

REQUEST FOR PROPOSALS  
FOR  
SOLAR PANEL PROGRAM



*CITY OF YORK*

**RESPONSES DUE BY:**

**MARCH 20, 2020**

## Contents

FACILITY HISTORY .....	4
SCOPE OF WORK .....	4
STRUCTURES AND LAND.....	6
PROPOSALS.....	6
TIMETABLE .....	6
SELECTION AND AWARD OF CONTRACT .....	6
I. SERVICE PROPOSAL .....	7
A. FIRM INFORMATION.....	7
Organizational Information .....	7
Service History and Performance .....	7
Facilities under Management.....	7
Firm Personnel .....	7
Management and Operating Philosophy.....	7
Governance .....	7
Compliance.....	8
Firm Reputation.....	8
Technology .....	8
Third Party Relations and Fee Arrangements .....	8
References.....	8
Independence & Conflicts of Interest.....	8
B. SERVICE INFORMATION.....	8
Proposed Service .....	8
Personnel .....	9
C. NON-DISCRIMINATION STATEMENT .....	9
D. AMERICANS WITH DISABILITIES ACT COMPLIANCE STATEMENT .....	9
E. ANTI-COLLUSION AFFIDAVIT .....	9
F. BUSINESS RELATIONSHIP AFFIDAVIT .....	9
G. PROPOSED ADMINISTRATION AGREEMENT .....	9
H. SIGNATURE OF AUTHORIZED REPRESENTATIVE.....	9
II. SEALED COST PROPOSAL .....	9
PROPOSED FEES AND FEE STRUCTURE.....	9
APPENDIX II: AMERICANS WITH DISABILITIES ACT COMPLIANCE STATEMENT .....	11

APPENDIX III: ANTI-COLLUSION AFFIDAVIT ..... 12  
APPENDIX IV: BUSINESS RELATIONSHIP AFFIDAVIT ..... 14

## OVERVIEW

The City of York, Pennsylvania, with this Request for Proposals (“RFP”), seeks proposals from qualified firms to implement a solar panel program at the City of York Wastewater Treatment Plant located at 1701 Blackbridge Road, York, PA 17401.

## FACILITY HISTORY

The City of York’s Wastewater Treatment Plant was originally constructed in 1916 and has been enlarged and upgraded with six major projects. The plant has a 26 MGD capacity and is located north of York City in Manchester Township on 41.6 acres. The plant serves eight municipalities: The City of York, North York and West York Boroughs, Manchester, Spring Garden, Springettsbury, West Manchester, and York Townships.

The first major plant project was completed in the early 1950s and converted the primary treatment plant to an activated sludge plant using the contact stabilization process. This project also added anaerobic sludge digestion. The rated plant capacity at the time was 18 MGD.

The next major upgrade was completed in the early 1980s and expanded the plant from 18 MGD to the current rating of 26 MGD. This expansion was accomplished by the construction of an 8 MGD pure oxygen treatment system designated as Train 1 and the existing 18 MGD treatment facility was named Train 2. This upgrade also added chemical phosphorus removal.

By the mid-1980s nitrification became a regulatory requirement, and the plant was then again upgraded. This time, a third treatment train, Train 3, was added on acquired property adjacent to the existing plant property. Train 3 provided the additional tankage required to accomplish nitrification and allowed the phosphorus removal process to be converted from chemical to biological removal. The project also added an effluent filtration system and converted the disinfection process from chlorine to ultraviolet (UV) light disinfection. At the time, York’s UV disinfection system was the largest in the eastern United States. A state-of-the-art, plant-wide computer control and monitoring system was added along with an engine-driven, 1,500 kW cogeneration system using the digester gas. Most of the other existing treatment facilities were improved under this major project completed by 1990.

In 1996, a need to increase the disinfection peak hydraulic treatment capacity to 57 MGD prompted a new design to replace the original UV disinfection system. To replace the existing system, a low-pressure, high-intensity system was selected and was installed within the existing channels with minor modifications. The installation of the new system was sequenced to maintain continuous operation of the facility.

