**Solar on Schools Toolkit**

**Model Request for Proposal for a Solar Photovoltaic System**

**Instructions**

This Word file contains a model Request for Proposal (“RFP”) for a school to select a solar contractor to install a solar system for the school. By ensuring you are asking for the correct information about Proposers, their experience, the equipment standards, etc., you are more likely to make a better selection of the installer and the system.

This model RFP is designed for both the direct ownership model and a third-party ownership model and invited Proposers to offer both structures for your consideration.

This model RFP will need to be customized to fit your situation. The RFP text that requires customization is highlighted in yellow. Because the RFP is generally issued after some preliminary analysis of the potential project, much of the data needed to complete the RFP will come from this analysis (such as your electricity usage, the potential site for the solar project and its size, etc.). Note that the more information you include in the RFP about your school’s physical plant and its electricity bills, the less time you will need to spend responding to requests from Proposers for additional information.

There may also be legal boilerplate RFP language that your School District or its solicitor require in RFPs that may need to be added.

One important issue that must be resolved before issuance of the RFP is how the School and the selected contractor will comply with various Commonwealth procurement laws (including the Separations Act of 1923). This issue should be reviewed with your School’s solicitor prior to issuing the RFP.

**Disclaimer:**

This model RFP and the other elements of the *Solar on Schools Toolkit* were prepared for the Commonwealth of Pennsylvania and the Pennsylvania Department of Environmental Protection (“DEP”) by the Philadelphia Solar Energy Association. This material is based upon work supported by the United States Department of Energy, Office of Energy Efficiency and Renewable Energy, under State Energy Program Award Number EE0009485.This report was prepared as an account of work sponsored by an agency of the U.S. Government and the Commonwealth of Pennsylvania. Neither the U.S. Government, the Commonwealth of Pennsylvania, nor any agency thereof, nor any of their employees, makes any warranty, express or implied, or assumes any legal liability or responsibility for the accuracy, completeness, or usefulness of any information, apparatus, product, or process disclosed, or represents that its use would not infringe privately owned rights. Reference herein to any specific commercial product, process, or service by trade name, trademark, manufacturer, or otherwise does not necessarily constitute or imply its endorsement, recommendation, or favoring by the U.S. Government, the Commonwealth of Pennsylvania or any agency thereof. The views and opinions of authors expressed herein do not necessarily state or reflect those of the U.S. Government, the Commonwealth of Pennsylvania or any agency thereof.

**[School Name – School Logo]**

**Request for Proposal**

**For a Solar Photovoltaic System**

**Proposals in response to this RFP are due**

**[time] on [day of week], [date]**

1. **INTRODUCTION**

[Name of school or school district] (“**School**”) invites proposals from solar energy developers (each a “**Proposer**”) to design and construct a [roof-mounted or ground-mounted] solar photovoltaic system at the School (the “**System**”).

The School is interested in receiving proposals for two different ownership models that are under consideration:

1. The first ownership model under consideration is the direct ownership model, where the School selects a solar energy developer and enters into an Engineering, Procurement and Construction (“EPC”) contract and a long-term project operations and maintenance (“O&M”) contract with either the EPC contractor or a third-party provider of solar O&M services. The School will own the system from its construction.
2. The second ownership model under consideration is a third-party ownership model, particularly a Power Purchase Agreement (“PPA”) or other third-party lease agreement. The School will take over the system at the conclusion of the PPA or lease, but the Proposer will own and operate the system for the School until that time.

Proposers may present bid pricing for either one or both of the ownership structures. The RFP describes what price and cost information is required for each structure.

The System is to be sized to provide no more than 100% of the School’s annual electricity usage, which is approximately [XXX] kWh. [Be sure to mention if the School is undertaking electrification – conversion of oil and natural gas systems to electric ones – this will increase future electricity usage]

The System is to be interconnected with the School’s electricity meter and the [name of local Electric Distribution Company] distribution system and net metered against the School’s electric account[s].

All System related equipment must be Nationally Recognized Testing Laboratory (“NRTL”), such as UL or ETL listed for its designed use. Construction must comply with current adopted State Building Code at the time of permitting, which currently includes: International Building Code (IBC 2018), National Electric Code (NEC 2017), under National Fire Protection Association or NFPA 70 Standards, and State Fire Marshall (if applicable).

