

East Aurora School District 131
417 Fifth Street
Aurora, IL 60505



Natural Gas RFP

Bid Due: Friday, March 23, 2018 at 11:00 AM

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SECTION 1

EAST AURORA SCHOOL DISTRICT 131

INFORMATION FOR BIDDERS

1. Notice is hereby given that electronic proposals for all material outlined on the attached listing for the East Aurora School District #131, Aurora, Illinois [the "School District"] shall be received at the Office of the Assistant Superintendent for Finance, via e-mail at mprombo@d131.org, on or before 11:00 AM on Friday, March 23, 2018, at which time they will be opened and read aloud. Submission is by email only and the School District will not accept postal deliveries. **Bids received after the time specified in the Invitation to Bid will not be considered.**

2. BID DOCUMENTS: Bidding Documents consist of Instructions to Bidders, Specifications and Bid Forms and may be obtained after 8:00 a.m. on Tuesday, March 6, 2018 from the McKnight Service Center, 417 Fifth Street, Aurora, IL or on our website, www.d131.org/bidding.

Bidders shall carefully examine the entire contents of Bidding Documents to become thoroughly familiar with all requirements. The submission of a Bid will constitute an incontrovertible representation by the Bidder that the Bidding Documents are sufficient in scope and detail to indicate and convey understanding of all terms and conditions.

A complete set of Bidding Documents shall be used in preparing Bids. The School District does not assume any responsibility for errors or misinterpretations resulting from the use of incomplete sets of Bidding Documents.

The School District, in making copies of Bidding Documents available on the above terms, does so for the purpose of obtaining bids on the work and does not confer a license or grant for any other use.

SECTION II

INTRODUCTION

The purpose of this Request for Proposal ("RFP") is to solicit proposals from qualified energy suppliers for the supply and delivery of natural gas with appropriate energy cost control and risk management strategies as needed to meet the requirements of the School District. The intent is to enter into a contractual agreement with one firm to supply the natural gas needs of the School District for a minimum of a twelve (12) month term. The School District will also consider contracts for twenty-four (24) months and thirty-six (36) months. Regardless of the length of the contract, the contract may be extended, upon mutual agreement of the parties, for an additional period(s). Consultants, brokers, agents, or broker services shall **not** be considered. Consideration will be given to direct suppliers capable of supplying natural gas management, along with offering load response and energy efficiency programs.

Respondents shall present natural gas pricing, along with natural gas cost, usage control and budgetary risk control strategies considering the School District's need for cost control, usage control, budgetary stability, accuracy, and predictability.

The selected firm will provide all services related to the supply of natural gas including, but not limited to, the supply of natural gas making daily nominations, balancing services, monthly reporting with data in a web-based electronic format, providing energy market and natural gas futures price information when requested, pro-active customer service, along with applying cost and price risk management techniques as required.

BACKGROUND

The School District has twenty-one (21) accounts transporting natural gas, all of which are on Rate 94/74 being served by a direct supplier. The School District also has six (6) accounts being served by Nicor Gas, all of which will be moved to transportation to the current supplier this spring. The School District is behind the Nicor Gas Utility distribution system. The School District is open to using its utility assigned storage capacities as part of an overall energy cost control solution. The School District uses approximately 849,699 therms annually.

