



Request for Proposals

Installation of
**A SOLAR PHOTOVOLTAIC
ENERGY SYSTEM AT THE SITE OF
THE TOWN LANDFILL**

Town of Wallkill
99 Tower Drive, Building A
Middletown, NY 10940

Dated: March 13, 2015

Return by: March 20, 2015

Town of Wallkill Request for Proposals

Solar Photovoltaic Energy System

March 13, 2015

The Town of Wallkill (“Town”) hereby Requests proposals by interested vendors for the installation of a Solar Photovoltaic Energy System at the Town Landfill site located on Banke Road within the Town. The Town plans to lease a portion of the subject property to the successful vendor for this purpose.

1. **SEALED PROPOSALS** – Notice is hereby given that the Commissioner of Public Works will receive proposals until 10:00 A.M., on March 20, 2015 for the project outlined in this RFP.
2. **DESCRIPTION OF PROJECT** - The successful vendor shall:
 - A. Lease land at the Wallkill capped landfill pursuant to a lease Agreement and install, own, operate and maintain a solar photovoltaic energy system.
 - B. Furnish the Town with net metering credits from the solar-generated electricity at the landfill site under a Power Purchase Agreement (“PPA”) for an initial term not to exceed twenty (20) years.
 - C. Such PPA shall provide the Town with the maximum savings and/or offset for its electrical costs without increasing its current liabilities. It is the desire of the Town to install a Solar Energy System for the benefit of the Town and the environment. This Request for Proposals is being issued to allow the Town to evaluate multiple options and determine the specific project and financial arrangements that best meet the Town's needs. The Town will evaluate all proposals and reserves the right to select one or more proposals that provide the best solution. Proposals for each of the Systems will be evaluated against other proposals received for the same location.
 - D. See attached schedule for detailed project specifications.**
3. Proposals submitted in accordance with this RFP shall be reviewed by the Commissioner of Public Works and if deemed to be in appropriate form, forwarded to the Town Board of the Town of Wallkill for final approval.
4. **DEADLINE AND ADDRESS TO SUBMIT A PROPOSAL** - Proposals shall be submitted no later than **10:00 AM on March 20, 2015** to the office of:

Louisa M. Ingrassia
Town Clerk
Town of Wallkill
99 Tower Drive, Building A
Middletown, NY 10941

6. PROPOSAL SIGNATURE REQUIREMENTS – Proposals must be signed by an Officer of the Vendor authorized to bind said Vendor to the provisions of the submitted proposal for a period of at least 90 days. Failure of the successful Vendor to accept the obligation of the contract may result in the cancellation of any award.
7. PACKAGING OF PROPOSAL – The Proposal packages shall be enclosed in a sealed envelope plainly marked in the upper left-hand corner with the name and address of the Vendor and bear the words “**Request for Proposal (RFP) ‘Town of Wallkill Solar Photovoltaic Energy System.’**” Any Proposal received after the due date and time **cannot be accepted and will not be considered.**
8. NUMBER OF PROPOSAL COPIES REQUIRED – The Vendor must submit an original and two (2) copies of the Proposal.
9. AMENDMENT OF REQUEST FOR PROPOSAL (RFP) – In the event it becomes necessary to revise any part of the RFP, addenda will be provided to all interested Vendors. Deadlines for submission of the RFP may be adjusted to allow for revisions. For a revised proposal to be considered, **an original and two (2) copies must be submitted on or before the due date.**
10. QUESTIONS DURING THE PROPOSAL PREPARATION PROCESS – As of the issuance date of this Request for Proposals (RFP) and continuing until 48 hours prior to the time for submitting proposals has expired, the Town will provide relevant information as necessary for all Vendors to familiarize themselves with the requirements set forth in the Request for Proposals (RFP). Vendors are encouraged to submit any comments or questions in writing to: Lou Ingrassia, Jr., Commissioner, 99 Tower Drive, Bldg. A, Middletown, NY 10941, or by e-mail to louingrassia@townofwallkill.com. All questions must be submitted in writing.
11. RIGHT OF REJECTION BY THE TOWN - Notwithstanding any other provision of this Request for Proposals (RFP), the Town reserves the right to reject any and all proposals and to waive any informality in a proposal when to do so would be to the advantage of the Town or its taxpayers. Proposals that contain conditions or limitations to the requirements set forth in the RFP may be considered non-responsive and rejected.
12. AWARD OF CONTRACT - The Vendor to whom the contract is awarded shall be required to enter into a written contract with the Town of Wallkill in a form approved by the Commissioner of Public Works, the Town Board and Town Attorney. This Request for Proposals (RFP) and the Proposal, or any part thereof, may be incorporated into and made a part of the final contract. However, the Town reserves the right to further negotiate the terms and conditions of the contract with the selected Vendor. If applicable, the contract will include a maximum "fixed cost" to the Town of Wallkill and will include all permits, materials, and other costs.

