



Request for Proposal (RFP) 15921

Vendor Contract for Solar Electric System Installation and Financing

All Proposals shall be addressed and delivered to:

Matthew Donath, Purchasing Agent

City of Milwaukee
Department of Administration - Purchasing Division
200 E Wells Street, Room 601
Milwaukee, WI 53202

Proposals Must Be Received No Later Than:

2:00 p.m. CST on Thursday, May 10th, 2018

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BACKGROUND

Introduction

ReFresh Milwaukee is the official Sustainability Plan for the City of Milwaukee. It provides a vision for community sustainability and seeks to make Milwaukee a world class eco-city and the Fresh Coast Capital of North America. Refresh Milwaukee outlines strategies and targets in eight issue areas including energy. One goal in the City's ReFresh plan is to replace fossil fuel energy use with more clean renewable energy in City of Milwaukee Facilities.

The City of Milwaukee set a goal of generating 25 percent of the City's electricity using renewable resources by 2025 per the Milwaukee Common Council's resolution to achieve the "25x25 Goal."

Additionally, in 2017 Mayor Barrett joined over 362 mayors to show that the City of Milwaukee remains committed to the principles of the Paris Climate Agreement.

Summary

The City of Milwaukee's Environmental Collaboration Office (ECO), the Department of Public Works, the Milwaukee Public Library and the Milwaukee Police Department are seeking proposals from qualified solar electricity installers and third party participant (TPP) investors for six solar electric systems totaling approximately 1.1 megawatts (total dc rated module capacity). The projects shall be fully installed and grid connected by December 18th, 2018. The systems are to be installed at City of Milwaukee sites noted below.

Site	Street Address	Approximate Size (kW dc)
Central Repair Garage	2142 W Canal St.	340
DPW Field Head Quarters	3850 N 35th St.	360
Central Library	814 W Wisconsin Ave.	115
Police District #3	2333 North 49th St.	150
Center Street Library	2727 W Fond Du Lac Ave	45
Tippecanoe Library	3912 S Howell Ave.	65
	Total	1,075

All sites are in the electricity services territory of We Energies.

The solar photovoltaic (PV) financing strategy is expected to use third party participant (TPP) investors to provide the up-front capital beyond that provided by Wisconsin Focus on Energy grant awards. TPP investors are anticipated to utilize federal tax benefits in a manner acceptable to the City of Milwaukee, We Energies and Wisconsin Focus on Energy. City of

Milwaukee's financing strategy's goal is to provide positive cash flow to the City over the entire term of the financing, except for the buyout year.

The objective of this Request for Proposal (RFP) is to identify the most financially advantageous proposal for City of Milwaukee from qualified solar installers and TPP investors (under the selection criteria herein) to design, supply, install, commission, maintain and finance the solar electric systems. The TPP/financial services provider and the installation provider may be the same firm, or a partnership.

CONTACT INFORMATION

Proposers are specifically directed not to contact any other City of Milwaukee department or staff member for discussions that are related to this RFP. **Unauthorized contact of any City personnel is a cause for rejection of the proposal.** Any additional information or clarifications that are provided to one firm will be provided to all firms in the form of an addendum posted to the Bonfire Portal.

All communications regarding this RFP and the submittal process should be directed to:

Matthew Donath, Purchasing Agent
City of Milwaukee, Department of Administration
Purchasing Division
200 E. Wells Street, Room 601
Milwaukee, WI 53202-3560

Phone: 414-286-3506 Email: mdonat@milwaukee.gov (preferred method)

RFP TIMELINE

The following is the proposed schedule for the RFP. The DOA-Purchasing Division reserves the right to change the RFP schedule, issue addenda to the RFP, cancel the RFP, or reissue the RFP at any time.