SECTION III STANDARD INSTRUCTIONS TO RESPONDENTS

1. All proposals must be made on the enclosed forms (pages 9 - 14) (or exact photocopies). All submissions shall be in PDF format.
2. Sign and return the original proposal documents (pages 9 - 14) via email. Retain duplicates for your files. Unsigned proposals, and proposals not notarized will not be considered for award.
3. Give complete specifications for any substitutions or alternates offered.
4. Prices submitted for quotation shall include all charges including NYMEX, Basis, and Supplier fees for delivery to the District's natural gas meters listed in this RFP. The School District is exempt from taxes, including but not limited to, the Retailer's Occupation Tax, federal excise tax, federal transportation tax or any Service Use Tax.
5. All RFP related questions must be emailed to the School District's contact person, Verena Nunez at vnunez@d131.org by March 16, 2018 at 12:00 PM. Any modification to or interpretation of the RFP documents shall only be made by addendum.
6. Return the properly executed proposal documents by email on or before the due date and time to the Office of the Assistant Superintendent for Finance, at mprombo@d131.org with the RFP description along with the due date and time in the email subject line. No proposals will be accepted after the time designated in the request for proposals, regardless of the reason given for the delay in delivery of same. Proposals received after the stated due date and time shall not be considered.
7. All proposals must be submitted without modification or reservations on the School District schedule of items and proposal forms (pages 9 - 14) with each space properly completed or executed.
8. Explanations or statements which the Respondent wishes to make must be submitted with the Respondent's proposal.
9. Special attention is directed to Respondents that no claim for relief due to errors or omissions in its proposal shall be considered. Respondents shall be held strictly to the proposal as submitted. Should a Respondent find discrepancies in, or omissions from any of the documents, or be in doubt as to their meaning, they should advise the RFP contact person, Ms. Verena Nunez, vnunez@d131.org by email by March 16, 2018 at 12:00 PM CST. The RFP contact person shall issue the necessary clarifications to all prospective Respondents by means of an addendum.

10. Trade names are used in the specifications for the express purpose of establishing a standard of quality and coordination of design, not for the purpose of limiting competition. Any fees, legal or otherwise, involved in the successful delivery of this proposal shall be borne by the Respondent.

QUESTIONS

All questions are to be directed by e-mail to the RFP Contact Person, Ms. Verena Nunez, vnunez@d131.org on or before March 16, 2018 at 12:00 PM CST. The RFP Contact person will then issue an addendum and post online at www.d131.org/bidding to address the question. No questions will be accepted after the questions deadline date.

ALTERNATIVES

Alternative programs shall not be considered unless they are a standard product/service of the Respondent as evidenced by documented historical performance versus the Chicago FOM NGI Index and the local utility distribution gas costs for the last four (4) years minimum to be included with your proposal.

INVESTIGATION OF RESPONDENTS

The RFP contact person shall make such investigation as is necessary to determine ability and qualifications of the Respondent. The Respondent shall furnish all such information and data for this purpose as may be requested and shall be prepared to show ongoing management services similar to that included in its proposal. The School District reserves the right to reject any or all proposals where the School District believes that the Respondent is not properly qualified to carry out the obligations as described in the RFP.

RESERVATION OF RIGHTS BY EAST AURORA SCHOOL DISTRICT 131

The School District reserves the right to reject any or all proposals, to waive irregularities and to accept the proposal to be in the best interest of the School District. Any such decision shall be considered final and not subject to review. Accepted proposals are subject to the execution of a written contract between the Respondent and the School District. All such contracts are contingent upon approval by the legal counsel for the School District. The goods and services which are the subject of this RFP are exempt from bidding under Section 10-20.21 (a) (ix) of the School Code. This request for proposals is being utilized by the School District to foster competition and competitive pricing so it can select the vendor in the School District's best interests. The School District is not bound by the competitive bidding requirements of the School Code in awarding this Contract.

SIGNATURE CONSTITUTES ACCEPTANCE

The signature of the Respondent to these RFP documents shall be construed as acceptance of the terms and conditions in this RFP. The terms and conditions in this RFP shall become part of any contract with the successful Respondent and the terms and conditions contained in this RFP shall control over any other document once mutually agreed upon contract is executed.

WITHDRAWAL OF PROPOSAL

Proposals may be withdrawn by email or in person, prior to the due date and time established.

GOVERNING LAW AND VENUE

The agreement between the successful Respondent and the School District shall be governed in all respects by Illinois law. Any dispute between the parties shall be brought in the Circuit Court for the 16th Judicial Circuit, Kane County, IL or the U.S. District Court, Northern District of Illinois, Eastern Division. To the fullest extent permitted by law, the School District shall be entitled to recover all legal fees, court costs and expenses of any kind whatsoever in bringing an action to enforce the terms of this agreement.

