City of Coatesville

REQUEST FOR PROPOSALS
RFP 1-2020
LAND LEASE OF CITY-OWNED LOCATION:
120 Pratts Dam Road
FOR SOLAR PHOTOVOLTAIC PROJECTS

Proposal Submission Deadline Extended to September 30, 2020 at 12:00PM

City of Coatesville

REQUEST FOR PROPOSALS
LAND LEASE OF CITY-OWNED LOCATIONS FOR SOLAR PHOTOVOLTAIC PROJECTS

The City of Coatesville ("City), is seeking Proposals from qualified solar energy developers ("Respondents") to lease the location identified below and at its sole cost and expense, install, own, operate and maintain thereon a solar photovoltaic energy system(s) ("Solar Energy Systems" or "Systems"), which shall be decommissioned at the end of its useful life or the end of the Lease, whichever comes first in time.

A parcel located at 120 Pratts Dam Road, West Brandywine Township, Chester County PA, UPI No. 29-8-5.5, containing 63.55 acres, more or less (the "Location").

Tour of the location may be arranged upon request at a time and date of the City's choosing.

Copies of the Request for Proposals may be obtained online at www.coatesville.org or from the City office between the hours of 8:30 am and 4:30 pm EST. All questions or requests for clarification regarding RFP must be received in writing, via email, to James Logan, City Manager, jlogan@coatesville.org. Detailed submission guidelines can be found below. The City is not responsible for late submissions due to delays related to mail or delivery services.

Hard copies of the Proposal(s), along with a USB flash drive containing copies of the Proposal(s) and Appendix A forms must be submitted in a sealed package clearly marked **"RFP 1-2020 - Land Lease of City-Owned Location for Solar Photovoltaic Projects"** with the name and address of the Respondent on the outside of the package and sent to:

James Logan
City Manager
City of Coatesville | One City Place | Coatesville, PA 19320
Phone: 610.384.0300 - fax 610.384.3612 - mobile: 610.299.7667
jlogan@coatesville.org

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INTRODUCTION

The City seeks to lease the Location for use in the siting of Solar Energy Systems, which will provide a revenue stream to the City in the form of lease payments and otherwise benefit the City and the environment. This Request for Proposals is being issued to allow the evaluation of options for such lease and determine the scope of the project(s) and financial arrangements.

The City seeks Proposals from qualified solar energy developers of solar energy generation facilities to, at its sole cost and expense, finance, install, own, operate and maintain the solar photovoltaic systems at the Location identified in this RFP 1-2020. The City, as owner of the Location, will grant a Lease to the selected Respondent(s) to allow the Respondent(s), at their sole cost and expense, to site and operate Solar Energy Systems subject to the conditions set forth herein.

The selected Respondent(s) will, at its sole cost and expense, design, install, own, operate, maintain, service, repair, and ultimately decommission the Solar Energy System(s), and will be solely responsible for performing, and for paying all of the costs associated with, permitting, designing, owning, insuring, commissioning, interconnecting, metering, operating, maintaining, monitoring and reporting the system, decommissioning, and for providing security for the system at all times.

Respondents will be responsible for payment of all taxes and charges assessed against the Location.

To facilitate the development of the Solar Energy Systems, the City will make best efforts to support the selected Respondent(s) as follows:

a) Provide reasonable access to the locations to obtain data (whether required or reasonably requested by the Respondent);
b) Grant the selected Respondent sufficient access and occupancy rights to allow the selected Respondent to undertake the Solar Energy Systems at the locations with the constraints.
c) Provide access for the installation, maintenance, ongoing operation and eventual decommissioning of the System.

SUBMISSION OF PROPOSALS: RFPs must be submitted in the form required herein; and all information and certifications called for must be furnished. All RFPs must be delivered to **Coatesville City Hall, One City Hall Place, Coatesville, PA 19320** by the specified due date and time for responses. RFPs arriving after the specified time will not be accepted. Mailed RFPs, which are delivered after the specified hour, will not be accepted regardless of post marked time on the envelope. All formal RFPs shall be submitted in a sealed envelope carrying the following information: Respondent's name, address, subject matter of Proposal and designated date and time of RFP opening. RFPs transmitted by facsimile or other electronic means will not be accepted. Sealed RFPs will be opened in public at the time and place shown herein. The

Respondent submitting the RFP chosen through this process will be notified and the signing of the Lease is subject to approval by the City Council.