1. **GENERAL INFORMATION & RFP INSTRUCTIONS**
	1. **KEY DATES**

|  |  |
| --- | --- |
| **Date** | **Action** |
| [day of week], [date] | RFP Release Date |
| [day of week], [date], [time] | Site Visit |
| [day of week], [date], [time] | Deadline for submitting email questions |
| [day of week], [date], [time] | Proposals due |

* 1. **SITE VISIT**

The Site Visit for prospective Proposers is scheduled for [time] on [day of week], [date]. All interested proposers will meet at [location] for a walk through of the system site and possible interconnection routes.

* 1. **PROPOSAL SUBMISSION INSTRUCTIONS**
		1. **Mandatory Proposal Contents**. Proposers must follow the proposal contents as listed in Section 4 below (pages XX-XX). Proposals that do not provide all of this content will be rejected.
		2. **Mandatory Proposal Format**. Proposers must submit their proposals in the following format:
* one (1) hard copy original; and
* an electronic version of the complete proposal on a flash drive or disk as both a PDF and as a Microsoft Word or Excel file depending on which was used to generate the file.
	+ 1. **Proposal Delivery / Mailing**.

Proposals that are in electronic form (Word, Excel and PDF files) are to be emailed to:

[name]

[email address]

[phone number]

The hard copy original and the flash drive or disk can either be hand-delivered or mailed. Proposals that are hand-delivered are to be delivered to:

[name]

[title]

[physical address]

If sending by mail, proposals are to be mailed to:

[name]

[title]

[mailing address]

* + 1. **Proposal Deadline**. Proposals must be received by:

**[time] on [day of week], [date]**

Once received by the School, proposals are considered valid and may not be withdrawn, cancelled or modified for ninety (90) days after the Proposal Submission Date to give the School sufficient time to review the proposals, investigate the Proposer’s qualifications, and execute the pertinent contracts with the selected Proposer.

The costs incurred by Proposers in developing its proposal are their sole responsibility, and the School shall have no liability for such cost. Any proposal submitted shall become the property of the School and will not be returned to Proposers.

An authorized person representing the legal entity of the Proposer must sign the Proposal.

* 1. **QUESTIONS**

Any questions concerning the process and procedures applicable to this RFP, and concerning the RFP’s specifications or the PPA, are to be submitted in writing by e-mail only to [name] at:

[contact person email address]

Questions that are received by [day of week], [date] will be answered by email and the questions and answers will be shared with all interested parties.

Other than emails to [contact person email address], Proposers are prohibited from contacting any School employee, officer or official concerning this RFP. A Proposer’s failure to comply with this requirement may result in disqualification. No oral statements by any School staff or representatives shall be effective to waive, change or modify any of the provisions of this RFP, and no Proposer shall rely on any alleged oral statement regarding this RFP.

1. **PV SYSTEM STANDARDS AND REQUIREMENTS**
	1. **APPLICABLE PERMITTING**

The proposed solar project will be located in [name of local township]. The zoning office’s website is [website of local zoning office].

The [name of local township] zoning ordinance covering solar installations is [citation to local township zoning ordinance]. See [weblink to local township zoning ordinance].

The selected developer will be responsible for securing all needed permits and complying with all applicable zoning requirements.

* 1. **DESCRIPTION OF SCHOOL BUILDING[S] AND GROUNDS**

The School is located at [school address]. The GPS coordinates are [latitude and longitude of School].

[Describe the building[s] – age, construction materials, roof, shading, etc. Share estimate of total roof-top area available for installing solar PV arrays.]

[Describe the property – acreage, ground cover, etc. Share estimate of total property grounds (acreage) available for a ground-mount solar PV installation, and/or the estimate of total parking lot area available for a solar canopy installation]

A satellite image showing the School building[s] and the property is shown below.

[insert Google Earth image of school building and property]

* 1. **SCHOOL ELECTRIC ACCOUNT[S] AND USAGE - SYSTEM SIZING**

The School has the following electric account[s] with [name of Electric Distribution Company]:

* [name on account – specify tariff/customer category]
* [repeat for all electric accounts]

The total electricity consumption (in kWh) for this account/these accounts is shown on the following table for the years 2021 and 2022.

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | TOTAL | JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC |
| 2021 |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 2022 |  |  |  |  |  |  |  |  |  |  |  |  |  |

Electricity is provided under [specify whether electricity is provided by the Electric Distribution Company’s default service tariff or by an Electric Generation Supplier if the School shops for electricity].

