



**ROOF TOP SOLAR PHOTO-VOLTAIC SYSTEM
ENERGY DEVELOPER**

RFP# 479

Issued by: The Thames Valley District School Board RFP# 479
Stacey Shoemaker, Buyer
Return Date: 12:00:00 noon local time Monday, May 10, 2010

**THAMES VALLEY DISTRICT SCHOOL BOARD
REQUEST FOR PROPOSAL # 479
ROOF TOP SOLAR PHOTO-VOLTAIC SYSTEM ENERGY DEVELOPER**

1.0 INTRODUCTION

1.01 Background:

The Government of Ontario has enacted the *Green Energy Act* (the “**Act**”) with the intent of fostering renewable energy projects. The Act has enabled a program known as the Feed-in Tariff Program (the “**FIT Program**”) to be implemented and administered by the Ontario Power Authority (the “**OPA**”). The Thames Valley District School Board (the “**Board**” or “**TVDSB**”) anticipates that third parties will seek to lease/utilize designated roof tops of school buildings, and to enter into contracts under the FIT Program with the OPA, in respect of solar power generating facilities to be located on such roof tops.

1.02 Objective:

The Board is interested in identifying qualified firm(s) that have the ability to install, maintain and produce electricity from photo-voltaic (solar) energy installations (“**PV Installations**”), to be installed on certain of the Board’s roof tops, and the electricity generated from which will be returned to the OPA power grid under the FIT Program. The successful proponents will be required to develop business models that meet all of the components and requirements of the FIT Program and to enter into a lease agreement, acceptable to the Board and the Ministry of Education, to design, install, operate and maintain PV Installations on the designated roof tops for a term of 20 years, subject to the approval from the OPA and the Ministry of Education. The Board would expect to lease its roof tops to the successful proponents at market competitive rates.

1.1 PURPOSE

1.1.1 Request for Proposal and Process:

This Request for Proposal (this “**RFP**”) is for energy developers to submit proposals for the design, installation, ownership, operation and maintenance of PV Installations on the roof tops of the schools identified in Appendix A to this RFP, together with a proposed lease (a “**Lease**”) setting out the terms on which the roof space would be made available by the Board. The Board envisions a four step process for purposes of considering the possibility of leasing certain of its roof tops for purposes of PV Installations. The first step involves the issuance of this RFP and the evaluation of proposals received by the Board from proponents on the basis set out in this RFP. Assuming the Board is interested in pursuing discussions with one or more proponents, the second step is, as indicated below, for those proponents to undertake detailed feasibility study(s) to determine the suitability of the applicable roof tops for purposes of each proposed PV Installation and to provide report(s) to TVDSB as described below. This third step following the submission of such report(s) involves the Board and the applicable proponents to negotiate such additional arrangements (including, finalizing the terms of any applicable Lease) as the Board deems necessary or advisable for purposes of proceeding with the installation of any PV Installations on the subject roof tops. It is the Board’s intention that the time period for this third step would not exceed six (6) months. The fourth step would commence at such time as the applicable PV Installation is able to generate electricity to be returned to the OPA Power Grid under the FIT Program (at which time it is intended that the Lease will commence and which is anticipated to run for a twenty (20) year term). It should be emphasized that nothing contained in this RFP represents a commitment on the Board to proceed with any proposals submitted in response hereto or with any PV Installations. The Board reserves the right, in its absolute discretion, to terminate discussions and/or

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negotiations with any proponents up until such time as a Lease has been entered into between the applicable proponent and the Board.

The successful proponent(s) will be required to: finance the capital expenditures required for the infrastructure; own the infrastructure equipment for the full term of any Lease; and obtain and maintain acceptable security and insurance for all associated risks, including, for the removal of each PV Installation at the end of the term of the associated Lease and the remediation of the Board's roof top(s). The Board's objective is that awarded projects will be at no cost to the Board and that it will realize on-going revenue satisfactory to it.

TVDSB will be pleased to consider alternative models and their associated business cases in addition to those explicitly requested herein.