SELECTION PROCESS

The School District shall review all submissions to assure that they comply with the RFP requirements. The three (3) highest scoring respondents (see Exhibit B for natural gas decision matrix) may be invited by the District to discuss their proposals at a later date, with the contract being awarded to the Respondent best serving the interests of the School District, as determined by the Board of Education at the April 16, 2018 Board of Education meeting. The School District reserves the right to negotiate the pricing for the services sought in this RFP

SUBMITTAL REQUIREMENT

Each Respondent shall complete all required attachments (pages 9-14), answer all questions fully, and include the required documentation with their RFP submittals. All proposals shall be made only on the forms provided (or an exact copy thereof) in PDF format. Failure to do so may disqualify the proposal. Unsigned proposals will not be considered.

BID RIGGING AND BID ROTATING

As required by the *Criminal Code*, 720 ILCS § 5/33E-1, by submitting a proposal, the Respondent certifies that it is not barred from contracting with any unit of State or Local Government as a result of a violation of any criminal statute including, but not limited to, the bid rigging (Section 33E-3) or bid rotating (Section 33E-4) provisions of the *Criminal Code*. The Respondent agrees that if this certification is false, District 131 may declare the contract awarded void. The Respondent further certifies that it will provide a drug free workplace as required by the Illinois *Drug Free Workplace Act*, 30 ILCS §§ 580/1 et seq. If applicable, the Respondent shall collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with the provisions of the *Illinois Use Tax Act*, 35 ILCS 105/1 et seq., regardless of whether the Respondent is a retailer maintaining a place of business within this State" as defined in Section 2 of the Use Tax Act.

INSURANCE

The Respondent shall procure and maintain at its own cost and expense (1) commercial general liability insurance on an occurrence basis to insure all loss (including, but not limited to, attorney's fees and costs), claims, demands, or actions for damage to property, or bodily and personal injury to or death of any one or more persons in the minimum amount of \$2,000,000 per occurrence and in the aggregate, (2) umbrella or excessive liability coverage in a minimum amount of \$2,000,000 per occurrence and in the aggregate, and (3) worker's compensation coverage in the minimum statutory amounts. The Respondent shall name the indemnitees (defined below) as additional insured's on all insurance policies required herein, with the exception of the worker's compensation insurance. The insurance required of the Respondent shall be primary and non-contributory. If the additional insured's have other insurance which is applicable to the loss, it shall be on an excess or contingent basis. The Respondent shall provide a certificate of insurance on a form acceptable to the School District evidencing the required insurance.

INDEMNIFICATION:

The Respondent shall indemnify and hold harmless the Board of Education of School District and its individual board members, officers, employees, agents, volunteers, successors, and assigns ("Indemnitees"), from any and all costs, damages, losses, judgments, liabilities and expenses (including reasonable attorneys' fees and litigation costs) (collectively, "Claims") brought against or incurred by an Indemnitee arising out of, in connection with, or related to (1) any acts or omissions of the Respondent; and (2) any breach of contract by the Respondent.