* 1. **EQUIPMENT STANDARDS**
		1. **Domestic Content Adder under the ITC**

The School is committed that its solar project should qualify for the domestic content adder to the solar Investment Tax Credit. This means that (a) 100% of the project’s steel and iron are domestically-sourced; and (b) 40% of the total cost of all “manufactured products” that are components of the entire “facility” must be produced in the U S.

Please present pricing information both with the domestic content requirement satisfied and, if supply shortages are growing and the price premium is getting excessive, without the domestic content requirement being satisfied.

* + 1. **PV modules**

PV modules shall be a commercial off-the-shelf product, shall be UL/ETL listed, and shall be on the California List of Eligible Photovoltaic Modules:

 <https://solarequipment.energy.ca.gov/Home/PVModuleList>

PV modules shall have a 25-year limited warranty that modules will generate no less than 80% of rated output under standard testing conditions (STC). PV modules that do not satisfy this warranty condition shall be replaced.

System wiring, devices and equipment shall be installed in accordance with the provisions of the NEC 2017.

* + 1. **Inverters**

Inverters shall be commercial off-the-shelf product, listed to UL 1741 and IEEE 1547, and shall be on the California List of Eligible Inverters:

 <https://solarequipment.energy.ca.gov/Home/InverterSolarList>

Note, in PPL territory, the inverters shall be specifically listed to UL 1741SB and included in the PPL Electric Utilities - Approved Smart Inverter List:

<https://www.pplelectric.com/-/media/PPLElectric/At-Your-Service/Docs/REMSI/Metering-Equipment-Tables/PPL-EU-Smart-Inverter-List.ashx>

The inverter shall have at a minimum the following features:

* + UL/ETL listed
	+ Peak efficiency of 96% or higher
	+ Inverter shall have operational indicators of performance and have built-in data acquisition and remote monitoring.
	+ The inverter shall be capable of parallel operation with the existing AC power. Each inverter shall automatically synchronize its output waveform with that of the Electric Distribution Company upon restoration of power.
		1. **Racking**

The School is open to either a rooftop system or a ground-mounted system. If a ground-mounted system is appropriate, Proposers may propose either a fixed ground-mount system or trackers (one or two-axis) or both.

The mounting and racking system, whether rooftop or ground-mounted, shall be designed in accordance with all applicable state and local codes and standards. All structural components shall be non-corrosive (galvanized steel, stainless steel or aluminum) and shall be designed to obtain a minimum 40-year design life.

100% of any steel and iron in the racking system must be of U.S. origin.

* + 1. **Fencing**

If a ground-mounted system is proposed, the solar field will be surrounded by a chain-link fence that is 8 feet tall. The fence shall have a lockable gate sized for a lawn tractor. The fence should be sized as to provide room for possible 25% future expansion of the system.

100% of any steel and iron in the fencing must be of U.S. origin.

* + 1. **Vegetation**

If a ground-mounted system is proposed, low maintenance, pollinator-friendly vegetation will be required within the fence area of the system.

* + 1. **Monitoring system**

The System shall include a web-based monitoring system showing system performance that can be accessed by the School as well as by the general public. Data shall be available both in real time and historical data. The public site is intended for education and outreach regarding renewable energy production and information on avoided greenhouse gas production.

All monitoring hardware and monitoring equipment shall be provided by the selected Proposer. The public site shall be maintained for the life of the solar system.

Provide networking equipment, engineering, programming, wiring, and software to allow remote connection to the School’s local area network.

* 1. **INTERCONNECTION**

The selected Proposer will be responsible for interconnecting the System with a School electric meter and [name of Electric Distribution Company]’s local distribution system. This includes preparing all required materials for an interconnection application with [name of Electric Distribution Company] and obtaining [name of Electric Distribution Company]’s consent for the interconnection. The [name of Electric Distribution Company] website for interconnection is [address of interconnection website].

Proposers shall provide a site-plan with their proposal, which shows the location of the solar PV array(s), inverter(s), point of interconnection (POI) and the electric service location on the property, along with the route of conductors for interconnection per utility application requirements.

* 1. **NET METERING / VIRTUAL METER AGGREGATION**

All of the School’s electricity accounts should qualify for virtual meter aggregation under 52 Pa. Code § 75.12, provided that all the account meters are within a two-mile radius of the point of interconnection. The selected Proposer will be expected to work with [name of Electric Distribution Company] so the System output can be net metered against all of the electric accounts of the School, if appropriate.

