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INTERNAL SERVICES DEPARTMENT
PROCUREMENT MANAGEMENT SERVICES
111 NW 1ST Street • Suite 1300
Miami, Florida 33128 - 1974

April 21, 2016

All Responding Proposers (See Distribution List)

SUBJECT: RFP-00297
Energy Policy Act of 2005 Consultant Services

Dear Proposers:

In accordance with Section 4.9 of the above referenced solicitation, and Section 2-8.4 of the Code of Miami-Dade County, you are hereby notified that the County Mayor or designee has recommended award as shown in the attached document.

The provision of this notice also serves to confirm the lifting of the Cone of Silence from this procurement action as dictated by Section 2-11.1(t) of the County Code. The Procurement Management Services Division of the Internal Services Department appreciates the participation of all vendors who responded to the subject action.

If you have questions, please contact me at 305-375-5683 or via email at bgoldsm@miamidade.gov.

Sincerely,

Beth Goldsmith, CPPB
Procurement Contracting Officer
Miami-Dade County Florida

Distribution: Efficiency Energy
Energy Design Service Systems, LLC

cc: Clerk of the Board

Delivering Excellence Every Day

Memorandum

MIAMI-DADE COUNTY

CLERK OF THE BOARD
2016 APR 21 PM 4:28
CLERK, CONCERN A COUNTY FL
MIAMI-DADE COUNTY, FL
#1

Date: _____
To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners
From: Carlos A. Gimenez
Mayor 
Subject: Recommendation for Approval to Award: Energy Policy Act of 2005 Consultant Services

Recommendation

It is recommended that the Board of County Commissioners (Board) approve award of *Contract No. RFP-00297, Energy Policy Act of 2005 Consultant Services*, to Efficiency Energy, LLC (Efficiency Energy) for the delivery of consulting services to enable the County to capitalize on tax rebate revenues available under federal law for qualifying energy efficient buildings and construction projects. The Regulatory and Economic Resources Department, through its Office of Resilience, will oversee this contract on behalf of the County.

Section 179D of the Internal Revenue Service Code (Energy Efficient Commercial Buildings Deduction) enacted under Section 1331 of the Energy Policy Act of 2005 allows designers, including architects, engineers, contractors and environmental consultants, to receive tax deductions for completing qualifying energy efficient construction projects on property owned by local governments. This is the case only where the government entity owner allocates the deduction to the designer. Under this contract, Efficiency Energy shall assist the County in the (1) negotiation of agreements with project designers to maximize payment to the County in return for the County's assignment of the tax deduction to the designer, (2) determination of project eligibility, (3) achievement of tax deductibility, and (4) identification of future projects that are eligible for tax deductions.

Scope

The scope of this item is countywide in nature.

Fiscal Impact/Funding Source

Under the contract, Energy Efficiency will receive 15 percent of the rebate revenue the County retains from the designer over the contract's initial five-year term and five (5), one-year options to renew. Negotiations with Energy Efficiency resulted in a reduction from the original proposed retention of 20 percent of the rebate revenue. Actual revenues cannot be determined until eligible projects have been identified and tax deductibility has been confirmed by Efficiency Energy. However, the potential revenue value of the contract, including the optional years, may exceed \$1,000,000.

The allocation requested for the five-year term is \$300,000. Should the legislation allowing these deductions be further extended beyond the current December 31, 2016 cutoff, and the County chooses to exercise the five (5), one-year options to renew, the estimated cumulative allocation would be \$800,000.

Department	Allocation	Funding Source	Contract Manager
Regulatory and Economic Resources	\$300,000	Rebate Revenue	Patricia Gomez
Total	\$300,000		

Track Record/Monitor

Beth Goldsmith of the Internal Services Department is the Procurement Contracting Officer. Patricia Gomez of the Regulatory and Economic Resources Department is the Contract Manager.

Delegated Authority

If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise all provisions of the contract, including any cancellation, renewal and extension provisions, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Vendor Recommended for Award

A Request for Proposals (RFP) was issued under full and open competition on November 2, 2015. Two (2) proposals were received in response to the solicitation. The RFP method of award was used to obtain the best value to the County by conducting a qualitative review of proposals, including qualifications, experience, and technical capability.

Awardee	Principal Address	Address of Branch Offices or Headquarters in Miami-Dade or Broward*	Number of Employee Residents	Principal
			1)Miami-Dade 2)Broward 3)Percentage*	
Efficiency Energy, LLC	288 Clayton Street Suite 302 Denver, CO	None	0	Gordon Yale
			0	
			0%	

*Provided pursuant to Resolution No. R-1011-15. Percentage of employee residents is the percentage of vendors' employees who reside in Miami-Dade County or Broward County as compared to the vendor's total workforce.

Vendor Not Recommended for Award

Vendor	Reason for Not Recommending
Energy Design Services Systems, LLC	Evaluation Scores/Ranking

Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine contractor responsibility, including verifying corporate status and that there are no performance or compliance issues. The lists that were referenced include convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to contractor responsibility.

Applicable Ordinances and Contract Measures

- The two (2) percent User Access Program provision does not apply as this is a revenue-generating contract.
- The Small Business Enterprise Selection Factor did not apply as this is a revenue-generating contract.
- The Local Preference was applied in accordance with the ordinance.
- The Living Wage Ordinance does not apply.



 Jack Osterholt
 Deputy Mayor