SECTION IV

SCOPE OF CONTRACT AND SERVICES

1. The successful Respondent shall provide total gas cost, risk, and supply management services including but *not* limited to:
 - Monthly adjustment of load profiles for each metered account under service.
 - Ability to change monthly nominations without penalties for any volumes not in a fixed price
 - Accurate and timely monthly consolidated billing statements (detailed commodity and utility gas costs itemized by account number on one bill) for East Aurora School District 131, including actual natural gas usage.
 - A minimum of 45-day payments terms required in accordance with the Illinois Prompt Payment Act, 50 ILCS 505/4.
 - Copies of all utility bills must be supplied to East Aurora School District 131 for verification, preferably electronically and hard copy by mail.
 - Manage the daily allocation and coordination of natural gas deliveries to East Aurora School District 131 facilities from the wellhead to District burner tip.
 - Deliveries adjusted to meet East Aurora School District 131's load profile of usage and storage requirements.
 - Reconciled natural gas nominations with actual deliveries.
 - Protecting District 131 from potential imbalance charges and Critical Day penalties.
 - Recommendations for additional energy cost reduction solutions, alerts to energy efficiency opportunities, and grants.
 - Quarterly usage reviews by phone or in person if required.
 - Access to on-line 24/7 access to usage analyses, cost analyses, budget forecasts, daily NYMEX prices, weekly summary market intelligence reports, and historical invoices (commodity and utility preferred).
 - Review the Local Distribution Company gas bills to ensure accuracy and that the correct taxes are assessed.
 - Provide Pipeline balancing services as required by FERC.
 - Pool the District's volumes to maximize purchasing power.
 - District will retain control of storage or turn control of storage over to supplier for a price discount, depending on pricing selected.
2. At District 131's option, the agreement between the parties shall be for a twelve (12) month, twenty-four (24) month or thirty-six (36) month term as of July 1, 2018.
3. Regardless of the contract length, the contract may be extended, upon mutual agreement of the parties for an additional period(s). **AUTOMATIC ROLLOVER CLAUSES OF ANY KIND ARE NOT ACCEPTABLE AND SHALL BE VOID**

SUBMITTAL REQUIREMENTS
EAST AURORA SCHOOL DISTRICT 131
Natural Gas RFP 2018
Natural Gas Management – Supplier's Information

Respondent must complete the following information and include with your full RFP submittal:

My signature certifies that I am an authorized agent of the aforementioned company and am authorized to propose and enter into contracts as called for in this RFP. Furthermore, I certify that by submitting my proposal I am bound by all requirements as called for in the RFP.

The undersigned Bidder or Agent, being duly sworn, on oath, says that he has not, or has any other member, representative, or agent of the firm, company, corporation, or partnership represented by him, entered into any combination, collusion, or agreement with any person relative to the bid price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without agreement, understanding, or combination with any other person in reference to such bidding.

Additionally, I, (we) hereby certify and affirm that my (our) proposal was prepared independently for this bid package and that it contains no fees or amounts other than for the legitimate execution of this work as specified and that it contains no fees or amounts other than for the legitimate execution of this work as specified and that it includes no understanding or agreements in restraint of trade. I further certify that I (we) am not barred from bidding on the contract as a result of a conviction for either bid-rigging or bid rotating under Public Act 85-1295 (Illinois Revised Statute, 1987, Ch. 38, Article 33E-3 or 33E-4) of the Criminal Code of 1961.

I hereby acknowledge the following Addenda _____

Full Legal Business Name of Energy Supply Company _____

Authorized Company's Officer's Name (print) _____ Title _____

Authorized Company's Officer's Signature _____ Date _____

Federal Employee Identification # _____

Illinois Department of Human Rights # _____

Subscribed and sworn to before me this _____ day of _____, 20 ____

Notary Public

Verified by:

SUBMITTAL REQUIREMENTS
EAST AURORA SCHOOL DISTRICT #131
NATURAL GAS RFP 2018

Natural Gas Management -RFP Contact Person's Information:
Submittal Requirement

ENERGY COMPANY'S NAME: _____

MAILING ADDRESS: _____

CITY, STATE, ZIP CODE: _____

BID CONTACT PERSON: _____

DAYTIME PHONE NUMBER: _____

FAX NUMBER: _____

E-MAIL ADDRESS: _____

COMPANY WEBSITE: _____

SUBMITTAL REQUIREMENTS

EAST AURORA SCHOOL DISTRICT #131

NATURAL GAS RFP 2018

Respondent must provide the following information with its RFP submittal. Prices reflected should include all costs for the delivery and management of natural gas to East Aurora School District 131. The following requirements are in addition to and take precedence over general conditions of the contract.