RFP Release Date	April 11 th , 2018
Confirm Site Visit Attendance by:	April 18 th , 2018 @ 3:00 PM
Site Visit	April 19 th – 20 th , 2018
Questions Due from Proposers	April 24 th , 2018
Answers to Questions Posted Online via an Addendum	April 27 th , 2018
Closing Date	May 10 th , 2018
Evaluation of Proposals	May 14 th – 16 th , 2018
*Selection of Highest-Ranked Proposer	*May 18 th , 2018
*Contract Negotiation	*May 18 th - 31 st , 2018
*Award of Contract	*June 1 st , 2018
Systems Commission, Utility interconnected and Fully Operational	December 18th, 2018

* Tentative Date(s)

SITE VISIT

Due to the scope of the project, Proposers are **required** to attend or have a representative attend the information meeting and site visits April 19th and 20th. Meeting will begin at 9:00 AM April 19th at Central Library and will include an information meeting and overview of all locations, followed by site visits for Central Library, Central Repair Garage, and Tippecanoe Library. Day two will include site visits for the three remaining locations, Police District #3, DPW Field Headquarters, and Center Street Library.

Due to staffing and time constraints, no other site visits will be scheduled for this project. If you miss the site visit, please do not call the user department or Procurement Services to request special consideration to view the site. Please notify Matt Donath (mdonat@milwaukee.gov) of your intent to attend the site visit and meeting by April 18th @3:00 PM.

SCOPE OF SERVICES

System sizing should be modified to optimize financial performance for City of Milwaukee at each site.

All solar electric systems are to:

- Be designed, specified and installed to:
 - To maximize cost effective solar electric power production
 - To minimize maintenance and repair needs over the systems' first 30 years
 - For easy access for maintenance and repairs
 - To minimize system downtime
 - To minimize the We Energies' interconnection costs
 - Meet the requirements of the most recent version of the National Electric Code
 - Limit roof penetrations
 - Permit easy access for repairing and replacing rooftop mechanicals
- Meet the requirements of We Energies when site's back-up generator is energized
- Use solar electric modules that:
 - Have a 25-year production guarantee
 - Are on California's list of "Incentive Eligible Photovoltaic Modules"
 - Are Bloomberg Tier 1 modules
- Use inverters that:
 - Have at a minimum, a 10-year warranty
 - Are on California's list of "Incentive Eligible Photovoltaic Inverters"
 - Are 1000 volt (preferred)
 - Record data and display over the internet via Ethernet connection
 - Measure and record minute-by-minute solar power output
 - Ability to display data via Ethernet port connected to the internet
 - Provide system fault notification, using emails and/or text messages, sent to the system's owner and maintenance provider
- Use a revenue grade monitoring system that:
 - Meets the needs of the TPP for billing the City under the energy services agreement
- Use racking systems that:
 - Have at least a 20-year product warranty (25-year preferred)
- Include educational solar kiosks at each of the three libraries
- The selected contractor shall ensure that all roof warranties are maintained.
- Include all troubleshooting, testing, maintenance, extra modules, and repair services over the term of the energy services agreement

The selected bidder will train City staff at each site and provide a manual for operating and maintaining the PV systems for when the City takes ownership. The selected bidder shall specify, install, operate, and maintain the PV systems to minimize the operating costs after the City takes ownership. This may include purchasing long-term warranties, extra components for damage not covered by warranty, or other practices. The contractor is required to properly dispose all packaging materials and other waste streams resulting from the installation.