* 1. **OPERATIONS AND MAINTENANCE SERVICE CONTRACT**

For those proposals offering an EPC contract for the direct ownership model, the selected Proposer will be responsible for an on-going Operations and Maintenance Service Contract with the School to ensure the System is operating well over time. This agreement should include a reserve fund for replacing equipment (such as inverters and modules) that fails outside of the warranty period.

## PROPOSAL REQUIREMENTS

Proposers who wish to be selected by the School for this Project must submit a proposal organized by the following sections:

* 1. **PROPOSER INFORMATION**. Provide the following information about the Proposer:
		1. Proposer’s Point of Contact.
		2. Business address.
		3. Business Owners and Managers.
		4. Number of Employees (Full-time Equivalents - FTEs).
		5. Business revenues (for 2020, 2021, 2022 and the first half of 2023.
		6. Solar installer certifications (NABCEP etc.) held by employees.
		7. Licensing: Electrical and other contractor licenses held by employees.
		8. Insurance: Insurance policies (carrier, type and limits) held by Proposer.
		9. Prevailing Wage: List experience reporting payroll for federal Davis-Bacon Act or Pennsylvania Commonwealth prevailing wage projects.
		10. Apprentices: List experience recruiting, employing and supervising apprentices as part of your labor crews.
		11. Is the Proposer on the Commonwealth of Pennsylvania list of debarred contractors? If yes, explain.
		12. Has the Proposer any experience with installing solar for public schools that are subject to various Commonwealth procurement laws and regulations, including the Commonwealth Procurement Code, the School Procurement Code and the Separations Act of 1913? Explain that experience and how the Proposer would comply with these procurement requirements.
		13. Has the Proposer or any firm, corporation, partnership or association in which it has an interest been cited for any willful or serious violations of any occupational safety and health act or of any standard, order or regulation promulgated pursuant to such act, during the three-year period preceding the proposal? If yes, explain.
		14. Has the Proposer or any firm, corporation, partnership or association in which it has an interest ever received one or more criminal convictions related to the injury or death of any employee? If yes, explain.
		15. Has the Proposer or any of its principals (regardless of the place of employment) ever been the subject of any criminal proceedings? If yes, explain.
		16. Has the Proposer or any of its principals (regardless of the place of employment) ever been found to have violated any state or local ethics law, regulation, ordinance, code, policy or standard or to have committed any other offense arising out of the submission of proposals or bids or the performance of work on public works projects or contracts? If yes, explain.

In addition to providing the information listed above, please include the following as exhibits to the Proposal:

***Exhibit 1.1***. Resumes of business owners and managers.

***Exhibit 1.2***. Business tax returns for 2020, 2021 and 2022. Please note that the tax returns do not need to be part of the electronic files of the proposals and the hard copies will not be shared beyond the reviewing committee).

***Exhibit 1.3***. 2023 operating budget.

* 1. **SOLAR PROJECT DEVELOPMENT EXPERIENCE**. Provide the following information about the Proposer’s solar project experience:
		1. Total number of projects installed and total kWDC installed by Proposer in 2020, 2021, 2022 and 2023 to date. Provide this data divided between direct ownership projects and third-party ownership projects where the Proposer has ongoing project responsibilities under a PPA or lease agreement.
		2. Total dollar volume of projects that the Proposer installed in 2020, 2021, 2022 and 2023 to date.
		3. Total number of projects under contract and kWDC under contract by Proposer for installation in 2023 and 2024.
		4. Total dollar volume of projects under contract by Proposer for installation in 2023 and 2024.
		5. Total number of projects with a rated capacity of 300 kWDC or greater installed by Proposer in 2020, 2021, 2022 and 2023 to date.
		6. Total number of projects with a rated capacity of 300 kWDC or greater under contract by Proposer for installation in 2023 and 2024.

As exhibits to the Proposal, provide the following:

***Exhibit 2.1***. A list of the projects (address, size, annual output and off-taker) that Proposer has installed with a rated capacity of 300 kWDC or greater in 2020, 2021, 2022 and 2023 to date, with customer contact information for each.

***Exhibit 2.2***. A list of the projects (address, size, annual output and off-taker) that Proposer owns and operates under Power Purchase Agreements in 2020, 2021 and 2022, with customer contact information for each.