2.0 RFP DEFINITIONS AND INFORMATION

2.1 DEFINITIONS

- 2.1.1 The following words are used throughout this RFP document and proponents should note these conditions when completing their submission.
- 2.1.2 The word “**MUST**” shall mean proponents “must” include the required information in RFP submission. Failure to include the required information will deem submission noncompliant.
- 2.1.3 The word “**SHOULD**” shall mean proponents “should” include the required information in RFP submission.
- 2.1.4 The word “**NONCOMPLIANT**” shall mean submissions will be eliminated from further evaluation if the submission does not include the required information.
- 2.1.5 The word “**QUALIFIED**” shall mean a proponent who is compliant and has included the required information in their RFP submission.
- 2.1.6 **IRREGULARITY:** A deviation between the requirements (terms, conditions, specifications, special instructions) of a submission for the purposes of this RFP; Irregularities are further classified as major irregularities or minor irregularities. The classification of what is a major irregularity or a minor irregularity shall be the sole discretion of the TVDSB.
- 2.1.7 **Major Irregularity:** A deviation from the RFP which affects the price, quality, quantity or delivery, and is material to the award. If the deviation is permitted, the proponent could gain an unfair advantage over competitors. The TVDSB will reject any RFP submission which contains a major irregularity.
- 2.1.8 **Minor Irregularity:** A deviation from this RFP which affects form, rather than substance. The effect on the price, quality, quantity or delivery is not material to the award. If the deviation is permitted or corrected the proponent would not gain an unfair advantage over competitors. The TVDSB may permit the proponent to correct a minor irregularity.

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2.2 STRUCTURE OF THIS RFP

2.2.1 This RFP is available at:

www.tvdsb.ca

“Board”

“Purchasing”

“Bids”

Scroll to the end of the document, click

“Proceed to inquiry/download page”.

Proceed to the RFP, click “**ROOF TOP SOLAR PHOTO-VOLTAIC SYSTEM ENERGY DEVELOPER**” link.

2.3 RETURN LOCATION

2.3.1 Sealed submissions **must** be returned to:

“Tenders Clerk”

Tenders Clerk’s box, Basement, Education Centre

Thames Valley District School Board

1250 Dundas Street

London, Ontario

N5W 5P2

2.3.2 The submission envelope should show the RFP name, number, return date and time (as set out in Section 7.0 - Labelling of Envelope.

2.3.3 The submission **must** be returned to the “Tenders Clerk” for your submission to be accepted.

2.3.4 Delivery to the “Tenders Clerk” is the responsibility of the proponent.

2.3.5 Submissions received by electronic transmission (i.e. fax or email) will not be accepted.

2.3.6 Late submissions will be returned to the proponent, unopened, if a return address is included on the submission envelope.

2.4 IMPORTANT DATES

2.4.1 **ISSUE DATE: Friday, April 16, 2010**

2.4.2 **QUESTIONS: Wednesday, April 21, 2010**

2.4.3 **ANSWERS TO QUESTIONS: Friday, April 23, 2010**

2.4.4 **RETURN DATE AND TIME: prior to 12:00:00 noon local time Monday, May 10, 2010**

2.5 QUESTIONS

2.5.1 All questions pertaining to this RFP document **must** be addressed to: Stacey, Shoemaker by Fax (519) 452-2399 or stacey.shoemaker1@tvdsb.on.ca no later than end of day Wednesday, April 21, 2010. After this date no further inquiries, concerns or questions may be submitted. The TVDSB reserves the

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right to distribute a notice of content of any inquiry and the TVDSB's response to all other registered proponents. All questions pertaining to this RFP document **must** be submitted in writing.

2.5.2 Questions concerning the terms and conditions of the RFP document, whether made orally or in writing, to any individual other than indicated above may, at the sole discretion of the TVDSB, render your submission noncompliant. Direct questions in written form only to: Stacey Shoemaker. The TVDSB will only be bound by written answers to questions.

2.5.3 Answers to all questions will be posted to the TVDSB web site at www.tvdsb.ca

“Board”

“Purchasing”

“Bids”

Scroll to the end of the document, click

“Proceed to inquiry/download page”.

Proceed to the RFP, click

“Answers to Questions”

View documents in PDF format.

2.5.4 All RFP files are available for downloading at no charge from the TVDSB web site.

2.5.5 Should any questions raised by a proponent necessitate an addendum to this RFP document, the addendum will be posted to the TVDSB Web Site. See Section 2.5.3.

2.5.6 All Addenda will be issued at least seven days prior to the closing date. If an addendum is issued within seven days of the closing date, the date will be extended accordingly.

3.0 TERMS AND CONDITIONS

3.1 General Terms and Conditions

3.1.1 Any response submitted to this RFP shall be IRREVOCABLE for 180 days.

3.1.2 A proponent who has already made a submission may submit an addendum in writing and signed by the proponent at any time up to the official closing time. No facsimiles shall be accepted. The last submission shall supersede and invalidate all previous submissions by that proponent as it applies to this RFP. Addenda **must** be submitted to the “Tenders Clerk” in the same manner and within the same time constraints as the submission.

3.1.3 A proponent may withdraw a submission at any time up to the official closing time by letter bearing his/her signature as it is in the submission. Withdrawal requests received after the closing date shall not be permitted. Submission withdrawals **must** be submitted to the “Tenders Clerk” in the same manner and within the same constraints as a RFP submission.

