



**August 17, 2021**

**Medway Planning & Economic Development Board  
Meeting**

**Next Steps for BESS Consultant**

- Draft Request for Proposal based on discussion of scope of services at the 8-9 Select Board meeting and the 8-10-21 PEDB meeting



## **TOWN OF MEDWAY REQUEST FOR PROPOSALS Battery Energy Storage System Consultant**

**Date:** \_\_\_\_\_, 2021

The Town of Medway (Town) acting by and through its Town Manager seeks proposals (sometimes referred to herein as “proposals” or “bids”) for a consultant to assist the Planning and Economic Development Board (the Board) in its review, study and preparation of appropriate regulations for battery energy storage systems. The Medway Board of Selectmen is the contracting authority for this proposal. The Town reserves the right to reject any or all quotes or to cancel this Request for Proposals (RFP) if it determines it is in the Town’s best interest to do so, and to waive any informality contained therein.

**Proposals must be received by p.m. on \_\_\_\_\_, 2021** at the Office of the Town Manager, Town of Medway, 155 Village Street, Medway, MA. 02053. Email, fax or electronic delivery will not be accepted. Proposals received after this deadline will not be considered.

Written questions concerning this RFP may be submitted to the Community and Economic Development office at [saffleckchilds@townofmedway.org](mailto:saffleckchilds@townofmedway.org), no later than seven days before the deadline for submission of the proposals. The Town will endeavor but shall not be required to answer any such request for information. If it does, the answer shall be provided to all persons who have obtained copies of this RFP, and filed in the Planning & Economic Development office.

The selected contractor will enter into an agreement for services with the Select Board. See sample agreement at the end of this RFP.

### **I. BACKGROUND**

The Town was contacted by Able Grid, which is interested in siting a 250 MW/500 MWh battery energy storage system in Medway at property located at 49 Milford Street (Assessors’ Parcels 56-006 and 46-055), and 53 Milford Street (Assessors’ Parcel 46-056). The proposal has generated a great deal of public interest. The Medway Town Meeting in May voted the following:

That the Planning and Economic Development Board conduct a review and study of Battery Energy Storage Systems (BESS) and engage the services of consultants and other experts as may be necessary to provide information on all aspects of the operation, safety, security, and technology of such systems, ...

with a report ...of the board's findings and recommendations, to include but not be limited to, consideration of potential amendments to the Zoning By-Law.

The purpose of this RFP is to obtain proposals from qualified consultants to assist the Board in carrying out this Town Meeting vote. In particular, the Town is seeking proposals from applicants with proven knowledge of the technical aspects of the design, construction, and operation of BESS systems, including operation, safety, security, and technology issues. The successful applicant must also be able to educate Town officials, and the community, on aspects of BESS facilities through public webinars and responding to questions from Town officials. Finally, the successful applicant will have experience in working with municipalities and will be able to assist the Town with preparing appropriate zoning or other regulations for BESS facilities.

## **II. SCOPE OF SERVICES**

At a minimum, the scope of services shall include the following:

- Provide technical assistance and education to Town officials, in particular the Planning and Economic Development Board, Select Board, and Town staff, with respect to identifying operation, safety, security, and technology issues related to BESS, and provide strategies to Town officials to address these issues and mitigate any impacts from BESS facilities through zoning and/or other Town By-laws or regulations. As appropriate, organize and facilitate virtual public educational briefings for the Board and the community by industry experts on various operation, safety, security, and technology aspects of BESS. Other methods for providing the technical assistance and educational services may be included.
- Review and provide comments on information supplied by Able Grid with respect to its proposed BESS.
- Assist the Board to evaluate possible Medway locations for BESS facilities.
- Provide resource information on BESS technology and installations including guidance from state and federal agencies and professional and industry organizations.
- Prepare a report of findings and recommendations specific to drafting appropriate Town zoning and/or other regulations for BESS. Present the report at a public meeting.

Deliverables shall be electronically provided to the Town in Microsoft Office Word and Adobe Acrobat PDF formats. Report from the consultant, including any recommended zoning bylaw amendments, must be completed and submitted to the Board by 2021.

## **III. SUBMITTALS**

One original and four paper copies of the proposal and one pdf version of the proposal on a flash drive must be submitted in a sealed envelope. Proposals should be clearly marked "RFP# \_\_\_\_\_ BESS Consultant" on the outside of the envelope.

The proposer's name and address must appear on the outside of the submission envelope or package.

If any changes are made to this RFP, an addendum will be sent to all persons on record as having received the RFP. All potential applicants should ensure that the Town has their contact information to ensure that they receive any addenda to this RFP. All addenda must be acknowledged on the bid forms. Failure to do so may, at the Town's discretion, result in automatic rejection of bid.

Proposals may be withdrawn prior to the scheduled time for the opening.

It is the responsibility of the applicant to ensure that delivery is made in a proper and timely fashion. The Town is not responsible for deliveries attempted outside of Town Hall business hours or for any delays in delivery.

