



Contra Costa Community College District

Request for Qualifications/Proposals

For

L-4030 Brentwood PV and Resiliency Project Request for Qualifications/Proposals

11/21/2022



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Attachments Included in this RFQ/P package and made available on the 4CD Purchasing Website: <https://webapps.4cd.edu/apps/purchasingviewbids/default.aspx>

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Definition of Terms

ACH	Automated Clearing House
ACSE	American Society of Civil Engineers
ADA	Americans with Disabilities Act
AHJ	Authority Having Jurisdiction
AISC	American Institute of Steel Construction
ANSI	American National Standards Institute
API	Application Program Interface
ASTM	American Society for Testing and Materials
AWS	American Welding Society
BESS	Battery Energy Storage System
CAD	Computer Aided Design
CAL-OSHA	Occupational Safety and Health Administration
CBC	California Building Code
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CPUC	California Public Utilities Commission
CGS	California Geological Survey
COD	Commercial Operation Date
Contract	The Cash Purchase Agreement (including all attachments and exhibits) between the District and successful Proposer for the Project.
DAS	Data Acquisition System
DIR	Department of Industrial Relations
DSA	California Division of State Architect
EPA	Environmental Protection Agency
EPC	Engineering, Procurement, and Construction
EV	Electric vehicle
EVCI	Electric Vehicle Charging Infrastructure
FAA	Federal Aviation Administration
FCC	Federal Communications Commission
FMV	Fair Market Value
Firm	An individual proprietorship, partnership, limited liability company, corporation or joint venture that is part of a team responding to this RFQ/P.
GPR	Ground Penetrating Radar
ICC	International Code Council

Contra Costa Community College District

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IEC	International Electrotechnical Commission
IEEE	Institute of Electrical and Electronics Engineers
IESNA	Illuminating Engineering Society of North America
IFC	Issue for Construction
IOR	DSA Inspector of Record (Project Inspector)
IOU	Investor Owned Utility (California: PG&E, SCE or SDG&E)
LESLI List	State of California Department of Insurance List of Eligible Surplus Lines
Local Utility	Pacific Gas & Electric
MACRS	Modified Accelerated Cost Recovery System
NEC	National Electric Code
NEM	Net Energy Metering
NEMA	Net Energy Metering Aggregation or National Electrical Manufacturers Association
NFPA	National Fire Protection Association
NRTL	Nationally Recognized Testing Laboratory
NTP	Notice to Proceed
O&M	Operations and Maintenance
OCPD	Over-Current Protection Devices
Operator	Entity responsible for system operation and management and the financial capability
OTC	Over the counter design review with DSA
PeGu	Performance Guarantee
Premises	Location of the System(s)
Project	The energy systems, related equipment, structures, and contractual obligations, as described in Attachment B and Attachment C, and as may be otherwise agreed to by the District and the successful Proposer of the Contract.
Project Term	The duration of the relevant Contract between the successful Proposer and District
Proposer	An individual proprietorship, partnership, Limited Liability Company, corporation or joint venture that is responding to this RFQ/P. Proposer may also be referred to as "Firm", "Vendor" and "Contractor" in the RFQ/P and attachments.
PTO	Permission to Operate - Notification from the Local Utility to which the Project is interconnected that the Project may be operated and connected with the Local Utility grid.
PV	Photovoltaic
REC	Renewable Energy Certificate. Renewable Energy Credit, one REC is equivalent to 1 MWh of energy produced from a renewable energy source.
SGIP	Self-Generation Incentive Program
SWPPP	Storm Water Pollution Prevention Plan
TOU	Time of Use
WREGIS	Western Electricity Coordinating Council



Completion Definitions

Substantial Completion	The date at which the solar photovoltaic (PV) system and other energy systems are wholly installed and operational at the project site such that all requirements for PTO have been completed, DSA Inspector of Record has signed off on the Project sufficient to achieve PTO, and PTO has been formally requested from the Local Utility.
COD	Commercial Operation Date. The date when the PV system other energy systems are commissioned and receive PTO from the Local Utility and all associated Closeout Document Submittals and Milestones contained within Specification Section 01 33 01 have been met. For the Contract, COD includes formal acceptance by the District to begin the terms of the Contract, including the PeGu.
Final Completion	The date at which Substantial Completion has been achieved; COD has occurred; all punch lists have been completed to the satisfaction of the inspector(s) and District representatives; all documentation has been delivered to the District; all other Contract items have been completed, delivered, and accepted by the District; and final AHJ approvals have been obtained (i.e., the Project is certified and closed out with all AHJs).