3.1.4 The issuance of this RFP shall not constitute any obligation on the part of the TVDSB to any firm or individual who submits a proposal.

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- 3.1.5 The proponent **must** have satisfactorily fulfilled all relevant obligations as required under the terms and conditions of any previous contract with the TVDSB in order to be considered as an acceptable proponent.
- 3.1.6 The laws of the Province of Ontario shall govern in any dispute arising out of the issuance of and response to this RFP.
- 3.1.7 The highest or any submission may not necessarily be accepted. The TVDSB reserves the right to decline any or all submissions, or to cancel the RFP call in whole or in part at any time prior to making an award, for any reason, or no reason, without liability being incurred by the TVDSB to any proponent for any expense, cost, loss or damage incurred or suffered by the proponent as a result of such withdrawal.
- 3.1.8 All costs associated with the preparation of a submission shall be solely the responsibility of the proponent.
- 3.1.9 All of the terms and conditions of this RFP are deemed to be accepted by the proponent and incorporated into the proponent's RFP submission.
- 3.1.10 While the TVDSB has used considerable efforts to ensure an accurate representation of information in this RFP document, the information contained herein is contained solely as a guideline for proponents. The information is not guaranteed or warranted to be accurate by the TVDSB, nor is it necessarily comprehensive or exhaustive. Nothing in this RFP is intended to relieve proponents from forming their own opinions and conclusions in respect to the matters addressed in this RFP.
- 3.1.11 The TVDSB may accept or waive a minor irregularity in a submission, or where practical to do so the TVDSB may as a condition of a proponent remaining in the RFP process, request proponents to correct a minor irregularity. Items of non compliancy on any submissions which do not strictly comply with the provisions, procedures and requirements of the RFP process, or are incomplete, ambiguous, or which contain errors, alterations, misleading information, omissions, or irregularities of any kind, may be rejected and disqualified at the discretion of the TVDSB. All proponents agree to provide all such additional information as, and when requested, at their own expense, provided that no proponent in supplying any such information shall be allowed, in any way materially alter or add to the solution originally proposed.
- 3.1.12 All TVDSB policies, procedures and regulations **must** be adhered to by the successful proponent(s).

3.2 FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

- 3.2.1 Proponents agree that all documentation and information contained in any RFP submissions and any addendum submitted to the TVDSB shall be subject to disclosure pursuant to an application pursuant to a Municipal Freedom of Information and Protection of Privacy Act request for disclosure. Notwithstanding that a RFP submission or an addendum may contain a trade secret of the proponent, intellectual property right of the proponent, or scientific, technical, commercial, pricing or other financial or labour relations information or any other similar secret.

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3.2.2 A proponent specifically consents to the disclosure of any and all information contained in their RFP submission or any addendum pursuant to a request for disclosure pursuant to a Municipal Freedom of Information and Protection of Privacy Act and such consent shall be considered a consent given pursuant to Subsection 10(2) of the said Act. Notwithstanding the aforesaid, the proponent assigns all right, title and interest that they have in the RFP submission, and any addendum to the TVDSB, including the right to copy and/or publish the same as the TVDSB sees fit, notwithstanding that no request for disclosure is made pursuant to the Municipal Freedom of Information and Protection of Privacy Act.

3.3 HUMAN RIGHTS AND CHILD LABOUR LAWS

3.3.1 Any infringement on human rights, but namely those of children, is of considerable concern to the TVDSB. Proponents wishing to do business with the TVDSB are asked to promote the purchase of goods from companies that operate in full compliance with the laws of their respective countries and with all applicable child labour laws, rules and regulations related to hiring, wages, hours worked, overtime and working conditions.

3.3.2 Proponents should indicate your firm's policy and present practices and procedures in place to encourage promotion of this objective.

3.3.3 For proponents' information the web site address of the International Labour Organization and its objectives toward the abolition of child labour is:

<http://www.ilo.org>

<http://www.ilo.org/public/english/comp/child/policy/towards.htm>

3.4 ADMINISTRATION

3.4.1 The TVDSB reserves the right at any time after the closing date, to request from any proponent evidence of its financial standing and stability, including that of each of its officers, directors and principals. All proponents agree to provide at their own expense all such above-related information as may be requested by the TVDSB within four (4) days of the date of any such request.

3.4.2 Proponents are required to list any and all pending or ongoing legal claims or disputes where the proponent could individually or in combination with other claims, suffer a potential economic loss greater than \$100,000.00.