By the mid-2000s, nitrogen removal was required, and the treatment process was again modified to meet the new biological nutrient removal (BNR) requirement. This time, the aeration system was modified to include de-nitrification while maintaining biological phosphorus removal. The BNR capacity of the plant was set at an average daily flow rate of 18 MGD, which it is not expected to exceed within the next 20 years. In 2009, the implementation of the Ostara Pearl® process was integrated to treat liquid remaining from sludge dewatering (centrate) by removing ammonia and phosphorus and converting it into a high-quality, environmentally safe fertilizer. The process reduces the ammonia and phosphorus load in the centrate returned to the BNR treatment process. At this same time, the plant-wide computer control and monitoring system was updated with more modern software and hardware.

## SCOPE OF WORK

The City of York is seeking a proposal to install solar panels at the York City Wastewater Treatment Plant. The City has identified 12 structures and vacant land that could possibly be candidates to add solar panels.

(See Photo Below) The WWTP currently uses 9,100,000 kWhs of electricity annually through our supplier Met-Ed. The City of York has not been able to break down the usage per building or equipment but has determined that the following areas currently use the most kWhs: the Primary Raw and Affluent Pumps, Aerators in train 1 and 2, 2 Gravity Belt Thickeners, 2 Centrifuges, 3 screw pumps, and 3 Variable Frequency Drives. The City of York is seeking to offset our annual energy cost and would like to see if this is possible through the following steps: assessment, design, installation, connection, maintenance, and a breakdown of annual savings over the next twenty-five years. Please feel free to include other services that can be provided related to solar programs.

## STRUCTURES AND LAND



1. Building/Electrical and Sewer Maintenance Building
2. WWTP Administration Building
3. Wastewater Treatment Plant Maintenance Building
4. Sand Filter Building
5. Ultraviolet Building
6. Headworks Building
7. Control Building
8. Incinerator Building
9. Primary Sewer Pump Station
10. Micro Turbine Building
11. Solid Handling Building
12. Digester Tanks

## PROPOSALS

Proposals shall include a **Service Proposal**, **Cost Proposal**, and a **Sample Contract** submitted in electronic form and with \_\_\_ five (5) paper copies. Lengthy additions, such as registration or regulatory information may be submitted in electronic form.

Proposals need not follow the outlined format but should address all information requested. Additional information may be submitted. Responses and questions shall be submitted to:

Mr. Chaz A. Green, Director of Public Works  
City of York  
101 S. George St., P.O. Box 509  
York, PA 17401  
Email: [CGreen@yorkcity.org](mailto:CGreen@yorkcity.org)

The City reserves its right to amend the RFP requirements and Timetable, to waive non-conformities, and to reject Proposals. Responders are responsible for expenses incurred.

## TIMETABLE

<b>RFP ISSUE DATE</b>	<b>February 12, 2020</b>
<b>WWTP Tour(s)</b>	<b>February 24, 2020 to February 28, 2020</b>
<b>QUESTIONS RE RFP DUE</b>	<b>March 06, 2020</b>
<b>RESPONSES TO QUESTIONS POSTED</b>	<b>March 13, 2020</b>
<b>PROPOSALS DUE</b>	<b>March 20, 2020</b>
<b>INTERVIEWEES NOTIFIED</b>	<b>March 27, 2020</b>
<b>INTERVIEWS</b>	<b>March 31, 2020 to April 02, 2020</b>
<b>NOTIFY SELECTED MANAGER</b>	<b>April 10, 2020</b>
<b>SIGN AGREEMENT</b>	<b>April 17, 2020</b>

## SELECTION AND AWARD OF CONTRACT

- A. Proposals will be evaluated based on information requested and submitted, references, reasonable due diligence investigation, and the following:
- B. To comply with City Ordinances and meet the goals of City Ordinance Article 136,1 Small and Disadvantaged Business Enterprise Program, which is designed to encourage and support Local and Small business enterprises, Proposals may be awarded preferences as follows (Article 136.04(b)):
  - i. Eight points of a possible 100, eight percent (8%), for Local business enterprises;
  - ii. Two points of a possible 100, two percent (2%), for businesses located in enterprise zones;
  - iii. Four points of a possible 100, four percent (4%), for a Small business enterprise;
  - iv. However, in no event shall any bidder receive greater than twelve points of a possible 100, twelve percent (12%), preference.