1. Request for Qualifications/Proposals

1.1 Introduction

Contra Costa Community College District (4CD or District), acting through its Governing Board, is seeking Proposals pursuant to California Government Code section 4217.10 et seq. to contract with one firm to design, permit, build, commission, and maintain the energy projects summarized in Table 1-1. 4CD seeks proposals from qualified firms to provide design-build services for approximately **322 kW-DC PV** from carport canopies at 4CD's Brentwood Center. Proposing their firm as best qualified to provide above mentioned services. 4CD also seeks additional-alternative (Add-Alt) proposals for a **battery energy storage system (BESS) microgrid** and a **diesel generator microgrid** at the same site. While only one of the two microgrid designs will be implemented, 4CD is requesting proposals for both technologies. 4CD is requesting cost proposals for cash purchases only.

The Project is funded by Measure E local bond funds and the budget range has been established between \$1.8M - \$2.1M. No additional funds are available for this Project.

A hard copy and a flash drive with an electronic copy of the responses to this RFQ/P shall be due by 5:00 pm PT on January 4, 2023. Additional information on proposal submissions is in Section 2.2.

1.2 Contra Costa Community College District

The Contra Costa Community College District was established in 1949 and serves the residents of Contra Costa County. It is one of the ten largest multi-college community college districts in California. The District office is located in historic downtown Martinez. 4CD operates through three colleges: Diablo Valley College, Los Medanos College, and Contra Costa College. The District also has two education centers: San Ramon Campus and Brentwood Center. The District's Governing Board has five members elected by the community and one Student Trustee elected by students Districtwide. In 2014, the District successfully passed Measure E, a \$450M facilities bond to continue to improve facilities on all three college campuses, two centers and the District office and that construction program is in its implementation phase.

1.3 Restrictions on Lobbying and Contacts

From the period beginning on the date of the issuance of this RFQ/P and ending on the date of the award of the contract, no person or entity submitting in response to this RFQ/P, nor any officer, employee, representative, agent, contractor or consultant representing such a person or entity, shall contact through any means or engage in any discussion regarding this RFQ/P, the evaluation or selection process/or the award of the contract with any member of 4CD, College faculty or staff,



Governing Board, selection team members, or any member of the Citizens' Oversight Committee. Any such contact may be grounds for the disqualification of the firm.

1.4 Scope of Services—Overview

With this Project, 4CD intends to reduce electrical energy costs, add emergency energy resiliency, reduce 4CD’s carbon footprint, and add shade as an amenity on the campus. This Project is a result of 4CD’s commitment to sustainability by providing cost-effective and reliable energy systems through a combination of energy conservation and diverse sources of energy generation that collectively help minimize 4CD’s environmental footprint.

The Base Scope of Work includes the design, permitting, construction, and commissioning of solar PV carport canopies as well as any necessary work to ensure ADA code compliance. While only one of the two microgrid designs will be implemented, 4CD is requesting proposals for both technologies. In keeping with the District’s sustainability and environmental goals, 4CD has a strong preference to install a BESS microgrid system over the diesel generator option so long as the proposal meets 4CD’s allocated budget for this Project.

Table 1-1. General Project Summary

Project Element and General Description	General Nature of Construction
Base Scope of Work	
Solar Photovoltaic (PV) systems, supporting structures, and associated electrical components with approximately 322 kW-DC total PV capacity	DSA Pre-Check solar PV canopies over existing parking lot. Complete ADA code compliance in parking lot.
Add-Alt 1: Generator (Required)	
Diesel Generator with Microgrid Resiliency Capabilities for back-up power during utility power outages and delivering approximately 50 kW	Generator: Housed exterior to building in shelter. Microgrid: System designed to provide islanded operation of critical loads for a minimum of 4 hours via Generator.
Add-Alt 2: BESS (Required)	
Battery Energy Storage Systems (BESS) with Microgrid Resiliency Capabilities for back-up power during utility power outages and delivering up to approximately 75 kW / 350 kWh storage capacity	BESS: Grid-connected, PV-connected, housed exterior to building in shelter. Microgrid: System designed to provide islanded operation of critical loads for a minimum of 4 hours via BESS.