3.5 GENERAL SCOPE

Proponent Responsibility:

In responding to this RFP, proponents shall:

3.5.1 Provide proposed annual roof lease rates to be paid to TVDSB on both: dollars per square foot (\$/SF) flat rate basis; and, percentage of Revenue earned by Proponent per Kilowatt generated basis for the locations on which the proponent chooses to make a submission. There shall be no abatement of rent in the event that, after installation, the PV Installation is unable to generate power for any reason. The

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offered rates shall be based on the assumption that the proposed PV Installation(s) will require reasonably anticipated structural, mechanical and electrical alterations. If, after acceptance of a proposal and following a detailed engineering review of a roof top, it is determined that more than reasonably anticipated structural, mechanical and/or electrical alterations will be required for the applicable PV Installation, the Board and the applicable Proponent will negotiate an adjustment to the proposed lease rates. If the parties are not successful in negotiating amended lease rates for such PV Installation, either party may (at any time during such negotiations), elect to terminate its obligations to proceed with the proposed PV Installation.

3.5.2 Provide a proposed form of lease agreement (the “**Lease**”) to be entered into by TVDSB and the proponent, which must include and address the following:

3.5.2.1 That the proponent shall be responsible for and shall hold the Board harmless in respect of all damages resulting from or in connection with the installation and operation of each PV Installation and shall be responsible for obtaining and maintaining appropriate insurance in respect of same;

3.5.2.2 That the proponent shall be responsible for all damages which may occur as a result of any breach of or damage to the roof top, including any damage caused by leaking and shall be required to remedy same and to obtain and maintain insurance adequate to the requirements of the board in respect of same;

3.5.2.3 That prior to executing any Lease, the proponent shall be required to provide the Board with an estimate prepared by a professional engineer (licensed in the Province of Ontario), of the projected costs of the removal of any PV Installation and the remediation of the Board’s roof top to a water tight condition as at the end of the term of such Lease. The Lease shall contemplate that the costs of such estimate, the removal of the PV Installation and the remediation of the roof top will all be for the account of the proponent. Furthermore, the proponent shall propose appropriate security arrangements, which will need to be acceptable to the Board, for the payment of such costs. The Lease shall also provide that at the end of its term or upon termination of the lease prior to the end of its term, at the option of the Board: the proponent shall remove the PV Installation and remediate the roof top to a watertight condition; or, transfer the ownership of the PV Installation to the Board at no cost;

3.5.2.4 That the Lease shall need to acknowledge that the Board is the absolute owner of the related real property and that there is no restriction on its ability to alienate same. Furthermore, in the event that the Board does sell or transfer the related real property, the Board shall be entitled to assign the Lease, without the consent of the proponent;

3.5.2.5 That the interests of the proponent under any Lease shall not be subject to any security interests, without the express written consent of the Board;

3.5.2.6 That the proponent shall not be entitled to assign any Lease, without the express written consent of the Board, which may be withheld in its discretion;

3.5.2.7 That the Lease shall provide that the proponent is responsible for all maintenance and repair costs to the respective roof top area on which the PV Installation is installed, as

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well as related building areas utilized by the proponent, regardless of how any damage thereto is caused, as well as any lost lease revenue associated therewith; and

- 3.5.2.8 That the installation, operation and maintenance of any PV Installation shall be in accordance with the *Safe Schools Act* (Ontario) and all other applicable legislation.
- 3.5.2.9 Identify the capital and operating costs of each PV Installation.
- 3.5.2.10 Indicate how the proponent would plan to assist the Board in incorporating the applicable PV Installations and the related subject matter into the Board's educational programming.
- 3.5.3 Submit proposed scheduling for the submission and/or completion of: a feasibility study (described in more detail below); all associated design drawings; and, the construction, installation and commissioning, for each PV Installation.
- 3.5.4 Please note that there have been no pre-feasibility studies undertaken, although the roof systems on the listed schools have been replaced within the last 5 years. Proponents do not have to submit proposals for all schools listed. TVDSB reserves the right to award to more than one proponent on a school by school basis.
- 3.5.5 In responding to this RFP, a proponent shall be deemed to have accepted and agreed that the following conditions are acceptable to it and that it shall be responsible for the following matters and any associated costs:
 - 3.5.5.1 Preparing and submitting to the Board, acceptable feasibility studies (described in more detail below).
 - 3.5.5.2 Financing 100% of the capital and operating costs of each PV Installation.
 - 3.5.5.3 All necessary designs and related calculations.
 - 3.5.5.4 Proponent(s) must use TVDSB pre-qualified roofing contractors for all roof penetrations and restorations, all of which are to be inspected and approved by a TVDSB approved roofing consultant, at the cost of the proponent.
 - 3.5.5.5 Coordinating all construction work with TVDSB Facility Services staff.
 - 3.5.5.6 Restoring roof membrane and any other Board facilities on properties that have been disturbed to the satisfaction of TVDSB Facilities Services staff upon completion of the installation of each PV Installation; restoring all buildings and grounds to existing conditions after installation is complete;
 - 3.5.5.7 Modifying existing service space at each school for any necessary/related equipment, including electrical, HVAC and access.
 - 3.5.5.8 Providing service and maintenance of each PV Installation for the greater of: the term of any Lease with the Board; and, the term of any related FIT Program agreement.