RESERVED RIGHTS: The City reserves the right to seek clarification from any Respondent at any time; and failure to respond promptly is cause for rejection of the RFP. In addition to the other rights reserved herein, the City reserves the right to cancel this RFP as to one or more, or all, of the locations, in its discretion.

INCURRED COSTS: The City will not be liable for any costs incurred by Respondents in replying to this Request for Proposals.

AWARD: It is the intent of the City to enter into a lease with the Respondent(s) who provides the best terms for the City. The award will be based on the following factors (where applicable): (a) adherence to all conditions and requirements of the RFP; (b) price; and (d) qualifications of the Respondent, including past performance, general reputation, experience, and facilities. The City will evaluate all Proposals and reserves the right to select one or more Proposals that provide the best economic solution for the Location. Proposals for a Location will be evaluated against other Proposals received for the same location. In addition to other rights reserved herein, the City reserves the right to cancel this RFP as to one or more, or all, Locations, in its discretion.

Respondents shall promptly notify the City of any ambiguity, inconsistency or error that they may discover upon examination of the RFP documents. Interpretations, corrections and changes if any will be communicated to each known Respondent who has taken a copy of the RFP. Each Respondent shall ascertain prior to submitting a RFP that any addenda have been received and acknowledged.

OVERVIEW:

The City seeks to lease City-owned location for the purpose of siting Solar Energy Systems in order to provide a revenue stream to the City in the form of lease payments and to otherwise benefit the City and the environment. This Request for Proposals is being issued to allow the City to evaluate options and determine the projects and financial arrangements that best meet the City's interest. Proposals from entities in the business of developing solar energy generation facilities to, at their sole cost and expense, finance, install, own, operate and maintain solar photovoltaic systems on the Location as identified in this RFP. As owner of the Location, the City will enter a Lease with the selected Respondent(s) to allow the Respondent(s) to site and operate Solar Energy Systems subject to the conditions set forth herein.

The City is interested in leasing the entire Location for solar photovoltaic systems with a generating capacity up to +/- five (5) MW for an initial period not to exceed twenty (20) years with two (2) optional extensions of five (5) years each.

The selected Respondent will own the System and will be responsible for the design, engineering, permitting, installation, testing, operation, maintenance, repair and decommissioning of the System, including, without limitation, procurement of the solar photovoltaic equipment and related services.

The selected Respondent(s) will, at its sole cost and expense, design, install, own, operate, maintain, service, repair, and ultimately decommission the Solar Energy Systems and will be solely responsible for performing the steps necessary for permitting, designing, owning, insuring, commissioning, interconnection, metering, operating, maintaining, monitoring and reporting the system, decommissioning, and for providing security for the system at all times.

The selected Respondent(s) will be required to document, prior to execution of any Lease, the suitability of the Systems at the Location, including but not limited to environmental/code compliance and permitting for all Systems.

The selected Respondent(s) will be responsible for payment of all fees, taxes and costs assessed against the Location arising from the Lease of City land and the Solar Energy System(s).

Location Tours - Tours of locations may be arranged upon request at a time and date of the City's choosing.

Inquiries - All questions pertaining to this RFP should be referred to:

James Logan
City Manager
City of Coatesville | One City Place | Coatesville, PA 19320
jlogan@coatesville.org

PROPOSALS MUST BE RECEIVED BY SEPTEMBER 30, 2020, NO LATER THAN 12 PM AND SHALL BE ADDRESSED TO:

James Logan
City Manager
City of Coatesville
One City Place
Coatesville, PA 19320

SUBMISSION REQUIREMENTS:

All materials must be contained in a single envelope or package cleared labeled **RFP Land Lease for Solar Photovoltaic Projects at City-Owned Locations.** Within each envelope or package, the Respondent shall enclose a cover letter with the signature, name, and title of the person authorized to submit the Proposal on behalf of the Respondent.

The Proposal must include two (2) double-sided hard copies and an electronic copy on a CD-ROM or flash drive in Adobe (PDF) format, and shall be placed in a separate sealed envelope within the outer package marked with the Respondent's company name, and plainly marked in the lower left hand corner: "**RFP 1-2020 Land Lease for Solar Photovoltaic Project"**

All qualifications should be written in ink or typed. If there are any corrections, the person signing the statement of qualifications must initial the correction.

