

**REQUEST FOR QUALIFICATIONS (RFQ)**  
**ALTERNATIVE ENERGY FACILITY**  
**TO INCLUDE DESIGN, SUPPLY AND CONSTRUCTION OF ECUA FACILITY**  
**RFQ NUMBER CC 2014-09**

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**Mr. Don Palmer, ECUA PROJECT MANAGER**

**Issued November 14, 2013**

## **LEGAL ADVERTISEMENT**

Applications for qualification for proposing for the Alternative Energy Facility Project for Emerald Coast Utilities Authority, RFQ Number CC 2014-09, will be received by the Emerald Coast Utilities Authority Purchasing and Stores Manager, 9255 Sturdevant Street, Ellyson Industrial Park, Pensacola, FL 32514, until 2:00 p.m., local time, January 28, 2014, at which time only the names of the applications will be read aloud.

ECUA is soliciting qualification statements from interested contractors experienced in the design, permitting, equipment system supply and turnkey facility installation and operation of a multi-fuel fired energy plant that may use biomass, dewatered sewage sludge, green waste and potentially some levels of FOG (fats, oils and greases) and refuse derived fuel (RDF) as fuel. The submitted qualifications (or Responses) will be utilized to develop a list of qualified proposers. No interpretation of the meaning of the RFQ or other qualification documents will be made to any Applicant orally. Every request for such interpretation should be made in writing and addressed to ECUA, Attention: Amy Williamson, P.O. Box 15311, Pensacola, FL 32514 (e-mail: [Amy.williamson@ecua.fl.gov](mailto:Amy.williamson@ecua.fl.gov)) and to be given consideration must be received at least five (5) business days prior to the date fixed for Application submittal. Submissions received after the closing time will be returned unopened.

The Request for Qualification (RFQ) may be viewed at the following three locations free of charge:

1. ECUA Purchasing and Stores Division, 9255 Sturdevant Street, Ellyson Industrial Park, Pensacola, FL, 32514, between the hours of 8 a.m. and 5 p.m., Monday through Friday, telephone 850-969-3350, fax 850-969-3384, or the web [www.ecua.fl.gov](http://www.ecua.fl.gov)
2. Pensacola AGC (Associated General Contractors of America) Plan Room, 201 South "F" Street, Pensacola, FL 32502, telephone 850-438-0551, fax 850-433-3059
3. Bay Area Blueprint and Reprographics, 700 South Pace Blvd., Pensacola, FL 32502, telephone 850-433-6864, fax, 850-433-1402.

The Request for Qualification (RFQ) packages may be obtained by contacting Amy Williamson, Senior Purchasing Agent, at 9255 Sturdevant Street, Ellyson Industrial Park, Pensacola, FL 32514, 850-969-6531 or via email at [Amy.williamson@ecua.fl.gov](mailto:Amy.williamson@ecua.fl.gov) or on the web at [www.ecua.fl.gov](http://www.ecua.fl.gov).

The ECUA reserves the right to waive informalities in any RFQ response; reject any or all applications; offer additional prequalification periods; and prequalify those applicants which in its judgment are responsible applicants with all decisions being made based upon what the ECUA believes to be the best interest of its ratepayers, in the reasonable exercise of its discretion. The ECUA shall also have the right to

prequalify applicants and then later decide not to proceed with the contemplated Project.

Advertised November 14, 2013

## EMERALD COAST UTILITIES AUTHORITY

### REQUEST FOR QUALIFICATIONS (RFQ) FOR ALTERNATIVE ENERGY FACILITY

The Emerald Coast Utilities Authority (ECUA) plans to receive sealed qualifications for the design, permitting and construction, and operation, of a multi-fuel fired energy plant that may use dewatered sewage sludge, green waste (also referred to as yard waste) and some level of FOG (fats, oils and greases), biomass and/or RDF as fuel. The waste fueled energy plant will include at a minimum the design, permitting, turnkey supply of the equipment and facility including all site work, installation, start-up, and acceptance testing and operation of a facility that will potentially generate steam, electricity, biogas, bio-diesel to supply current and future ECUA energy demands at the ECUA's facilities located near Cantonment. Hereinafter, this project opportunity will be referred to as the ECUA Alternative Energy Facility or AEF for short.

As the first step in this process, the ECUA is issuing this Request for Qualifications (RFQ) to help develop a shortlist of qualified firms to receive the ECUA RFP. Responses to this RFQ are to be addressed to ECUA Purchasing and Stores Manager, 9255 Sturdevant Street, Pensacola, Florida 32514 and clearly marked **"ALTERNATIVE ENERGY FACILITY RFQ RESPONSE TO RFQ Number CC 2014-09."** Qualifications will be accepted until **2:00 P.M. local time, January 28, 2014.**

The Statement of Qualifications (Qualifications) submitted under this RFQ are not subject to public inspection until a qualified list has been selected by the ECUA. Qualifications will be evaluated, and those submitting qualifications may be requested to provide a presentation of their proposed services.

Documentation provided must be specific and the data given must be clear and comprehensive. Documentation provided must pertain specifically to the entity that, at this time would be expected to propose on and implement the project, not an affiliated company, parent firm or entity.

Two opportunities for site visits will be scheduled by addendum to this RFQ. One site visit date will be scheduled in early December, 2013 and a second in early January, 2014. No formal pre-qualification conference will be held as part of this RFQ process.

The ECUA reserves the right to accept or reject any or all Qualifications and to select a shortlist of firm's for receiving the final RFP which will be in the best interest of the ECUA.

The RFQ may be requested from Amy Williamson, Senior Purchasing Agent, ECUA at phone: 850-969-6531; via email at [Amy.williamson@ecua.fl.gov](mailto:Amy.williamson@ecua.fl.gov); or on the web at [www.ecua.fl.gov](http://www.ecua.fl.gov).

**NOTICE TO POTENTIAL QUALIFIED CONTRACTORS FOR THIS RFQ**

There may be one or more amendments to this RFQ solicitation. All amendments and other documentation made available by ECUA concerning this RFQ will be available on the ECUA website ([www.ecua.fl.gov](http://www.ecua.fl.gov)). If your company desires to receive copies or notices of any such amendments, you must provide the information requested below to the ECUA office. Please send this information to Amy Williamson, Senior Purchasing Agent, via fax at 850-969-3384 or by e-mail at amy.williamson@ecua.fl.gov. The ECUA will send amendments, if any, to only those firms that complete and return this form via fax or provide the requested information by e-mail.

**RFQ number:** CC 2014-09

**Company name:** \_\_\_\_\_

**Mailing address:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Phone number:** \_\_\_\_\_

**Fax number:** \_\_\_\_\_

**Contact person:** \_\_\_\_\_

**E-mail address:** \_\_\_\_\_

*Send amendments by (check one):* \_\_\_\_\_ **U.S. Mail**

\_\_\_\_\_ **Fax**

\_\_\_\_\_ **E-mail**

**Any alterations to this RFQ document made by the submitter may be grounds for rejection of the submitted qualifications.**

**REQUEST FOR QUALIFICATIONS**  
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**1.0 REQUESTED SERVICES AND CURRENT ECUA OPERATIONS**

**1.1 Background on ECUA and Pertinent ECUA Services and Facilities**

The Emerald Coast Utilities Authority (ECUA) was created by State Legislation in 1981 to acquire, consolidate, manage, and operate the water and wastewater systems in and around Pensacola, Escambia County, Florida. ECUA’s service area is in Escambia County, which is located in the far northwestern part of Florida. ECUA owns and operates a water supply and distribution system and wastewater collection and treatment system (collectively the “System”) serving the City of Pensacola and several surrounding communities. Exhibit 1 locates the City of Pensacola in the far northwest corner of the State of Florida.

**Exhibit 1 – Location of ECUA (Pensacola, Florida region)**



In total, ECUA provides water service to over 96,000 customers as of November 1, 2013 and wastewater service to approximately 68,000 customers. ECUA’s customer base is primarily a mix of residential and commercial users. The System includes 32 water supply wells, 12 water storage tanks, over 1,700 miles of water distribution



system, three wastewater treatment plants, approximately 1,200 miles of wastewater collection system, and 359 wastewater pump stations.

Additionally, the ECUA provides for the collection of solid waste in Escambia County through the ECUA Sanitation and Fleet Services Departments. ECUA Sanitation Department serves Escambia County, providing residential sanitation collection services to approximately 74,000 customers.

The ECUA has a fleet of more than 350 vehicles. Currently seventy-five of those vehicles are fueled by compressed natural gas (CNG). Last year the ECUA purchased over 426,000 diesel gallon equivalent (DGE) of CNG to fuel those existing seventy-five CNG vehicles. An additional 250,000 gallons of diesel fuel and 85,000 gallons of gasoline were purchased by the ECUA during FY 2013. ECUA purchases 10-15 CNG fueled replacement vehicles each year; therefore, it is anticipated that the use of CNG will increase in future years. ECUA is interested in exploring the possibility for the Project potentially providing a source of such renewable fuel through biogas.