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- 3.5.5.9 Collaborating with TVDSB's staff and consultants to implement an internet based, monitoring system for each PV Installation, including electrical metering, which is to enable the Board to monitor generation from the PV Installation.
- 3.5.5.10 Maintaining and replacing any installed equipment/systems for the greater of: the term of any Lease with the Board; and, the term of any related FIT Program agreement.
- 3.5.5.11 Providing TVDSB with copies of all related design specifications and drawings.
- 3.5.5.12 Applying to the OPA for the purpose of obtaining necessary FIT Program agreement(s), and providing a final copy of any related FIT Program agreement(s) to the Board.
- 3.5.5.13 Making application to Local Distribution Companies ("LDC's") to connect to electrical grid and obtaining all necessary approvals. Once obtained, the proponent shall provide copies of same to the Board.
- 3.5.5.14 Obtaining all necessary Electrical Safety Authority ("ESA") approvals and for providing copies of same to the Board.
- 3.5.5.15 Proponents shall be fully responsible for ensuring that the installation, operation and maintenance of each PV Installation is in compliance with all applicable legislation and relevant codes and regulations.
- 3.5.5.16 Proponents shall be responsible for applying for and obtaining any/all required permits, including those required by the Ontario Building Code ("OBC").
- 3.5.5.17 Verifying that the Board's metering service provider can accommodate generation from the PV Installation and obtaining all necessary approvals relating to same. Once such approvals are obtained, the proponent shall provide the Board with copies of same.
- 3.5.5.18 Providing the Board with single line diagrams for the electrical system from the PV Installation, through the switchboards, metering, transformation and onto the LDC's service.
- 3.5.5.19 Selecting, obtaining, installing and paying for all aspects of the PV Installation, including, all required inverters, panels and other related equipment, and shall provide the Board with shop drawings in respect of same.
- 3.5.5.20 Providing the Board with interface drawings between miscellaneous field mounted instrumentation and/or field ancillary items and the PV Installation.
- 3.5.5.21 Providing the Board, for its approval, a PV Installation commissioning plan for each applicable site, which will include: identifying suitable mounting locations for structural loading (roof and/or wall); providing engineering documents, including installation drawings (i.e. mounting details and panel layouts); and submitting to the Board (TVDSB Facility Services) for approval, detailed documents showing roofing modifications associated with any required structural and electrical work.

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3.6 TVDSB to Supply:

3.6.1 Following TVDSB's acceptance of a proponent's proposal (and, depending on the applicable timing parameters and assuming the parties have reached agreement to proceed with negotiations concerning the possibility of a PV Installation), TVDSB's involvement will include:

3.6.1.1 Providing access to the site for the installation/construction and maintenance of the respective PV Installation(s), including, access to electrical connections.

3.6.1.2 Providing floor and roof plans for the respective school(s).

3.6.1.3 Providing available structural and electrical construction drawings for buildings listed. Documents provided by TVDSB are to be used as guidelines only. The existing architectural and electrical drawings will not necessarily be comprehensive and may not indicate all the existing equipment/systems. Equipment lists may not be fully up to date. TVDSB does not assume and will have no responsibility for the accuracy of any such documents, nor for any designs resulting therefrom.

3.6.1.4 Providing Designated Substance Reports.

3.6.1.5 Assigning Facilities Service Staff to consult with the proponent during the construction/installation period and during the term of the Lease.

3.6.1.6 Providing space in a service room to house the proponent's equipment.

3.6.2 Detailed Feasibility Study:

3.6.2 As indicated above, if a proponent's proposal is accepted by the Board, that proponent shall be responsible for conducting a detailed feasibility study to determine the suitability of the applicable roof top(s) for purposes of each proposed PV Installation and shall provide a report to TVDSB which shall include:

3.6.2.1 Recommended designs, together with associated drawings, indicating the maximum and minimum size of the PV Installation that could be accommodated.

3.6.2.2 Commentary on ease of installation and connection to electrical grid.

3.6.2.3 Commentary on risks of vandalism, including, related physical aspects of property, access to roof and associated potential for risk of injury.