The project schedule is outlined in Table 1-2 and the RFQ/P milestones are listed in Table 2-1. 4CD expects to enter into a contract agreement in March 2023 with construction planned to begin in



September 2023. Proposers should provide their project milestone schedules and any comments about 4CD’s preferred schedule in Att A1.

Table 1-2. Project Schedule

Event	Date
RFQ/P Published	November 21, 2022
Deadline for Submittal of Proposals	January 4, 2023
Target for Contract Finalization	March 2023
Target for DSA Submission	June 2023
Construction	September 2023 – November 2023
Target COD	December 2023
Final Completion	January 2024

4CD intends to enter into separate Operations and Maintenance (O&M) and Performance Guarantee (PeGu) Agreements with the successful Proposer. To the extent amendment to the O&M and/or PeGu terms is necessitated during the course of the Projects and mutually agreed to, such amendment shall be executed by 4CD and the successful Proposer(s) prior to completion and acceptance of the Projects. O&M and PeGu costs and terms are required components of this RFQ/P. See Attachment C for complete details on Contract terms.

1.5 Instructions for Proposers

1 Minimum Qualifications

4CD has established qualifying criteria for Proposers on this Project, including minimum qualifying criteria and experience with similar projects, as indicated in Attachment A1. 4CD shall consider whether Proposers meet minimum qualifying criteria before continuing to evaluate proposals. Failure to meet any of the following criteria may render a Proposal non-responsive. Proposer must include information in its proposal demonstrating that it can satisfy all of the below **minimum qualifications**:

1. Within the last five (5) years, has Proposer or its subcontractor(s) achieved COD for at least three (3) Division of State Architect (DSA)-approved solar PV projects of 200 kW DC or larger?
2. Has Proposer or its subcontractor(s) installed and received permission to operate Battery Energy Storage System (BESS) with microgrid capabilities for at least (1) one BESS microgrid project of 200 kWh or more?

3. Does Proposer and all subcontractor(s) have sufficient bonding capacity for this Project, set forth in Attachment C?
4. Does Proposer or proposing team hold a California Class B and/or C-10 license?
5. Do Proposer and its subcontractor(s) meet the insurance requirements set forth in Attachment C?
6. Is Proposer and Installation Contractor(s) Worker's Compensation Experience Modification Rate (EMR) 1.25 or less?
7. Has Proposer been in business in California under the present company or business name and license number for a minimum of two years?
8. Is Proposer 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?
9. Are Proposer and all subcontractors registered with the California Department of Industrial Relations (DIR) and will hold a current DIR registration number from the time of contract award throughout the completion of installation?
10. Has Proposer attended the Pre-Proposal Conference and Site walk?
11. Has Proposer, or does Proposer intend to utilize installation contractor(s), terminated for cause or defaulted on a project during the last ten (10) years?
12. Has Proposer, or does Proposer intend to utilize installation contractor(s) who have had a professional or contractor's license revoked at any time in the last ten (5) years?
13. Has Proposer, or any of its owners, officers, or partners, been found liable in a civil suit, or convicted/found guilty in a criminal action within the last ten (10) years: (a) involving the awarding of a contract of a government construction project, (b) involving the bidding or performance of a government contract, or (c) involving fraud, theft or any other act of dishonesty, including but not limited to the California False Claims Act, or Federal False Claims Act?
14. Has CAL OSHA cited or assessed penalties against Proposer or Installation Contractor(s) for any "serious," "willful," or "repeat" violations of its safety or health regulations in the last five (5) years?

2 Additive-Alternate Proposals (Required)

Proposers are required to submit Proposals inclusive of the Add-Alt scopes of work indicated in Table 1-1. These Add-Alt scopes involve developing a (1) Diesel generator (i.e., genset) with microgrid capabilities and (2) BESS with microgrid capabilities. Systems would provide resiliency to the critical load – the main distribution frame (MDF) room – for at least four (4) hours during utility power outages. A high-level overview of the panels that make up the critical load is available in Att D3. Add-Alt proposals will be considered and evaluated separately from the solar PV project. Please provide a complete description of the proposed operational plans with supporting documentation.