- (l) If District 131 retains its storage capacity for its own benefit, please provide a Fixed CityGate (NYMEX + BASIS + Margin) price solution for District 131's load profile for a 12, 24, and 36 month term starting on July 1, 2018 based upon the FINAL SETTLEMENT PRICING as of March 21, 2018. (review Exhibit A for our District's load profile and storage capacity):

Term	Enter Your Per Therm Price
July 1, 2018 through June 30, 2019	
July 1, 2018 through June 30, 2020	
July 1, 2018 through June 30, 2021	

Usage Variance	Enter Your Per Therm Price
Over burn:	
Under burn:	

Other Invoiced Fees	Enter Monthly Fee Per Account
Monthly Pooling Fee	
Monthly Utility Bulletin Board Fee	
Any Other Monthly Fee	

SUBMITTAL REQUIREMENTS

- (2) If District 131 turns over its storage capacity for a price discount, please provide a Fixed CityGate (NYMEX + BASIS + Margin) price solution for our District's load profile for a 12, 24, and 36 month term starting on July 1, 2018 based upon FINAL SETTLEMENT PRICING as of *March 21, 2018*. (review Exhibit A for our District's load profile and storage capacity):

Term	Enter Your Per Therm Price
July 1, 2018 through June 30, 2019	
July 1, 2018 through June 30, 2020	
July 1, 2018 through June 30, 2021	

Usage Variance	Enter Your Per Therm Price
Over burn:	
Under burn:	

Other Invoiced Fees	Enter Monthly Fee Per Account
Monthly Pooling Fee	
Monthly Utility Bulletin Board Fee	
Any Other Monthly Fee	

SUBMITTAL REQUIREMENTS

- (3) Provide a minimum of five (5) references of Illinois based school district customers behind Nicor Gas (supply a contact name, phone number, e-mail address, and fax number) with similar load profiles that you have been serving for a minimum of the last twenty-four (24) months:

School District Name	Contact Person	Address	Phone Number/ Email	Annual Therms

- (4) Provide a sample monthly consolidated billing statement for multiple accounts on a single invoice. Please confirm that your Company's Terms and Conditions of Sale for East Aurora School District 131 shall comply with the Local Government Prompt Payment Act.
- (5) Include with your response a draft version of the proposed natural gas sale agreement, transaction confirmations, and supply riders that you are proposing if your company is selected. AUTOMATIC ROLLOVER CLAUSES OF ANY KIND ARE PROHIBITED AND SHALL BE VOID. Respondent acknowledges that the terms and conditions of this RFP shall control over any other terms and conditions.
- (6) Provide a summary of your company's on-line reporting and invoicing capabilities including your web based account specific reporting, web-based Customer Account Information, and web based invoicing. Please include a sample of these reports in your response

SUBMITTAL REQUIREMENTS

EAST AURORA SCHOOL DISTRICT #131 NATURAL GAS RFP 2018

Please provide the following information as a separate document:

Company History and Organization

1. How long has your company been in business?
2. How long have you been doing business in Illinois?
3. Does your company have customer representatives and full service offices in Illinois?
4. Please provide information regarding the size of your organization, number of employees and annual revenue. In addition, please furnish documentation that describes your company's background and strengths as a corporation and audited financial reports.
5. What is your company's current Moody's or S&P Credit rating?
6. Please provide a list of employees that would be servicing East Aurora School District 131 account along with a brief history and resume of their experience and background.
7. Do you measure customer satisfaction ratings, and if so, what are the ratings?
8. What are your minimum and maximum contract term lengths?

Energy Management Tools

1. Does your company offer online energy management tools?
2. Describe the purchasing tools that you offer to customers to minimize the impact of price volatility within the market.
3. Describe any additional services offered that would enhance the district's ability to minimize the cost of natural gas.

Billing/Invoicing

1. Does your company offer consolidated invoices (supply and delivery for all locations on one invoice)?

Exhibit A

EAST AURORA SCHOOL DISTRICT #131
NATURAL GAS RFP 2018

East Aurora School District 131 (2) - Year Average Usage Data

Month	Usage in Therms
January	135,898
February	150,132
March	112,343
April	48,725
May	21,308
June	5,830
July	4,699
August	5,225
September	7,335
October	33,217
November	120,016
December	204,971
Nicor Gas MDCQ	10,965
Nicor Gas SBS	339,915
Days of Storage	31
Accounts	20

Please use the load profile provided for all pricing calculations.

