



Board Agenda Item #	Agenda # II D
Date:	May 8, 2017
To:	Magnolia Board of Directors
From:	Caprice Young, Ed.D., CEO & Superintendent
Staff Lead:	Frank Gonzalez, Chief Growth Officer
RE:	Approval of Prop 39 Clean Energy Vendor Contract

Proposed Board Recommendation

I move that the board authorize the CEO or a designee to negotiate and execute a contract with the recommended vendor to provide consulting services to Magnolia to develop an Energy Expenditure Plan for each awarded school. The plan will detail how to best expend funds provided under the Proposition 39 Clean Energy Grant program and be submitted to the Energy Commission before the August 1, 2017 deadline.

The request for proposals is ongoing. The committee reviewing the proposals will bring the winning bidder information to the board at the meeting. This is a time sensitive concern.

Background

Magnolia received grant awards under the Proposition 39 Clean Energy Grant Program. The program is as follows:

The California Clean Energy Jobs Act (Prop. 39) changed the corporate income tax code and allocates projected revenue to California's General Fund and the Clean Energy Job Creation Fund for five fiscal years, beginning with fiscal year 2013-14. Under the initiative, roughly up to \$550 million annually is available for appropriation by the Legislature for eligible projects **to improve energy efficiency and expand clean energy generation in schools.**

Eligible local educational agencies (LEAs) — including county offices of education, school districts, **charter schools** and state special schools—can request funding by submitting an energy expenditure plan application to the California Energy Commission. For the first year, there is an option to receive part or all of a school's allocation for energy savings planning purposes. The Energy Commission approves plans and works with the California Department of Education, which subsequently distributes funds after plans have been approved.

Magnolia Public Schools was awarded a total of \$2,134,612 in Proposition 39 Clean Energy Grants. Of these awarded funds \$535,508 are slated for planning purposes, leaving **\$1,496,254 available for planning and execution.**

Magnolia issued an open RFP for the desired services, attached. Magnolia staff, including Mr. Suat Acar, COO and Ms. Nanie Montijo, CFO and Mr. Frank Gonzalez, CGO, reviewed the proposals and are making a recommendation to award the contract to the selected vendor. For details on the rationale for the selected vendor, please see the bid analysis and recommendation document.

#### Budget Implications

Proposition 39 Clean Energy Funds have been received by Magnolia and are being held in restrictive status. A spreadsheet detailing the awards is attached.

#### How Does This Action Relate/Affect/Benefit All MSAs?

This contract will allow all Magnolia schools to utilize the awarded funds by developing and implementing plans to lower energy costs.

#### Name of Staff Originator:

Frank Gonzalez, Chief External Officer

#### Attachments

Prop. 39 Clean Energy Grant RFP

MPS Clean Energy Awards spreadsheet

Vendor Bid Analysis and Recommendation (forthcoming)



**Magnolia Educational & Research Foundation  
Proposition 39 Clean Energy Grant**

**Request for Proposals**

**Section 1: Public Notification**

**1.1 Introduction**

Magnolia Educational & Research Foundation (“Magnolia” or “Magnolia Public Schools”) is a 501(c) (3) non-profit public charter school management organization dedicated to establishing and managing high-quality public charter schools in California. Magnolia’s vision is to graduate students who are scientific thinkers that contribute to the global community as socially responsible and educated members of society. Magnolia operates ten (10) public charter schools in Los Angeles, Orange and San Diego Counties.

**1.2 Scope of Work**

Proposition 39, the California Clean Energy Jobs Act, provides funding to Local Education Agencies to improve energy efficiency and create clean energy jobs. Multiple Magnolia schools were awarded program funds and the organization is seeking qualified Vendors to develop and submit an expenditure plan to the California Energy Commission.

The selected Vendor will coordinate and work with Magnolia staff to develop the expenditure plan. The plan shall follow all rules, regulations and requirements of the Proposition 39 California Clean Energy Jobs Act, Energy Expenditure Plan guidelines. Additional information on the program can be found at <http://www.cde.ca.gov/ls/fa/ce/>. The selected Vendor shall be solely responsible for researching and meeting all programmatic requirements.

Additional details are found in Section 3, RFP Response Requirements.

**1.3 Requirements**

The selected Vendor shall submit the work product to Magnolia staff a minimum of two (2) weeks prior to the submittal deadline for review, editing and approval. Submittal of the expenditure plan shall be submitted to the state no less than three (3) business days before the

published due date.

The successful Vendor shall:

- have successful experience working with K-12 schools.
- provide a minimum of three (3) references
- provide appropriate proof of insurance as directed by Magnolia Public Schools

Additional details can be found in Section 3.

## **Section 2: Notice to Vendors**

### **2.1 Submission Method**

All bids responses shall be delivered by US Postal Service, common courier (FedEx, UPS) or via hand delivery. Additionally, please also submit a soft copy of the complete RFP response via email in .pdf format to [frank@edfacgroup.org](mailto:frank@edfacgroup.org) by the due date as listed in section 2.5.

### **2.2. Responsiveness**

Magnolia reserves the right to reject a proposal if the proposal is conditional or incomplete, deemed non-responsive, or if it contains any alterations of form or other irregularities of any kind. Magnolia may reject any or all proposals or waive any immaterial deviation in a proposal. Magnolia's waiver of an immaterial deviation shall in no way modify the RFP document or excuse the Vendor from full compliance with all other requirements if awarded the contract.

