



**REQUEST FOR INTEREST**

RFI Number #: **52019**

RFI Name: **Contractor List for Heat Pump Water Heater Installations**

<b>RFI release date:</b>	May 24, 2019
<b>RFI can be obtained from:</b>	Register and download from <a href="http://www.BidSync.com">www.BidSync.com</a> . City of San José – Consulting
<b>Contact name:</b> <b>Phone:</b> <b>E-mail address:</b>	Andrew Hitchcock, Procurement Specialist 408-975-2572 <a href="mailto:andrew.hitchcock@sanjoseca.gov">andrew.hitchcock@sanjoseca.gov</a>
<b>Deadline for questions and objections:</b>	June 24, 2019, 8:30 PM PST
<b>RFI End date:</b> <b>Time:</b> <b>Location:</b>	June 26, 2019 4:00 PM PST City of San José Environmental Services Department Attn: Andrew Hitchcock 200 E. Santa Clara Street, 10 <sup>th</sup> Floor San José, CA 95113

\*You will need to register with BidSync. If you have any problems registering online, please contact BidSync directly toll-free at (800) 990-9339 or by e-mail at [www.BidSync.com](http://www.BidSync.com). Prospective subContractors should note that once registered with BidSync, they will be able to view all organizations (with name and state) that have viewed or downloaded the RFI.

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## **1 INTRODUCTION**

The City of San José (“City”), through its Environmental Services Department (“ESD”), seeks to assemble a list of qualified contractors and firms (“Proposers”) for its Heat Pump Water Heater (“HPWH”) Incentive Program (“Program”) for existing residential buildings. Residential buildings interested in receiving an incentive for a HPWH installation will be required to utilize a Proposer on the City’s Heat Pump Water Heater Participating Contractors List (“List”). To get on the List, Proposers will be required to submit the documentation required by the City, as noted in this Request for Interest (“RFI”).

## **2 BACKGROUND**

The mission of ESD is to deliver world-class utility services and programs to improve our health, environment and economy. The department has multiple divisions that provide services for wastewater management, garbage, recycling, drinking water, recycled water and watershed protection services.

The City received a grant from the Bay Area Air Quality Management District (“BAAQMD”) to implement a comprehensive program, ‘Electrify San José’, to make progress towards the City’s aggressive zero net carbon (“ZNC”) building goals connected to the Climate Smart San José plan. Electrify San José will include a HPWH Incentive Program for San José residents to replace an existing natural gas water heater with a HPWH.

Through this RFI, ESD seeks to assemble a list of Proposers that residential buildings receiving the incentive of the Program can utilize for their HPWH project. Proposers submitting the required documentation, noted in RFI Section 8, will be added to the List upon passing the evaluation criteria in RFI Section 9.2 through the Program’s term ending December 31, 2020. An initial list will be published on the City’s Website at [www.sjenvironment.org/electrifysanjose](http://www.sjenvironment.org/electrifysanjose) on July 1, 2019. Additional Proposers will be added on an ongoing basis thereafter. The List may be shared with other public and private agencies that are encouraging the installation of HPWHs or planning to implement HPWH programs. If a Proposer is included on the List, the City cannot guarantee that they will be selected for installation of a HPWH.

## **3 CSLB LICENSE**

### **3.1 THE PROPOSER MUST POSSESS A VALID AND CURRENT CALIFORNIA CONTRACTOR STATE LICENSE BOARD (“CSLB”) NUMBER**

## **4 SCOPE OF WORK**

The Program will help to fund the installations of approximately 65 qualified HPWHs in San José. The City will establish the parameters for the HPWHs and installation activities qualifying for up to \$6,000 in incentives per installation. Proposers must possess the required insurance coverage through the Program term to cover damages in the event of an accident:

<b>Insurance Documentation</b>	
<b>Insurance Policy</b>	<b>Required Program Amounts</b>
Commercial General Liability – for bodily injury, property damage, and personal injury	\$1,000,000 – each occurrence \$2,000,000 – in aggregate
Business Automobile Liability – “any auto” (Company Vehicles)	At least \$1,000,000  At least \$500,000