If at the time of the scheduled bid submission deadline, Town Hall is closed due to uncontrolled events such as fire, snow, ice, or building evacuation, the submission deadline will be postponed until 12:00 p.m. on the next normal business day.

#### **IV. CONTENTS OF PROPOSAL**

##### **Technical proposal:**

1. General description, including examples, of the firm's experience with BESS design, construction, and operation, including technical expertise with respect to operations, safety, security, and technology of BESS facilities.
2. Description, with examples, of the firm's experience in working with municipalities.
3. A detailed scope of services for the proposed work, including the firm's general approach to such work, evidence of the firm's understanding of the goals and objectives of the project, and methodology for accomplishing the tasks as listed in this RFP.
4. An outline of the schedule for completion of tasks (timeline).
5. Description of or resumes for the assigned staffs' experience, educational background, availability, and chain of responsibility, including the name and title of the principal and/or project manager assigned to the project, names of any sub-consultants, and resumes of all personnel to be associated with the project.
6. Identification of any sub-consultants that will be working with the firm, the roles of those sub-consultants, and their qualifications.
7. At least three references, including name, title, agency, address, description of project, project cost, and telephone number and the email address for clients with

similar projects completed by the Consultant within the last five years (including dates).

8. Other pertinent information about the firm that would aid the Town in making a selection.

9. Completed Required Forms (attached).

10. Evidence of insurance coverage, including general and professional liability and Workers' Compensation insurance.

11. A statement that the applicant has no relationship with Able Grid or its ownership

**Price Proposal:**

Sealed Submission, one copy, clearly marked "RFP #\_\_\_\_ BESS Consultant - Price Proposal".

1. Completed Price Proposal Form (attached)

2. Estimated breakdown by task of professional service fees (including expenses), assigned project staff and hourly billing rates of all staff assigned to provide services (including any sub-consultants).

**Other Requirements:**

Proposals must clearly address all the submittal requirements; that is, the response should include a section addressing all of the minimum qualifications, the minimum submittal requirements, and each of the review criteria. The proposal will be reviewed based on each of these items and it will be to the benefit of the responder to clearly address each of the items. Where the requirements specify a minimum level of experience, indicate the dates of said experience.

In submitting a proposal, the applicant agrees to execute a contract in a form satisfactory to the Town [attached hereto as \_\_\_\_]. All proposals shall be unconditional; no proposal that purports to impose conditions not included in this RFP will be deemed responsive.

## **V. REVIEW & SELECTION PROCESS**

Proposals will be opened and recorded in a register in the presence of witnesses at 4:00 p.m. on Monday \_\_\_\_ by the Assistant Town Manager or her designee. The contents of the responses to the RFP are not public information during the evaluation process. After consultant selection, all proposals shall be deemed to be public records within the meaning of M.G.L. c.4, §7(26). If an applicant believes that the RFP requires the disclosure of technical, proprietary, or trade secret information that the Applicant is not willing to make public, such information should NOT be submitted. No part of a proposal involving the payment of compensation to the Applicant may be designated as confidential.

All proposals will be evaluated by an Evaluation Committee. The Committee will rank the qualified applicants.

The Town reserves the right to seek additional information relating to Evaluation Criteria in the RFP from any applicant after opening of proposals but before entering into a contract, to reject any proposal if it deems it to be in the best interests of the Town, and to award a contract to the next qualified applicant. The Town reserves the right to check references identified by any applicant. Consistent with provisions of M.G.L. c.30B, §6, the Town reserves the right to award the contract based on considerations other than price.

The Evaluation Committee shall provide a recommendation to the Town Manager. The Town will notify the successful applicant who offered the most advantageous combination of outstanding qualifications and competitive price. The successful applicant will be required to execute a contract for the Consultant position in the form attached hereto as Exhibit 1. **This contract is subject to approval by the Town's Board of Selectmen.** If the Town is unable to successfully negotiate a contract with this individual or firm, the Town will attempt to award a contract to the next most highly ranked applicant, etc., until the contract is filled.

## VI. EVALUATION

At a minimum, the proposing firm must have the following qualifications

1. The firm must have at least four years of experience in design, construction, and/or operation of BESS.
2. The firm must have at least two years of experience working with municipal clients on BESS, renewable energy, or related projects, including the aspect of community engagement.
3. The project manager to be assigned to this project must be available for meetings with the Town on days or evenings, as required.
4. The firm must have proven experience in the public sector and in working with municipal agencies.
5. The volume of the proposed project managers and firm's current and projected workload must not adversely affect its ability to immediately initiate work and to follow through with the project in a timely and professional manner to complete the work within the schedule outlined in this RFP.