The recent historical tonnages of yard waste that have been collected by ECUA are summarized in Exhibit 2.

**Exhibit 2 - Residential Yard Waste Quantities Collected by ECUA**

<b>ECUA-Collected Yard Waste</b>	<b>FY 13 Tonnages</b>	<b>FY 12 Tonnages</b>	<b>FY 11 Tonnages</b>
Residential Yard Waste	22,144	17,990	17,351

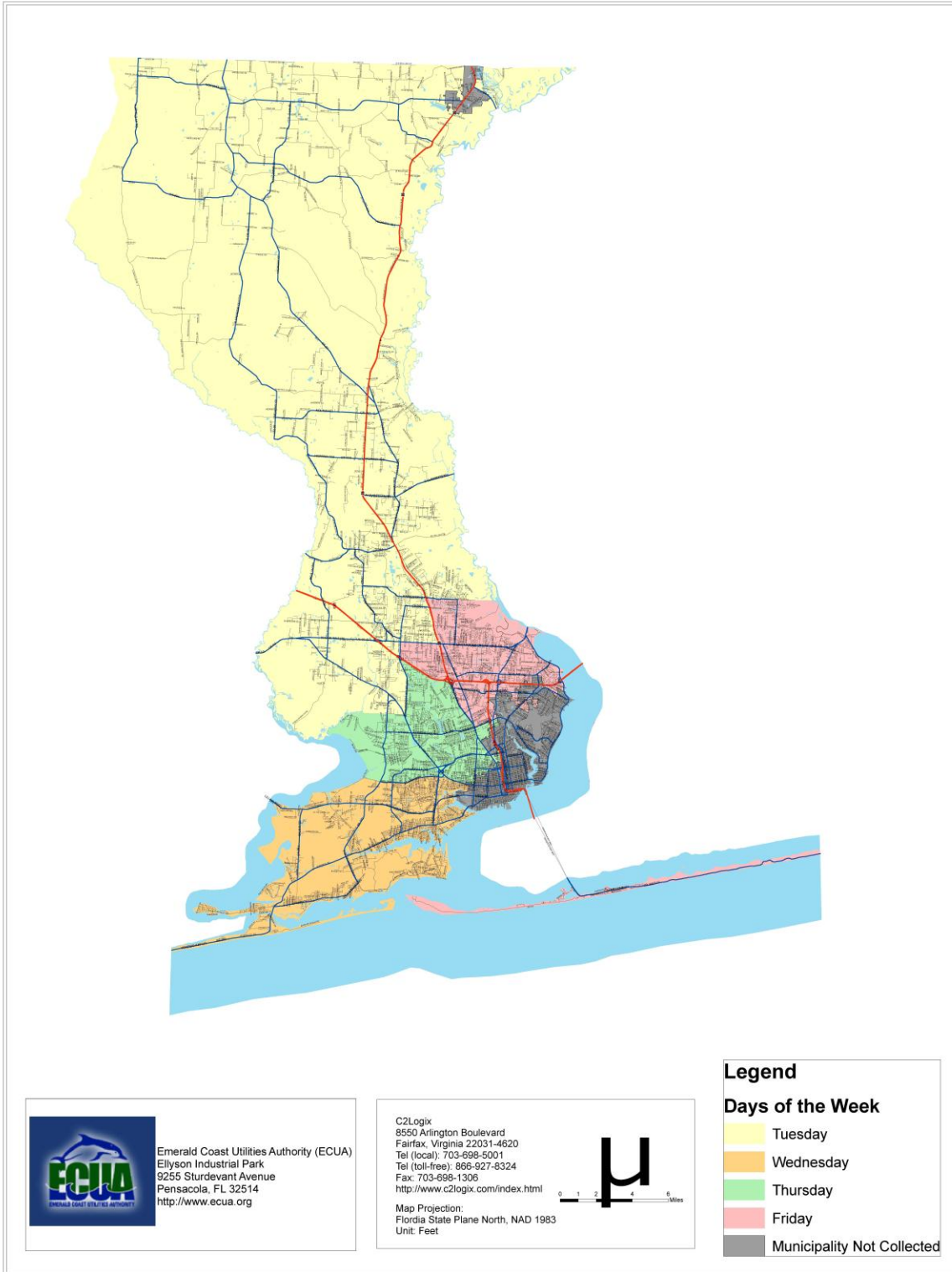
NOTE: THE ECUA Fiscal Year starts on October 1.

The Wastewater Treatment Department of ECUA that is considering implementation of this project. The ECUA Sanitation Department can provide recyclable yard waste for this project.

ECUA is dedicated to providing the best possible water, wastewater and sanitation services to Escambia County. ECUA is a four-time award winner of the best tasting water in Northwest Florida. Additionally, with regards to wastewater treatment, the ECUA's Pensacola Beach and Bayou Marcus wastewater treatment plants (WWTP's) have won, between them, 17 Gold or Silver Awards from the National Association of Clean Water Agencies (NACWA) since 1994.

Exhibit 3 presents a general location map of the key ECUA service areas for yard waste collection services. The ECUA performs these services with their own fleet of diverse mobile equipment.

### Exhibit 3 - General Service Map of the ECUA Yard Waste Collection in Escambia County



## 1.2 Solicited Services Ultimately to be Requested through the RFP

While this is the RFQ solicitation, and pending further review of the RFQ submittals and additional technical and financial information, a Request for Proposals (RFP) for the Alternative Energy Facility (AEF) is planned to be issued by the ECUA. At this time, one Proposer (consisting of a single entity or a combined Proposal from multiple entities with one lead entity) is anticipated to be selected to ultimately provide the system and services required. However, due to the diversity of the waste feedstock's available in solid and liquid format, the qualifications received as a result of this RFQ will help drive the final decisions in structuring the RFP. Subject to finalization in the RFP process, the expected services are summarized below:

**Primary Objective:** To hire a private contractor to complete the detailed design, permitting, equipment supply and installation, site and building construction, start-up, testing and long-term operation of a turnkey facility to serve as the ECUA's AEF. The ECUA can provide the selected AEF vendor with dewatered sewage sludge, FOG, septage waste, and green waste as possible fuel feedstocks from its internal operations. Locally produced RDF, biomass and other fuel feedstocks may be available which are not controlled by the ECUA. The selected vendor will utilize one or more of these feedstocks to either (a) provide steam or biogas to ECUA's existing dryer system to dry sewage sludge or the preferable option (b) utilize dewatered sewage sludge as a feedstock so that drying of the sewage sludge is no longer required. Depending upon the technology proposed the ECUA could be a customer for steam, electricity, biogas or bio-diesel, produced by the AEF.

The ECUA will also provide land adjacent to the CWRP for the AEF.

This RFQ could involve new or innovative Waste-to-Energy (WTE) technologies or demonstrated waste/biomass combustion system. A certain level of proven experience is required, and subject to the waste stream to be managed.

While subject to change, the current RFQ schedule is presented in Exhibit 4.

### Exhibit 4 - ECUA AEF Services RFQ Schedule

<b>Event</b>	<b>Date</b>
Advertise RFQ	November 14, 2013
RFQ available	November 14, 2013
<b>Qualifications Due</b> , addressed to: ECUA Purchasing and Stores Manager 9255 Sturdevant Avenue Pensacola, FL 32514	January 28, 2014 2:00 p.m.
Qualified Contractors selected (tentative)	March, 2014

This RFQ is not designating any specific technology or fuel type to be utilized to produce the energy outputs that are expected to be integrated into the energy demands of the CWRf facility. Rather, it allows the "deemed-qualified" Qualified Contractors to make their presentation of capabilities to be considered by the ECUA, and to address the required needs in a complete and comprehensive written response to this RFQ. It is none-the-less acknowledged that the ECUA only has control of the sewage sludge generated at the CWRf as described in Section 2.1 and recyclable yard waste through the collection efforts of their Sanitation Department as further discussed in Section 2.2. The off-site availability and supply of biomass (wood waste fuel) or other potential feed stock has not yet been fully examined by ECUA. Also, ECUA has only recently started to receive septage and FOG. Therefore, the quantities of these waste types are not known at this time.

### **1.3 Overview Description of Certain ECUA Activities**

#### **Wastewater Services**

The ECUA currently operates three wastewater treatment plants in Escambia County. These plants, and their permitted treatment capacities, are as follows:

- Central Water Reclamation Facility (CWRf) - 22.5 million gallons per day (MGD) AADF
- Bayou Marcus Water Reclamation Facility (WRC) - 8.2 MGD AADF
- Pensacola Beach Wastewater Treatment Plant (WWTP) - 2.4 MGD AADF

Currently in operation are 895.5 miles of gravity main pipes, 300.6 miles of force main and 17,041 manholes.