SITE INFORMATION

Central Repair Garage

2142 W Canal St.



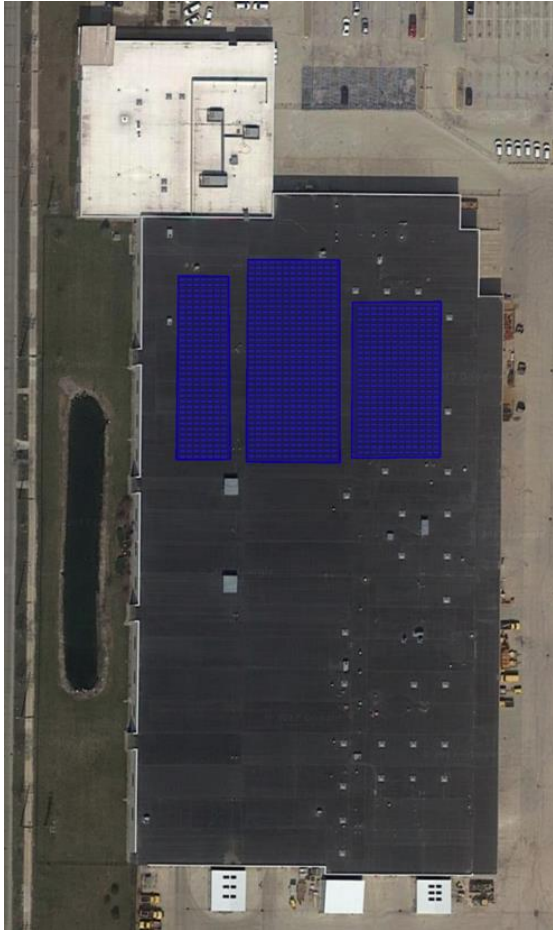
Helioscope image of the ~340 kW dc array

System size	280 kW ac or ~340 kW dc (Site has a 20 kW dc PV system)
Net-metered system	Yes
Rate Schedule	CP1
System location	Roof mounted on newer roof areas using ballasted racks
Roof material	Rubber membrane
Roof ages	Northern area: replaced in 2011 Central area: replaced in 2007 Southern area: replaced in 2007
Roof structural	Installer responsible for obtaining PE stamped drawings
Electrical service	480 volts
Electric meter location	Southeast corner of building near W. Canal St.
Electric room location	Center of the building
Onsite Logistics to be coordinated with City employee- More information will be provided at site visit	

The site has an existing 20 kW dc PV system (the large orange area) and a solar thermal system

Department of Public Works Field Headquarters

3850 N 35th St.



Helioscope image of the 360.2 kW dc array.

System size	300 kW ac or ~360 kW dc
Net-metered system	Yes
Rate Schedule	CG3
System location	Roof mounted using ballasted racks
Roof material	Rubber membrane
Roof age	Installed 2006
Roof structural	Installer responsible for obtaining PE stamped drawings
Electrical service	480 volts
Electric meter location	West of where the white and black roof areas meet
Onsite Logistics to be coordinated with City employee- More information will be provided at site visit	

Central Library

814 W Wisconsin Ave.



System size	~115 kW dc (as much as possible)
System location	White roof area, as shown
Net-metered system	Yes
Rate Schedule	CP1
Racking	Ballasted racks
Roof material	PVC membrane with insulation
Roof age	Installed 2015
Roof structural	Installer responsible for obtaining PE stamped drawings
Electrical service	480 volts
Solar Kiosk	Yes
Electric Room Location	3 rd Floor Mechanical room – North end of building (Current PV meter and inverters located here)
Onsite Logistics to be coordinated with City employee- More information will be provided at site visit	

The white roof should increase reflectivity and reducing summer roof temperatures - both increasing system generation. The site has an existing 30 kW PV system and a large green roof.

Police District 3

2333 North 49th St.



Helioscope image of Police District 3 PV roof



Google image of Police District 3's curved metal roof

System size	~150 kW dc (as much as possible)
System location	Curved metal roof
Net-metered system	Yes
Rate Schedule	CP1
Racking	flush-mounted
Roof material	Metal
Roof expected life	40 to 50 years
Roof structural	Installer responsible for obtaining PE stamped drawings
Electrical service	480 volts
Data Comm & Electrical Room Locations	1 st Floor- substation located in room M107; includes meter 2 nd Floor- off of room 201 in room 201A 3 rd Floor – hallway room 337
Onsite Logistics to be coordinated with City employee- More information will be provided at site visit	

