



Request for Proposals
Professional Engineering Consulting Services
for the Philadelphia Energy Authority

Issued by: Philadelphia Energy Authority

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Responses Due: August 9, 2023

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1. Purpose

The purpose of this Request for Proposals (“RFP”) is to solicit pricing proposals for technical assistance to support Philadelphia Energy Authority’s (“PEA”) administration of the Commercial Property-Assessed Clean Energy (“C-PACE”) which includes reviewing certain C-PACE surveys (commercial building improvements for energy efficiency or renewable energy, water conservation, resiliency and/or indoor air quality) and advising PEA about whether they are compliant with C-PACE Program requirements. The firm (“Contractor”) may bid to review one or more of the following survey types:

- Energy and water, including Energy Reliability Improvement
- Indoor Air Quality (IAQ)
and/or
- Resiliency (ability of the building to withstand damage from wind, precipitation, flooding, fire, and earthquakes)

2. Background

2.1 About the Philadelphia Energy Authority

The Philadelphia Energy Authority is an independent municipal authority established in 2010 focused on issues of energy affordability and sustainability for Philadelphia. In 2016, PEA and City Council President Darrell Clarke launched the Philadelphia Energy Campaign, a \$1 billion, 10-year investment in energy efficiency and clean energy projects to create 10,000 jobs. Through 2021, PEA has helped launch over \$291 million in projects, and created over 2,500 jobs. Learn more at <http://www.philaenergy.org/>.

PEA is a municipal authority and political subdivision of the Commonwealth of Pennsylvania, formed by the City of Philadelphia under the Pennsylvania Municipality Authorities Act, 53 Pa.C.S. § 5601 *et. seq.* (“the Act”) for the purposes described in the Charter and included below:

The Authority’s purposes and responsibilities shall be limited to actions for and concerning (i) the development, facilitation and/or financing of energy storage and/or generation projects, (ii) the development, facilitation and/or financing of energy efficiency projects, and (iii) the purchase or facilitation of energy supply and energy services on behalf of the City of Philadelphia, government agencies, institutions and businesses, as well as the education of consumers regarding choices available in the marketplace, and (iv) the promotion of a vital clean energy sector of the Philadelphia economy and increased employment in the sector by undertaking efforts to strengthen the markets for energy efficiency and energy storage and generation projects. The Authority shall have and may exercise all of the powers set forth in the Act that are necessary or convenient for carrying out its purposes and responsibilities.

2.2 About C-PACE

When Philadelphia City Council authorized the creation of C-PACE for the City of Philadelphia in summer 2019, it assigned PEA to be the Program Administrator. The original C-PACE program was a financing tool for energy efficiency, renewable energy, and water conservation projects that generate measurable energy savings or reductions in water usage for commercial, agricultural, and industrial properties. In September 2022, the program was expanded to allow financing for IAQ and resiliency improvements. In addition, multifamily rental properties of five or more units were also made eligible for C-PACE financing. Philadelphia C-PACE is a completely voluntary program. It allows commercial property owners to obtain financing for eligible projects, typically through private capital providers, and to repay the financing through a special assessment similar to a property tax assessment. Commercial properties interested in using C-PACE financing in Philadelphia must be approved by PEA. As part of the application process, PEA requires either (1) Energy Conservation Measures Survey (“ECM Survey”) outlining the energy and/or water measures being installed as part of the C-PACE project, (2) IAQ survey or (3) resiliency survey. Learn more about the program at PhiladelphiaCPACE.org.

The Philadelphia C-PACE program has approved financing for [14 projects](#) since July 2020. The C-PACE Program Guidelines can be [found here](#). Information regarding expanded eligibility is contained in the Addendum of the Program Guidelines beginning on page 69. Energy survey requirements are detailed in the Philadelphia C-PACE Program Guidelines, Section 4.3 (page 16). IAQ survey requirements begin on page 4 of the Addendum and resiliency survey requirements begin on Page 7 of the same.

3. Scope of Work

Firms may submit cost proposals for one, two or all three of the survey types. It is expected that energy surveys will be the bulk of the surveys requiring review.