Personal Automobile Liability – “any auto” (Personal Vehicles)	
Worker’s Compensation and Employer’s Liability* - injury or death, each accident	At least \$1,000,000 *Not required for Sole Proprietor

**5 HOW TO OBTAIN THIS RFI**

This RFI may be downloaded from the BidSync solicitation posting system. Proposers must register with BidSync at [www.BidSync.com](http://www.BidSync.com). If you have a problem registering online, contact BidSync directly toll-free at (800) 990-9339 or by email at [www.BidSync.com](mailto:www.BidSync.com).

All addenda and notices related to this procurement will be posted by the City on BidSync. In the event that this RFI is obtained through any means other than BidSync, the City will not be responsible for the completeness, accuracy, or timeliness of the final RFI document.

Prospective subcontractors should note that once registered with BidSync, they will be able to view all organizations (with name and contact information) downloading the RFI document.

**6 PROCEDURE FOR SUBMITTING QUESTIONS AND INQUIRIES**

All questions/inquiries must be made through the contact listed on the cover sheet of this document, via BidSync. Contact with representative(s) other than name listed in this RFI or contact via methods other than those identified in this RFI is grounds for disqualification. The City will provide a written response to all questions in the form of an Addendum.

**7 OBJECTIONS**

**7.1** Any objections as to the structure, content or distribution of this RFI must be submitted in writing to the Contact listed on the cover sheet of this document. Objections must be as specific as possible, and identify the RFI section number and title, as well as a description and rationale for the objection.

**7.2** All objections, questions and inquiries must be received by the deadline stated on the cover sheet.

**8 PROPOSAL SUBMITTAL REQUIREMENTS**

**8.1** You must respond to this RFI by the due date and time as state on the cover sheet of this document in order for your proposal to be considered. All information contained in the proposal should be concise and responsive to the content of this request. Proposers are to:

**8.1.1** Submit one (1) original and one (1) copy of the proposal and clearly label the outside of the box, package or envelope with “**RFI 52019 Contractor List for Heat Pump Water Heater Installations**”. The original signature version is to be clearly identified as “Original” and “Copies” are to be clearly identified as such.

**8.2 PROPOSAL CONTENT**

Interested Proposers must submit the following Forms to become a participant and be placed on the City’s List:

**8.2.1 PROPOSAL CERTIFICATION**

Complete *FORM 1 - CERTIFICATION* on which the Contractor must make a number of certifications and representations. Read the Certification carefully and sign it.

**8.2.2 INSURANCE ACKNOWLEDGEMENT**

Complete *FORM 2 – INSURANCE ACKNOWLEDGEMENT* which confirms whether the Contractor has the required insurance at the time of submitting the Proposals.

**8.2.3 CSLB LICENSE**

Complete *FORM 3 - DOCUMENTATION OF CURRENT CSLB* detailing how the Consultant meets the CSLB License requirements outlined in RFI Section 3.

**8.2.4 PARTICIPANT INFORMATION**

Complete *FORM 4 - PARTICIPANT INFORMATION FOR THE CITY’S HEAT PUMP WATER HEATER PARTICIPATING CONTRACTORS LIST*

**9 SELECTION PROCESS AND EVALUATION CRITERIA**

**9.1 SELECTION PROCESS**

**9.1.1** City staff will evaluate proposal submissions. The City also reserves the right to rely on information from sources other than the information provided by the respondents.