Center Street Library

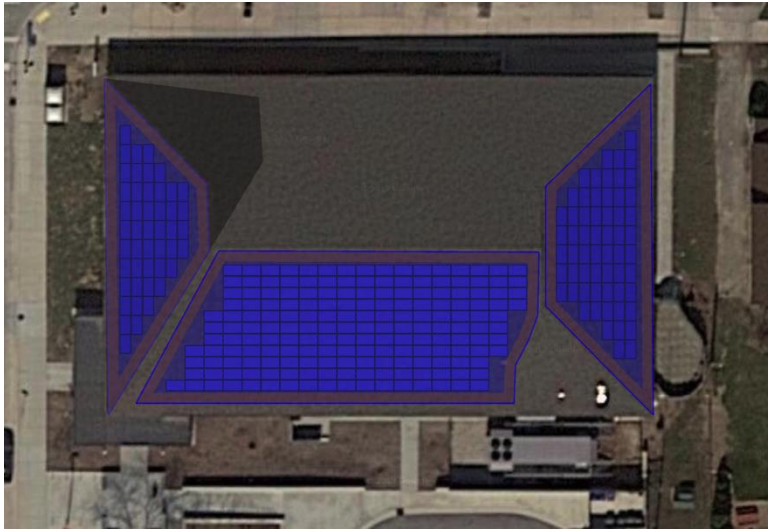
2727 W Fond Du Lac Ave



System size	~ 45 kW dc (as much as possible)
System location	Rubber membrane
Net-metered system	Yes
Rate Schedule	CG2
Racking	Ballasted racks
Roof replaced	2015
Roof structural	Installer responsible for obtaining PE stamped drawings
Electric room location	In the basement - south end of the building
Solar Kiosk	Yes
Onsite Logistics to be coordinated with City employee- More information will be provided at site visit	

Tippecanoe Library

3912 S Howell Ave



Roof mounted on south, east and west roof areas

Fill south facing roof area first with modules then east and west facing roofs

System size	~ 65 kW dc
System location	South (preferred), east and west roof areas
Net-metered system	Yes
Rate Schedule	CG2
Racking	Flush-mounted
Roof material	Shingle
Roof replaced	2015
Roof structural	Able to support PV system loads
Electric meter location	Assume near the HVAC unit (SE side of building)
Electric room location	Adjacent to meter location
Solar Kiosk	Yes
Onsite Logistics to be coordinated with City employee- More information will be provided at site visit	

1. Code and Standards

- Installation must meet or exceed all relevant building and electrical codes of the City Milwaukee, and the State of Wisconsin.
- Installation must meet requirements of the most recent version of the National Electric Code
- Modules and racking must comply with wind uplift requirements per the American Society of Civil Engineers Standard for Minimum Design Loads for Buildings and Other Structures, and must be able to withstand design wind speeds of at least 100 mph (3-second gusts).
- System installation must conform to Occupational Health and Safety Administration (OSHA) directives.
- Rooftop system components should adhere to Uniform Building Code (UBC) fire code regulations.
- The selected bidder shall obtain all necessary permits. **All City permit fees will be waived.**

2. Certified Solar Electric System Installer

- The lead installer for the system must be a NABCEP certified photovoltaic (PV) system installer in good standing. The NABCEP certified lead photovoltaic (PV) system installer must be identified in your bid.

3. Requested Support Services

Beyond the standard design, installation and TPP financial services the selected bidder may:

- Work with City of Milwaukee Staff as appropriate to finalize all project specifications and contracts
- Submit applications to We Energies including:
 - Coordinate with City of Milwaukee staff when completing the interconnection application forms
 - Be available to answer questions, provide additional information, etc., to We Energies, if requested by the utility
 - Attend the utilities' interconnection testing and/or commissioning of the systems, if requested by the utility
 - Provide other standard procedures as needed for successful installation, financing, commissioning and operation of the solar systems