CWRf is a new WWTP located approximately 15 miles inland (out of the floodplain) and provides for reuse of the majority of the reclaimed water by power companies and industries. The CWRf (pictured in Exhibit 5) includes a transmission system to convey wastewater to this inland facility.

#### **Wastewater System**

Since March 2010, ECUA's existing wastewater system consists of three wastewater treatment plants, approximately 359 lift stations and approximately 1,100 miles of wastewater lines. The two smaller wastewater treatment plants within the system have an aggregate capacity of 10.6 MGD, and consist of the Bayou Marcus WRF with 8.2 MGD, and the Pensacola Beach WWTP plant with 2.4 MGD capacities. The annual average flow to the Pensacola Beach plant is 0.8 MGD, with a maximum flow of 1.2 MGD.

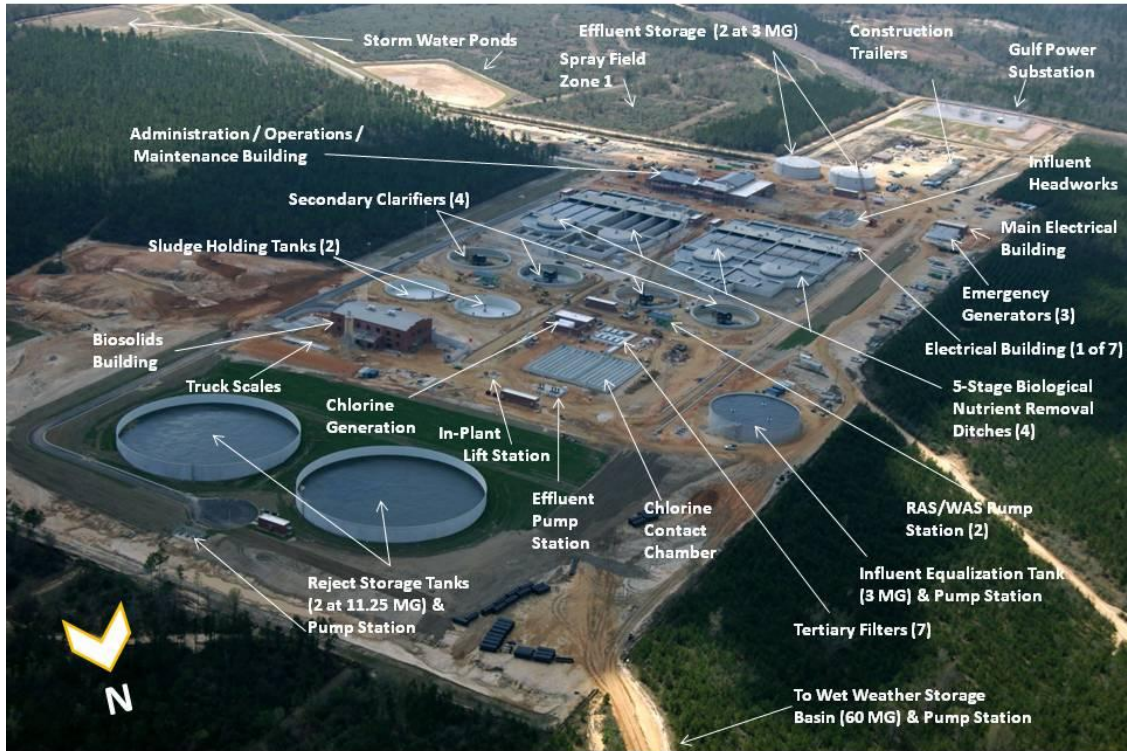
## Exhibit 5 - Aerial View of the CWRP



ECUA's gravity sewers are constructed of vitrified clay pipe and PVC. The force mains are primarily constructed of polyvinyl chloride and ductile iron and most were constructed in the last 40 years. The wastewater pumping stations are remotely monitored by ECUA's SCADA center. The wastewater system serves approximately 68,000.

A more detailed presentation of the CWRP site, with all of the key structures identified, is presented in Exhibit 6. As currently conceived, and depending upon the size of the ultimate plant and the feedstocks utilized, the proposed AEF could provide steam or biogas to the Biosolids Building located in the center-left of Exhibit 6, immediately above the Truck Scales. Electricity could be provided to a proposed well site on the north side of the CWRP or to the grid via a connection at the Gulf Power Sub Station. The proposed AEF site is located to the left, (which is south) of the Biosolids Building and outside of the current WWTP fence line. A more detailed highlighting of the potential AEF site location is presented by the highlighted circle in Exhibit 7.

### Exhibit 6 - CWRF Site Layout



### Exhibit 7 - Potential AEF Facility Site



## **1.4 Purpose**

By issuing this RFQ, the ECUA is requesting statements of qualifications from interested companies (hereinafter referred to as "Applicant" or "Applicants") that ultimately might be deemed by ECUA as "Qualified Contractors" relative to the potential design, permitting, construction and operation of the AEF. The AEF would be located on a site owned by ECUA adjacent to the new CWRP. While a decision has not been made at this time, the new AEF could be owned and operated by ECUA after a satisfactory demonstration period.

Applicants that are deemed, in the sole judgment of the ECUA, to be the Qualified Contractors will be invited to respond to the RFP to be issued by the ECUA. The Qualified Contractors who participate in, and comply with, the RFP process and submit proposals ("Proposals") will be evaluated in accordance with the procedures and criteria set forth in the RFP. The RFP has not been approved for issuance, or even fully developed, by the ECUA at this time.

However, depending on the merits, performance guarantees and pricing of the ensuing proposals, the ECUA anticipates that it will select and enter a Turnkey Design/Build/Demonstration Agreement or Full Service Design/Build/Operate Agreement for the AEF with one of the Qualified Contractors that, in the sole judgment of the ECUA, submits a Proposal deemed to be in the best interests of the ECUA. To be eligible to enter into any agreement, the selected Qualified Contractor must continue to meet the Qualifications Criteria (defined hereafter) set forth herein until and through contract execution of any agreement. This condition would be stipulated in any RFP issued.

## **1.5 Proposed Scope of Work**

Based on an RFP being issued in the summer of 2014, with at least a 90 day proposal preparation cycle and the evaluation and negotiations occurring in the fall, an agreement regarding the AEF is anticipated to be signed by the end of the first quarter of 2015. A number of important activities will need to be completed during the course of the initial term of the agreement, which will be defined in the RFP. The ECUA desires to make the contractor selection process and the transition from the current fossil fuel-derived energy supply to the AEF generated energy supply as smooth as possible. Therefore, the ECUA expects that the Applicants to this RFQ and all of the selected Qualified Contractors will provide a qualified project and management team able to undertake such a proposal effort and all of the requisite skills to design, permit and then construct and operate the AEF.

## **2.0 CWRP FACILITY AND CURRENT ENERGY DEMANDS**

Six years after Hurricane Ivan's devastating impact on Northwest Florida and the Emerald Coast Utilities Authority's (ECUA) Main Street Wastewater Treatment Plant, the new CWRP began to accept wastewater flows, and began operation in the fall of 2010.

The \$316-million dollar, state-of-the-art facility, is the largest public works project in the history of Escambia County. The plant sits on 2,200 acres of land with access from Old Chemstrand Road near Cantonment. It has been permitted as an AWT (advanced wastewater treatment) facility, meaning it will produce effluent of a very high quality, and with filtration and high level disinfection meets all requirements of FAC 62-610 Part III Public Access Reuse.

In addition to providing reclaimed water to Gulf Power and International Paper, it is anticipated that several million gallons per day of reclaimed water can be provided to the AEF for cooling water or other purposes.

The CWRP consists of the following treatment processes designed for an average daily flow of 22.5 MGD:

- Headworks
- Anaerobic/ Anoxic/Aerobic biological treatment
- Clarification
- Filtration
- Chlorine disinfection
- Odor Control
- Biosolids processing and drying

For the natural gas and the electricity needs of the CWRP, the ECUA has a natural gas purchase agreement with the City of Pensacola - Pensacola Energy Natural Gas and an agreement with Gulf Power for the purchase of electricity. Recognizing that the CWRP has been fully operational for about three years, the purchases and usage of fossil fuels for CWRP has a limited historical record. However, for purposes of this RFQ, and ECUA sharing relative information with prospective RFQ respondents, the monthly use/demand and pricing for both natural gas (in CCF) and electricity sales (in MWh) through June 2013 are presented in Exhibit 8 and Exhibit 9 respectively.