Local business enterprises and Small businesses enterprise are defined in Article 136.02(d) and (e), and are generally defined as follows: a Local Business Enterprise has its principal office in the City of York, or is majority-owned by and has a majority of employees of City residents (Article 136.02(d)), and a Small business enterprise generally has its principal office and/or a significant percentage of its assets, employees, owners, or sales revenues in the City of York metropolitan area (Article 136.02(e)).

---

<sup>1</sup> [yorkcity.org/wp-content/uploads/2017/04/Article-136-Small-Disadvantaged-Business-Enterprise-Program.pdf](http://yorkcity.org/wp-content/uploads/2017/04/Article-136-Small-Disadvantaged-Business-Enterprise-Program.pdf)

C. The City of York encourages participation by Small Diverse Businesses as prime contractors and encourages all prime contractors to make a significant commitment to use Small Diverse Businesses as subcontractors and suppliers.

A Small Diverse Businesses are certified minority-owned, woman-owned, veteran-owned, or service-disabled veteran-owned businesses.

A Small Business is a business in the United States which is independently owned, not dominant in its field of operation, employs no more than 100 full-time or full-time equivalent employees, and earns less than \$7 million in gross annual revenues for building design, \$20 million in gross annual revenues for sales and services, and \$25 million in gross annual revenues for information technology sales or service.

## I. SERVICE PROPOSAL

Service Proposal shall include Firm Information, Service information, Non-Discrimination Statement, Anti-Collusion Affidavit, Business Relationship Affidavit, proposed draft Agreement(s), and signature of Authorized Firm Representative. Additional information may be provided.

### A. FIRM INFORMATION

#### Organizational Information

- Firm, related and affiliated entities, Firm ownership and history, including ownership changes in last 5 years, and Firm classification and regulatory bodies, if any
- Contact information and organizational function chart
- Individual completing the Response: name and contact information of Authorized Firm Representative and confirmation Representative is authorized to represent and bind the Firm and sign Agreement
- Fidelity bond and fiduciary liability insurance
- Evidence of financial strength of Firm \_\_\_\_\_? [INCLUDE \_\_\_\_\_?]
- Information, if any, distinguishing Firm from competitors

#### Service History and Performance

- History of Firm's offering of proposed service
- Representative client list for proposed service
- Changes in last 5 years: Describe and explain Services, Contracts, or Facilities no longer serviced in last 5 years, and percentage of type lost and gained
- Benchmarks, if any: Describe benchmarks used and how Firm tracks, monitors, and controls performance and deviation from benchmarks, if any

#### Facilities under Management

- Facilities under Management: Describe facilities, service provided, and performance history
- Changes in last 5 years: Describe and explain Services, Contracts, or Facilities no longer serviced in last 5 years, and percentage of type lost and gained

#### Firm Personnel

- Firm size and personnel information, e.g., number of employees, managers, client service personnel, and other relevant functions, qualifications, average years of experience, average years tenure, and other relevant information
- Describe and explain Turnover in key personnel in last 3 years

#### Management and Operating Philosophy

- Describe management and operating philosophy, process, methods, and style, including any information unique to Firm

#### Governance

- Firm's internal control and governance structure

- Potential conflicts of interest Firm, affiliates, related parties, and personnel may have or be perceived to have with this mandate and how such conflicts will be addressed
- Firm's Code of Ethics and Standards of Conduct, if any
- Process: how Firm manages, measures, monitors, and controls risk
- Succession, Crisis, Disaster Recovery and Business Continuity Plans

#### Compliance

- Proof that Firm and assigned personnel are licensed and registered to practice in Pennsylvania
- Identity, title, and biography of chief compliance officer, if any, and to whom she/he reports; and personnel responsible for risk and quality management
- Firm's registration and proof of compliant corporate standing
- Most recent regulatory inspection report and follow-ups, if any
- Compliance process including methods, frequency, and other relevant information
- Last compliance assessment report, if any
- 5 year history of orders, sanctions, formal investigations, litigation, threatened litigation and administrative proceedings involving Firm, affiliates, or principals