GENERAL FINANCING ASSUMPTIONS

Item	Assumption	Comments
City of Milwaukee will use: <ul style="list-style-type: none"> ○ The City’s Focus on Energy Grants to own a portion of the PV systems ○ \$100,000 of City Funds 	Focus on Energy Grant: \$211,882 If the systems are completed after December 18 th , 2018 the Focus on Energy grant will be reduced by 25% from the amount indicated above. The Focus on Energy grant assumes that the systems will generate 1,345,281 kWh in year one. If this is reduced the Focus on Energy grant is expected to be reduced proportionally.	The PV systems are to be co-owned, not third party owned. Focus on Energy is aware of this arrangement.
Solar service agreement payments	Based on actual PV system generation or similar (e.g., capacity factor)	
Solar system liability and property/casualty insurance	Cost covered, or reimbursed to City, by the TPP	
Annual utility electricity price escalation rate for both usage and demand	2.5%	
Annual and monthly average demand savings	To be determined by bidders	
Discount rate	5%	
All solar system O&M, testing, updating, trouble shooting, and similar costs prior to buy-out by City of Milwaukee	To be covered by the TPP	While the TPP owns the majority of the solar systems, the City is to have no expenses for the solar systems. This includes, for example, updating monitoring systems when the City changes out a server.
System buyout date and price	Must meet all federal requirements	Options for multiple dates may be offered.
City’s insurance cost	0.35% of system’s installed cost	

Background Information

Electric Utility Interconnection:

The TPP will be responsible to contacting We Energies to request approval and file all necessary paperwork for interconnection to be completed on or before the December 18th, 2018 deadline.

Focus on Energy:

The City had discussion with Focus on Energy regarding the City's eligibility for the RECIP grant working with TPP arrangements. The projects were described as follows and the Grant was awarded:

The City of Milwaukee solar projects will not use third party ownership or a power purchase agreements. The projects will be co-owned with a significant share owned by the City (10% to 20%) and investors. The agreement for energy services may take the form of an energy services agreement (similar to the Darlington School District solar project which was completed with Focus on Energy).

If your financing strategy differs from this description, please describe how in your proposal. Please do not contact Focus on Energy at this time.

TPP Provider's Insurance Requirements

The TPP provider shall have:

1. Commercial general liability insurance

- For Central Repair Garage, DPW Field Head Quarters, and Police District #3 – limits not less than \$2,000,000 for injury to or death of one or more persons in any one occurrence and \$2,000,000 for damage or destruction to property in any one occurrence, \$4,000,000 in the aggregate
- For Central Library, Center Street Library, and Tippecanoe Library – limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$1,000,000 for damage or destruction to property in any one occurrence, \$2,000,000 in the aggregate
- Or that meets Wisconsin Statute PSC 119.05.

2. Worker's compensation and employer's liability insurance, in compliance with Applicable Laws with limits of not less than \$1,000,000.

3. Replacement cost property insurance against systems loss, with limits not less than the installed cost of the PV systems.

RESPONSE REQUIREMENTS

For this RFP, the City of Milwaukee is using a Bonfire portal for accepting and evaluating proposals digitally.

Upload your submission at: <https://cityofmilwaukee.bonfirehub.com/opportunities/7701>

Your submission must be uploaded, submitted, and finalized prior to the Closing Time of May 10th, 2018 at 2:00 PM CST. We strongly recommend that you give yourself sufficient time and at least ONE (1) hour before Closing Time to begin the uploading process and to finalize your submission

In addition to the above, **one (1) hard copy** of your proposal, which includes the entire proposal and any attachments must be provided prior to the closing date and time to:

City of Milwaukee
DOA-Purchasing Division
Attention: Matthew Donath
200 E. Wells Street, Room 601
Milwaukee, WI 53202

The proposal must be sealed and clearly marked with the following information:

RFP # and description
Name of the Proposer
Closing Date
Closing Time

STRUCTURE OF RESPONSES

In order to simplify the review process and to obtain the maximum degree of comparability, proposals should be submitted in the following sequence. Failure to comply with these requirements may be cause for the proposal to be considered non-responsive and not receive further consideration.