3.6.2.4 Commentary on existing structural elements, mechanical-electrical equipment and other roof top installations.

3.6.2.5 Commentary on shading concerns, including, buildings, upper walls, trees and chimney stacks.

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- 3.6.2.6 Commentary on orientation of the proposed PV Installation.
- 3.6.2.7 Commentary on roof condition to support the PV Installation, as well as, commentary on the roof's structural ability to support the PV Installation. In both these regards, proponents will confer with TVDSB Facility Services staff.
- 3.6.2.8 Recommended method of structurally supporting the PV Installation (which will be subject to the approval of the Board, in its absolute discretion).
- 3.6.2.9 Detailed engineering documents and drawings.
- 3.6.2.10 Detailed description of the proposed interaction with, and required modifications to, existing electrical systems.
- 3.6.2.11 Identification of related service rooms (i.e., location(s), space for related equipment, accessibility and modifications, if required).
- 3.6.2.12 Commentary with respect to any issues related to any hazardous material(s) located at the proposed site(s) that might affect the PV Installation(s).

3.6.3 Construction Administration:

3.6.3 Each proponent shall be required to commit and undertake to:

- 3.6.3.1 Cooperate with TVDSB Facilities Services staff for purposed of convening a Pre-construction meeting at and for each applicable facility.
- 3.6.3.2 Cooperate with TVDSB Facilities Services staff: conducting final inspections; and, ascertaining that the work is complete and all deficiencies have been addressed.
- 3.6.3.3 Provide copies of "Letters of Compliance" acceptable to all regulatory authorities.
- 3.6.3.4 Provide copies of commissioning and verification documentation to the Board, including:
- 3.6.3.5 Equipment suppliers to commission and verify equipment.
- 3.6.3.6 As built information including "as built" drawings, and the service and maintenance instructions from the contractors.
- 3.6.3.7 Copies of the documentation of all final documentation, "as built" drawings, accepted shop drawings, and the service and maintenance instructions.
- 3.6.3.8 Project name.
- 3.6.3.9 List of contents.
- 3.6.3.10 Letter of Compliance from the professional engineer who has designed the respective PV Installation.
- 3.6.3.11 Warranty letter(s) from any contractor(s).
- 3.6.3.12 Warranties from equipment suppliers and/or manufacturers.

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- 3.6.3.13 Test certificates.
- 3.6.3.14 Commissioning and verification reports.
- 3.6.3.15 Certificates from authorities having jurisdiction.
- 3.6.3.16 Approved shop drawings.
- 3.6.3.17 Equipment operating instructions.
- 3.6.3.18 Equipment maintenance instructions.
- 3.6.3.19 Equipment literature and parts list etc.
- 3.6.3.20 Cooperate with TVDSB Project Coordinator to convene a “Project Close Out” meeting at each facility.
- 3.6.3.21 Satisfy all insurance requirements of the TVDSB including all types and limits of coverage.
- 3.6.3.22 Satisfy all security requirements of the TVDSB including all types and coverage.

4.0 EVALUATION:

- 4.0.1 Proposals will be evaluated on the following basis. Proponents must address the items under Evaluation Criteria in the order in which they appear below.
- 4.0.2 Proposal submission must not exceed 20 pages (excluding the proposed form of Lease, references, certificates, and the completed schedules). Any additional information submitted will not be reviewed.

4.1 Evaluation Criteria

- 4.1.1 Proponent and Ownership Overview.
- 4.1.2 Experience and Qualification of the proponent.
- 4.1.3 Business Plan:
 - 4.1.3.1 Business concept.
 - 4.1.3.2 Projected revenues and expenses to be realized or borne by proponent.
 - 4.1.3.3 Method of financing including a financial reference completed by a Canadian bank stating maximum credit limit and liabilities.
 - 4.1.3.4 The proponent **must** submit a letter from an insurance company (licensed to do business in the Province of Ontario) indicating the proponents insurance limits for Comprehensive Commercial General Liability coverage. These limits should be in accordance with the current Standard Construction Document 2 (CCDC 2 – 2008), Section GC11.1. A minimum of \$5,000,000.00 for Comprehensive Commercial General Liability coverage is required. The proponent must also provide evidence that any subcontractors it might utilize in connection with any proposed PV Installation are also insured under the proponent’s policy(s). **Failure to comply with this item shall result in the rejection of a proponent’s proposal**

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- 4.1.4 Proposed form of Lease (including, operation, maintenance and service components), as well as security for removal of PV Installation and remediation at end of term.
- 4.1.5 Design, Development and Construction Plans:
 - 4.1.5.1 General design and location.
 - 4.1.5.2 General development and construction plan.
 - 4.1.5.3 Project Timelines.
- 4.1.6 Three (3) references. In addition, the TVDSB may use and consider its own performance experience with any proponent.
- 4.1.7 Education Components.
- 4.1.8 Completed Revenue Schedule (Appendix B).
- 4.1.9 In conducting its evaluation based on the criteria specified above, the Board will be evaluating whether the proposal:
 - 4.1.9.1 Provides an educational component suitable for the Board.
 - 4.1.9.2 Sets out a viable work plan.
 - 4.1.9.3 Represents a financially responsible arrangement for TVDSB.
 - 4.1.9.4 Demonstrates maintainability and long term operating effectiveness.
 - 4.1.9.5 Illustrates proponent experience of implementing projects of similar size.
 - 4.1.9.6 Provides adequate liability insurance and security.
- 4.1.10 In the event of a tie score the TVDSB will resolve the tie by coin toss. Both parties will have representation at the coin toss.

