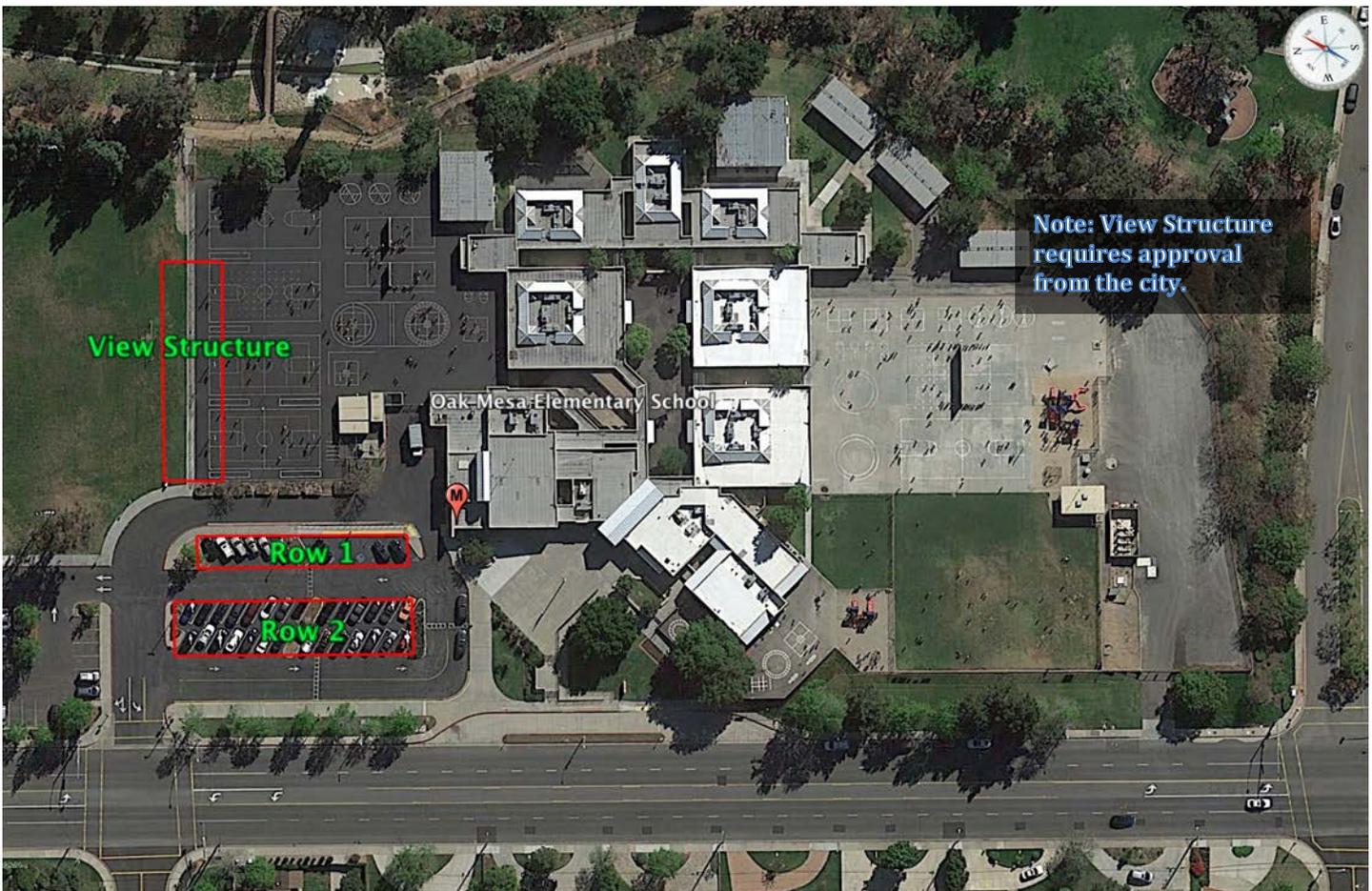


Figure H-12: Ramona Middle School

3490 Ramona Avenue., La Verne, CA 91750

SCE Service Account #	SCE Meter #	Annual Electricity Usage (kWh)	Annual Maximum Demand (kW)	Target Annual PV Output (kWh)	Current SCE Rate Schedule
1158945	V349N-009454	927,000	425	719,000	TOU-GS3B



Figure H-13: San Dimas High School

800 W. Covina Blvd., San Dimas, CA 91773

SCE Service Account #	SCE Meter #	Annual Electricity Usage (kWh)	Annual Maximum Demand (kW)	Target Annual PV Output (kWh)	Current SCE Rate Schedule
11415187	259000-016618	1,746,000	838	1,349,000	TOU-8B