Please clearly number each section for our ease of evaluation.

- 1) Transmittal Letter - Please provide a statement signed by a party authorized to sign binding agreements for projects of the type contemplated herein -- the letter shall clearly indicate that the respondent has carefully read all the provisions in the RFP. Please include information as to your company's ability to meet the installation timeline and what could prevent your company from meeting the deadline.

- 2) Table of Contents – Proposers are to include a table of contents with their submittal with tabs corresponding to the Proposal Submission Requirements below.
- 3) RFP Document and all Addenda – Proposers are required to manually sign the original copy of the RFP binding signature page and any addenda, unless instructed otherwise. Proposers are also required to submit all of the pages applicable to the RFP document with their proposal submittal.
- 4) Solar PV System Installation

Product/technology description – Respondents shall:

- a) Describe each solar electric system; including drawings of each system.
 - i) What is the optimal PV system size for each site to provide the best financial performance for City of Milwaukee, and its estimated annual kWh output? Please provide your estimates of snow and obstacle shading for each system. Please state your assumptions.
 - ii) State that the systems will comply with all the requirements of Section 4, or list the items that would not comply and state why.
 - iii) Describe the main technologies (modules, inverters, racking and monitoring) that your company proposes for this project and why those technologies would be in the best interest of City of Milwaukee.
 - iv) Provide the specifications for components (conduit, wiring, combiner boxes, connectors, disconnects, etc.) and installation practices to best ensure maintenance free 30-year PV system operations
 - v) For each technology selected describe any other benefits your system provides that other technologies may not provide.
 - vi) For each technology please provide information about any potentially adverse effects. Please describe, including expected number of roof penetrations if any
 - vii) For each solar electric system/array describe:
 - (1) The installed weight of the roof-mounted components per square foot
 - (2) Where and the inverters will be located
 - (3) The roof array racking system
 - viii) Describe the solar kiosk, which are to be located at each of the three libraries

- b) Warrantees
 - i) What are the warranty periods and types for:
 - (1) Modules
 - (2) Inverters
 - (3) Racking
 - (4) Monitoring system
 - (5) Installation/Workmanship

- c) System Cost
 - i) What is the fully installed and commissioned cost of each PV system (total and \$/kW dc)

- d) Installation, Operation and Maintenance Team and Services
 - i) Describe your team and the services that would be provided during the TPP's ownership period. The City is to have no expenses for the solar systems during the period that the TPP is a part owner.
 - ii) Describe additional O&M services that you could offer after the City takes full ownership.

5) Solar PV System Financing/TPP

Assume that all installations are completed and interconnected by December 18th, 2018

- a) Describe the TPP financing structure. Comment on its compliance with Wisconsin's utility regulation including Focus on Energy incentives and We Energies.

- b) Describe the source(s) of the TPP's project financing. What are the types and sources of equity and debt financing? Is the equity from individuals, trusts, corporations, or other? If debt (of some form) is used, is it from individuals, banks, finance companies, or other?

- c) Provide examples of the required legal documents that will be used with the City.

- d) Provide the anticipated Focus on Energy grant amounts after any changes that affect the systems' expected solar generation.

- e) Describe the systems' expected annual and monthly demand savings for those sites with demand charges.

- f) Describe the specifics of the TPP proposal for each site, including:
 - i) Solar service agreement rate - expressed as the cost per kWh of solar power generated in year one