3.1 Energy and water and energy reliability improvement survey reviews

Energy survey requirements are detailed in the Philadelphia [C-PACE Program Guidelines](#), Section 4.3. Energy reliability improvement survey requirements are detailed in the Addendum of the Program Guidelines. Contractor will be responsible for:

- Providing technical advice on engineering and code questions related to C-PACE projects, validating energy and water efficiency and savings calculations, and reviewing clean energy production calculations in C-PACE project applications
- Review and approval of C-PACE project energy surveys typically includes:
 - Preliminary discussion or email exchange with property owner’s Qualified Energy Professional (QEP) about energy survey requirements or to respond to specific questions of ECM eligibility, ECM useful life calculations, etc.
 - Review energy survey submitted by QEP
 - Provide comments and recommendations for revisions to the energy survey (via meeting with follow-up email or email only)
 - Review survey

- If survey meets program guidelines requirements, prepare approval letter
- If survey does not meet program requirements, prepare memo with reasons for denial and recommendations for modifications to the survey and/or energy project
- Review revised survey and prepare approval letter if requirements have been met
- Provide or confirm the following:
 - Total Energy savings (MBTU/yr)
 - Annual Electricity savings kWh
 - Annual Natural Gas savings (Therms/yr)
 - Annual Natural Gas savings (Therms/yr)
 - Annual Pounds CO2 saved electricity
 - Annual Pounds CO2 saved NG
 - Annual water savings gallons
 - Percent energy savings above Philadelphia energy building code

3.2 IAQ survey reviews

IAQ survey requirements are detailed in the Addendum of the [C-PACE Program Guidelines](#). Contractor will be responsible for:

- Providing technical advice on engineering, code questions and C-PACE specific requirements related to IAQ C-PACE projects and validating IAQ calculations in C-PACE project applications
- Review and approval of C-PACE project surveys typically includes:
 - Preliminary discussion or email exchange with property owner's Qualified Professional (Professional designer/engineer with documented expertise in IAQ) about IAQ survey requirements or to respond to specific questions of IAQM eligibility, IAQM useful life calculations, etc.
 - Review IAQ survey submitted by Qualified Professional
 - Provide comments and recommendations for revisions to the survey (via meeting with follow-up email or email only)
 - Review survey
 - If survey meets program guidelines requirements, prepare approval letter
 - If survey does not meet program requirements, prepare memo with reasons for denial and recommendations for modifications to the survey and/or IAQ project

- Review revised survey and prepare approval letter if requirements have been met

3.3 Resiliency survey reviews

Resiliency survey requirements are detailed in the Addendum of the [C-PACE Program Guidelines](#). Contractor will be responsible for:

- Providing technical advice on engineering, code questions and C-PACE specific requirements related to C-PACE Resiliency projects and validating calculations in C-PACE project applications
- Review and approval of C-PACE project surveys typically includes:
 - Preliminary discussion or email exchange with property owner’s Qualified Professional (Professional Engineer (P.E.) or Architect licensed in the State of Pennsylvania) about Resiliency survey requirements or to respond to specific questions of Resiliency Measure eligibility, useful life calculations, etc.
 - Review survey submitted by Qualified Professional
 - Provide comments and recommendations for revisions to the survey (via meeting with follow-up email or email only)
 - Review survey
 - If survey meets program guidelines requirements, prepare approval letter
 - If survey does not meet program requirements, prepare memo with reasons for denial and recommendations for modifications to the survey and/or Resiliency project
 - Review revised survey and prepare approval letter if requirements have been met

3.4 Survey review timeline requirements

All C-PACE survey reviews must be completed as follows:

- Within two (2) business days of transmittal from PEA to Contractor, acknowledgement of receipt and what, if any, additional information needs to be provided.
- Within 10 (ten) business days of receipt of all required information, report with comments.
- Within five (5) business days of receipt of revised report, final approval or additional comments.

4. Proposal Specifications

4.1 Anticipated Timeline

Milestone	Target Date
RFP released	July 10, 2023

Deadline to submit questions	July 20, 2023
Question responses posted	July 26, 2023
Deadline to submit proposals	August 9, 2023
Finalist interviews (estimated)	Week of August 14th
Final selection announced (estimated)	September 8, 2023
Project start (estimated)	October 1, 2023

4.2 Questions

All questions regarding this RFP must be submitted by email to info@philaenergy.org with the subject line “Questions - C-PACE Engineering RFP”. No questions will be considered by phone.

Responses to questions received before 5pm on July 20, 2023 will be posted on the RFP page on the PEA website (www.philaenergy.org). Respondents are urged to check the website for the responses to the questions. All responses will be issued by July 26, 2023. Oral responses by any PEA employee or agent of PEA are not binding and shall not in any way be considered as a commitment by PEA.

4.3 Proposal Deadline

Respondents to this RFP must submit an electronic version of all requested documents by email to info@philaenergy.org with the subject “C-PACE Engineering RFP Response - [Firm Name]” no later than 5pm on August 9, 2023. Responses received after the deadline will not be considered.

4.4 The Philadelphia Tax and Regulatory Status and Clearance Statement

It is the policy of the City of Philadelphia and PEA to ensure that each Contractor and subcontractor has all required licenses and permits and is current with respect to the payment of City taxes or other indebtedness owed to the City (including, but not limited to, taxes collected by the City on behalf of the School District of Philadelphia), and is not in violation of other regulatory provisions contained in the Philadelphia Code. To assist PEA, through the City of Philadelphia Department of Revenue and Department of Licenses and Inspections, in determining this status, each Respondent is required to submit with its proposal the certification statement entitled City of Philadelphia Tax and Regulatory Status and Clearance Statement which is attached to this RFP as **Appendix A** and a Tax Compliance Certificate from the City of Philadelphia which can be requested at <https://rev.phila.gov/taxcompliance/>.