If 4CD selects either Generator or BESS, all modeling, sizing, incentive procurement/management, design, installation, associated equipment, enclosures, etc. for a complete and operational energy generation/storage system would be the responsibility of the Proposer. Microgrid systems shall include monitoring with capabilities and data access similar to PV production monitoring. Generator and BESS details should be provided in Forms A1 and A2, including the following details:

- General description of the system and function provided
- Microgrid providers, manufacturers, and software provider
- Proposed layout showing component locations and conductor paths
- Performance reporting, including monitoring system and reports issued to 4CD
- O&M and performance guarantee
- Warranty and software licensing details

3 *Evaluation of Proposals*

The most qualified Proposals will be evaluated and ranked according to “Best Value” for 4CD. The maximum total scoring value of any proposal is 100 points. Proposals for each Add-Alt design will be evaluated and scored separately. 4CD will select only one of the two microgrid designs.

An overview of the evaluation criteria is provided in the table below:



Table 1-3. Evaluation Criteria

Criteria	Points	
	Generator Proposal	BESS Proposal
Project Cost & Value	50	50
Project Capital Cost (Base Scope and Add-Alt)	10	10
Project Lifecycle and Environmental Cost (Base and Add-Alt)	40	40
Vendor Qualifications & Methodology	25	
Vendor Qualifications	15	
Project Plan (Schedule, project management plan, etc.)	5	
Vendor References	5	
Technical Design	20	
Base Design and Components	10	
Add-Alt Design and Components	10	10
O&M and PeGu Coverage & Cost	5	
O&M and PeGu Coverage and Cost	5	5
Total	100	100

4 Critical Information Provided to Proposers

Attachments to the RFQ/P provide critical project information that should be considered by proposers in preparing a response.

Project Information

Proposers should carefully consider all information provided in Attachments B and D, which provide details about the Project and about the site, such as service details, electricity consumption data, production targets, conceptual energy project designs, and other information as available. PV production targets are based on tariff modeling using conservative NEM 2.0 assumptions. Systems are sized to offset approximately 90% of the estimated future energy consumption.

An interconnection agreement application for the site was submitted and deemed complete by PG&E. The Firm shall take over coordination and management of the interconnection agreement process and ensure that NEM 2.0 grandfathering is maintained for the site.

Attachment B Bridging Documents will form the basis of the Contract scope of work and will be incorporated into the Contract.

Attachment D provides additional useful background and technical information about the Project site, if and when available (e.g., available geotechnical reports, as-built drawings, and other information). 4CD is providing and will provide all relevant information known to 4CD, in good faith without any known defects in the information. However, 4CD cannot and will not warranty the completeness or accuracy of information provided, for which the Proposer will be required to take appropriate measures, subject to legal limitations and the evaluation of each Proposal's Best Value.

The successful Proposer shall **not** rely on 4CD's geotechnical reports. It shall be the sole responsibility of the successful Proposer to independently verify 4CD's as-built drawings and perform their own geotechnical investigations and site due diligence prior to design and construction. In submitting its Proposal, the successful Proposer warrants and accepts that 4CD shall not be liable for any misrepresentations or inaccuracies set forth in 4CD's as-built drawings, geotechnical studies, or other informational documents provided with this RFQ/P.

Contract Requirements

All Firms shall comply with the contracting requirements specified in Attachment C when submitting their Proposals. The Contract must be in compliance with California Government Code section 4217.10 et seq. Proposers must thoroughly review the form of contract and must identify any term or condition of the contract which the Proposer requests modifying or deleting existing provisions or adding new provisions. Proposers must set forth a clear explanation of what modification would be sought and specific alternate language in its Proposal in Attachment A3. District will review but is not obligated to accept any proposed changes.

Additional Requirements

The general prevailing rates of per diem wages and the general prevailing rates for regular (straight) time, holiday, and overtime work in Contra Costa County for each craft, classification, and type of worker needed to execute the Contract shall be as set forth in the current General Prevailing Wage Determinations made by the Director of Industrial Relations pursuant to California Labor Code Part 7, Chapter 1, Article 2, Sections 1770, 1773, and 1773.1 and any amendments thereof. The current General Prevailing Wage Determinations are incorporated into the Contract, and are available at the California Department of Industrial Relations' website (www.dir.ca.gov/DLSR/PWD/index.htm) or upon request from 4CD.