- ii) Whether and how the solar service agreement payments will be adjusted for actual system solar generation
 - iii) The City's initial ownership share of the PV systems
 - iv) Annual escalation rate of the solar service agreement
 - v) Initial term (years) of the solar service agreement
 - vi) Solar service agreement extension options at end of initial term, buyout cost and removal options
- g) For **each** site present the City's
- i) Annual, and cumulative cash flows over 25-years (Appendix 1 provides a sample template), including:
 - (1) Solar service agreement payments
 - (2) System buyout price
 - (3) Annual electric usage (kWh) savings after system buyout (assume no contract extension)
 - (4) Annual electric demand (kW) savings after system buyout (assume no contract extension)
 - (5) City's estimated annual routine O&M and component replacement cost after buyout
 - (6) City's annual insurance cost after buyout
 - ii) 25 year discounted net present values for each system
- h) If the projects' annual cash flow is not positive in all years (except the buy-out year) what changes, additional funding (e.g., SREC sales) is needed to be cash flow positive?
- 6) Insurance
- a) Describe, and if appropriate, attach samples of the insurance coverage for the:
 - i) Installation firm
 - ii) TPP
 - iii) City
 - b) Describe property insurance approach and requirements.
- 7) Project Schedule
- Provide a project schedule indicating dates for the expected milestones, with each task referenced as well as a start and completion dates for the project (an example schedule is attached as Appendix 2).
- 8) References
- a) Provide four installation references for commercial projects (at least two of which were in excess of 150 kW, and if possible, one in excess of 300 kW) that have been completed by the bidder in the last 5 years. The details needed for each system:
 - i) Location of system
 - ii) Size of system

- iii) General description of system
- iv) Contact information (phone and email) for someone at the system site or responsible for the system and familiar with your work
- b) Provide two solar project financing references for projects that used the same or similar TPP structure.

The details needed for each system:

- i) Location of system
- ii) Size of system
- iii) General description of the TPP structure
- iv) Contact information (phone and email) for someone at the system site or responsible for the system’s financing and familiar with your work

9) Construction Contract Form - Respondents shall provide a blank copy of their standard construction contract form. For example, a document that generally follows the AIA-A101 Standard Form Agreement. Any contract must include the RFP, the selected bidder’s proposal and City of Milwaukee’s Standard Terms and Conditions.

10) Cost Proposal Documents – Proposers must submit the Cost Proposal information from Section 4.c in a separate, single envelope clearly marked “COST PROPOSAL DOCUMENTS.”

EVALUATION AND AWARD CRITERIA

The City will use specific criteria for evaluating proposals to perform the requested services. All contracts are subject to the approval of the City’s legal counsel and the Purchasing Director, prior to execution. The evaluation will assign points to each response several categories that are listed below:

Compliance with RFP submittal requirements	Pass/Fail
Ability to finish on time: systems fully permitted, interconnect, commissioned, financed, and placed in service by December 18th, 2018	Pass/Fail
The fully installed and commissioned cost of each PV system	20 Points
The City’s financial performance per the metrics noted above in 5.g of “Structure of Responses”	25 Points
Components Selected, Warranties, Operating and Maintenance Services provided	20 Points
Prior Experience installing and financing similar solar electric systems	20 Points
Terms of Energy Service Agreement	15 Points
Bonus: SBE participation: Proposers who utilize a City-certified SBE vendor for this contract will be eligible for 10 additional points for subcontracting a portion of the work with a City certified SBE vendor.	10 additional points

Bonus: If a Local Business Enterprise (LBE) is a responsive and responsible Proposer, an additional number of points equal to 5% of the maximum number of points used in the evaluation of the RFP shall be applied to the total score attained by the LBE.	5 additional points
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Bonus Points

Small Business Enterprise (SBE) participation: Proposers who utilize a City-certified SBE vendor for this contract will be eligible for up to 10 additional points for Subcontracting a portion of the work with a City certified SBE vendor. In order to qualify for these additional SBE points, Proposers must provide details in their proposal response as to the percentage of the contract that will be subcontracted to the SBE vendor and a description of the meaningful services that the SBE subcontractor will be performing. **SBE Form A must be completed and submitted with your proposal if you intend to utilize an SBE subcontractor.** Failure to return the properly completed form may result in disqualification for receiving the additional points for SBE participation. Contact the Office of Small Business Development (OSBD) at 414-286-5552 for additional information.