It is the Respondent's responsibility to see that its Proposal is delivered within the time and at the place prescribed. The City will open no Proposals until the time set for opening. Proposals may be withdrawn upon written request (on the letterhead of the Respondent and signed by the person signing the Proposal); and RFP withdrawals must be received prior to the Public Opening. Proposals may be modified in the same manner. No Proposal or modification thereof received after the Public Opening will be considered. Telephone or email responses, modifications, or withdrawals will not be accepted.

A Respondent filing a Proposal thereby certifies that 1) no officer, agent, or employee of the City has a pecuniary interest in the Proposal: 2) the Proposal is made in good faith without fraud, collusion, or connection of any kind with any other prospective Respondent for the same RFP, and 3) the prospective Respondent is competing solely on its own behalf without connection with, or obligation to, any undisclosed person or firm.

The right is reserved, as the interest of the City may require, to reject any or all Proposals.

It is the Respondent's responsibility to check prior to the Public Opening for any updates issued as a result of questions or changes needed in this RFP 1-2020.

All questions pertaining to this RFP must be made in writing, via email, to

James Logan
City Manager
City of Coatesville | One City Place | Coatesville, PA 19320
jlogan@coatesville.org

The RFP 1-2020 and supporting documents will be made available through the City of Coatesville, One City Place, Coatesville, PA 19320. Interested parties may request an Electronic copy of the RFP document by request to jlogan@coatesville.org.

Proposals must be submitted in the format prescribed in this RFP 1-2020 and must include the completed forms in Appendix A. No change shall be made in the phraseology of the forms in Appendix A or in the item or items mentioned herein. Proposals must contain the name and proper address of the Respondent, be signed by an authorized member of the Respondent with his/her signature and official title, and include certification of site visitation or other satisfactory familiarization with the Location(s). Except as otherwise provided in this RFP, responses that are incomplete contain any omissions, erasures, alterations, additions or irregularities of any kind may be rejected.

The Location is to be leased "AS IS" and each Respondent will be responsible for obtaining such additional studies and data concerning conditions (surface, subsurface and underground facilities) at the Location or otherwise which may affect the Respondent's ability to promptly negotiate a lease if selected, or which the Respondent otherwise reasonably deems necessary to develop a Proposal to undertake a project in accordance with the terms and conditions of this RFP.

Submission of a Proposal shall be conclusive evidence that the Respondent has examined the Location and is familiar with all the conditions of thereon and is accepting the Location "AS IS." Upon finding any omissions or discrepancy in the Proposal documents, the Respondent shall notify the Issuer immediately so that any necessary addenda may be issued. Failure of the Respondent to completely investigate the locations and/or to be thoroughly familiar with the contract documents (including plans, specifications, and all addenda) shall in no way relieve the Respondent from any obligation with respect to the Proposal.

Packages containing responses must be sealed and addressed as specified in this RFP 1-2020.

Any deviation from the requirements of this RFP must be noted in writing and attached as a part of the Proposal. The Respondent shall indicate the item or part with the deviation and indicate how the response deviates from the requirements.

Any Respondent taking exception to, or questioning any of the provisions, procedures, conditions, or specifications herein stated, should clearly articulate such exceptions in the Proposal in a separate section entitled "Exceptions."

All substantive inquiries from prospective Respondents concerning this RFP must be submitted in writing, electronically by the date provided on the schedule. All responses to substantive questions shall be in writing and will be simultaneously distributed to all recipients of record for the RFP 1-2020.

The City may in its discretion waive any and all informalities or allow the Respondent to correct them.

REQUIRED CONTENTS:

TRANSMITTAL LETTER

Each Respondent's Proposal must include a transmittal letter signed by an individual authorized to make a formal Proposal on behalf of the Respondent. The letter shall clearly indicate that the Respondent has carefully read all the provisions in the RFP 1-2020 and should include a brief overview of the Respondent's Proposal**.** Transmittal letters must also acknowledge receipt and understanding of any Addenda associated with the Proposal.

Technical PROPOSALS

The Proposal must demonstrate that Respondent meets the minimum qualifications and requirements of this RFP 1-2020 by including the following information and documentation evidencing that the Respondent is responsible, possesses the skill, ability and integrity necessary to have the technical and financial capability to complete its project and fulfill the obligations set forth in the Lease.

Respondent Information.