In addition to prevailing wages, this work will be completed under a Project Stabilization Agreement. A copy of the agreement can be found in Att D5.

No contractor or subcontractor may be listed on a proposal unless registered with the Department of Industrial Relations (DIR) pursuant to Labor Code section 1725.5 at the time of proposal submission. Additionally, no contractor or subcontractor may be awarded a contract unless

registered with DIR pursuant to California Labor Code section 1725.5. This Contract is subject to monitoring and enforcement by the DIR pursuant to Labor Code Section 1771.4.

5 Other General Instructions and Expectations

This is an RFQ/P only and should not be interpreted as a solicitation for services. Submittals should be concise and responsive to the goals stated in the RFQ/P. Submittals should be formatted and contain the information prescribed by the Proposal Content and Submission stated in the RFQ/P. Innovative and creative solutions are encouraged to be included as optional proposals. All costs for proposals and design are entirely the responsibility of the proposing firm and shall not be charged to 4CD.

4CD reserves the right to conduct independent reviews into each Proposer, including contacting other public agencies for whom the Proposer has performed work, in order to research the Proposer's quality of work, timeliness of performance, adherence to safety requirements, adherence to predetermined schedule, and maintenance of budget. 4CD may, in its sole discretion, factor the findings into its final selection of a Proposer.

The top-ranked firms may be asked to interview with 4CD prior to final ranking of Proposals. The top-ranked Proposer will be offered the opportunity to negotiate a Contract with 4CD that includes terms and conditions outlined in Attachment C, subject to further modification and revision by 4CD as necessary. If the-top ranked Proposer is unable to successfully negotiate a Contract with 4CD, 4CD may enter negotiations with the next-highest-ranked Proposer.

Responsibility for labor law enforcement remains with the Division of Labor Standards Enforcement.

4CD will prepare all necessary California Environmental Quality Act (CEQA) documentation, including any applicable exemption documentation, once the final scope of the Project has been determined. The selected Firm is expected to provide supporting information regarding the proposed design to 4CD in this process and adhere to any mitigation requirements identified in the CEQA documents.

6 Public Record

All Proposals become property of 4CD. All Proposals, including the entirety of the accepted Proposal and any subsequent contract approved by the Board of Trustees become public records per the requirements of the California Government Code, Sections 6250-6270, "California Public Records Act". Proprietary material must be clearly marked as such and comport with criteria of California Government Code section 6254.7 regarding trade secrets. For the purposes of this RFQ/P, pricing and service elements of the successful Proposal are not considered proprietary information.

4CD will treat all information submitted in a Proposal as available for public inspection once 4CD has a contract finalized with the selected contractor. If Firm believes that Firm has a legally justifiable basis under the California Public Records Act for protecting the confidentiality of any information



contained within Firm’s Proposal, Firm must identify any such information, together with the legal basis of Firm’s claim, in Firm’s Proposal. A Firm that indiscriminately identifies all or most of its Proposal as exempt from disclosure without justification may be deemed non-responsive. Proposers, by submittal of a Proposal, agree and acknowledge that 4CD has sole discretion to determine application of the California Public Records Act to each Proposal and each document contained therein.

7 Distribution of RFQ/P Materials

This document and any attachments, appendices, and addenda will be distributed electronically via 4CD’s purchasing website: <https://webapps.4cd.edu/apps/purchasingviewbids/default.aspx>

2. Procurement Process

2.1 Procurement Schedule

Dates are provided for Proposers’ convenience and, while 4CD does not anticipate changing the dates at this time, this schedule may be revised at the sole discretion of 4CD.

Table 2-1. Schedule of Procurement Process

Event	Date	Time (PT)
RFQ/P Published	Monday, November 21	
Mandatory pre-proposal conference and site visit	Wednesday, November 30	11:00 am
Deadline for questions from proposers	Wednesday, December 14	5:00 pm
Response to questions and addenda published	Friday, December 16	
Deadline for submittal of proposals (Hard copy and flash drive delivered to 4CD)	Wednesday, January 4	5:00 pm
Shortlist issuance	Week of January 9	
Potential interviews with shortlisted firms	Week of January 16	
Notification of top-ranked firm	Week of January 23	
Target for contract finalization	March 2023	

2.2 Mandatory Pre-Proposal Conference and Site Walk

A mandatory pre-proposal conference and site walk will be conducted at the Brentwood Center, Los Medanos College – 1351 Pioneer Square, Brentwood, CA 94513 – at the date and time shown in Table 2-1. The purpose of the conference is to provide a project overview, review proposal requirements, review the Project site, and allow the Proposers attending the meeting to ask

questions about the Project and RFQ/P. A site visit will be conducted following the pre-proposal conference.