#### Firm Reputation

- Describe client satisfaction measurement process and information, and recent client satisfaction report, if any

#### Technology

- Technology, software, back-up, and redundancy services used by Firm

#### Third Party Relations and Fee Arrangements

- Firm's approach to and use of fee or cost sharing arrangements, including direct or indirect recapture, rebate, referral, selection, retention, discount, performance, or other fee or cost sharing arrangements with affiliated parties, vendors, suppliers, service providers, brokers, or third parties. Provide details including information re entities, arrangements, revenue significance, conflict and disclosure policy, and impact on proposed service costs

#### References

- 3 references, preferably from representative client list, with contact information and length of relationship

#### Independence & Conflicts of Interest

Firm must certify that it and any person affiliated with the Firm who is or may be involved with the Proposal, contract execution, and proposed services, have no actual, potential or reasonably perceivable conflict of interest with the City of York or any of its component units, affiliates, elected officials, officers, employees, contractors or sub-contractors, and that any person so affiliated with the Firm has not had an affiliation with the City of York or been a City officer, elected or appointed City official or family member thereof, for a period of two (2) years prior to the RFP Issue Date. Exceptions should be noted. Responders may consult the City Conflict of Interest Policy

## B. SERVICE INFORMATION

#### Proposed Service

- Describe proposed service to Manage and Operate or Rent, or both
- If Manage and Operate option, describe and, where relevant, provide samples of communications, marketing materials, budget, periodic performance and other reports, and other relevant information. If Rent option, provide proposed rent or rent calculation
- Strategies and programs to maintain and raise Facility use and Patron participation, and distinguish proposing Firm from other Responders



## Personnel

- Personnel involved in proposed service, including managers, marketing, client service, and other personnel: provide name, title, role, education, biography, years of service with Firm, years of investment experience, regulatory history, and other relevant information

### C. NON-DISCRIMINATION STATEMENT

- Signed attached Non-Discrimination Statement, Appendix I

### D. AMERICANS WITH DISABILITIES ACT COMPLIANCE STATEMENT

- Signed attached Americans with Disabilities Act Compliance Statement, Appendix II

### E. ANTI-COLLUSION AFFIDAVIT

- Signed and notarized attached Anti-Collusion Affidavit, Appendix III

### F. BUSINESS RELATIONSHIP AFFIDAVIT

- Signed and notarized attached Business Relationship Affidavit, Appendix IV

### G. PROPOSED ADMINISTRATION AGREEMENT

- Proposed draft Agreement. Final agreement to be agreed by City and selected Firm

### H. SIGNATURE OF AUTHORIZED REPRESENTATIVE

- Service Proposal signed by Authorized Firm Representative certifying information in Service and Sealed Cost Proposals is complete, accurate, and binds Firm.

## II. SEALED COST PROPOSAL

A separate Sealed Cost Proposal shall be signed by Authorized Firm Representative and contain the following:

### PROPOSED FEES AND FEE STRUCTURE

- Provide complete fee structure and schedule for proposed service, billing frequency, and payment method.
- Include all fees and other forms of compensation accruing to or benefitting Firm, related entities, or employees, including direct or indirect recapture, rebate, referral, selection, retention, discount, performance, or other fee or cost sharing arrangements with affiliated parties, vendors, suppliers, service providers, brokers, or third parties, related to proposed services
- All other fees or costs that may be charged to City.

### APPENDIX I: NON-DISCRIMINATION STATEMENT

This Statement is submitted by an Authorized Firm Representative of Responding Firm, as part of this Proposal.

Responding Firm agrees, in connection with the performance of work under this Proposal, as follows:

a. Firm will not discriminate against any employee or applicant for employment because of race, creed, color, sex, age, national origin, ancestry or disability, and shall undertake affirmative action to ensure employees and applicants are treated without regard to such discriminating factors, including actions related to, *inter alia*, employment, promotion, demotion or transfer, recruitment, advertising, lay-off, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. Firm agrees to post, in a conspicuous place available to employees and applicants for employment, notices to be provided by the City Clerk/Secretary setting forth the provisions hereof,

b. Firm will include this non-discrimination clause in any subcontracts connected with the performance of work under this Proposal; and

c. In the event of Firm's non-compliance herewith, the awarded contract may be canceled or terminated by the City and the City may declare the responding Firm and affiliated entities ineligible for further contracts with the City, until satisfactory proof of compliance is provided to the City.