4.2 Selection:

- 4.2.1 Following the evaluation process described above, one or more proponents may be selected for interviews or oral presentations as the Board may consider necessary. The TVDSB makes no commitment to any proponent, beyond consideration of the proponent's written response to this RFP.
- 4.2.2 The TVDSB reserves the right to: determine, in its absolute discretion, which proposals, if any, are in the TVDSB's best interest and to make awards on that basis; and, to reject any and/or all proposals, waive any irregularities of any proposal, negotiate with any proponent (after

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proposals are opened), in the event the Board determines, in its absolute discretion, that any such course of action is **in the best interests of the TVDSB**.

4.3 Award

4.3.1 Negotiations:

4.3.1.1 After selection of one or more proponents, the TVDSB may then enter into negotiations on the necessary agreements on all aspects of the related services, schedules and any other matters that the TVDSB, in its absolute discretion, determines is relevant.

4.3.2 Approvals:

4.3.2.1 All agreements (including, the form of Lease) are subject to approval by the Board of Trustees and applicable government approvals.

4.3.3 Final Agreements:

4.3.3.1 The successful proponents must assume responsibility for all services offered in their proposal. All agreements to be entered into by the proponent and the Board will be in a form approved by legal counsel to the TVDSB.

5.0 AWARD AND NOTIFICATION OF CONTRACT

5.1 The results of this RFP will be posted on to the TVDSB web site www.tvdsb.on.ca as soon as decisions have been made:

“Purchasing Board”
“Bids”
Scroll to the end of the document, click
Proceed to inquiry/download page”.
Proceed to the RFP, click
“Results – Check Mark” to view documents in PDF format.

5.2 Debriefing

5.2.1 Not later than 60 Days following the date of posting of a contract award notification in respect of the RFP, a Proponent may contact the RFP Coordinator requesting a debriefing from the Purchaser, and the Purchaser shall conduct such debriefing in accordance with the requirements of the Supply Chain Guideline.

5.2.2 Any request that is not timely received will not be considered and the Proponent will be notified in writing.

5.2.3 Proponents should note that, regardless of the time of submission of a request by a Proponent, debriefings will not be provided until such time as a contract award notification has been posted.

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5.3 Bid Protest Procedure

- 5.3.1 In the event that a Proponent wishes to review the decision of the Purchaser in respect of any material aspect of the RFP process, and subject to having attended a debriefing, the Proponent shall submit a protest in writing to the Purchaser within 10 Days from such a debriefing.
- 5.3.2 Any protest in writing that is not timely received will not be considered and the Proponent will be notified in writing.
- 5.3.3 A protest in writing shall include the following:
 - a) A specific identification of the provision and/or procurement procedure that is alleged to have been breached;
 - (b) A specific description of each act alleged to have breached the procurement process;
 - (c) A precise statement of the relevant facts;
 - (d) An identification of the issues to be resolved;
 - (e) The Proponent's arguments and supporting documentation; and
 - (f) The Proponent's requested remedy.
- 5.3.4 For the purpose of a protest under this RFP, the protest procedure to be followed by the Purchaser is described at 5.3.3.

6.0 PROPOSERS RESPONSE GUIDE

- 6.1 Each RFP submission must be structured using only the criteria identified in this RFP document. When submitting the RFP, proponents must use the same numbering format, as on this RFP document.
- 6.2 The RFP **must** include printed and signed copies of all Appendices.
- 6.3 Proponents **must** provide six copies of the RFP documents.

7.0 LABELLING OF ENVELOPE

7.1 ADDRESS RFP ENVELOPE AS SHOWN BELOW:

From - Company Name & Address
To: OFFICE OF THE TENDERS CLERK
Thames Valley District School Board

FIRM NAME: _____

SIGNATURE: _____

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EDUCATION CENTRE,
1250 Dundas Street,
LONDON, Ontario
N5W 5P2

Roof Top Solar Photo-Voltaic System Energy Developer
#479

Return Date: Monday, May 10, 2010 prior to 12:00:00 noon local time

FIRM NAME: _____

SIGNATURE: _____

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8.0 SIGNATURE PAGE

This page **must** be completed, signed below and must be included with your submission for your RFP to be accepted.

I hereby acknowledge and agree that I have read, completed and agree to all of the preceding RFP Terms and Conditions and all Appendices. All required Appendices are included in our submission.