The CWRP generates sludge that is currently processed through two dryers. One potential energy market for the AEF will be the Biosolids Building at the WWTP where steam is currently used in two dryers to dry the sludge filter cake. Future production or processing facilities located at the CWRP site could also utilize energy generated by the AEF. If the potential facility can consume the filter cake sludge and eliminate the current sludge dryers, this is the ECUA's preference. Currently, this end-product material is sold to the highest bidder.

Exhibit 10 provides an overview of the sludge quantities generated at the CWRP that could potentially be integrated as a feedstock for this AEF opportunity. On an average annual basis, the CWRP currently produces about 85 wet tons per day of sludge from the screw presses. As indicated in Exhibit 10, some of this material goes through the sludge dryers (dry tons from dryers is noted in column A) and due to outages of the dryers, some of the sludge must be hauled to the landfill (wet tons from screw presses hauled to landfill noted in column B). If the moisture in the hauled and landfilled cake sludge was eliminated, the dry tons equivalent is noted in Column C. Column D notes the calculated dry tons equivalent from the



dryer, as a daily average for each month. The estimated monthly total as dried sludge is presented in Column E. Column F in Exhibit 10 presents the daily average, noting the actual days per month of processing and hauling is variable depending upon the calendar month noted. Column G presents the calculated average wet tons per day that originate from the screw presses on a month-to-month basis, with the total average over this entire period being 85 wet tons per day average. At the top of this Exhibit 10 it is noted that during this timeframe the amount of sludge off the screw presses that needed to be hauled to landfill was about 15 percent of the total requiring management through drying and/or disposal.

ECUA is also currently considering the implementation of a new sludge composting project at the CWRP which could be impacted by the responses and decision-making process associated with the AEF.

**Exhibit 8 - Historical Natural Gas Consumption and Current Pricing**

<b>Monthly Period</b>	<b>Period Covered</b>	<b>Usage Billed (CCF)</b>	<b>\$ Amount Billed</b>	<b>Avg Cost/Therm</b>
January-11	01/03-02/03	17313	\$16,462.10	\$0.95
February-11	02/03-03/03	28126	\$26,734.60	\$0.95
March-11	03/03-04/03	77970	\$69,526.36	\$0.89
April-11	04/03-05/03	69030	\$69,594.65	\$1.01
May-11	05/03-06/03	74276	\$75,961.74	\$1.02
June-11	06/03-07/03	81900	\$84,851.25	\$1.04
July-11	07/03-08/03	57828	\$60,223.87	\$1.04
August-11	08/03-09/03	71682	\$73,679.71	\$1.03
September-11	09/03-10/03	69318	\$67,805.31	\$0.98
October-11	10/03-11/03	63366	\$41,463.10	\$0.65
November-11	11/03-12-03	75494	\$48,635.05	\$0.64
December-11	12/03-01/03	71410	\$44,081.47	\$0.62
January-12	01/03-02/03	81832	\$46,786.40	\$0.57
February-12	02/03-03/03	60576	\$34,639.18	\$0.57
March-12	03/03-04/03	52122	\$27,610.10	\$0.53
April-12	04/03-05/03	47974	\$24,104.56	\$0.50
May-12	05/03-06/03	47598	\$22,767.61	\$0.48
June-12	06/03-07/03	45352	\$20,748.88	\$0.46
July-12	07/03-08/03	43634	\$21,850.82	\$0.50
August-12	08/03-09/03	48188	\$25,905.68	\$0.54
September-12	09/03-10/03	70626	\$39,738.01	\$0.56
October-12	10/03-11/03	58610	\$32,906.42	\$0.56
November-12	11/03-12/03	77486	\$43,941.75	\$0.57
December-12	12/03-01/02	92032	\$56,163.16	\$0.61
January-13	01/02-02/03	77502	\$49,253.60	\$0.64
February-13	02/03-03/03	48642	\$29,163.42	\$0.60
March-13	03/03-04/03	58020	\$34,078.76	\$0.59
April-13	04/03-05/03	55276	\$33,604.36	\$0.61
May-13	05/03-06/03	82110	\$54,708.56	\$0.67
June-13	06/03-07/03	100294	\$68,508.36	\$0.68
July-13	07/03-08/03	82011	\$56,066.38	\$0.68
August-13	08/03-09/03	48356	\$30,900.19	\$0.64

### Exhibit 9 - Historical Electricity Consumption and Current Pricing

Monthly Period	Period Covered	Usage	Electric Service	Rental	\$ Amount Billed
January-11	01/01-01/31	1,199,019	\$96,741.61	\$1,508.47	\$98,250.08
February-11	02/01-02/28	1,097,349	\$87,544.21	\$1,508.47	\$89,052.68
March-11	03/01-03/31	1,293,419	\$102,850.64	\$1,508.47	\$104,359.11
April-11	04/01-04/30	1,541,834	\$123,449.98	\$1,508.47	\$124,958.45
May-11	05/01-05/31	1,755,778	\$139,912.19	\$1,508.47	\$141,420.66
June-11	06/01-06/30	1,683,049	\$148,716.40	\$1,508.47	\$150,224.87
July-11	07/01-07/31	1,876,261	\$171,733.29	\$1,508.47	\$173,241.76
August-11	08/01-08/31	1,896,221	\$176,921.17	\$1,508.47	\$178,429.64
September-11	09/01-09/30	1,837,077	\$170,236.57	\$1,508.47	\$171,745.04
October-11	10/01-10/31	1,754,975	\$143,542.89	\$1,508.47	\$145,051.36
November-11	11/01-11/30	1,717,149	\$139,742.43	\$1,508.47	\$141,250.90
December-11	12/01-12/31	1,806,356	\$145,313.64	\$1,508.47	\$146,822.11
January-12	01/01-01/31	1,841,379	\$142,303.85	\$1,541.66	\$143,845.51
February-12	02/01-02/29	1,660,445	\$129,407.26	\$1,541.66	\$130,948.92
March-12	03/01-03/31	1,851,000	\$138,175.47	\$1,541.66	\$139,717.13
April-12	04/01-04/30	1,793,793	\$136,180.35	\$1,541.66	\$137,722.01
May-12	05/01-05/31	1,861,831	\$144,158.28	\$1,541.66	\$145,699.94
June-12	06/01-06/30	1,886,805	\$161,387.89	\$1,541.66	\$162,929.55
July-12	07/01-07/31	1,980,025	\$155,300.46	\$1,541.66	\$156,842.12
August-12	08/01-08/31	1,994,317	\$154,311.21	\$1,541.66	\$155,852.87
September-12	09/01-09/30	1,966,365	\$146,190.14	\$1,541.66	\$147,731.80
October-12	10/01-10/31	1,978,945	\$137,003.11	\$1,541.66	\$138,544.77
November-12	11/01-11/30	1,861,829	\$128,775.46	\$1,541.66	\$130,317.12
December-12	12/01-12/31	1,949,845	\$132,807.22	\$1,541.66	\$134,348.88
January-13	01/01-01/31	1,928,709	\$132,912.77	\$1,575.58	\$134,488.35
February-13	02/01-02/28	1,791,858	\$124,895.07	\$1,575.58	\$126,470.65
March-13	03/01-03/31	1,965,587	\$141,460.63	\$1,575.58	\$143,036.21
April-13	04/01-04/30	1,880,953	\$137,425.21	\$1,575.58	\$139,000.79
May-13	05/01-05/31	1,929,061	\$137,103.20	\$1,575.58	\$138,678.78
June-13	06/01-06/30	1,937,560	\$153,806.80	\$1,575.58	\$155,382.38
July-13	07/01-07/31	2,158,079	\$165,726.38	\$1,575.58	\$167,301.96
August-13	08/01-08/31	2,045,147	\$154,530.28	\$1,575.58	\$156,105.86

**Exhibit 10 – Historical CWRP Sludge Generation and Management**

Date	Dryer Produced (Dry Tons) (A)	Hauled Landfill (Cake Tons) (B)	Approx Hauled (Dry Tons) (C)	Dryer (Dry Tons/day) (D)	Total (Dry Tons/Mo) (E)	Total Dry (Dry Tons/day) (F)	Total (Wet Tons/day) (G)
January-11	0				0	0	0
February-11	124				124	4.4	29
March-11	404			13.0	404	13.0	84
April-11	390			13.0	390	13.0	84
May-11	433			14.0	433	14.0	90
June-11	501			16.7	501	16.7	108
July-11	316			10.2	316	10.2	66
August-11	460			14.8	460	14.8	96
September-11	411			13.7	411	13.7	88
October-11	327			10.6	327	10.6	68
November-11	443			14.8	443	14.8	95
December-11	442			14.3	442	14.3	92
January-12	466			15.0	466	15.0	97
February-12	383	447	69	13.2	453	15.6	101
March-12	268	1,258	195	8.6	463	14.9	96
April-12	230	1,308	203	7.7	433	14.4	93
May-12	320	1,173	182	10.3	502	16.2	105
June-12	244	1,254	194	8.1	438	14.6	94
July-12	265	1,187	184	8.6	449	14.5	94
August-12	233	581	90	7.5	323	10.4	67
September-12	336	0	0	11.2	336	11.2	72
October-12	430	0	0	13.9	430	13.9	90
November-12	384	0	0	12.8	384	12.8	83
December-12	552	0	0	17.8	552	17.8	115
January-13	391	0	0	12.6	391	12.6	81
February-13	274	160	25	9.8	299	10.7	69
March-13	296	1,342	208	9.5	504	16.3	105
April-13	359	1,091	169	12.0	528	17.6	114
May-13	392	509	79	12.7	471	15.2	98
June-13	513	0	0	17.1	513	17.1	110
July-13	444	0	0	14.3	444	14.3	92
August-13	302	169	26	9.7	328	10.6	68
September-13	244	442	68	8.1	312	10.4	67

Average 85

% Hauled 15.50%

## **3.0 THE PROCUREMENT TEAM AND CONTACT PERSON**

### **3.1 ECUA Process**

The ECUA will set up an Evaluation Committee that will review all submittals to this RFQ.