EXHIBIT B
 EAST AURORA SCHOOL DISTRICT #131
 NATURAL GAS RFP 2018
Natural Gas Management Decision Matrix

Energy Company: _____

Date of Review: _____

Items of Consideration	Weight	SCORE (1 to 5)	Extension
Supplier's Customer References and Payments Terms	10%		
Pricing Proposal and Storage Management Recommendation	70%		
Customer Service, Web Based Reporting, Sample Consolidated Invoice, other vendor info, and Draft Agreement/Riders	20%		
Total	100%		

Notes: On a scale of (1-5) a score of (1) being the lowest and (5) being the highest.

East Aurora School District 131 Reviewer's Signature: _____



FINANCE DEPARTMENT

EAST AURORA SCHOOL DISTRICT 131

School Service Center | 417 Fifth St. | Aurora, IL 60505
(630) 299-5550 | info@d131.org | www.d131.org

March 06, 2018

Nicor Gas
Gas Transportation Customer Service Center
Fax: 630-983-6070

Dear Nicor Gas:

The undersigned authorizes Nicor Gas to release the requested information indicated below for the following accounts listed on the attachment:

Requested Information: Gas consumption from January 2017 to present

Customer Information: East Aurora School District 131

The information can be released to the supplier for the purposes of responding to East Aurora School District 131's request for the purchase of Natural Gas RFP

Supplier: _____

Attn: _____

Fax: _____

This authorization will be effective immediately upon receipt by Nicor Gas. This authorization is only for this specific request and will expire after Nicor Gas honors this request.

Authorized By:

Michael J. Prombo
Assistant Superintendent of Finance
(630) 299-5545

It is further agreed that Nicor Gas is receiving no consideration for honoring this request and that any release of information by it pursuant hereto is done solely as an accommodation to company furnishing such authorization.

List of East Aurora School District 131 Accounts:

Account #	Building	Street Address	City
0411711000	Hermes Elementary School	1000 Jungles Ave	Aurora
1178901000	East Aurora High School	500A Tomcat Ln	Aurora
1949752885	Fred Rogers Magnet Academy	501 College Ave	Aurora
2578801000	Krug Elementary School	240 Melrose Ln	Aurora
2974890000	Cowherd Middle School	441 N Farnsworth Ave	Aurora
3304901000	Gates Elementary School	800 7 th Ave	Aurora
3574821000	Service Center	417 5 th St	Aurora
3836811000	O'Donnell Elementary School	1640 Reckinger Rd	Aurora
4374821000	Bardwell Elementary School	550 S Lincoln Ave	Aurora
4413811000	Brady Elementary School	608 Columbia St	Aurora
4476811000	Simmons Middle School	1130 Sheffer Rd	Aurora
5887801000	Dieterich Elementary School	1141 Jackson St	Aurora
5365711000	Waldo Middle School	56 Jackson St	Aurora
6004790000	Rollins Elementary School	950 Kane St	Aurora
7487721000	Johnson Elementary	1934 Liberty St	Aurora
8609901000	Allen Elementary School	700 S Farnsworth Ave	Aurora
8995011000	Buildings & Grounds	411 Hill Ave	Aurora
9206111000	Oak Park Elementary School	1200 Front St	Aurora
9696848159	Benavides STEAM Academy	250 E Indian Trail	Aurora
9816011000	Beaupre Elementary School	954 S Benton St	Aurora
4659784927	Child Service Center	1480 Reckinger Rd	Aurora
Accounts listed below are currently served by Nicor Gas			
03812155483	Administrative Service Center	231 E. Indian Trail	Aurora
95117110007	Domier Building	808 Sheffer Rd	Aurora
29291671179	EAHS Concessions Building	500 Tomcat Lane	Aurora
15879991659	EAHS Building B	500 Tomcat Ln	Aurora
7639782644	Early Childhood Center	274 E Indian Trail	Aurora
6501535524	Benavides STEAM Academy	256 E Indian Trail	Aurora