**9.1.2** Responses will be evaluated as outlined in this section.

**9.2 EVALUATING CRITERIA**

The City’s ESD Team will evaluate submissions in accordance with the criteria listed in the table below. A Proposal will either Pass or Fail:

DESCRIPTION	WEIGHT
Proposal Responsiveness	Pass/Fail
• Form 1 - CERTIFICATION	
• Form 2 - INSURANCE ACKNOWLEDGEMENT	
• Form 3 - DOCUMENTATION OF CURRENT CSLB LICENSE	
• Form 4 - PARTICIPANT OBLIGATIONS AND REQUIREMENTS UNDER THE HEAT PUMP WATER HEATER INCENTIVE PROGRAM FORM	

**10 GROUND S FOR DISQUALIFICATION**

**10.1** All Proposers are expected to have read and understood the “Procurement and Contract Process Integrity and Conflict of Interest,” Section 7 of the Consolidated Open Government and Ethics Provisions adopted on August 26, 2014. A complete copy of Resolution No. 77135 can be found at: <http://www.sanjoseca.gov/documentcenter/view/35087>.

**10.2 Any Proposer who violates the Process Integrity Guidelines will be subject to disqualification. Generally, the grounds for disqualification include:**

**10.2.1** Contact regarding this procurement with any City official or employee or Evaluation team other than the Procurement Contact from the time of issuance of this solicitation until the end of the protest period.

**10.2.2** Evidence of collusion, directly or indirectly, among Proposers respecting the amount, terms, or conditions of this proposal.

**10.2.3** Influencing any City staff member or evaluation team member at any time throughout the solicitation process, including the development of specifications.

**10.2.4** Submitting false or incorrect information in the response to this RFIRFIRFI or misrepresenting or failing to disclose material facts during the evaluation process.

**10.3 In addition to violations of Process Integrity Guidelines, the following conduct may also result in disqualification:**

**10.3.1** Offering gifts or souvenirs, even of minimal value, to City officers or employees.

**10.3.2** Existence of any lawsuit, unresolved contractual claim or dispute between Proposer and the City.

**10.3.3** Evidence of Proposer's inability to successfully complete the responsibilities and obligations of the proposal.

**10.3.4** Proposer's default under any City agreement, resulting in termination of such Agreement.

**11 GENERAL INFORMATION**

**11.1** The successful Proposer will be required to demonstrate evidence of insurance in accordance with the insurance provisions listed in *ATTACHMENT B – INSURANCE REQUIREMENTS*.

**11.2** All costs associated with responding to this request are to be borne by the Proposer.

**11.3** It is the City's policy that the selected firm shall not discriminate, in any way, against any person on the basis of race, sex, color, age, religion, sexual orientation, actual or perceived gender identity, disability, ethnicity, or national origin, in connection with or related to the performance of City of San José contracts.

**12 PUBLIC NATURE OF PROPOSAL MATERIAL**

**12.1** All correspondence with the City including responses to this RFI will become the exclusive property of the City and will become public records under the California Public Records Act (Cal. Government Code section 6250 et seq.) All documents that you send to the City will be subject to disclosure if requested by a member of the public. There are a very limited number of narrow exceptions to this disclosure requirement.

**12.2** Therefore, any proposal which contains language purporting to render all or significant portions of their proposal "Confidential", "Trade Secret" or "Proprietary", or fails to provide the exemption information required as described below will be considered a public record in its entirety subject to the procedures in Section 12.5.

**12.3** Do not mark your entire proposal as “confidential”.

**12.4** The City will not disclose any part of any proposal before it announces a recommendation for award, on the ground that there is a substantial public interest in not disclosing proposals during the evaluation process. After the announcement of a recommended award, all proposals received in response to this RFI will be subject to public disclosure. If you believe that there are portion(s) of your proposal which are exempt from disclosure under the Public Records Act, you must mark it as such and state the specific provision in the Public Records Act which provides the exemption as well as the factual basis for claiming the exemption. For example, if you submit trade secret information, you must plainly mark the information as “Trade Secret” and refer to the appropriate section of the Public records Act which provides the exemption as well as the factual basis for claiming the exemption.

**12.5** Although the California Public Records Act recognizes that certain confidential trade secret information may be protected from disclosure, the City of San José may not be in a position to establish that the information that a Proposer submits is a trade secret. If a request is made for information marked “Confidential”, “Trade Secret” or “Proprietary”, the City will provide Proposers who submitted the information with reasonable notice to seek protection from disclosure by a court of competent jurisdiction.