### Evaluation Criteria

Those applicants deemed to meet the Minimum Qualifications will be further evaluated according to the criteria and standards below. An overall rating for each proposal will be calculated by assigning numerical values to the comparative evaluation ratings as follows:

**Highly Advantageous** – 10 points

**Advantageous** – 6 points

**Not Advantageous** – 3 points

**Unacceptable** – 0 points

A simple arithmetic average rating based on the evaluation criteria will be calculated for each proposal. The proposal receiving the highest average rating will be considered the most advantageous. The Town will award the contract to the Consultant offering the most advantageous response to this RFP, taking into consideration all evaluation criteria and the pricing proposal. Finalists may be required to appear for an interview.

#### **Evaluation Criteria:**

**1. Desirability of approach to the project, as well as a demonstrated understanding of all project components. The Plan of Services should be detailed and logical, and demonstrate efficiencies and creativity in completing the project.**

*Highly Advantageous:* The plan of services proposes a detailed, logical, creative, and highly efficient scheme for producing a complete project that addresses all goals of this project and meets all the minimum applicant qualifications.

*Advantageous:* The plan of services proposes a credible scheme for producing a complete project that addresses all of the required issues and meets all the minimum applicant qualifications.

*Not Advantageous:* The plan of services is not sufficiently detailed to fully evaluate, or the plan does not contain all the components necessary to produce a complete project that addresses all of the required issues and meets all the minimum applicant qualifications.

*Unacceptable:* The plan of services does not meet all the minimum applicant qualifications.

**2. Depth of experience with the design, construction, and/or operation of BESS projects, including operation, safety, security, and technology aspects.**

*Highly Advantageous:* The Consultant has at least seven years of experience in the renewable energy field, including BESS systems, and has worked with municipalities on

at least two BESS projects.

*Advantageous:* The Consultant has at least five years of experience in the renewable energy field, including BESS systems, and has worked with a municipality on at least one BESS project.

*Not Advantageous:* The Consultant has less than five years of experience but more than one year of experience in the renewable energy field, including BESS systems, and has worked with a municipality on at least one BESS project.

*Unacceptable:* The Consultant has less than three years of experience in the renewable energy field, including BESS systems, or has not worked with a municipality on at least one BESS project.

**3. Strength and credibility of client references. The Consultant shall demonstrate prior client satisfaction with working relationship, project management capabilities, and technical expertise in developing similar projects.**

*Highly Advantageous:* Three or more clients who consider your services satisfactory or better, and no clients who consider your services unsatisfactory.

*Advantageous:* Three or more clients who consider your services satisfactory or better.

*Not Advantageous:* Fewer than three clients who consider your services satisfactory or better.

*Unacceptable:* No clients who consider your services satisfactory or better.

**4. Demonstrated ability to meet project budget and project schedule.**

*Highly Advantageous:* All of the Consultant's references indicate that the projects were completed within budget and on schedule or with minimal, insignificant delays.

*Advantageous:* One of the Consultant's references indicates that the project was not completed within budget attributable to the Consultant or with substantial delays attributable to the Consultant, and no current project or project completed in the last three years experienced substantial delays attributable to the Consultant.

*Not Advantageous:* Two of the Consultant's references indicate that the project was not completed within budget attributable to the Consultant or was completed with substantial delays attributable to the Consultant, and no current project or project completed in the last year experienced substantial delays attributable to the Consultant.

*Unacceptable:* More than two of the Consultant's references indicate that the project was not completed within budget attributable to the Consultant or was completed with substantial delays attributable to the Consultant.

**5. Price.**

*Highly Advantageous:* Firm offering the lowest not to exceed price proposal.

*Advantageous:* Firm offering the second lowest not to exceed price proposal.



*Not Advantageous:* Firm offering the third lowest not to exceed price proposal.

*Unacceptable:* Firms offering prices higher than the third lowest not to exceed price.

**REQUEST FOR PROPOSALS  
PROPOSAL-PRICING SHEET  
BESS Consultant Services  
Medway, MA**

Prepared and submitted by: \_\_\_\_\_  
\_\_\_\_\_

Hourly rates for personnel:

**NOT TO EXCEED FEE:** \_\_\_\_\_

**CERTIFICATE of GOOD FAITH, NON-COLLUSION,  
TAX COMPLIANCE & AUTHORITY**

The undersigned certifies under the pains and penalties of perjury that the proposal is in all respects bona fide, fair, and made without collusion or fraud with any other persons. As used in this paragraph, the word "person" shall mean any natural person, joint venture, partnership, corporation, or other business or legal entity.

Pursuant to M.G.L. Chapter 62C, Section 49A(b), the undersigned certifies under the pains and penalties of perjury that the contractor named below has complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

The undersigned certifies under the pains and penalties of perjury that he/she is authorized on behalf of the contractor named below to submit bids and proposals and execute contracts in the name on behalf of said contractor. If the bidder is a corporation, a clerk's certificate of the vote of a Director's meeting will be provided.

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Social Security Number or Federal Identification Number

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Company Name

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Printed Name of Signer

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Signature

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Date

**Any person or corporation which fails to execute this document  
will be considered a non-responsive bidder and will be rejected pursuant to MGL  
Chapter 30B.**