If the Respondent is not in compliance with the City’s tax and regulatory codes, an opportunity will be provided to enter into satisfactory arrangements with the City to achieve compliance. If

satisfactory arrangements cannot be made, Respondents will not be eligible for award of the contract contemplated by this RFP.

The pre-approved Respondent will also be required to assist PEA in obtaining the above information from its proposed subcontractors. If a proposed subcontractor is not in compliance with City Codes and fails to enter into satisfactory arrangements with the City, the non-compliant subcontractor will be ineligible to participate in the contract contemplated by this RFP and the pre-approved Respondent may find it necessary to replace the non-compliant subcontractor with a compliant subcontractor. Respondents are advised to take these PEA policies into consideration when entering into their contractual relationships with proposed subcontractors. If a Respondent or a proposed subcontractor is not currently in compliance with the City's tax and regulatory codes, please contact the Revenue Department to make arrangements to come into compliance at 215-686-6600 or revenue@phila.gov.

Respondents need not have a City of Philadelphia Business Income and Receipts Tax Account Number (formerly Business Privilege Tax Account Number) and Commercial Activity License Number (formerly Business Privilege License Number) to respond to this RFP, but will be required to obtain both prior to commencing work if pre-approved for award of the contract contemplated by the RFP¹. Applications for a Business Income and Receipts Tax Account Number or a Commercial Activity License² may be made online by visiting the City of Philadelphia Business Services Portal at <https://business.phila.gov/> and selecting eCLIPSE to submit online applications. If you have specific questions, call the Department of Revenue at 215-686-6600 for questions related to City of Philadelphia Business Income and Receipts Tax Account Number or the Department of Licenses and Inspections at 215-686-2490 for questions related to the Commercial Activity License.

4.5 Notice to State Requested Exceptions to Contract Terms and Conditions

PEA's Program Services Agreement is attached to this RFP as **Appendix B**. By submitting a Proposal in response to this RFP, the Respondent agrees that, except as provided here, it will enter into a contract with PEA containing substantially the Contract Terms and Conditions contained in **Appendix B**.

If Respondent wishes to request revisions to the attached Contract, respondents must provide an annotated copy of the Contract with the requested revisions. For each requested revision, the Respondent must propose alternative language or terms using tracked changes and state the reason for the request in a comment.

¹ Respondents that have a Business Privilege Tax Number should use that number, as it is automatically their Commercial Activity License Number, and need not apply for a new Commercial Activity License Number. Similarly, Respondents with a Business Privilege Tax Account Number should use that number as their Business Income and Receipts Tax Account Number.

² Commercial Activity Licenses are not typically required for non-profit organizations; however, Business Income and Receipts Tax Account Numbers typically are required.

Requested exceptions to PEA's Contract Terms and Conditions will be approved only when PEA determines in its sole discretion that a Requested Revision makes business sense, does not pose unacceptable risk to PEA, and is in the best interest of PEA. By submitting its proposal, the Respondent agrees to accept all Contract Terms and Conditions to which it does not expressly seek a Requested Revision in its proposal. Blanket reservation of rights to exceptions to the full contract will not be accepted. PEA reserves the right, in its sole discretion, to evaluate and reject proposals based in part on whether the Respondent's proposal contains Requested Revision to Contract Terms, and the number and type of such requests and alternative terms proposed.

If, after PEA issues its notice of intent to contract to a Respondent, the Respondent seeks Requested Revision to Contract Terms that were not stated in its proposal, PEA may, in its sole discretion, deny the Requested Revisions without consideration or reject the proposal.

PEA reserves the right, in its sole discretion, (i) to waive any failure to comply with the terms of this Notice if it determines it is in the best interest of PEA to do so; and (ii) to require or negotiate terms and conditions different from and/or additional to the Contract Terms and Conditions in any final contract resulting from this contract opportunity.

4.6 Proposal Requirements

Respondents are encouraged to be concise and to respond as directly as possible to the requirements set forth in this RFP. The requirements set forth in this Section represent the minimum content required and, unless expressly stated otherwise, are not intended to limit substantive content. It is the Respondent's responsibility to include information in the Proposal that meets the minimum content requirements and any additional information that further demonstrates relevant experience and capabilities.