### **13 PROTESTS**

**13.1** If an unsuccessful Proposer wants to dispute the award recommendation, the Protest must be submitted in writing to the Director of ESD no later than 5 p.m., ten (10) calendar days after announcement, detailing the grounds, factual basis and providing all supporting information. Protests will not be considered for disputes of proposal requirements and specifications, which must be addressed in accordance with Section 13. Failure to submit a timely written Protest to the contact listed below will bar consideration of the Protest.

**13.2** The address for submitting protests is:

Attention:  
Kerrie Romanow, Director  
Environmental Services Department  
200 East Santa Clara Street, 10<sup>th</sup> Floor  
San José, CA 95113

## FORM 1 – CERTIFICATION

Proposing Firm Name:	
Address:	
Telephone:	
Facsimile:	
Contact person name and title:	

### **PROPOSER REPRESENTATIONS**

1. Proposer did not, in any way, collude, conspire or agree, directly or indirectly, with any person, firm, corporation or other Proposer in regard to the amount, terms, or conditions of this proposal.
2. Proposer additionally certifies that neither Proposer nor its principals are presently disbarred, suspended, proposed for disbarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agency, any California State agency, or any local governmental agency.
3. Proposer acknowledges that all requests for deviations, exceptions, and approved equals are enclosed herein and that only those deviations, exceptions, and approved equals included in the RFIRFI document or permitted by formal addenda are accepted by the City.
4. Proposer did not receive unauthorized information from any City staff member or City Contractor during the Proposal period except as provided for in the Request for Qualifications package, formal addenda issued by the City, or the pre-proposal conference.
5. Proposer hereby certifies that the information contained in the proposal and all accompanying documents is true and correct.



**FORM 1 – CERTIFICATION (continued)**

6. Please check the appropriate box below:

- If the proposal is submitted by an individual, it shall be signed by him or her, and if he or she is doing business under a fictitious name, the proposal shall so state.
- If the proposal is submitted by a partnership, the full names and addresses of all members and the address of the partnership, the full names and addresses of all members and the addresses of the partnership shall be stated and the proposal shall be signed for all members by one or more members thereof.
- If the proposal is submitted by a corporation, it shall be signed in the corporate name by an authorized officer or officers.
- If the proposal is submitted by a limited liability company, it shall be signed in the corporate name by an authorized officer or officers.
- If the proposal is submitted by a joint venture, the full names and addresses of all members of the joint venture shall be stated and it shall be signed by each individual.

**By signing below, the submission of a proposal with all accompanying documents shall be deemed a representation and certification by the Proposer that they have investigated all aspects of the RFI, that they are aware of the applicable facts pertaining to the RFI process, its procedures and requirements, and that they have read and understand the RFI.**

Authorized Representative Signature ( <b>sign name</b> ):	
Authorized Representative Name ( <b>print name</b> ):	
Authorized Representative Title ( <b>print title</b> ):	
Complete additional signatures below as required per # 6 above	
Authorized Representative Signature ( <b>sign name</b> ):	
Authorized Representative Name ( <b>print name</b> ):	
Authorized Representative Title ( <b>print title</b> ):	
Authorized Representative Signature ( <b>sign name</b> ):	
Authorized Representative Name ( <b>print name</b> ):	
Authorized Representative Title ( <b>print title</b> ):	

## FORM 2 – INSURANCE ACKNOWLEDGEMENT

Proposer Firm Name \_\_\_\_\_

Name \_\_\_\_\_ Title \_\_\_\_\_

Signature \_\_\_\_\_ Date signed \_\_\_\_\_

Certificate of Insurance requirements for the following coverages include:

Insurance Documentation	
Insurance Policy	Required Program Amounts
Commercial General Liability – for bodily injury, property damage, and personal injury	\$1,000,000 – each occurrence \$2,000,000 – in aggregate
Business Automobile Liability – “any auto” (Company Vehicles)	At least \$1,000,000
Personal Automobile Liability – “any auto” (Personal Vehicles)	At least \$500,000
Worker’s Compensation and Employer’s Liability* - injury or death, each accident	At least \$1,000,000 *Not required for Sole Proprietor