Requests for information during the RFQ process must be made to the ECUA's RFQ Coordinator, referenced in Section 3.2 below.

### **3.2 Contact Person for Additional Information**

No interpretation of the meaning of the RFQ or other pre-qualification documents will be made to any party orally. Requests for additional information or clarifications of the RFQ must be made in writing to the RFQ Coordinator at the address below no later than five business days prior to the date fixed for Qualifications Submittal.

ECUA, Attention: Amy Williamson, P.O. Box 15311. Pensacola, FL 32514 (e-mail: Amy.williamson@ecua.fl.gov)

Other ECUA staff, elected officials and the ECUA's agents and advisors, shall not be contacted.

## **4.0 PROCUREMENT PROCESS**

### **4.1 Process Overview**

#### **4.1.1 Objectives**

As stated earlier in this RFQ, the ultimate intent of the ECUA is to eventually solicit Proposals from Qualified Contractors that have expertise in permitting, designing, constructing and operating waste-related energy capital projects. The primary objective is to reduce the use of natural gas to dry dewatered sewage sludge, possibly by utilizing other ECUA waste streams. Due to the broad-based day-to-day services of ECUA, these demands include steam, electricity and approximately 250,000 gallons of diesel fuel/year for ECUA vehicles, plus another 200,000 gallons of gasoline. Thus, alternative vehicle fuels, including the supply of biofuels derived CNG stations, will be considered.

Additional experience with providing such technology as project upgrades/improvements and/or replacements is valuable experience as well. While the ECUA may desire to actually operate the AEF, the contractor having experience with the actual operation, maintenance and/or management of such resource recovery facilities is also valuable experience and due to the potential complexity of the project, the ECUA is keeping an open mind on the operational element of the AEF at this time.

Being able to show that the contractor has successfully negotiated contracts for at

least the design/construction of such an offering will be critical in the evaluation, with operations experience an additional criteria. Contractors who demonstrate in the RFQ response their technical, managerial and financial resources sufficient to satisfy the ECUA will be invited to respond to the ECUA RFP. The RFP will be issued to those prospective Proposers satisfying the Qualification Criteria (defined hereafter) and short-listed by the ECUA. It is important to also note that ECUA will develop a "Draft Agreement" for review and comment by the proposers in the RFP process. Thereafter, a selection and negotiation process will be undertaken pursuant to the procedures and requirements stated in the RFP, including markup of the Draft Agreement.

#### **4.1.2 No Formal Pre-RFQ Submittal Briefing Meeting**

At this time, and as indicated in Exhibit 4, there will not be a formal pre-RFQ submittal meeting. However, if submitted in writing, relevant questions regarding this RFQ, and the RFQ process, will be answered.

If the ECUA deems it necessary to answer any questions, copies of all questions and responses will be sent to all companies having requested the RFQ as an addendum to the RFQ. The identity of contractors submitting questions will not be disclosed in the addendum. Only written responses provided by ECUA should be considered to be part of the RFQ requirements. Contractors shall direct all questions to the RFQ Coordinator identified in Section 3.2. This will assure that consistent and accurate information is disseminated.

##### **4.1.2.1 WWTP Facility Tours Optional & Not Required**

Two optional site visits to the CWRP will be scheduled by addendum to this RFQ. One visit will be scheduled in early December, 2013 and a second for early January, 2014. The ECUA may require contractors to sign a waiver of liability agreement during site visits, as it will not assume any liability for personal injury during such visits. An employee or agent of the ECUA will escort each contractor during these inspections. Answers to questions during the inspections should not be relied upon. To obtain answers that can be relied upon, questions from prospective contractors must be submitted in writing as described in Section 3.2.

##### **4.1.2.2 Document Room During RFP Process**

It is anticipated that during the formal RFP process, a virtual document room will be established where digital copies of documents relating to the AEF Facility will be available for review by the Qualified Contractors. Instructions for access to this document room will be provided in the RFP, once it becomes available.

### **4.1.3 RFQ and Qualification Submittal**

The responses to this RFQ are due to the ECUA on or before 2:00 PM local time on Tuesday, January 28, 2014, at the following address:

ECUA – Purchasing and Stores Manager  
9255 Sturdevant Street  
Pensacola, FL 32514

Applicants shall submit one (1) original that bears original signatures wherever signatures are required and that volume shall be clearly marked "Original", plus four (4) additional hard copies of the original. An electronic copy of the response to this RFQ in its entirety shall be included on a CD.

Place each copy of the Qualifications in a separate sealed envelope. On the front of each envelope, clearly note if it contains the original or a copy and place the following information:

"SEALED STATEMENT OF QUALIFICATIONS - IMPORTANT"

"RFQ Number CC 2014-09 ALTERNATIVE ENERGY FACILITY"

"Tuesday, January 28, 2014, 2:00 PM"

YOUR COMPANY NAME

The delivery of the RFQ response to the above address on the above date and prior to the specified time is the sole responsibility of the submitting entity. The ECUA shall not be responsible for delays caused by the Applicant's selected delivery service. Any response to this RFQ delivered after the specified time will not be accepted and will be returned unopened to the contractor with a notation, "this Statement of Qualifications was received after the delivery time designated for receipt in the RFQ". NOTE: Submittals will not be accepted by fax or email.

### **4.1.4 RFQ Evaluation and Determination**

After Qualifications have been received, the ECUA Evaluation Committee will evaluate the Qualification, based on the Qualification Criteria contained in Section 4.2 of this RFQ (which includes the certifications and representations contained in the attached Qualification Forms) and the other requirements of this RFQ including, without limitation, Section 4.4.4.

Any Applicant who does not meet or exceed each of the Qualification Criteria stated in Section 4.2 of this RFQ may not be deemed a Qualified Contractor.

The ECUA Evaluation Committee will recommend to the ECUA Executive Director which Applicants are best qualified to meet ECUA's needs as stated in this RFQ and therefore should be deemed to be the Qualified Contractors to receive the RFP. The

ECUA Executive Director will independently review the submissions and present his recommendation to the Board which at its sole discretion shall consider the recommendation.

Among other criteria, applicants may not be deemed qualified if:

- 1) The Applicant fails to submit a responsive RFQ submittal, including failure to provide all required documentation;
- 2) The Applicant fails to meet the Technical Experience Requirements;
- 3) The Applicant fails to meet the Corporate Experience Requirements;
- 4) The Applicant fails to provide Operational Experience Data on the technology;
- 5) Reasonable grounds exist that Applicant is involved in collusion among other applicants;
- 6) The Applicant, or any of its principals, is currently disbarred from bidding on public entity work in any state; and
- 7) The Applicant or an affiliate has been placed on the convicted vendor list following a conviction for public entity crime within the past 36 months.

Final determination of each Applicant's pre-qualification status rests solely with the ECUA Board, with all decisions being made based upon what the governing board of the ECUA believes to be the best interests of its ratepayers, in the reasonable exercise of its discretion. The ECUA does not discriminate on the basis of race, color, national origin, sex, religion, age, marital status, and disability/handicapped status in employment or provision of service.

#### **4.1.5 RFP and Proposal Timeline and Submittal**

A final RFP will be developed and only issued to the Qualifies Contractors. The RFP will include contract terms and conditions. It is currently contemplated that the RFP will contain, at a minimum:

- 1) A description of the RFP process.
- 2) A description of the ECUA's rights.
- 3) Proposal submission requirements.
- 4) A description of the evaluation and selection process.
- 5) Technical requirements including certain defined capital improvement, repair or replacement projects.
- 6) A Draft Agreement.
- 7) The proposal forms required to be submitted in the Proposal.
- 8) A description of the technical data available for each of the Qualified Contractors to review.