* 1. **PROPOSED SOLAR SYSTEM HARDWARE**. Provide the following information:
		1. Solar Modules (manufacturer and model #).
		2. Solar Inverters (manufacturer and model #).
		3. [roof-mounting or ground mounting] Racking System (manufacturer, model #).
		4. Other hardware, such as fencing, etc.
		5. Web-based project monitoring system.

As exhibits to the Proposal, provide the following:

***Exhibit 3.1***. Cut sheets for the modules, inverters, racking system, fencing and monitoring system.

* 1. **PROPOSED SYSTEM DESIGN**. Discuss the proposed system design, addressing:
		1. Recommended System Size (kWDC and kWAC).
		2. Recommended System Location(s). The location of the modules and the inverters.
		3. The dimensions of the System and estimated area required.
		4. The azimuth and tilt of the modules (or specify one or two-axis trackers).
		5. The route to interconnect the System with the School’s electric service.

As an exhibit to the Proposal, provide the following:

***Exhibit 4.1.*** Electrical and site-plan drawings showing the system design and layout and the interconnection route.

* 1. **SYSTEM PERFORMANCE**. Provide System generation estimates based on the proposed System hardware and the proposed System design:
		1. Year One System Output (kWh) by month and for Year 1.
		2. Annual PV output de-rate factor.
		3. System Performance Guarantee. Specify the percentage of system output stated in 4.5.1 that will be guaranteed for Year One and the financial terms that will apply if the system output falls short of the guaranteed Year One performance.

As an exhibit to the Proposal, provide the following:

***Exhibit 5.1***. Copies of PV Watts or other PV modeling software generation report.

***Exhibit 5*.2**. Copy of the proposed System Performance Guarantee.

* 1. **PROPOSED ENGINEERING, PROCUREMENT AND CONSTRUCTION PRICING.** If the Proposer is offering pricing for the project as an engineering, procurement and construction contract under the direct ownership model, provide the following price information:
		1. **Proposed Project Construction Budget**. Proposers must complete the following construction budget:

|  |  |
| --- | --- |
| Hard costs |  |
| Hardware |  |
| PV modules + warranty | $ |
| Inverter + warranty | $ |
| Racking | $ |
| Interconnection | $ |
| Monitoring system | $ |
| Balance of System | $ |
| Installation Expenses |  |
| Electrical installation | $ |
| Racking installation | $ |
| Interconnection installation | $ |
| Other installation | $ |
| Hard Cost Contingency | $ |
| *Subtotal: Hard Costs* | $ |
| Soft Costs |   |
| Predevelopment | $ |
| System Design | $ |
| 3rd party engineering | $ |
| Legal | $ |
| Permits | $ |
| Interconnection | $ |
| School legal and other expenses | $ [specify] |
| Project Management (developer fee) | $ |
| Soft Cost Contingency | $ |
| *Subtotal: Soft Costs* | $ |
| **TOTAL:** | **$** |

**4.6.2. Proposed Project Schedule and EPC Payment Terms.** Provide a **Proposed Project Schedule** for the project that includes the major project milestones listed below. For each milestone, show the projected milestone completion date (expressed as number of weeks following contract execution) and requested installment payment that is to accompany the completion of each project milestone (expressed as a percentage of the total EPC price)**.** The Proposed Project Schedule is to include the following milestones:

* Contract Execution
* Final project design / Applications for interconnection and permits filed
* Equipment Ordered
* Notice to Proceed with Construction
* Mechanical completion
* System Commissioning
* Permission to Operate / Placed in Service

As an exhibit to the Proposal, provide the following:

***Exhibit 6.1***. Completed construction budget, in workable Excel file

***Exbibit 6.2***. Completed Proposed Project Schedule, showing timing of major milestones and requested installment payments as completed work is invoiced.

**4.6.3. Proposed Operations And Maintenance Service Contract.** If the School selects the direct ownership model, it intends to enter into a long-term Operations and Maintenance contract for the System. As part of your proposal, submit the following:

***Exhibit 6.3*.** Your pricing sheet for O&M services for the System. Include the terms and proposed language for an operations and maintenance service contract for a term of five, ten year and twenty years.

