



Addendum #1 to

**CAPE LIGHT COMPACT
REQUEST FOR QUALIFICATIONS (RFQ)
FOR
STREET LIGHT ENERGY MANAGEMENT
SERVICES**

Under
Massachusetts General Laws, Chapter 25A, Section 11I
A Guaranteed Energy Savings Contract

JULY 22, 2013

Answers to potential Respondent Inquiries

Question #1: On the www.mass.gov website, (<http://www.mass.gov/anf/property-mgmt-and-construction/design-and-construction-of-public-bldgs/contractor-certification/workshop-on-dcam-certification.html>) DCAM is described as relevant to projects involving and specifically geared toward buildings.

...DOES YOUR FIRM NEED DCAMM CERTIFICATION TO BID ON PUBLIC PROJECTS AND IF SO WHAT YOU NEED TO KNOW

I. DCAMM Certification of Prime/General Bidders is required for all building projects bid under Massachusetts General Laws, Chapter 149, §44A-J or Chapter 149A.

A DCAMM Certificate of Eligibility is not required for:

- Highway, bridge, tunnel, sewer, site work, or other horizontal projects that do not involve buildings.
- Projects estimated to cost \$100,000 or less.
- Subcontractors submitting prices on these projects are divided into two categories, those submitting bids as “filed sub-bidders/trade contractors” and all others.

Given that this RFQ is for street lights and not related primarily to buildings, we are wondering if full DCAMM certification is necessary or relevant.

It appears the scope of this project may not perfectly fit DCAMM requirements as described in chapter 149 (<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXXI/Chapter149/Section44A>).

If it is deemed that DCAMM certification is relevant and required, would the compact consider extending the deadline and/or continuing to consider a responding bidder in process of becoming certified.

Answer #1: In accordance with M.G.L. c.25A §11C §11I and 225 C.M.R. 10.00, Public Agencies must require that Respondents obtain DCAM certification. However, Respondents need only one Energy Management Services DCAM certification (as per DOER EMS web page link at <http://www.mass.gov/eea/energy-utilities-clean-tech/green-communities/ems.html>).

The Compact must maintain the Projected Selection Timeline as listed in the RFQ at 1.1 (see page 4).

Question #2: I am the owner a small recycling company that specializes in street light recycling. I am very interested in getting involved in the LED street light conversion, as we facilitate the recycling on large scale conversions all over the country. We are able to offer a scrap value on the fixtures while also recycling the HPS lamps.

Is this something that will be the responsibility of the contractor?

Answer #2: Yes, as more fully described in the RFQ, the selected Contractor will be responsible for developing and implementing a plan for the proper disposal and recycling of the old fixtures.

Question #3: We are an American affiliate of a world-wide streetlight maintenance management company, and we are trying to qualify to compete for various opportunities to engage in upgrades and maintenance management procurements of the sort you have recently launched for the several Cities at Cape Cod. We traditionally joint venture with local certified contractors to bring its advanced asset upgrade, financing and management systems into local markets. In reviewing the requirements under the applicable Massachusetts laws and regulations, we are concerned that such an approach may not be allowed in this procurement. Can you clarify whether, under Section III.G.4 of the DCAMM Certification Guidelines and Procedures, whether a non-resident Contractor may or may not qualify to bid on the solicitation you have issued as a joint venture partner with a locally certified contractor unless the non-resident Contractor themselves also becomes certified in time to be able to bid on this procurement, i.e. August 9, 2013?

Answer #3: Respondents submitting a Proposal must be DCAM certified, but they may employ subcontractors, and these subcontractors do not have to be DCAM certified. A Respondent should describe in their Proposal what components of the streetlight energy management services they intend to subcontract. If a Respondent does not have pre-existing subcontractors identified for this project, they should describe their process for selecting subcontractors. Potential Respondents are encouraged to review the MA DOER website link referred to in Answer #1 for helpful guidance on the requirements of guaranteed energy savings contracts per Massachusetts General Laws, Chapter 25A, Section 11I.