If a Proposer needs additional access to the site, submit a written request to Ben Cayabyab via email at BCayabyab@4cd.edu. This will not substitute the mandatory pre-proposal conference attendance and will only be provided if time allows. Arrangements must be made sufficiently in advance of that date in order to be accommodated.

2.3 Questions Relating to the RFQ/P

All questions pertaining to this RFQ/P must be submitted **via email to Ben Cayabyab, at BCayabyab@4cd.edu** in accordance with the deadline noted above in Table 2-1. All questions must be received by 5:00 pm PT. Resulting addenda will be in the question/answer format posted to the 4CD website. 4CD may modify this RFQ/P or any of its deadline dates set forth in the RFQ/P prior to the date fixed for submission of qualifications by issuance of an addendum. All addenda issued shall become part of this RFQ/P.

Submittals received after this time and date may be considered at the sole discretion of 4CD if it determines it will be in 4CD's best interests to do so.

All communications must be in writing only, submitted by electronic mail, directed to the address and contact person listed above. No oral questions or inquiries of any kind or contact with board members or 4CD staff will be allowed. Oral questions will not receive any response and any answers provided during the pre-proposal conference are non-binding and must be submitted in writing for an addendum issuance.

2.4 Proposal Contents and Submission

Proposals shall be hand delivered in person by the date and time shown in Table 2-1 and addressed as follows:

Contra Costa Community College District
Attn: Ben Cayabyab
Purchasing Department
500 Court Street
Martinez, CA 94553

Proposers should submit **one (1) hard copy and one (1) flash drive with an electronic copy** of the contents and file formats outlined in Table 2-2.



Table 2-2. Proposal Contents and Submittal Formats

Submittal Item/Format	Document	Description
1. A Single PDF File	Cover Letter	Introduction/cover letter with full business address and contact details of the Proposer, signed by an individual with authority to bind Firm.
	Form A1	Qualifications & Proposal Form with all questions addressed, and signed and dated proposal certification.
	Form A1 Attachments	Minimum Attachments shall include: <ul style="list-style-type: none"> • Proof of all Required Licenses • Evidence of Bonding Ability • Evidence that Insurance Requirements can be met • A Conceptual Design of the Energy Systems • Photographs of the carport structures proposed for this project • Screen Shots of Monitoring Software • Example of Performance Reporting • Example of Monthly Billing • Proposed Warranty • Proposed Generator O&M Plan • Example of Performance Guarantee Reporting • Optional Proposal Details
	Form A2	Cost Proposal, PDF Format
	Form A3	Exceptions Form
	Form A4	Additional Forms
	2. A Single PDF File	Form A1, Question 5
3. MS Excel File	Form A2	Cost Proposal, MS Excel format. A PDF of this file should be included in the main proposal. The Excel file should exactly match the PDF document.

Proposers shall provide only complete and accurate information. Proposers acknowledge that 4CD is relying on the truth and accuracy of the representations contained in each Proposal. 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 Proposer on whose behalf that person is signing. If any information provided by a Proposer becomes inaccurate, the Proposer must immediately notify 4CD upon discovery of the inaccuracy and provide updated accurate information in writing, under penalty of perjury. Should a Proposer omit requested information or falsify information, 4CD may reject the Proposal. Should a Proposer omit requested information or falsify information, 4CD may

reject the Proposal. Accepting an award based on false or misleading information may expose the Proposer to legal liabilities.

2.5 Proposal Evaluation

4CD will first evaluate the qualification section of each Proposal. The qualification section appears at the beginning of Form A1. **Proposers should review the minimum qualifications outlined above and in Form A1 before preparing a proposal.**

4CD will then, at its sole discretion, evaluate some or all of the qualified Proposals. Ranking of Proposals will consider, but not be limited to, the list of items provided in Section 1.5.