- We acknowledge that we will carry the required proof of insurance according to RFP Section 4 – Scope of Work throughout the Program term
- There will be no exception(s) to RFP Section 4 – Scope of Work

**FORM 3 – DOCUMENTATION OF CURRENT CSLB LICENSE**

RFP#: 52019 Contractor List for Heat Pump Water Heater Installations

Proposer Name: \_\_\_\_\_

In order to be considered for further evaluation, the Proposer must meet the CSLB LICENSE requirements described in Section 3 of the RFP. Please describe below how the Consultant meets the requirements.

**3.1 THE PROPOSER MUST POSSESS A VALID AND CURRENT CALIFORNIA CONTRACTOR STATE LICENSE BOARD (“CSLB”) NUMBER**

<b>Contractor or Business Name:</b>	
<b>CSLB Number:</b>	
<b>License Expiration Date:</b>	
<b>Business or Mailing Address:</b> (Street, City, Zip Code)	
<b>Phone Number:</b>	
<b>Email:</b>	

The City will verify that the current CSLB number is provided from the California’s Department of Consumer Affairs Contractors State License Board website:

<https://www2.cslb.ca.gov/OnlineServices/CheckLicenseII/checklicense.aspx>

**FORM 4 – PARTICIPANT OBLIGATIONS AND REQUIREMENTS UNDER  
THE HEAT PUMP WATER HEATER INCENTIVE PROGRAM**

In order to become a participant in the City’s Program, Proposers are required to demonstrate an understanding of the program rules, expectations, project process, and obligations under the Program. The Proposer may satisfy this requirement by reviewing and checking each of the items listed below. Please check all to confirm understanding and agreement of all the following statements related to the obligations and requirements of a Participating Contractor under the Program.

***Participating Contractor’s obligations before HPWH installation project:***

- Agree to release contact information provided in Form 3 (Form 3 – DOCUMENTATION OF CURRENT CSLB LICENSE)
- Maintain license and insurance documentation throughout the Program term as required by the Program. (See RFP Sections 3 and 4 of the City's RFI #52019)
- Follow all City permitting requirements.
- Submit all required Program application documents and receive City approval before start of work.

***Participating Contractor’s obligations during and after HPWH installation project:***

- All installed measures must meet Program requirements to qualify for associated incentives.
- All installed measures will be completed in a professional manner, consistent with industry standards, and in conformance with all applicable building codes, zoning laws, local, state, and federal requirements.
- Participating Contractor shall be solely responsible for the work of any and all subcontractors.
- Complete the Program’s post-installation documentation process including providing the City with proof of permit closure upon completion of project.
- The City may verify the HPWH installation project at completion
- Participating Contractor understands that a Program incentive will not be issued to the Participating Contractor until the installed measure(s) have been approved by the City through the Program post-installation documentation process. If it is determined that any changes to the project resulted in the Program requirements not being met, the Participating Contractor will not receive the associated incentive until or unless installation issues have been addressed by Participating Contractor.
- Maintain accurate business records relating to the installation of measures according to customary industry practice for at least three (3) years following installation. Business records must be made available for verification by the City if requested.
- Participating Contractor will provide pictures and information related to project scope, costs, and equipment installed for the City to publish in a public dataset and/or case study, if requested.

***By signing below, Participating Contractor certifies it has:***

1. Read and agreed to all of the requirements stated above for the City’s Heat Pump Water Heater Program and understands Contractor’s obligations and requirements under the Program.
2. Submitted all documents and materials required under Section 8 of the City's RFI #52019 in order to be added to the City’s Heat Pump Water Heater Participating Contractors List and those materials are accurate to the best of Contractor’s knowledge.
3. No knowledge of any unresolved or outstanding complaints before the California State Department of Labor, Licensing and Regulation or a pattern of outstanding litigation that involves its work.

\_\_\_\_\_  
Participant Contractor Signature

\_\_\_\_\_  
Date