Company Profile:

- Year founded and number of continuous years in business.
- Corporate office location.
- Local office location.
- Members of Respondent's Project Team.
- Team leader identification for the entire Proposal, including full contact information, office location and key qualifications and professional credentials.
- Identification of each business entity, person or firm involved in the Proposal and their role (design, installation, civil/environmental, permitting, equipment supply, operations and maintenance, etc.), and prior experience collaborating on projects.
- Qualifications of personnel directly involved with the development of the proposed Solar Energy Systems (e.g., NABCEP certified Installer, Professional Engineer, Master Electrician, etc.).

Insurance:

- Respondent must demonstrate the ability to comply with City's Insurance requirements.

Capital Finance Capability:

- Respondent must demonstrate that the firm or its affiliates, subsidiaries or partners has been ability to secure financing for the total installed cost, operation, and decommissioning of at least fifty (50) MW's of Solar Energy System(s) during the past five (5) years

Relevant Solar Project Experience.

- The number, capacity (in kW DC) and location of PV projects completed by Respondent in the Northeastern United States within the past 3 years.

- List experience in obtaining site plan approval and/or zoning approvals for solar PV systems on lands within Commonwealth of Pennsylvania
- Respondent's experience with PJM and or interconnecting into public utility distribution systems, including recent approved Pennsylvania Utility interconnections.
- The total number and capacity of operational solar PV installations completed by Respondent to date, for each of the following: capped landfill systems, roof- mounted systems, ground-mounted systems, carport/shade structure mounted systems, other.

References.

- For the projects listed above, please provide at least five (5) examples of the following reference information:

  1. Project name and location;
  2. Project host and/or owner's name with contact person's name, email, address, phone number;
  3. Date completed;
  4. Whether the project was grid connected or community solar; and
  5. Any other installation-specific information that may be relevant.

Proposed Solar Energy System(s).

System Components:
- Include an overview of the proposed photovoltaic system, including brief descriptions of the main components (at a minimum, modules, inverters, mounting and data acquisition systems).

Design:
  - preliminary drawings for the location for the proposed solution that include at a minimum: System size (in kW DC and kW AC), and location.

- Interconnection
  - Modules, location of inverters, and any other site specific information that will aid in overall evaluation.
- Describe Respondent's approach to interconnecting the system into the public utility distribution system.

Certification of Timely Completion:
- Respondent, if ultimately awarded a Lease, certifies that all required work will be completed by the dates agreed to.

Appendix Forms:

Certificate of examination of specifications and evaluation criteria must be signed and submitted on the form attached to this RFP as Attachment A-1.

Certificate of financial interest disclosure and of non-collusion must be signed and submitted on the form attached to this RFP as Attachment A-2.

Certificate of compliance with all applicable Federal and State tax laws regarding the reporting,

withholding, and/or remitting of all State and Federal payments due relative employees and contractors, and attestation regarding filing of tax returns must be signed and submitted on the form attached to this as Attachment A-3.

Certificate of Authority must be signed and submitted on the form attached to this RFP as Attachment A-4.

PRICE PROPOSALS

The Price Proposal must include Respondent's proposed Schedule of lease payments and any other payments to the City.

The Respondent shall be responsible for all project costs and expenses including, but not limited to: the furnishing of all materials, services, labor, performance and payment bonds, insurance, and other costs incurred in the preparation of this response and the performance of the Lease, signed by an individual authorized to bind the Respondents contractually.

EVALUTION OF PROPOSALS:

RECEIPT AND OPENING OF PROPOSALS

Sealed Proposals will be accepted by the City until the date, time and location indicated in this RFP 1-2020. The City will prepare a listing of responses available for public inspection. After the Public Opening, a Respondent may not modify its Proposal.

EVALUATION OF QUALIFICATIONS AND LEASE PROPOSAL:

The evaluation process may include verification of references, confirmation of financial information and examination of other information as the City deems appropriate.

Respondent Qualifications and Experience.

1. **Experience -** Specialized experience is required in a series of work areas. Proposals will be evaluated on how well the Respondent demonstrates full knowledge, understanding, and experience in the methods, techniques and guidelines required for the performance of the required work. All elements within this factor are of equal importance.
2. **Capacity to Perform Work** - The Proposal will be evaluated on how well the Respondent demonstrates its capacity and capability to complete the work proposed
3. **Personnel Qualifications and Availability** - Proposals will be evaluated on the level of expertise provided in response to this RFP.
4. **Energy and Environmental Policy and Regulation Experience** - Respondents will be evaluated on how well they demonstrate comprehensive knowledge and experience of relevant energy and environmental laws and regulations, and experience with implementation of programs related to such laws and regulations to facilitate the appropriate and efficient planning, structuring, financing and implementation of the proposed project.
5. **Performance Record of Respondent and its affiliates, subsidiaries or partners** - Proposals must provide information on comparable solar projects and experience as requested in this RFP, and required reference information. Respondents will be evaluated on their record of experience and demonstrated understanding of environmental conditions and requirements at capped landfills.