#### **4.1.6 Preliminary Procurement Schedule**

The preliminary timetable for the initial phase of the procurement process is shown in Exhibit 4. However, all of these activities and dates are subject to change.

### **4.2 Qualification Requirements**

#### **4.2.1 Approach**

Responses to this RFQ will be evaluated on the basis of all the criteria set forth in this RFQ, including the technical, managerial (including operational experience) and financial criteria as summarized below. Each Applicant shall provide all requested information or shall give an explanation for any requested information not provided. The following sets forth the qualifications criteria (Qualification Criteria) that will be reviewed and considered as part of the selection process to establish the ECUA list of Qualified Contractors.

#### **4.2.2 Corporate Experience Requirements**

Applicant shall provide all information requested in the attached Contractor Experience Questionnaire in addition to the requested information detailed below. Failure to provide this information may result in the Applicant not being prequalified to bid on this Project.

- 1) Years in business under the same corporate name.
- 2) Proof of licensure in the State of Florida, or ability to obtain such.
- 3) Proof that applicant is registered to do business in the State of Florida, or ability to obtain such.
- 4) Summary of claims and lawsuit history for the past five years.
- 5) Recent work experience and projects similar to scope noted.
- 6) Provide a statement of bonding capacity, name of surety company, with agent contact persons, and telephone numbers and confirmation that the entity issuing all bonds is duly licensed and authorized to issue all of the required bonds by the Florida Department of Financial Services, Offices of Insurance Regulations. Define current maximum approved bonding program, allowable single project limit and current bonded work backlog.
- 7) Provide a statement that Applicant has not defaulted on a project nor failed to complete a project within the past five years. If this is not the case, explain and provide project contact information.
- 8) Provide a statement whether Applicant has or has not been involved in litigation as a plaintiff against an owner, design firm or construction contract administration firm, or served the owner with a claim for additional compensation prepared by an attorney or a claims consultant, excluding routine change order requests, in the past five years. If Applicant has, explain and provide contact information. List any lawsuits or administrative actions to which the Applicant is currently a party or has been a party (either as a plaintiff or defendant) during the past five years.
- 9) With respect to previous projects completed or ongoing, provide a statement that the Applicant, as well as all of its affiliated companies, is not

involved in any dispute, formal claim, or litigation with the owner, nor any authority or organization with which the owner has a vested interest. If this is not the case, please explain.

10) Provide a statement that the Applicant endorses a drug free work place.

#### **4.2.3 Technical Criteria**

The Applicant, or members of its implementation team, must demonstrate to the satisfaction of the ECUA's Evaluation Committee that it has the technical experience as described in more detail in the following areas:

- At least 3 years' experience in the management and the construction of AEFs
- At least one reference facility, with a preferred throughput capacity of at least 50 TPD where the Applicant was responsible for at a minimum the design and construction.
- Demonstrated ability through Acceptance Testing to meet environmental compliance (in accordance with USEPA and applicable state regulatory requirements) and energy production performance guarantees and maximizing ECUA availability and processing throughput at a reference facility. Compliance with applicable FDEP regulations shall be a requirement in any RFP.
- Demonstrated ability to successfully design and then integrate upgrades and/or changes into the AEF as part of expansions or renovations of such plants.

The Applicant will be evaluated on the basis of their experience in designing and constructing waste-to-energy recovery facilities. Experience in operation of solid waste and other biomass facilities may be considered, but demonstrated understanding of the principal design, handling and processing issues of a municipal solid waste-derived fuel, anaerobic digester (AD) systems and/or a biomass fuel is essential.

Heads-up Notice on the Warranty/Guarantee of Work: As part of the RFP, it will be required that all work and facility performance shall be fully guaranteed by the Contractor for a period of two (2) years from the date of final acceptance unless otherwise stipulated in writing by the ECUA prior to the date of conditional acceptance. During this period, which will be part of the Agreement, all defects discovered by the ECUA shall be addressed by the Contractor in a satisfactory manner at no cost to the ECUA. In addition to a warranty inspection, the ECUA may conduct independent inspections, at its own expense, of the work at any time prior to the completion of the construction/testing phase of the project.

#### **4.2.4 Managerial (including Operational) Criteria**

The Applicant, or members of its implementation team, must demonstrate to the satisfaction of the ECUA's Evaluation Committee that it has the following managerial and operational experience associated with the proposal technology as

described in more detail in the following sections:

- At least one reference facility of comparable size to the potential AEF where it was responsible for planning, coordination, permitting and management of such major facility (of an installed capital cost of at least \$5,000,000) on an operating RDF or biomass, or sludge-based, or FOG-based facility; and
- Present qualified personnel for the project that have experience in successfully managing capital improvement budgets and projects on the reference facility while minimizing operational downtime.

It is preferred that actual experience in municipal solid waste and/or bio-solids handling and processing and track record in working in public-private partnership. Contractors also will be evaluated on the basis of the proposed management team experience in facilities of this type and their corporate strength in support of project requirements, including the ability to complete the negotiations of complex and detailed contracts and financing instruments.

#### **4.2.5 Financial Criteria**

Applicant contractors will be evaluated on the basis of their capability to perform their financial obligations under the anticipated AEF capital improvement, operation and maintenance agreements and related AEF Facility contracts relating to waste delivery, energy production and sale and residue disposal, while assuring the performance guarantees under the Project Agreement.

Contractors may demonstrate their financial capabilities through a third-party Project Guarantor. However, the Project Guarantor must provide evidence that it has, or would be able to achieve, either:

- (1) at least an investment grade rating on its long term debt or
- (2) a net worth of at least \$5,000,000, *i.e.* exclusive of goodwill, as reflected in its audited financial statements.

It will be required that the Project Guarantor must be able to continually satisfy this financial test rating until the execution date of the Project Agreement. Thereafter, the maintenance of the rating will be governed by the Terms of the Project Agreement and the Guaranty (substituting the rating of the selected Project Guarantor for the rating set forth in the form of the Guaranty).

If the above cannot be provided, as an alternative, the ECUA also will evaluate the following financial characteristics of each Applicant submitting qualification:

- (1) net working capital;
- (2) long-term debt to capital ratio; and
- (3) cash flow to long-term debt ratio.

All financial data must be stated in U.S. dollars. As an additional heads-up, the ECUA-selected Qualified Contractors will need to provide a bid bond for five percent (5%) of the project construction costs as proposed, a payment and performance bond in the amount of the total capital price under the Project Agreement and, if the operator, an annually renewable letter of credit in the amount of approximately 25 percent of the annual operations costs.

#### **4.2.6 Qualifications Submittal Requirements**

In addition to the corporate information described in Section 4.2.2, the following sets forth the qualification submittal requirements that a contractor will have to provide to be considered a Qualified Contractor.

##### **4.2.6.1 Technical Experience and Submittal Requirements**

In order to demonstrate to ECUA that an Applicant meets the above criteria, each contractor must submit a listing and description of its overall experience with projects of the type expected to be eventually proposed and experience on similar contract operation and maintenance projects. At a minimum for the reference facility, the Applicant contractor shall provide the following information:

- 1) The name of the project and its location.
- 2) Description of the feedstock type(s) and any preprocessing requirements.
- 3) Project capital costs.
- 4) Annual operating costs per unit throughput.
- 5) The number of energy generating units and design thermal and throughput processing capacity of each.
- 6) The actual annual throughput of each unit over the last three (3) operating years.
- 7) Type and quantity of energy recovered over the last three (3) operating years.
- 8) Contractor's role in the project (development, capital improvements, operation, maintenance, etc.).
- 9) Contract start and end dates (for each role described).
- 10) Current status of the project.
- 11) Any claims or litigation arising out of the project, current status and/or resolution.
- 12) A listing of all notices of violations issued by regulatory agencies, including OSHA, related to the facility over the last three (3) operating years.
- 13) Identification of the contractor's customer(s) or public partners and current contact information.

#### **4.2.6.2 Managerial Experience Submittal Requirements**

In order to indicate that he/she meets the above criteria on an on-going basis, the Applicant shall submit the following:

- 1) A reference AEF facility, or RDF or biomass, or sludge-based, or FOG-based facility, of comparable size to the AEF with customer contact information;
- 2) Descriptions of its experience in managing capital improvements on the reference facility; and
- 3) A proposed organization chart with resumes and experience of key personnel demonstrating their qualifications with the design and coordination of capital improvements.

If the Applicant desires to use the qualifications of a subcontractor to meet any of the managerial qualifications, then the contractor must fully accept the responsibility for the subcontractors and indemnify the ECUA for any and all obligations arising out of the use of the subcontractor. Furthermore, both the Applicant and the potential subcontractor shall be fully responsible for all obligations arising out of the use of the subcontractor. The Applicant must identify the names, addresses and telephone numbers of contacts and include written evidence from the subcontractors indicating their expected agreement to act as a subcontractor for the contractor on the ensuing project.