I/We the undersigned are duly authorized to execute this Tender on behalf of:

NAME: _____
(Please print)

TITLE: _____

SIGNATURE: _____

FIRM NAME: _____

State the legal entity that your organization operates under:

Proprietorship

Partnership

Corporation

If your organization is incorporated, proponents must state the jurisdiction in which the corporation was originally incorporated in:

Name of each individual Partner or Correct Legal Name of Corporation: _____

E-MAIL ADDRESS: _____

ADDRESS: _____

INTERNET ADDRESS: _____

TELEPHONE NO.: _____

FAX NO.: _____

FIRM NAME: _____

SIGNATURE: _____

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LIST OF SCHOOLS – Appendix A

SCHOOL	ROOF AREA		TOTAL AREA
	SECTION	AREA	
A.B. Lucas SS 656 Tennent Avenue London, ON N5X 1L8	F1	5,132	
	F2	7,231	
	F3	3,816	
	F4	5,728	
	H	4,570	26,477
Annandale School 60 Tillson Avenue Tillsonburg, ON N4G 3A1	51-03	20,794	
	51-04	4,479	25,273
Cleardale PS 780 Dulaney Drive London, ON N6C 3W4	E	19,822	
	G	5,235	25,057
Ingersoll District CI 37 Alma Street Ingersoll, ON N5C 1N1	56-10	5,704	
	56-12	11,577	
	56-15	4,677	21,958
Jack Chambers PS 1650 Hastings Drive London, ON N5X 3E3	F	36,520	36,520
John Wise PS 100 Parkside Drive St. Thomas, ON N5R 3T9	A	24,424	24,424
Knollwood Park PS 70 Gammage Street London, ON N5Y 2B1	A	7,412	
	B	5,712	
	C	3,530	
	E	6,478	
	I	6,528	
	J	4,400	
	K	3,231	
L	3,400	40,691	
Medway HS 14405 Medway Road Arva, ON N0M 1C0	H	19,730	
	P	430	20,160
Parkside CI 241 Sunset Drive St. Thomas, ON N5R 3C2	C-3	16,016	
	C-4	10,335	26,351

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Prince Charles PS 1601 Wavell Street London, ON N5W 2C9	B	5,952	
	C	2,706	
	G	11,649	
	H	5,016	25,323
Princess Anne FI PS 191 Dawn Drive London, ON N5W 4W9	A	22,811	22,811
Rick Hansen PS 70 Ponderosa Crescent London, ON N6E 2L7	A	2,850	
	C	4,073	
	D	11,115	
	E	3,713	21,751
Saunders SS 941 Viscount Road London, ON N6K 1H5	D-2	16,955	
	D-3	16,938	33,893
Sir John A, MacDonald 1150 Landor Street London, ON N5Y 3W3	F	1,134	
	G	1,078	
	I	12,072	
	J	7,930	
	K	2,324	
	L	10,370	34,908
Southwold PS 39261 Fingal Line RR #1 St. Thomas, ON N5P 3S5	B-1	26,638	
	B-2	8,673	
	B-3	6,746	42,057
White Oaks PS 565 Bradley Avenue London, ON N6E 3Z8	I	13,835	
	J	14,104	27,939
Wilfrid Jury PS 950 Lawson Road London, ON N6G 3M2	B	22,618	22,618

NOTE:

1. All roofs have been replaced in the last 5 years
2. All roofs per school are adjacent adding up to a minimum of 20,000 FT² and are connected on one level

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APPENDIX B - REVENUE SCHEDULE

Proponents to provide separate estimated revenue for PV installations at the following facilities in accordance with the scope of work defined in this RFP.

PLEASE NOTE: *RFP is not required for each location.*

SCHOOL	Type of System	Annual Roof Lease Rate	
		Dollars per square foot (flat rate)	Percentage of Revenue earned by Proponent per Kilowatt Generated
A.B. Lucas SS			
Annandale School			
Cleardale PS			
Ingersoll DCI			
Jack Chambers PS			
John Wise PS			
Knollwood Park PS			
Medway HS			
Parkside CI			
Prince Charles PS			
Princess Anne FI PS			
Rick Hansen PS			
Saunders SS			
Sir John A. MacDonald			
Southwold PS			
White Oaks PS			
Wilfrid Jury PS			

The schedule addresses submission for 17 Schools and the TVDSB may, enter into negotiations with and ultimately award, in its sole discretion the school projects to different proponents as the TVDSB deems necessary to fulfil TVDSB requirements or which submissions offer the best overall value to the TVDSB.

THE HIGHEST OR ANY SUBMISSION WILL NOT NECESSARILY BE ACCEPTED

FIRM NAME: _____

SIGNATURE: _____