Location Understanding.

1. **Relevant Specific Knowledge/Experience** - Design, environmental clearances, permitting and redevelopment experience.
2. **Local Knowledge/Experience** - The Respondent or its affiliates, subsidiaries or partners must demonstrate knowledge of local regulations, sighting, permitting, connectivity, and other issues as evidenced by prior work experience in the area.
3. O**verall System Plan and Optimization of Site -** The Proposal demonstrates where the system will be located, describes how site constraints will be addressed, and

How power production is maximized to optimize system performance with efficient land use at each Location.

Best Price Criteria. The "best" response price will be determined by a combination of the highest total lease payments to the City over the twenty (20) year period of the Lease and any extensions thereto. Payments shall be made in accordance with the terms of the Lease.

Financial Strength. The City will evaluate the Respondent's financing plan and financial ability to execute the project in order to determine the capability of the Respondent to obtain the financing necessary to complete the Project in a timely manner. Respondents shall provide evidence that the firm or its affiliates, subsidiaries or partners have the ability to secure financing for the total installed cost of the Solar Energy System(s) proposed in response to this RFP.

INQUIRIES

All questions pertaining to this RFP 1-2020 should be referred via email to:

James Logan
City Manager
City of Coatesville | One City Place | Coatesville, PA 19320
jlogan@coatesville.org

SCHEDULE OF EVENTS

The following timeline shall be observed:

Issuance of Request for Proposals	**July 15, 2020**
Questions about Proposals Due	**July 27, 2020**
Response to Request for Proposals Due	**September 30, 2020** at 1**2:00 PM**
Opening of the RFPs (Coatesville City Hall)	**September 30, 2020 at 1:00 PM**
Selected Vendor Notified	**City Council Meeting** **August 10, 2020**

APPENDICIES

Appendix A – Proposal Forms
Attachment A-1 - Certificate of Examination Attachment A-2 - Certificate of Non-Collusion Attachment A-3 – Certificate of Filing of Tax Returns
Attachment A-4 - Certificate of Authority
Appendix B - Site Location Map

Attachment A-1 CERTIFICATE OF EXAMINATION FORM

The undersigned has read the Request for Proposals and has carefully examined all specifications/evaluation criteria therein. The undersigned certifies that he/she has visited or is otherwise familiar with the Locations and that there are no known obstacles to prevent the prompt negotiation and execution of an agreement with the City. The undersigned acknowledges that the City may reject all Proposals, or waive portions of the RFP for all Proposals, if it deems it in the best interests of the public.

Signature: _

Date: _

Name: _

Title: _

Respondent Information

Name of Respondent: _

Address: _

Name of Primary Contact: _

Title of Primary Contact: _

Primary Contact Phone Number: _

Primary Contact Fax Number: _

Primary Contact Email Address: _

Attachment A-2 CERTIFICATE OF NON-COLLUSION

The undersigned certifies, under penalties of perjury, that this Proposal has been made and submitted in good faith and without collusion or fraud with any other person.

As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, LLC, union, committee, club or other organization, entity, or group of individuals.

Signature: _

Date: _

Name: _

Title: _

Attachment A-3 CERTIFICATE OF FILING TAX RETURNS

The undersigned certifies, under penalties of perjury that the Respondent below has complied with all Federal and State tax laws regarding the reporting, withholding, and/or remitting of all State and Federal payments due relative to Respondent's employees and contractors.

Signature: _

Date: _

Name: _

Title: _

Respondent Name: _

Respondent Taxpayer ID Number: _

Attachment A-4 CERTIFICATE OF AUTHORITY

I hereby certify that I am the Clerk/Secretary of _

_____

(insert full name of Respondent business entity), and that _

_____

(insert the name of officer who submitted this Proposal) is the duly elected _

_____

(insert the title of the officer in line 2) of said business entity, and that on _