SCHEDULE OF DETAILED PROJECT SPECIFICATIONS

1.0 Scope of Services for this Solicitation

1.1 Objective

The objective of this Request for Proposals (RFP) is to identify and select the most qualified turnkey photovoltaic (PV) system Contractor/Vendor for the design, fabrication, delivery, installation, operation, maintenance, and ownership of a PV system within the Town of Wallkill at the capped landfill site on Banke Road. Contractor/Vendor shall prepare a system summary detailing the applicable equipment/size, and a sample cash flow analysis detailing expected savings (both kwh and dollar) and potential buyout implications to long-term savings. Upon selection of the most qualified Contractor/Vendor, The Town of Wallkill intends to enter into a PPA for a term negotiated between Wallkill and Contractor/Vendor of at least twenty (20) years. The awarded Contractor/Vendor shall apply for and manage the rebate funding under applicable New York State Energy Research and Development Authority (NYSERDA) and Orange and Rockland Programs.

1.2 General

The scope of services provided by the Contractor/Vendor shall include all tasks required to design, fabricate, deliver, install, operate, and maintain the PV system for Town of Wallkill. The scope shall also include, but not be limited to, securing all permits and approvals from governing agencies, all labor, services, permit fees, and equipment necessary to produce a fully operational solar PV system. The proposal shall contain a detailed explanation of the complete project and delineation of all work tasks to be performed by the awarded Contractor/Vendor.

1.3 Location

The proposal is for the PV System to be located on the Town landfill property. Contractor/Vendor should identify the location on the property where the system would be installed.

1.4 Design, Engineering, & Permitting

Contractor/Vendor shall design and engineer the solar PV system to maximize the solar energy resources, taking into consideration the customer's electrical demand and load patterns, proposed installation site, available solar resources, existing site conditions, proposed future site improvements, and other relevant factors. Contractor/Vendor shall provide design documents that provide the following minimum information:

- Timeline/Project Schedule
- System description
- Equipment details and description
- Layout of installation

- Layout of equipment
- Selection of key equipment
- Specifications for equipment procurement and installation
- All engineering associated with structural and mounting details
- Performance of equipment components, and subsystems
- Integration of solar PV system with other power sources
- Electrical grid interconnection requirements
- Controls, monitors, and instrumentation
- System performance monitoring
- Annual Estimated Production from the array (kWh)
- System Loss Modeling (PVSYST or Equivalent)

Contractor/Vendor shall identify an appropriate location for the solar PV inverter equipment on the landfill site and its related components and environmental control systems that will meet the following criteria:

- Ease of maintenance and monitoring
- Efficient operation
- Low operating losses
- Secured location and hardware
- Compatibility with existing facilities
- Avoidance of flood-prone areas
- Visual harmony

The selected Contractor/Vendor will secure from governing agencies and the utility company all required rights, permits, approvals, and interconnection agreements at no additional cost to Town of Wallkill. The Town of Wallkill will become the signatory on applications, permits, and utility agreements only where necessary. The awarded Contractor/Vendor will complete and submit in a timely manner all documentation required to qualify for available rebates and incentives.

1.5 Installation

Contractor/Vendor shall supply all equipment, materials, and labor necessary to install the solar PV systems and integrate them with other power sources.