#### **4.2.6.3 Financial Submittal Requirements**

In order to indicate that he/she meets the above criteria, the Applicant shall submit financial information for each entity comprising the Applicant's project team, including the Project Guarantor. Financial information submitted must be presented in accordance with generally accepted accounting principles and, where available, should consist of the following:

1. A copy of the most recent Form 10-K filed with the Securities and Exchange Commission ("SEC") and all 10-Q's since the last 10-K. If a Form 10-K is not filed with the SEC, the following should be submitted:
  - a. Financial statements for the past three (3) fiscal years, including income statements, balance sheets and statements of changes in financial position. If three (3) years of financial statements are not available, the following minimum information should be provided:
    - i. A copy of the last two quarterly financial reports.
    - ii. A copy of the latest annual report(s).
  - b. Full information concerning any material changes in the mode of conducting business, bankruptcy proceedings, and mergers or acquisitions within the past five (5) years, including comparable

information for related companies and principals of companies, and any actual and pending litigation in which the Qualified Contractor is involved.

2. If the Applicant or any member of the Applicant's team is a partnership or joint venture, full information concerning the nature and structure of the partnership or joint venture, including:
  - a. Date of formation of the joint venture or partnership, together with copies of joint venture or partnership agreements plus amendments; and
  - b. A description of the obligations of the partners to the ECUA, specifically addressing if the agreement between members comprising the joint venture make each jointly and severally liable for contractual obligations of this project.
3. The rating of outstanding corporate debt, if applicable; and
4. An affidavit from a surety and bank, respectively, indicating that it is willing to issue a bid bond and payment and performance bond in the amount of the total construction price of the Capital Project under the terms of an acceptable Project Agreement and a letter of credit in the amount of 25 percent of the projected annual operations costs of the project for the benefit of ECUA as contract performance assurance under such negotiated Project Agreement.

#### **4.2.6.4 Reference Facility(ies) Submittal Requirements**

Each Applicant must provide a brief description of a reference facility(ies), the name and location of the same, a summary of the historical performance data of each such reference facility(ies) (annual throughput, unit availability, residue generated, steam produced, gross and net electricity, environmental data on emissions and ash quality permit violations and declarations by the public sector party to the construction or service agreement, or both, with the contractor of an event of default under either or both such agreements) and references for each entity comprising the Applicant's project team, including the Project Guarantor. Historical performance data must include similar facilities with similar operations for the most recent consecutive three (3) years that the Applicant operated the facility(ies). In addition, the Applicant should include a description of major capital improvements, repairs and replacements that it managed in the reference facility(ies) and describe how it managed the process to maximize facility performance during the modification period.

The Applicant must also include client contact information for each reference facility, including telephone number and e-mail address, and describe its general approach to managing the public private partnerships at the referenced facility(ies).

#### **4.2.6.5 Supplemental Information and Requirements**

- A. The ECUA will not be liable in any way for any costs incurred by any Applicant in the preparation of its RFQ submittal nor participation in any discussions.
- B. The ECUA, upon receipt of the response to this RFQ, shall have the right to investigate work performed by the Applicant on projects referenced by the Applicant, or any other projects performed by the Applicant; this includes requesting additional and clarifying information. Investigations will be performed by ECUA's personnel or its representatives as deemed appropriate by the ECUA, which may include site visits and interviews with project owners and construction contract administration staff.
- C. The ECUA reserves the right to waive informalities in any RFQ response; reject any or all applications; offer additional prequalification periods; and prequalify those applicants which in its judgment are responsible applicants with all decisions being made based upon what the ECUA believes to be the best interest of its ratepayers, in the reasonable exercise of its discretion. The ECUA shall also have the right to prequalify applicants and then later decide not to proceed with the contemplated Project.
- D. Upon determination of Qualified Contractors and eventual preparation and receipt of Proposals, the successful Proposer will be required to conduct background checks on all individuals who will enter ECUA's property. Background checks shall be performed in accordance with the requirements indicated in ECUA's "Identification Badge Request Form" included in this qualification package. All costs associated with the background checks shall be the contractor's responsibility.

### **4.3 Submittal Process**

#### **4.3.1 Qualifications Submittal Format**

In order to assure uniformity of the Qualifications being submitted, and to facilitate the evaluation process, all submittals should be organized in sections and labeled following the outline presented in Sections 4.3.2 through 4.3.6.

#### **4.3.2 Letter of Transmittal**

Responses to this RFQ shall include an introductory letter addressed to:

ECUA, Purchasing and Stores Division  
9255 Sturdevant Street  
Pensacola, FL 32514-0311  
Attn: PURCHASING AND STORES MANAGER

The letter shall contain the following items:

- 1) The contractor's expression of interest in being selected to provide the services;

- 2) A statement acknowledging receipt of all RFQ addenda, if any issued;
- 3) Designation of the anticipated authorized signatory to the Project Agreement and Project Guarantor;
- 4) A statement of the commitment of the key personnel identified in the response to this RFQ to the extent required to meet the ECUA's procurement process, schedule and negotiation requirements;
- 5) A statement that the Applicant meets the Qualification Criteria and overview of key points regarding the contractor's qualifications;
- 6) A statement that the Applicant will comply with all applicable federal, state, and local laws and regulations;
- 7) A statement that the applicant, if deemed qualified and selected, is willing and able to provide the services expected to be ultimately negotiated in the Project Agreement; and
- 8) A statement that Applicant agrees and acknowledges that the ECUA is not electing and will not be deemed to have elected to contract for private operations of the AEF. Only upon selection, award and execution of the Project Agreement, and then subject to the terms and conditions provided in such Project Agreement, will the ECUA be deemed to have and in fact made an election to contract with the private sector for the provision of services contemplated under the RFQ, the RFP, and the Project Agreement.

#### **4.3.3 Corporate Overview and Proposed Organization Structure**

In this section provide a description of the Applicant's general corporate overview, proposed organizational structure and other pertinent information, including the following:

- 1) Name and corporate headquarters address of the Applicant.
- 2) Description of the Applicant's legal structure.
- 3) Designated contact person and contact information for subsequent correspondence.
- 4) Description of the Applicant's proposed organizational structure including contractual relationships among the Applicant's affiliates, subcontractors and parents.
- 5) An organizational chart or diagram clearly indicating its key management positions.
- 6) A short business history of the Applicant.
- 7) A description of how the various aspects of the WTE Facility will



be performed, which affiliates or subcontractors would perform each aspect and from which offices such services would be performed.

#### **4.3.4 Technical and Managerial Qualifications and Experience**

The intent of this section is to provide information that clearly demonstrates that the Applicant meets the Qualification Criteria as set forth in Section 4.2.6 of this RFQ.

Therefore, the Applicant shall clearly and completely describe how it meets the requested criteria. In this section, the Applicant shall supply all the information requested in Section 4.2.6.1 and Section 4.2.6.2., including the detailed information on the reference facilities where the Applicant has successfully performed the requested services as requested on the RFQ Forms # QF-1 contained in Appendix A of this RFQ.

#### **4.3.5 Financial Capability**

In order to demonstrate the Applicant's ability to meet the financial criteria as stated in Section 4.2.6.3 of this RFQ, the Applicant shall include in this section of the RFQ, the Qualification Form # QF-2 and QF-3 contained in Appendix A of this RFQ.

Additionally the Applicant shall discuss its financial strengths and provide a copy of the latest 10k, 10Q and annual report in Appendix A to the RFQ.

#### **4.3.6 Representations and Certifications**

The Statement of Qualifications Form QF-4 contained in Appendix A of this RFQ shall be filled in, signed and included in this section of the Statement of Qualifications.

### **4.4 Procedures and Policies**

The RFP will define requirements for insurance, proposal security, liability, licensing (including being a State of Florida Licensed Contractor) and other ECUA contract provisions. The following sections describe certain pertinent policies of which the Applicant should be aware.

#### **4.4.1 Interpretations and Addenda**

The ECUA will only issue responses to written inquiries and may from time to time provide any other corrections or amendments it deems necessary via written addenda issued prior to the RFQ due date.

No interpretation, explanation or clarification of this RFQ by any official, employee, consultant, attorney or other representative of the ECUA will be considered

authoritative or binding on the ECUA unless contained in a written addendum to this RFQ. The ECUA will not be bound by any information, explanation, clarification or other interpretation, oral or written, by whomever, that is not incorporated into a written addendum to this RFQ. All addenda will be distributed to each interested firm that has requested a copy of this RFQ. All addenda shall become part of this RFQ and all parties shall be bound by such addenda.