_____

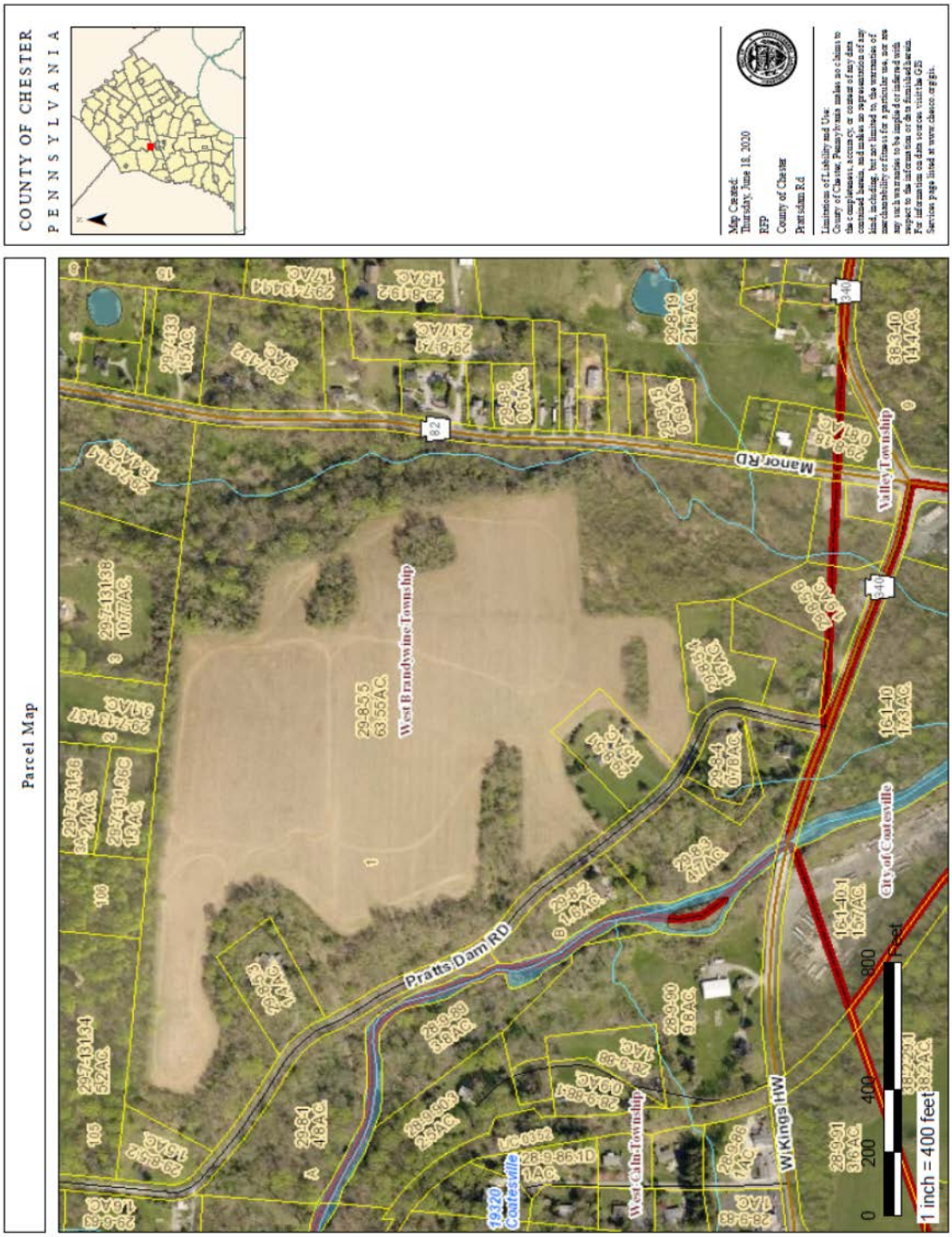
(the date must be **ON OR BEFORE** the date of submission of Respondent's Proposal) at a duly authorized meeting of the Board of Directors/Members of said business entity, of which all the Directors/Members received waived notice, it was duly voted that _____
(insert **name** from line 2) the_____(Insert **title** from line 3) of this

Respondent business entity be and hereby is authorized to execute contracts, leases, and bonds in the name and on behalf of said business entity, and affix its seal thereto, and such execution of any contract of obligation in the Respondent business entity's name and on its behalf, with or without its seal, shall be valid and binding upon the Respondent business entity; and that the above vote has not been amended or rescinded and remains in full force and effect as of the date set forth below.

ATTEST:_____AFFIX
(Signature of Clerk or Secretary) SEAL
HERE

Name:_____ (Print or type name of Clerk or Secretary)

Date: _____



Appendix B. Site Location Map