1.6 Electrical Interconnections

Contractor/Vendor shall supply and install all equipment required to interconnect the solar PV systems to Orange and Rockland distribution system. The awarded Contractor/Vendor will fulfill all application, studies, and testing procedures to complete the interconnection process. All costs associated with utility interconnection shall be borne by the awarded Contractor/Vendor.

1.7 Commissioning & Acceptance Testing

During the start-up, the Town of Wallkill, and/or its independent engineer/consultant, shall observe and verify the system performance. Required commissioning and acceptance test services include:

- Starting up the solar PV systems until it achieves the performance requirements
- Conducting the performance testing over a consecutive twenty-four (24) hour period
- Conducting the successful delivery of power within thirty (30) days following completion of the system, meeting each benchmark.

1.8 Operation and Maintenance Manuals and As-Built Drawings

The selected Contractor/Vendor shall provide three (3) sets of operation, maintenance, and parts manuals for the solar PV system. The manual shall cover all components, options, and accessories supplied. It shall include maintenance, trouble-shooting, and safety precautions specific to the supplied equipment. It shall also delineate responsibilities of both parties, both during the term of any agreement and after any potential buyout that may be agreed to.

The selected Contractor/Vendor shall provide three (3) sets of as-built drawings including one (1) on CAD. These requirements shall be delivered prior to acceptance of the solar PV system.

1.9 Monitoring

Monitoring of system performance and providing public education and outreach is a required element of the RFP.

The selected Contractor/Vendor shall provide the equipment and services to allow the Town of Wallkill to monitor, analyze, and display historical and live solar electricity generation data. The regularly collected data should reflect, but not be limited to, the following:

- System performance
- System availability
- Average and accumulated output
- Capacity factor
- Degradation
- Cost avoidance

The data acquisition system shall be designed for turnkey, remote operation. Data shall be transmitted via Internet or telephone from the site to a server accessible by the Town or its designees. Data format shall be specified in the Agreement to be executed with the selected vendor. The data acquisition system must not require a dedicated or always-on personal computer.

The selected vendor shall provide a long term cost for electricity (KWH) for the term of the awarded contract and any assumptions used in these calculations.

1.10 Warranties and Guarantees

The selected Contractor/Vendor shall identify the warranties to be transferred to the Town of Wallkill. Such warranties shall not be pass thru warranties. The selected Contractor/Vendor shall back the individual component warranties of its suppliers.

1.11 Operation and Maintenance

The selected Contractor/Vendor shall provide a financial impact or price for operating and maintaining the PV system on the Town of Wallkill's behalf for a twenty (20) year service term.

The selected Contractor/Vendor shall perform all required maintenance activities, including warranty repair work and equipment replacement including, but not limited to, inverter replacement in order to keep the system operational and performing to production guarantees.

1.12 PV System Removal

The selected Contractor/Vendor shall bear the sole responsibility of removing the PV system at the end of the twenty (20) year service term should the Town of Wallkill, in its sole discretion, opt not to purchase the PV system.

2.0 Project Requirements

2.1 Licensing/Certification

Contractor/Vendor must be properly licensed in the State of New York. The Contractor license and expiration date shall appear clearly on Contractor/Vendor's proposal. Contractor/Vendor shall provide proof that NABCEP certified installers shall be performing the installation.

2.2 Operation & Maintenance Requirements

All respondents must offer a comprehensive onsite operation and maintenance service program for the PV system operations, safety and maintenance activities.

The Contractor's operation and maintenance service program should provide the following minimum requirements:

Annual on-site system inspection, including:

- System testing (operating current of each electrical string)
- Routine preventive maintenance

Repair and/or replacement of defective parts (including equipment and labor)

System performance monitoring and historical data access for customer via secure website. Data should include:

- System energy and power production
- Ambient temperature
- Wind speed
- Insolation

Daily system monitoring by vendor, including:

- Reporting of problems to customer
- Dispatch of resources for expeditious resolution of problems

3.0 Contractor Qualification

Contractor shall meet the following minimum pre-requisites to be considered for this solicitation:

- Company shall have been in business for more than 10 years
- More than 20 MW of installed Solar PV experience (as Developer or Equipment provider)
- Standard and Poor's long-term credit rating of A or above
- Prior solar experience within Orange and Rockland County's service territory is preferred

Please provide the following information:

- Status (private/publicly-held)
- Standard and Poor's long-term credit rating
- Number of employees
- States in which you do business
- Target customers (residential, commercial, industrial, government, etc.)