All Proposals will be evaluated by an Evaluation Committee designated by 4CD. The Evaluation Committee, upon completion of evaluating the Proposals, may elect to hold interviews with the firms with the top-ranked proposals or may solely rely on proposals to make its evaluation. The Evaluation Committee will determine the highest-ranked Proposer as the basis of any recommendation to 4CD Board that a Contract be negotiated with a Proposer.

4CD reserves the right to investigate the qualifications of all Proposers under consideration and to confirm any part of the information furnished by a Proposer, or to require other evidence of managerial, financial, or technical capabilities which are considered necessary for the successful performance of the work.

During the course of the Proposal evaluation, 4CD may request clarification of, or information about, any item in the Proposal. The Proposer shall respond within the time requested. If the clarification or information is not forthcoming, 4CD may, at its sole discretion, disqualify a Proposal if it determines that evaluation of the Proposal cannot proceed in the absence of clarification. However, 4CD, in its sole discretion, may review and evaluate Proposals and award a Contract based solely on the materials contained in the Proposal. 4CD may elect to hold interviews with the Proposers with the highest-ranked Proposals or may solely rely on Proposals to make its selection.

4CD reserves the right to waive minor irregularities and omissions in the information contained in the Proposal submitted and to make all final determinations. There is no appeal from 4CD's decision not to review a Proposal due to an incomplete or late Proposal submission.

The Proposal, its completion and submission by the Proposer, and its use by 4CD, shall not give rise to any liability on the part of 4CD to the Proposer or any third party or person. This is not a solicitation for bid. No guarantees are made or implied that the Project will be constructed, either in part or whole. The Proposer accepts all risk and cost associated with the completion of the Proposal without financial guarantee. Any attempts by Proposers to lobby or influence 4CD decision, in any form, are strictly prohibited. During the course of the Proposal submission and evaluation periods,



there shall be no contact with 4CD Board of Trustees or District office staff regarding this project or RFQ/P. Failure to comply with these requirements will result in the disqualification of the Proposer.

2.6 Award Process

4CD intends to award a Contract to the qualified Proposer whose offer substantially conforms to the RFQ/P, whose Proposal outlines a Project which will provide the best value to 4CD, best meets 4CD's needs, and is most likely to assist 4CD in achieving its objectives, which 4CD shall determine at its sole discretion. If the successful Proposer is unable and/or unwilling to execute the Contract as negotiated by 4CD, 4CD, at its sole discretion, may begin negotiations with the next-highest-ranked Proposer.

4CD reserves the right to waive any informality or irregularity in any Proposals received, to reject any or all Proposals, to re-solicit for Proposals, and to accept the Proposal which, in its sole judgment, is most advantageous to District and in District's best interest.

4CD expects to complete its evaluation process to select a qualified Proposer but reserves the right to change key dates and action as the need arises. The size and scope of this project requires that award of any contract must be authorized by 4CD Board prior to a final agreement enacted by District staff, and any recommendation by District staff for contract award shall not be binding on 4CD.

4CD intends to award the Project to one Proposer; however, 4CD retains the right to award one or more separate Contracts to one or more Proposers, or to not award a Contract, at 4CD's sole discretion.



Attachment A. Proposal Forms

- A1 Main Proposal Form
- A2 Cost Proposal Form
- A3 Exceptions Form
- A4 Additional Forms
- A5 Response Checklist

Attachment B. Bridging Documents

- B1 Drawings and Site Notes
- B2 Bridging Specifications
 - B2.1 011000 Summary of Work
 - B2.2 011300 Supplementary Conditions
 - B2.3 013301 Design-Build Process & Submittals
 - B2.4 059002 Solar PV Canopy
 - B2.5 260000 General Electrical
 - B2.6 263214 Diesel Generator
 - B2.7 481400 Solar PV Systems
 - B2.8 481713 Battery Energy Storage



Attachment C. Contract Documents

C1 4CD Design-Build Contract

C2 O&M and PeGu Contract Terms

Attachment D. Additional Information

- D1 Energy Consumption Data
- D2 As-Built Drawings
- D3 Critical Load Information
- D4 Existing Geotechnical Reports
- D5 Project Stabilization Agreement
- D6 Site Concrete Details