OTHER

Proposal Questions

The deadline for submitting questions regarding this RFP is no later than April 17th, 2018. Questions are to be submitted to Matt Donath via email (only) at mdonat@milwaukee.gov. Answers to the questions submitted will be posted in the form of an addendum to this RFP no later than April 20th, 2018. **Questions submitted after the deadline will not be considered. (No exceptions)**

Contractor’s Relationship to the City of Milwaukee

It is expressly understood that the successful vendor is in all respects an Independent Contractor as to the work, and the vendor is no respect an agent, servant or employee of the City of Milwaukee.

Insurance

The successful proposer will be required to provide the City with evidence of Insurance coverage that is in full compliance with the City’s Insurance Requirements. The “City of Milwaukee” must be named as an additional insured with respect t liability coverage other than professional liability. The City shall be provided with at least a 30 days written notice of cancellation, non-renewal, or material limitation of coverage of any and all insurance policies required by this contract.

It is the successful proposer's responsibility to provide its insurance agent with a copy of the City's insurance requirements.

It is the successful proposer's responsibility to check the Insurance Certificate before it is sent to the City to verify that these documents are in full compliance with the City's insurance requirements.

An original copy of the fully compliant Insurance Certificate and shall be furnished to the City no later than fifteen calendar days after proposer receives notification of award.

Exceptions

Any exceptions taken to the Scope of Services should be provided in writing to the Purchasing Agent listed on the cover page of this RFP no later than two (2) weeks prior to the closing date. The written request should include any and all changes or exceptions proposed by the consultant to the requirements detailed in this Request For Proposal. The request shall be under consideration for negotiation and proposed exceptions will not be considered a disqualification of any consulting firm, nor should inclusion of the exceptions be viewed as acceptance by the City, without negotiation. Exceptions not provided in this manner, will not be considered.

Addenda

It is the responsibility of the Proposer, prior to submitting a response to the RFP, to periodically check the Purchasing Division webpage to ensure that all addendums for this Request for Proposal have been downloaded and that all of the information, documentation, etc. that has been requested has been included in the RFP response.

Jurisdiction, Venue, Choice of Law

This RFP and any resulting contract shall be governed by and construed according to the laws of the State of Wisconsin.

Follow-up Interviews

Should the department request follow-up interviews, proposers must be available for these follow-up interviews/presentations at City facilities or by teleconference on specific dates and times. **The contractor's and consultant's proposed primary point of contact person must be present at this meeting or during the teleconference call to lead the interview team.**

Negotiations

After interviews and final evaluations are completed, the City may at its sole option open negotiations with three or more of the highest ranked proposers prior to award. The City also reserves the right to open negotiations with one or more of the next highest ranked proposers if negotiations with one or more of the previously selected highest ranked proposers are not successful.

Incurred Costs

Those Proposers submitting proposals do so entirely at their expense. There is no expressed or implied obligation by the City to reimburse any individual or firm for any costs incurred in preparing or submitting proposals, for providing additional information when requested by the City or for attending and/or participating in any follow-up interviews and negotiation sessions.

Confidential Matters

- **City Data:** All data and information pertaining to this RFP, shall be treated by the Proposer and its agents as confidential. The Proposer and its agents shall not disclose or communicate the aforesaid matters to a third party or use them in advertising, publicity, propaganda, and/or in another job or jobs, unless written consent is obtained from the City.
- **Vendor Data:** If any information submitted in the proposal is confidential or proprietary, the Proposer must identify this information by completing and including the Designation of Confidential and Proprietary Information with their proposal.

Assignment

The Proposer may not reassign any portion of the work that is awarded as a result of this RFP, without prior written consent from the City.

Rejection

The City reserves the right to reject any and all proposals, to waive any informality in the proposals that are received, to accept or reject any or all items in the proposal, and to award contracts to three or more environmental contracting and consulting firms in whole or in part. Moreover, the City reserves the right to make no selection if the proposals are deemed to be outside the fiscal constraint or not in the best interests of the City.