Project team profile, including:

- Resumes of personnel to be directly involved with the development of the proposed system.
- Team leader identification for the entire Proposal, including full contact information.
- Identification of each entity, sub-contractor, person or firm involved in the Proposal and their role/responsibility, e.g. design, installation, permitting, equipment supply by component, operations and maintenance.

Identification of the lead person responsible for each of the entities or firms described in above.

3.1 Contractor Experience

Provide overview of the firm(s) commercial grid-connected PV experience (do not include residential PV experience)

Breakdown by application (roof mounted, vs. ground mounted) installed by your company.

Average commercial grid-connected PV system size installed by your company during the last five years.

Total commercial MWp of grid-connected PV systems installed under a Power Purchase Agreement.

Experience with NYSERDA's NY-Sun Solar Incentive Program.

Experience with local government projects.

Contractor shall submit three (3) years of audited financial statements.

3.2 Contractor References

List three (3) or more commercial grid-connected PV projects installed in the United States over the last five years. Include for each project:

Exact role(s) your organization performed for the project (e.g. material supplier, lead contractor, electrical subcontractor, design, consulting, etc.).

Location.

Application description.

Product name/type.

Customer name and contact information.

Date installed.

Project cost.

PV module used.

KWp rating.

Cumulative kWh produced since system installation.

Current operational status of system.

Provide actual system data for three (3) of the grid-connected projects that demonstrate 90% or better availability of the PV projects.

Proposals shall provide evidence that the proposed technology and equipment would meet or exceed all currently applicable and proposed safety and interconnection standards. All equipment components must be UL certified, and meet existing facility structural and fire safety requirements.

Proposals shall provide evidence that the proposed technology and equipment would meet or exceed all currently applicable and proposed environmental standards.

Pricing

Proposers shall provide pricing for a turnkey (design/build) PV system located within the Town of Wallkill. Pricing should include: \$/kWh for twenty years with and without an annual escalator. Proposers should describe in detail how the company plans to finance the project.

Schedule

Proposers shall provide a proposed schedule for completion of the project.

Incurring Cost.

The Town shall not be liable for any cost incurred by the selected Contractor/Vendor prior to executing a contract or purchase order.

Selection Process

Proposals will be evaluated by the Town based on:

- The competence to perform the services as reflected by past experience in providing the services outlined herein.

- The ability to meet the requirements of this RFP.

- Overall package and financial benefit to the Town.

The Town reserves the right to select or short-list any Contractor/Vendor that, in its opinion and at its sole discretion, is deemed to be most advantageous and in the best interests of the Town and its residents, including granting a preference to local contractors. The Town also reserves the right to delay or discontinue this selection process at any time during the process. The Town shall not be liable for any cost incurred by any Contractor/Vendor during the selection process. The Town also reserves the right to reject the selected Contractor/Vendor and contract with another party if the Town and the selected Contractor/Vendor cannot successfully negotiate a contract for the proposed work (or the terms of any related solar host agreement(s), site lease(s) or PPA(s)).

Town of Wallkill Request for Proposals Solar Photovoltaic Energy System

Proposal Prices: \$ _____

Annual Lease Payment: \$ _____

Offsets to Municipal Electrical Costs \$ _____

Company Name: _____

Company Address: _____

Telephone Number: _____

Signature & Date: _____

Printed Name & Title: _____

**TOWN OF WALLKILL
ORANGE COUNTY, NEW YORK**

The following Non-Collusive Bidding Certification as required by General Municipal Law Section 103-d must be signed and submitted with bid.

NON COLLUSIVE BIDDING CERTIFICATION

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

1. The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any bidder or with any competitor;

2. Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

3. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

Wherefore, this statement has been subscribed by the bidder and affirmed by the bidder as true under penalties of perjury.

Dated: _____ 20____

Signature: _____

Printed Name & Title: _____

Company: _____

General Municipal Law Section 103-d

"The fact that a bidder (a) has published price lists, rates or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of sub-paragraph one (a)".