A proposal is considered responsive if it follows the required format and meets all deadlines and other requirements outlined in this RFP.

### **2.3 Negotiations**

Magnolia reserves the right to further negotiate with selected Vendors regarding pricing and fee structures. All information included in a Proposal may be incorporated, at Magnolia's sole option, into the contract. Magnolia reserves the right to negotiate final terms and conditions of the contract, which may differ from those contained in the Proposal, provided Magnolia considers such negotiation to be in its best interest and the changes in the terms and conditions must not create a material change to the original terms released in the RFP.

### **2.4 Form of Contract**

Each successful Bidder shall be required to enter into a contract in the form prescribed or agreed to by Magnolia. The contract shall be valid from its execution through the completion of the program's scope of work, expected to be in 2019.

## **2.5 Timeline**

All responses are due **by 5:00 p.m., Friday, May 5, 2017**. Submittals received after the due date and time will not be considered.

## **Section 3: RFP Response Requirements**

### **3.1 Scope of Work-Deliverables**

All responses to the RFP shall contain the services to be provided by Vendor, which shall include at minimum, the following deliverables:

- Benchmarking, Energy Auditing and Screening
- Complete and Submit Energy Expenditure Plans
- Secure Funds Commitment of Expenditure Plans
- Project Manage Systems Design, Installation through Completion
- Annual Tracking and Reporting to the CA Energy Commission

### **3.2 Response Requirements**

The proposal shall contain:

- A table of contents or index
- A detailed scope of work for each of the deliverables listed in 3.1
- An itemized breakdown of the fees
- A project schedule
- Vendor Qualifications and Experience: Provide a minimum of three (3) references, including,
  - (a) name and scope of the project
  - (b) client name and contact information
  - (c) contract amount
  - (d) milestone timeline
- Qualifications and Experience of Key Personnel

- Identify the person that will be principally responsible for working with the MPS and leading this engagement. Elaborate upon the role, responsibilities and communication and presentation skills of this individual.
- Provide professional resumes of key personnel to be directly assigned to MPS engagement.
- Provide Insurance Coverage Details

### **3.3 Evaluation of Proposals and Recommendation**

All RFP responses will be read and evaluated by a committee of Magnolia home office staff. Overall responsiveness and representations made within the RFP, as well as your firm's ability to connect with the MPS team are important factors in the overall evaluation process. MPS will select a firm that has the highest suitability for the work with MPS and the overall desirable approach.

### **3.4 Award**

Magnolia reserves the right to reject any and all proposals; to waive any informality in the proposal process; and to accept the proposal that appears to be in its best interests. Staff will make a recommendation to the Board of Directors to award a contract to the selected Vendor. The Board will vote to award the contract at its regularly scheduled meeting in May 2017.

## **4. Questions and Submission**

Please feel free to direct questions to Frank Gonzalez, preferably by email, as shown below.

All proposals are due **no later than 5:00 p.m. on Friday, May 5, 2017**. Please deliver three (3) copies in care of the MERF address and one (1) copy by email as indicated below:

Frank Gonzalez  
c/o Magnolia Education & Research Foundation  
250 E 1<sup>st</sup> Street, Suite 1500  
Los Angeles, CA 90012  
fgonzalez@magnoliapublicschools.org  
323.422.9129 cell

School Name	Energy Expenditure Plan Approved Amount	2013-14 Award	2014-15 Award	2015-16 Award	Total Award	Planning Funds Paid	EEP Funds Paid	Award Remaining
Magnolia Science Academy 1		\$113,752	\$0	\$112,536	\$226,288	\$56,876		\$169,412
Magnolia Science Academy 2		\$108,872	\$0	\$109,272	\$218,144	\$54,436		\$163,708
Magnolia Science Academy 3		\$108,682	\$0	\$109,976	\$218,658	\$54,341		\$164,317
Magnolia Science Academy 4		\$104,816	\$0	\$104,258	\$209,074	\$52,408		\$156,666
Magnolia Science Academy 5		\$106,432	\$0	\$102,482	\$208,914	\$53,216		\$155,698
Magnolia Science Academy 6		\$102,218	\$0	\$103,316	\$205,534	\$51,109		\$154,425
Magnolia Science Academy 7		\$105,482	\$0	\$105,876	\$211,358	\$52,741		\$158,617
Magnolia Science Academy 8		\$114,734	\$0	\$112,014	\$226,748	\$57,367		\$169,381
Magnolia Science Academy San Diego		\$51,160	\$51,008	\$102,038	\$204,206	\$51,160		\$153,046
Magnolia Science Academy Santa Ana				\$50,984	\$50,984			\$50,984
Magnolia Science Academy Santa Clara		\$103,708	\$0	\$50,996	\$154,704	\$51,854		\$0
<b>Total</b>	<b>\$0</b>	<b>\$1,019,856</b>	<b>\$51,008</b>	<b>\$1,063,748</b>	<b>\$2,134,612</b>	<b>\$535,508</b>	<b>\$0</b>	<b>\$1,496,254</b>