***Exhibit 6.4***. Copy of the proposed Operations and Maintenance Service Contract.

**4.7. PROPOSED POWER PURCHASE AGREEMENT OR OTHER THIRD-PARTY OWNERSHIP PRICING.** This section is for every Proposer submitting a price bid for a Power Purchase Agreement (“PPA”) or other Third-Party Owner Lease Agreement. The School requests that each Proposer provide pricing for agreements of ten (10), fifteen (15) and twenty (20) year terms. For each duration PPA, provide the following information about the following provisions being proposed for the PPA:

**4.7.1.** Year 1 PPA Price.

**4.7.2.** PPA Annual Price Escalation Rate (annual percentage increase in PPA price).

**4.7.3**. Caps, If Any, On PPA Price Escalation (*i.e*., never more than the electric utility default price for energy and T&D).

**4.7.4.** Electricity Cost Savings Guarantee. Explain how the project guarantees a financial savings in the electricity bill.

**4.7.5.** PPA Early Termination And Buy-Out Terms.Include a system purchase option by School at several points in the term of the PPA.

As exhibits to the Proposal, provide the following:

***Exhibit 7.1*.** Proposers must provide a draft of the PPA that the Proposer expects the School to negotiate and execute.

***Exhibit 7.2***. Proposers must provide a draft of the site lease and easement that the Proposer expects the School to negotiate and execute. The School contemplates a lease for the portion of the property that will be the site of the System for the term of the PPA. The lease rate shall be $10 per year for the total duration of the lease term. An easement will be provided for the route of the wiring needed to interconnect the System with the appropriate School interconnection site.

**4.8 PROPOSAL SIGNATURE.** The proposal, in order to be considered a valid proposal must be signed by a principal officer or owner of the business entity that is submitting the proposal. Such signature constitutes the Proposer’s representations that it has read, understood and fully accepted each and every provision of this RFP unless an exception is described above**.**

Company Name

Company Address

Company Federal Tax Identification # XXX

By:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Name]

[Title]

Telephone #: XXX

Email: XXX

## 5.0. SELECTION CRITERIA

**5.1. SELECTION COMMITTEE.** Proposals in response to this RFP will be evaluated by a Selection Committee of individuals from the School (the “**Committee**”).

Proposers may be invited to make a brief oral presentation and be interviewed by the Committee.

**5.2. SELECTION CRITERIA.** Selection criteria will include:

**5.2.1.** **Overall Quality**: Overall quality of proposal and understanding of the intent of this Project.

**5.2.2.** **Experience**: Proposer’s experience and proficiency in PV projects of comparable size and scope and in contracting with Pennsylvania public schools or other Commonwealth entities or agencies.

**5.2.3.** **Implementation Capacity**: Proposer’s staff capacity and ability to provide timely, quality design, installation services and long-term operation of the System.

**5.2.4.** **Financial Capacity**: Proposer’s financial strength to successfully carry out this Project (e.g., financial strength, ability to bring in tax equity financing).

**5.2.5.** **Proposed Hardware**: The extent to which the Proposer incorporates high‐quality components and offers strong warranties on system components and labor.

**5.2.6.** **Value and Price**: The proposed EPC pricing, PPA/lease pricing and the proposed O&M service contract pricing.

**5.2.7.** **Local Staffing and Offices**: The School places an emphasis on supporting the local economy, and the geography of the Proposers will have some modest weight in the selection.

Some criteria (*e.g*., appropriate licensing and insurance, strong solar experience, NABCEP certification) are considered essential for an acceptable proposal. Other items (*e.g*., pricing, quality of references, or capacity) will be used to rank the proposals. Pricing is not the exclusive basis for selection – the School may decide to select a Proposer whose pricing is not the lowest if the proposal is found compelling for other reasons.

**5.3. SELECTED PROPOSAL**

After evaluation of the proposals and any interviews, the School will select a Proposer for entering into negotiations for the Project. All Proposers who submitted a proposal will be informed of the selection results.

The School will select the proposal that it deems to be in the School’s best interest and issue a Preliminary Notice of Award to the selected Proposer. The Preliminary Notice of Award will be subject to further discussions and negotiations with the Proposer. The making of a preliminary award to a Proposer does not provide the Proposer with any rights and does not impose upon the School any obligations. The School is free to withdraw a preliminary award at any time and for any reason. A Proposer has rights - and the School has obligations - only if contracts, if any, are executed by the School and a Proposer, and only to the extent of the obligations set out in such agreements. Neither this RFP nor any actions taken by the School create any obligation toward any Proposer.

The School may in its sole discretion, clarify, modify, amend, or terminate this RFP if it determines in its sole discretion that it is in the School’s best interest. The School reserves all rights to reject any or all proposals and to negotiate contract terms and conditions in the best interest of the School.