THIS FORM MUST BE SIGNED BY AN AUTHORIZED FIRM REPRESENTATIVE:

---

—  
Signature of Authorized Representative Title

Note: The owner or an officer of the business or corporation may sign this document. A Corporate Seal or a letter of authorization is needed for any other signer. For instance, if a Salesperson or Manager signs this form, a letter of authorization or Corporate Seal is to be attached.

---

—  
Printed Name of Individual Title

---

—  
Company Name and Address Zip Code

---

—  
Telephone Number, Email, and Fax

APPENDIX II: AMERICANS WITH DISABILITIES ACT COMPLIANCE STATEMENT

This Statement is submitted by an Authorized Firm Representative of Responding Firm, as a part of this Proposal.

Responding Firm agrees, in connection with the performance of work under this Proposal, as follows:

a. Pursuant to federal regulations promulgated under the authority of the Americans with Disabilities Act, 28 C.F.R. Section 35.101 et seq., the Firm understands and agrees that no individual with a disability shall, based on the disability, be excluded from participation in this contract or from activities provided for under this 10 contract. As a condition of accepting and executing this contract, the Firm agrees to comply with the "General Prohibitions Against Discrimination", 28 C.F.R. Section 35.130, and all other regulations promulgated under Title II of the Americans with Disabilities Act which are applicable to the benefits, services, programs and activities provided by the City of York through contracts with outside contractors.

b. The Firm shall be responsible for and agrees to indemnify and hold harmless the City of York from all losses, damages, expenses, claims, demands, suits and actions brought by any party against the City of York because of the Firm's failure, or that of its employees and affiliates, to comply with the provisions of paragraph a., above.

c. The Firm will include this Statement in any subcontracts connected with the performance of work under this Proposal; and

d. In the event of Firm's non-compliance herewith, the awarded contract may be canceled or terminated by the City and the City may declare the responding Firm and affiliated entities ineligible for further contracts with the City, until satisfactory proof of compliance is provided to the City.

THIS FORM MUST BE SIGNED BY AN AUTHORIZED REPRESENTATIVE OF RESPONDER:

---

—  
Signature of Authorized Representative Title

Note: The owner or an officer of the business or corporation may sign this document. A Corporate Seal or a letter of authorization is needed for any other signer. For instance, if a Salesperson or Manager signs this form, a letter of authorization or Corporate Seal is to be attached.

---

—  
Printed Name of Individual Title

---

—  
Company Name and Address Zip Code

---

—  
Telephone Number, Email, and Fax

APPENDIX III: ANTI-COLLUSION AFFIDAVIT

This Affidavit is submitted by an Authorized Representative of Responder, as a part of this Proposal.

The undersigned, of lawful age and duly sworn, affirms and states that the undersigned has lawful authority to execute the Proposal for and on behalf of the Responder, \_\_\_\_\_, and that the Responder has not, directly or indirectly, entered into any agreement, express or implied, with any other proposer or proposers, having for its object the controlling of the price or amount of such proposal or proposals, the limiting of proposals or proposers, the parceling or farming out to any proposer or proposers or other persons of any part of the proposal or proposals or of the profits thereof, and that the Responder has not and will not divulge the sealed Proposal to any person whomsoever, except those having a partnership or other financial interest with the Responder in the said Proposal, until after the said sealed proposals are opened.

The undersigned further states that the Responder has not been a party to any collusion among proposers in restraint of freedom of competition by any agreement to propose at a fixed price or to refrain from proposing, or with any City official, employee, or agent as to the quantity, quality, price, or other terms in the Proposal, or concerning the exchange of money or other thing of value for special consideration in the award of a contract, and that it has not paid, given, or donated, or agreed to pay, give, or donate to any City official, employee, agent, or awarding agency, any money or other thing of value, either directly or indirectly, in the procuring of the award of contract pursuant to this Proposal.