Part I: Provider Info

- Include your legal business name
- Include address of company headquarters
- Include main point of contact for the RFP response with contact information
- Include a brief organizational description and list of services offered related to the scope of services
- Provide the number of employees and a breakdown of those in Pennsylvania and in Philadelphia
- Indicate if your business is a Local Business Entity (LBE)³ in Philadelphia and/or is certified as a Minority-/Woman-/Disabled-Business Enterprise (M/W/DBE) and if so, which entity did the certification
- Include a description of your company's efforts to increase diversity, equity, and inclusion within the company and/or your local community

³<https://www.phila.gov/services/business-self-employment/bidding-on-a-city-contract/get-certified-as-a-localbusiness-entity/>

- Describe your company's commitment to recruiting candidates for new positions who reside in the City of Philadelphia, who identify as minorities, women, disabled, returning citizens, and/or veterans

Part II: Project Delivery and Pricing

- Specify whether your firm is proposing to undertake one, two or all three of the C-PACE survey types:
 - a. Energy & Water and Energy Reliability Improvement
 - b. Indoor Air Quality
 - c. Resiliency
- Describe the process you will use to review C-PACE surveys
- Include the proposed staff list and responsibilities of each. Include bios of key staff.
- Include staff qualifications re engineering degree, accreditation, or certifications (i.e. CEM, Mechanical Engineer, Structural Engineer, Civil Engineer, etc.)
- Include the minimum and maximum number of projects your firm can review per month by survey type
- Respondents must provide a flat rate for C-PACE survey reviews or suggest a price range for projects of different size or complexity. Rates may differ for different survey types. (E.g. Energy survey review price = \$X, IAQ survey review = \$Y). For incomplete surveys, or surveys requiring significant revisions due to non-compliance with program requirements, Respondent may bill additional hours. Proposal must include hourly rates for all personnel who will perform work under any contract resulting from this RFP and any associated administrative fees.

Part III: Capabilities & Experience

- Describe two (2) relevant projects which should ideally contain at least two of the following: similar project structure, similar scope of work, or a similar industry/government client.
- Include two (2) customer references, a brief description of your work with them, and contact information for each

4.7 Evaluation Criteria

Proposals in response to this RFP will be evaluated by the project team based on the following criteria:

- Relevant experience, qualifications, and references (Satisfied customer references)
- Work plan, staffing and schedule
 - Realistic overall staffing resources
 - Appropriate resources to complete the work in the proposed timeline
 - Appropriate delivery methodology
- Value, pricing, and contract terms
 - Pricing proposed (fixed rate (and/or estimate of hours to complete a survey review), and hourly rates)
 - Alignment of contract terms
- Alignment with PEA mission, vision, and values

- Support for local jobs and economic development
- Diversity and equity

5. Public Disclosure and Confidential Information

All Responses, Exhibits, and other information submitted in response to this RFP are subject to the public disclosure requirements of applicable law, including the Pennsylvania Right to Know Law. To the extent permitted by applicable law, PEA will use its best efforts to keep from public access the specific information that is identified by the Contractor as confidential. If a Contractor claims an exception to public disclosure requirements and desires that PEA keep certain information from public disclosure, then the Contractor must include a notice in the Proposal as follows:

“Confidential Information Notice Pages _____ of this Proposal, identified by a bold vertical line along the right-hand margin, contain information that is excluded from public disclosure under applicable law. Contractor requests that such marked information be utilized by PEA only for evaluation of this Proposal, but Contractor understands that PEA is bound by applicable law and that such information may be disclosed in accordance with such law.

Notwithstanding any such notice, however, PEA may disclose such marked information to individuals participating in the review or evaluation of Proposals, including members of the Selection Committee, other PEA employees, advisors, and attorneys.

6. PEA’s Additional Procurement Rights

PEA reserves the right to modify this selection process, which may be exercised in its sole discretion at any time during the procurement process to:

- Cancel this RFP or the procurement process, with or without the substitution of another pre-qualification or procurement process;
- Waive any informality, defect, non-responsiveness, or deviation in a Proposal, or other submission, that is not material;
- Require one or more Contractors to supplement or clarify the Proposal or to provide additional information after the submission of Proposals including with respect to any exceptions to PEA’s Contract Terms and Conditions;
- Take any action affecting the RFP process that would be in the best interests of the PEA or City;
- Conduct investigations and make inquiries concerning any aspect of any Proposal;
- Reject any or all Proposals;
- Reject a Contractor that has been delinquent or unfaithful in the performance of any contract with or obligation to the PEA or City is financially or technically incapable, or is otherwise not responsible; and/or
- Make judgments about the contents of any Proposal with respect to the requirements and criteria set forth in this RFP.

7. Costs

Any and all costs incurred by the Contractor, or other party in connection with this RFP or other aspect of the procurement process shall be at such party's expense and risk. PEA accepts no liability and will not be responsible under any circumstance for any cost or expense incurred to respond to this RFP or otherwise participate in the procurement process.