#### **4.4.2 Contractor Acknowledgement**

By submitting a response to this RFQ, each Applicant agrees and acknowledges that the ECUA is not electing and will not be deemed to have elected to contract for private operations of the AEF. Only upon selection, award and execution of the contemplated Project Agreement and then subject to the terms and conditions provided in such agreements, will the ECUA be deemed to have and in fact made an election to contract with the private sector for the provision of services contemplated under the RFQ, the RFP and the Project Agreement.

#### **4.5 Rights of the ECUA**

This RFQ constitutes an invitation to submit Qualifications to the ECUA, but does not obligate the ECUA to procure or contract for any of the services as generally contemplated in this RFQ or RFP. If the responses to this RFQ and to the RFP are determined to be in the best interest of the ECUA, the ECUA may elect to secure the services of a private sector Qualified Contractor and select and enter into a Project Agreement referenced in this RFQ. The ECUA, including its agents and designated representatives, reserves and holds at its sole discretion, various rights and options, including without limitation, the following:

- 1) To waive any minor informalities in the RFQ.
- 2) To prepare and issue modifications and/or addenda to the RFQ prior to the receipt of contractor qualifications that may expand, restrict, or cancel any portion or all work described in this RFQ and the subsequent RFP.
- 3) To receive questions from contractors and to provide such answers as it deems appropriate.
- 4) To reject any or all responses to this RFQ.
- 5) To change the date for receipt of this RFQ or any deadlines and dates specified in this RFQ.
- 6) To change the procurement and /or selection process.
- 7) To conduct investigations with respect to the information provided by each Applicant and to request additional information to support such Applicant's responses and submittals.
- 8) To seek clarifications from each Applicant.
- 9) To select as Qualified Contractors those Applicants that, in the sole judgment of the ECUA, are in ECUA's best interest.

- 10) To cancel this RFQ or the contemplated subsequent RFP with or without the substitution of another RFQ and /or RFP and in any case, with or without cause in the sole discretion of the ECUA and without liability to the ECUA.
- 11) To request recertification of any or all of the Qualification Criteria contained herein from any or all Qualified Contractors at any time or times.

#### **4.6 Qualified Contractor Incurred Costs**

All costs and expenses involved with the preparation and submission of a response to this RFQ and the Applicant's participation in the RFQ process, and RFP process if deemed a Qualified Contractor, shall be borne solely by the contractor and shall not, in any case, be reimbursed by the ECUA.

#### **4.7 Accuracy of Information**

The ECUA assumes no responsibility for the completeness or the accuracy of the specified technical and background information presented in this RFQ or the subsequent RFP, or otherwise distributed or made available during this procurement process. Without limiting the generality of the foregoing, the ECUA will not be bound by or responsible for any explanation or interpretation of the RFQ or subsequent RFP documents other than those given in writing. In no event shall a contractor and potential Applicant, rely on any oral statement by the ECUA, its staff, agents, advisors or consultants.

**APPENDIX A**  
**RFQ Submittal Forms**

- **QF-1 Reference Facility Experience**
- **QF-2 Statement of Ownership**
- **QF-3 Affidavit of Qualified Contractor**
- **QF-4 Company/Guarantor Letter of Intent**

**QUALIFICATIONS FORM QF-1  
Reference Facility Experience**

Name	Address/Location
Contact Name	Phone
Contract Start Date	Contract End Date

**Description of Facility:**

**Description of Responsibilities including capital improvement projects executed:**

**Facility Performance Data (as applicable): {Provide five years of operating data}**

<b>Most Recent Three (3) Years of Operating Data</b>			
<b>On-Line Availability</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Boiler #1			
Boiler #2			
Boiler #3			
Boiler #4			
Turbine			
<b>Annual Throughput (Tons)</b>			
% of Capacity			
<b>Recovery Efficiency</b>			
Lbs. of Steam per Ton			
Gross kWh per Ton			
Net kWh per Ton			
Other (Describe)			
Other (Describe)			
<b>Residue (est. wt. tons/ton)</b>			

Where applicable, and if data available, attach summary of recent stack test data (permit limits and actual emissions by unit)

Where applicable, and if data available, attach summary residue testing results for most recent year of operation.

## QUALIFICATIONS FORM QF-2

### Statement of Ownership

The Applicant shall set forth the names and addresses of all stockholders in the corporation who own ten percent (10%) or more of its stock of any class, or all partners in the partnership who own ten percent (10%) or greater interest therein; if none, the Applicant must state "none." If one or more such stockholder or partner is itself a corporation or partnership, the stockholders owning ten percent (10%) or more of that corporation's stock, or the individual partners owning ten percent (10%) or greater interest in that partnership shall also be listed; if none, the Proposer must state "none." This disclosure shall be continued until names and addresses of every individual stockholder, and individual partner exceeding the ten- percent (10%) ownership criteria of each corporation or partnership listed has been identified. Multiple copies of this form may be provided as required.

NAME

ADDRESS

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Signature of Applicant

Date

Name of Applicant (Print or Type)

Date

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

)ss.

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

I certify that I know or have satisfactory evidence that \_\_\_\_\_ and \_\_\_\_\_, are the persons who appeared before me and they acknowledged that they signed the document, an oath stated that they were authorized to sign it and acknowledged it as the \_\_\_\_\_ and the \_\_\_\_\_, respectively, of \_\_\_\_\_, a corporation, to be the free and voluntary act of such party for the uses and purposes as mentioned.

Dated \_\_\_\_\_

Notary Public in and for Florida,  
residing at:

\_\_\_\_\_  
\_\_\_\_\_

[SEAL OR STAMP]

My appointment expires \_\_\_\_\_





- 7) All statements contained in the Statement of Qualifications are true, correct and complete.
- 8) The Applicant hereby certifies that no officer of the companies comprising the Applicant, or any affiliates of the companies comprising the Applicant, has been convicted of fraud by the federal government or by any government entity in the State of Florida or any other state within the last ten (10) years.
- 9) Neither affiant nor any member of the Applicant has divulged information regarding said Statement of Qualifications or any data relative thereto to any other person, firm, or corporation.
- 10) The Applicant hereby certifies that neither the Applicant nor its parent is in Chapter 11 Bankruptcy nor is the Applicant or its parent in Chapter 7 Bankruptcy.
- 12) The Applicant hereby certifies the truth and accuracy of the above statements under the pains and penalties of perjury.
- 13) The Applicant acknowledges receipt of addenda:

NAME	ADDRESS
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
Signature of Applicant's Authorized Representative	Date

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

)ss.

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

I certify that I know or have satisfactory evidence that \_\_\_\_\_ and \_\_\_\_\_, are the persons who appeared before me and they acknowledged that they signed the document, an oath stated that they were authorized to sign it and acknowledged it as the \_\_\_\_\_ and the \_\_\_\_\_, respectively, of \_\_\_\_\_, a corporation, to be the free and voluntary act of such party for the uses and purposes as mentioned.

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Notary Public in and for Florida  
State residing at:

\_\_\_\_\_  
\_\_\_\_\_

[SEAL OR STAMP]

My appointment expires \_\_\_\_\_

**QUALIFICATIONS FORM QF-4**  
**Company/Guarantor Letter of Intent**  
(To be typed on Company's letterhead) (Date)

ECUA, Purchasing and Stores Division  
9255 Sturdevant Street  
Pensacola, FL 32514-0311  
Re: RFQ for Alternative Energy Facility

Dear \_\_\_\_\_:

Herewith, we \_\_\_\_\_ (the names of both Company and Project Guarantor to be specified here), are submitting our Letter of Intent to ECUA. As delineated in our RFQ, we are prepared to make the following commitments to ECUA:

1. We are capable and prepared to enter into contract(s) to design, build and test (and potentially operate) an Alternative Energy Facility at the CWRP site for ECUA;
2. We certify that ECUA can rely on information provided in our RFQ response as true and accurate. Furthermore, we will assume, to the extent we are shortlisted as a Qualified Contractor, and then selected as the Contractor, to be the party responsible as permit applicant, assume the cost of permit applications at the time of our selection, and we will submit, as the applicant, any permit applications required from us or that are prepared by ECUA and prepared upon the basis of technical information we will provide in our Proposal, provided that permit applications are prepared in accordance with standard industry practices. We will provide to ECUA in as expeditious a manner as practical, all reasonable requests for environmental performance data, equipment specifications, supporting information, and the like necessary to complete the environmental permit applications; and
3. We certify that the Project Team (the Company, the Project Guarantor, major subcontractors, equipment suppliers, licensees, etc.) as identified in the RFQ will, if selected, maintain their respective roles in the Project. We further understand that additions or deletions to the Project Team or material changes in the role of Project Team members, unless approved by ECUA, can be reason to suspend or terminate negotiations with the Company.

Sincerely,

Name  
Title  
(Chief Executive Officer) (Chief Financial Officer)