THIS FORM MUST BE SIGNED BY AN AUTHORIZED REPRESENTATIVE OF RESPONDER:

\_\_\_\_\_  
Signature of Authorized Representative Title

Note: The owner or an officer of the business or corporation may sign this document. A Corporate Seal or a letter of authorization is needed for any other signer. For instance, if a Salesperson or Manager signs this form, a letter of authorization or Corporate Seal is to be attached.

\_\_\_\_\_  
Printed Name of Individual Title

\_\_\_\_\_  
Company Name and Address Zip Code

\_\_\_\_\_  
Telephone Number, Email, and Fax

TO BE COMPLETED BY NOTARY:

State \_\_\_\_\_ of

County \_\_\_\_\_ of

This Affidavit signed and sworn to (or affirmed) before me \_\_\_\_\_ (name)

on \_\_\_\_\_  
(date)

by \_\_\_\_\_, Authorized Representative  
of \_\_\_\_\_,  
Responder.

Signature of notarial officer: \_\_\_\_\_

Title of office: \_\_\_\_\_

Commission \_\_\_\_\_ Number:

Commission \_\_\_\_\_ expires:

Stamp:

APPENDIX IV: BUSINESS RELATIONSHIP AFFIDAVIT

This Affidavit is submitted by an Authorized Representative of Responder, as a part of this Proposal.

The undersigned, of lawful age and duly sworn, affirms and states that the Responder is fully knowledgeable of Responder's business relationships and associations, and further states that the nature of any corporation, company, partnership, joint venture, or other business relationship presently in effect or which existed within one (1) year prior to the date of this statement between Responder and the Mayor, Members of City Council, any Trustee, Trust, or Authority of or benefiting the City, entities or parties affiliated with such individuals, significant known City contractors, or other parties, consultants, or employees engaged to further this project, is as follows:

---

—  
(If none of the above Business Relationships exists, Responder shall state 'NONE' or otherwise indicate the absence of such Business Relationships. IF ABOVE IS BLANK, PROPOSAL WILL BE REJECTED.)

Responder further states that any such Business Relationship presently in effect or which existed within one (1) year prior to the date of this statement between any officer, agent, employee, partner or director of the Responder and any officer or director, agent, employee, or partner of the above entities or individuals is as follows:

---

—  
(If none of the above Business Relationships exists, Responder shall state 'NONE' or otherwise indicate the absence of such Business Relationships. IF ABOVE IS BLANK, PROPOSAL WILL BE REJECTED.)

The names and positions of all persons having any such Business Relationships are as follows:

---

—  
(If none of the above Business Relationships exists, Responder shall state 'NONE' or otherwise indicate the absence of such Business Relationships. IF ABOVE IS BLANK, PROPOSAL WILL BE REJECTED.)

(Proposal will not be considered unless this Affidavit has been fully completed and signed by an Authorized Representative of the Responder and duly notarized and dated by a Notary Public.)

THIS FORM MUST BE SIGNED BY AN AUTHORIZED REPRESENTATIVE OF RESPONDER:

---

—  
Signature of Authorized Representative

Title

Note: The owner or an officer of the business or corporation may sign this document. A Corporate Seal or a letter of authorization is needed for any other signer. For instance, if a Salesperson or Manager signs this form, a letter of authorization or Corporate Seal is to be attached.

\_\_\_\_\_  
Printed Name of Individual Title

\_\_\_\_\_  
Company Name and Address Zip Code

\_\_\_\_\_  
Telephone Number, Email, and Fax

TO BE COMPLETED BY NOTARY:

State \_\_\_\_\_ of

County \_\_\_\_\_ of

This Affidavit signed and sworn to (or affirmed) before me \_\_\_\_\_ (name)

on \_\_\_\_\_  
(date)

by \_\_\_\_\_, Authorized Representative

of \_\_\_\_\_,  
Responder.

Signature of notarial officer: \_\_\_\_\_

Title of office: \_\_\_\_\_

Commission \_\_\_\_\_ Number: \_\_\_\_\_

Commission \_\_\_\_\_ expires: \_\_\_\_\_

Stamp: