

**REQUEST FOR PROPOSALS (RFP) FOR THE  
COUNTY OF MIDDLESEX**

RFP NUMBER	2025-01
TITLE	<b>SOLAR FACILITY LEASE OPPORTUNITIES – MIDDLESEX COUNTY LANDFILL; THACKER PROPERTY</b>
ISSUE DATE	April 8, 2025
PROCUREMENT CONTACT:	AnnMarie Ricardi, Assistant County Administrator
ADDRESS:	PO Box 428 877 General Puller Hwy Saluda, VA 23149
EMAIL ADDRESS	<a href="mailto:a.ricardi@co.middlesex.va.us">a.ricardi@co.middlesex.va.us</a>
PHONE	804-758-4330
<b>SOLICITATION DUE DATE</b>	<b>Paper and Electronic Submission Will Be Received <u>Until June 6, 2025 at 2:00 pm (Eastern Standard Time (EST))</u></b> for proposals in response to RFP 2025-01 as described herein. No late proposals will be accepted.
<b>LOCATIONS</b>	The Middlesex County Landfill Site (Tax Map Parcel 35-10) and the Thacker Property (Tax Map Parcel 27-84). The Subject Properties are located along Thacker Road and owned by Middlesex County.
<b>PROPOSAL SUBMISSION</b>	Paper and Electronic Submission. Proposals are to be submitted as identified in Section 4., Proposal Submission Requirements.
<b>RFP INQUIRIES</b>	All inquiries for information should be directed to the Procurement Contact above. <b><u>All questions regarding the RFP must be received in writing on or before May 6, 2025.</u></b> The subject line must include RFP # 2025-01 and title or your question(s) may not be received and answered in a timely manner.
<b>TERMS &amp; CONDITIONS</b>	This solicitation is subject to the provisions of this Request for Proposals (RFP) and any attachments, exhibits, revisions, or amendments thereto, which are hereby incorporated into this RFP in their entirety. The RFP Package is available at no charge on the Commonwealth of Virginia’s electronic procurement system, eVA. <a href="http://www.eva.virginia.gov">www.eva.virginia.gov</a> . Please be observant of all RFP instructions and specifications.
By executing this RFP cover sheet, offeror acknowledges that they have read this RFP, understand it, and agree to be bound by its terms and conditions. The undersigned offeror hereby certifies that all information it has provided in response to this RFP is true, correct, and complete.	

<b>OFFEROR INFORMATION</b>	
Name of firm:	
Date:	
Address of firm:	
Zip:	
By (signature):	
Name (print):	
Title (print):	
Phone:	Fax:
Email Address:	
<p><b>In accordance with Virginia Code § 2.2-4343.1, as amended, Middlesex County does not discriminate against faith-based organizations. Middlesex County does not discriminate against an offeror because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law.</b></p>	

NOTE TO PROSPECTIVE OFFERORS:

- By submitting a proposal, the Offeror:
  - Agrees to abide by all conditions of this Request for Proposals (RFP) and certifies that the offeror is authorized to sign this proposal;
  - Certifies that the accompanying proposal is not the result of, or affected by, any unlawful act of collusion with another person or company engaged in the same line of business or commerce, or any act of fraud punishable under Virginia Code § 18.2-498.1, et seq. Furthermore, the offeror understands that fraud and unlawful collusion are crimes under the Virginia Governmental Frauds Act, the Virginia Government Bid Rigging Act, the Virginia Antitrust Act, and Federal Law, and can result in fines, prison sentences, and civil damage awards; and
  - Certifies that the accompanying proposal is in compliance with applicable provisions of the State and Local Government Conflict of Interests Act (Virginia Code § 2.2-3100, et seq.). Specifically, without limitation, no County employee or a member of the employee’s immediate family shall have a proscribed personal interest in a contract; and that the accompanying proposal is in accordance with applicable provisions of the Virginia Public Procurement Act, Art. 6 Ethics in Public Contracting (Virginia Code § 2.2-4367, et seq.), and any other applicable law as set forth therein.
- Please note the meaning of the following terms as used in this RFP:
  - The term “Offeror” as used and referenced in this solicitation refers to the individual or

firm preparing and submitting a proposal in response to this RFP. In addition, it also refers to a firm who, when awarded a lease agreement, will be responsible for carrying out the requirements of this RFP.

- The term “Subject Properties” as used and referenced in this solicitation refers to the Middlesex County Landfill property (Tax Map Parcel 35-10) and/or the Thacker Property (Tax Map Parcel 27-84) (“Subject Properties”). Depending on context, the term should be interpreted to mean to both properties or either property individually.

## **1. PURPOSE AND INTENT**

Middlesex County, Virginia seeks proposals from solar energy developers (Offerors) to lease land owned by the County to install, own, operate, and maintain a solar photovoltaic energy system (“Solar Facility”) pursuant to lease agreements. Specifically, proposals are being sought for these purposes for the Middlesex County Landfill property (Tax Map Parcel 35-10) and/or the Thacker Property (Tax Map Parcel 27-84) (“Subject Properties”), both properties are owned by the County.

This Request for Proposals (RFP) is being issued by Middlesex County to allow the locality to evaluate options and determine the project(s) and financial arrangements that best meet the County’s interests and use of the Subject Properties.

Proposals may propose Solar Facility projects on one or both of the Subject Properties. The County will evaluate all proposals with a preferred approach being a single proposal for both properties that provides the best economic solution; however, the County reserves the right to make multiple awards. Each proposal must specify whether it extends to one or both of both of the Subject Properties, and whether or not the proposal is conditioned on a full award of all locations specified in the proposal. The County has the right to accept any proposal even if it does not provide the highest revenue to the County. Proposals will be evaluated against other proposals received. In addition to other rights reserved herein, the County is not obligated to issue any award resulting from this RFP, and the County reserves the right to cancel this RFP in their discretion and to the fullest extent permitted by law.

All Proposals prepared in response to this RFP are at the sole expense of the Offeror, and with the express understanding that there will be no claim, whatsoever, for reimbursement from the County for the expenses of preparation. The County shall not be liable for any expenses incurred by the Offeror in development of their proposal.

## **2. PROJECT SCOPE**

The County desires to lease either all or a portion of one or both of the Subject Properties described herein. The lease may be structured initially for a 2-year option to assess the feasibility of the Subject Properties, following with a 25-year lease when it is determined site viability, with up to three additional 5-year optional renewal periods, exercisable at sole discretion of the County. The County is willing to consider alternative lease durations and conditions as part of the proposal evaluation process set forth herein.

The selected Offeror retains ownership of the Solar Facility system upon completion of

the installation phase and will be responsible for the pre-development/construction evaluations, design, engineering, permitting, installation, testing, operation, maintenance, repair, vegetation management, and decommissioning of the Solar Facility, including, without limitation, procurement of the solar photovoltaic equipment and related services. The successful Offeror will be solely responsible for owning, insuring, commissioning, interconnection, metering, and providing security for the system at all times. The successful Offeror shall be responsible for all project costs including, but not limited to: the furnishing of all materials, services, labor, performance and payment bonds, insurance, and other costs incurred in the preparation of this response and the performance of the lease agreement, signed by an individual authorized to bind the Offeror contractually.

On termination or expiration of the lease of Subject Properties, the successful Offeror will be responsible for the physical removal of all panels, racks, concrete blocks, and conduits, and returning the portion of the property on which the Solar Facility was installed to its original conditions as provided in the decommissioning agreement submitted to the County in accordance with Middlesex County Code. The Offeror will bear all costs associated with the decommissioning and removal of the Solar Facility system, and restoring Subject Properties to original conditions as established under the terms and conditions of the RFP.

#### **A. Subject Properties Description**

The Subject Properties available for lease are described below and identified in Exhibit 1 attached hereto. Before submitting a proposal, each Offeror shall familiarize themselves with the Subject Properties as necessary to develop a proposal to undertake the Solar Facility project in accordance with the terms and conditions of this RFP. The selected Offeror will be responsible for conducting any additional studies it may require, at its own cost and risk, prior to entering the lease agreement and/or in conjunction with the development of the project. The County intends to lease the Subject Properties on an “as is” basis.

##### Subject Properties

The Middlesex County Landfill and the Thacker Property (Tax Map Parcels 35-10 and 27-84, respectively) are located at the end of Faraway Road in central Middlesex County. Both properties are zoned Low-Density Rural District (LDR). Parcels in the immediate vicinity are also zoned LDR with a few residential properties along Faraway Road between the subject properties and the intersection with Stormont Road.

##### **Middlesex County Landfill Site**

Tax Map Parcel 35-10; the Middlesex County Landfill Site has an area of approximately 60.18 acres, with streams/creeks on either side of the property. The periphery of the property is largely wooded, while the interior, where the now closed landfill exists, is cleared, exhibiting mounded topography typical of a landfill site. In addition to the closed landfill, the site includes existing parking areas and a convenience center for solid waste disposal.

The site is currently undergoing post-closure monitoring with a detailed strategy to ensure environmental safety. Key goals for executing post-closure care focus on achieving specific trends in groundwater monitoring, adhering to the Uniform Environmental Covenants Act (UECA), and ongoing landfill gas management.

If an Offeror's proposed solar project will alter and impact the protection and maintenance of the landfill's final cover ("cap"), the Offeror shall include a plan to address concerns regarding the landfill cap and the protection of the landfill gas systems. The plan shall cover aspects including soil, slope, sediment, erosion, vegetation, drainage, etc., and contain descriptions of the planned uses and project plans to demonstrate the disturbance will not increase the potential threat to human health or the environment via construction method, equipment placement, and monitoring systems and plans. All plans must also be compatible with DEQ regulations and permits applicable to closed or active landfills (as applicable to the sites within the scope of a proposal).

### **Thacker Property Site**

Tax Map Parcel 27-84; the Thacker Property has an area of approximately 35.4 acres, with a stream/creek bisecting the southwestern portion of the property. Generally, the area of the eastern portions of the property along Faraway Road are cleared, while the northern and western portions of the property are wooded (County Property Card records indicate that 20 acres of the property are woodland, while 14.4 acres are open). The property was a former residential/agricultural property, and an existing dwelling, barn, and utilities exist on the property.

### **B. Site Work and Maintenance Requirements**

The successful Offeror shall be responsible for the design, construction, and maintenance of all site work, drainage, erosion controls, and landscaping, and shall obtain all permits and securities associated with the Solar Facility system and lease area in accordance with all local, state, and federal codes and regulations.

The successful Offeror shall be responsible for performing vegetation management within the lease area. Offerors shall develop, implement, and maintain native vegetation to the extent practicable pursuant to a vegetation management plan by providing native perennial vegetation and foraging habitat beneficial to game birds, songbirds, and pollinators. To the extent practicable, when establishing perennial vegetation and beneficial foraging habitat, the owners shall use native plant species and seed mixes.

The successful Offeror shall be responsible for the installation and maintenance of site-specific safety and security requirements, or other measures, as are required to comply with all necessary permits and approvals.

### **C. Pre-Project Requirements**

The successful Offeror shall be responsible for the following pre-project requirements:

1. Securing all land use approvals, utility interconnections, permits and other required

- approvals from state, local, and utility representatives and any service commissions;
2. Developing all preliminary drawings, design and other necessary components for review and approval by the County. All Offerors must presume that the system will be ballasted or floating on the landfill cap with no penetration or digging within the capped areas;
  3. Facilitate all necessary meetings with internal and external stakeholders to address specific concerns regarding the use, community compatibility and other aspects that may be of concern. Provide all information, drawings, photos and rendering as needed;
  4. Provide a detailed project timeline and plan that clearly outlines key milestones and timelines including design, planning, permitting, execution, and commercial operation; and
  5. Secure commitments for project financing within 30 days of executing a lease agreement.

#### **D. Project Development**

During project development, the successful Offeror shall perform the following:

1. Provide complete Solar Facility system as designed and negotiated between the selected Offeror and County including connections to the grid, required distribution system upgrades, fencing and security provisions;
2. Provide detailed bi-weekly meetings and monthly reports on progress to the County, as directed, including achievement of milestones, issues, and other impacts;
3. Post signage, visible to the general public, which clearly outlines the purpose of the project and its benefits to the County;
4. Exercise care to minimize sound, dust, and disturbance from development and site access to nearby properties, residences, and the community;
5. Perform all work for the project in strict conformance to all laws, statues, and ordinances and the applicable government rules, regulations, methods, and procedures; and
6. Ensure project ground cover and buffering requirements are met and areas of the Subject Properties disturbed, but installed with system or design elements, are restored to pre-project conditions.

#### **E. Commissioning and Continued Operations**

Once a Solar Facility is operational at Subject Properties, the successful Offeror shall operate and maintain the system during the lease term as provided below:

1. Upon request, provide the County with a complete commission manual in electronic format including the system design, components, cut sheets of components, operating characteristics, electrical diagrams, permit documents and relevant environmental documentation;
2. Provide all necessary maintenance to ensure continuous operations;
3. As applicable, secure adequate subscriptions from low-and-moderate income community solar program participants for community solar photovoltaic systems;
4. Ensure community engagement by ensuring that the surrounding community (approximately a 5-mile radius) is aware of the opportunity to subscribe, if services

- are available to them;
5. Ensure the County receives the equivalent number of Green Credits based on the MWh of electricity sent to the grid; and
  6. Provide a user friendly 24/7 web-based data link and site telemetry to communicate ongoing production and environmental benefits. A dashboard will be provided suitable for display on public websites.

#### **F. End of Service Life**

1. Upon expiration or termination of the lease agreement, the successful Offeror shall decommission and remove the system from the Subject Properties, as required herein and by any executed decommissioning agreement with the County. If any portion of the system remains on the site in accordance with the decommissioning agreement, title to the components shall revert to the County, which shall dispose of the system as they deem appropriate.
2. Upon removal of the system components from the Subject Properties, the Subject Properties shall be restored to conditions as they existed before the Solar Facility was installed, pursuant to measures which may include the following:
  - a. Removal of all operator-owned equipment, concrete, conduits, structures, fencing, and foundations to a depth of 36 inches below the soil surface.
  - b. Removal of any solid and hazardous waste caused by the Solar Facility in accordance with local, state, and federal waste disposal regulations.
  - c. Removal of all graveled areas and access roads installed unless the County requests in writing for it to remain.

#### **G. Offeror Qualifications**

Minimum Qualifications. Qualified Offerors shall demonstrate and possess the following minimum qualifications:

1. Experience with solar facilities of a similar scale and scope to the project proposed;
2. Organization and project management experience involved in the implementation, maintenance, and operation of a similar project for ten (10) or more years;
3. Proven ability to negotiate and work with electric and other utilities; and
4. Ability to finance the proposed projects and, if needed, leverage tax credits, environmental credits and other grants or incentives.

Offerors must carry the following insurances throughout the lease term:

1. Statutory Workers' compensation and Employer's Liability insurance in limits of not less than \$500,000 (each employee) or a maximum limit of \$1,000,000, as required by the Commonwealth of Virginia;
2. Commercial General Liability insurance in the amount of \$5,000,000 per occurrence/aggregate, to include the Broad Form Property Damage endorsement, in addition to coverages for explosion, collapse, and underground hazards, where required;
3. Owned, non-owned, and hired Automobile Liability insurance, in the amount of

\$5,000,000 per occurrence/aggregate, including property damage, covering all owned, non-owned, borrowed, leased, or rented vehicles operated by the Offeror; and

4. Additional insurance coverage provisions will be provided in the lease agreement.

Offerors must establish authorization to conduct business in Virginia prior to any lease approval and maintain good standing with the State Corporation Commission (if applicable) for the term of the lease.

#### **H. County Responsibilities**

Upon selection of a successful Offeror(s), the County will provide a lease agreement for the Subject Properties. The County will cooperate as the landowner with the Offeror throughout the process of seeking any necessary land approvals, although no land use approvals should be presumed and are subject to the County's established processes for such permits and approvals. The successful Offeror agrees to provide the County with the opportunity to purchase renewable energy credits from the project at the lowest offered price to other third parties.

### **3. PRE-PROPOSAL MEETING**

The County will hold an on-site pre-proposal meeting for all interested Offerors on April 22, 2025, at 10:00 a.m. It is recommended that all interested Offerors attend in order to familiarize themselves with existing conditions and project requirements. If special accommodation is required for the on-site pre-proposal meeting please email the Procurement Contact.

### **4. PROPOSAL SUBMISSION REQUIREMENTS**

**A. Submission and Receipt of Proposals.** Nothing herein is intended to exclude any responsible firm or in any way restrain or restrict competition. On the contrary, all responsible and qualified entities are encouraged to submit proposals. Any requirements listed herein are intended to describe qualifications, certifications and/or experience considered to be vital and should be used as guidelines for proposal submission. Firms or individuals not meeting specific requirements listed herein are encouraged to list and/or demonstrate alternate qualifications, certifications, and/or experience for consideration.

1. **Electronic Submission.** Proposals that wish to be submitted electronically shall be formatted as requested herein, via the Electronic Virginia (eVA) website [www.eVA.Virginia.gov](http://www.eVA.Virginia.gov). **If an Offeror invokes any proprietary and/or confidential information in accordance with Sections 2.2-3700 et seq. and 2.2- 4342(F) of the Virginia Code, a redacted version of the Offeror's proposal shall be uploaded and identified as "Redacted," along with Attachment D the Offeror's full proposal response and elements necessary to claim an exemption from disclosure pursuant to Section 2.2-4342(F).** There is a 60MB size limit for each file. If you need assistance, please refer to the eVA site in advance of the submission deadline: <https://eva.virginia.gov/get-help-customer-care-forms.html> and/or call eVA Customer Care 1-866-289-7367. Proposals will not be accepted via fax or email.

2. **Paper Submission.** In lieu of Electronic Submission, proposals may be submitted in paper, hardcopy form, to consist of four (4) bound copies. Paper copies shall be hand-delivered or mailed to the Procurement Contact identified herein, to be received no later than the deadline noticed on page one of the document.
3. **Accommodation.** If you are an individual with a disability and require a reasonable accommodation, please notify the Procurement Contact at [a.ricardi@co.middlesex.va.us](mailto:a.ricardi@co.middlesex.va.us), three working days prior to need.
4. **Proposal Package.** Each Offeror responding to this RFP must supply all the documentation required in the RFP. Failure to provide documentation with the Offeror's response to the RFP may result in the disqualification of the Offeror's proposal.
5. **Submission of Questions.** All communication of any kind regarding this RFP during this period must be made through the Middlesex County Procurement Contact. All questions and inquiries regarding this RFP must be submitted via email to the contact email on the RFP cover page by the deadline for inquiries. Questions submitted in writing must include the firm name and the name, title, address, telephone number, and email address of the individual submitting the question. Any questions regarding proposal requirements or specifications received after this date and time will not be considered for response. The County will issue an addendum to address the written questions submitted by the deadline. Any addenda will be posted by email/online at County's procurement website.

**B. Proposal Format.** In order to facilitate the analysis of responses to this RFP, Offerors should prepare the proposal in accordance with the instructions outlined in this subsection and should structure the proposal so that it contains individual sections and minimally contains the following information:

**1. General Information**

- a. RFP Coversheet - Signed by the individual authorized to bind the Offeror.
- b. Executive Summary – Provide an overview of the proposal (not more than two pages) describing the highlights of the response and summarizing how your firm will meet the needs and goals of the RFP.

**2. Experience and Qualifications**

- a. Company Overview: Provide the following information, as applicable:
  - i. Year founded and number of continuous years in business;
  - ii. Ownership status (public or private company, LLC, LLP, S-Corp, Sole Proprietor);
  - iii. Federal tax identification number;
  - iv. Corporate and local office location;
  - v. Number of employees in corporate and local office at time of submittal;

- vi. Your firm's OSHA ratings (Recordable Incidence Rates and Lost Workday Incident Rates) for the past three years; and
  - vii. A description of any ongoing or previous litigation your firm has been involved in and a statement that the Offeror is not debarred, suspended, or otherwise prohibited from practice by any federal, state, or local government or agency.
- b. Project Team: Provide the following information about the key personnel to be assigned to this project:
- i. Project team organizational chart including all key personnel and their proposed roles;
  - ii. Resumes, in an appendix, for all key personnel that will be assigned to this project; and
  - iii. Evidence of all relevant licenses held by your firm to do work in the Commonwealth of Virginia; attach list and copies of documents as an appendix.
- c. References:  
Provide references for at least three completed and currently operating non-residential grid-connected photovoltaic power (PV) systems, with preference for projects located in the Commonwealth of Virginia municipalities and constituting landfill or brownfield projects; include the following information:
- i. Location and utility company name;
  - ii. System size (kW DC);
  - iii. Metering type (Remote Net Metering, Community Distributed Solar, Onsite);
  - iv. Date completed; and
  - v. Host customer and/or owner contract information (name, email, address, phone).
- d. Project Development Experience:
- i. Provide the total number of megawatts of Solar Facility/PV system your firm has constructed over the last five (5) years.
  - ii. Provide the total number of megawatts of Solar Facility PV system your firm has constructed over the last five (5) years in the Commonwealth of Virginia.
  - iii. Provide total number of megawatts and projects of Solar Facility/PV system your firm has constructed on landfills and brownfields.
  - iv. Detail the types of customers your firm has worked with in the past (for example, residential, commercial nonprofit, or government).
  - v. Describe your firm's implementation of PV construction standards and other safety measures.
  - vi. Provide the number of operational Solar Facility/PV systems under your firm's management.
- e. Project Financing Capability:

- i. Provide number of Solar Facility/PV systems that have been financed by you and/or your financing partner; and
- ii. Provide most recent audited financial statements, annual reports, consolidated financials, and Form 10-K (if any). If available, provide similar materials for parent entities, significant affiliates, and collaborators.

### 3. Project Narrative

Provide a detailed plan of the proposed project. Project plans must include the following:

- a. Project Management Plan:
  - i. Provide a detailed narrative description of the approach for developing the proposed project, including how the Offeror will work with subcontractors, state and local agencies, and other relevant stakeholders. Detail how the Offeror will approach special site considerations such as capped landfills.
  - ii. Provide a detailed description of each task and delivery. Include a project schedule indicating key milestones and durations of various activities.
  - iii. Offerors must demonstrate a firm understanding of permits required to successfully execute the project. The selected Offeror will be responsible for all necessary environmental testing, permitting, and compliance. To the extent possible, Offerors should identify the regulatory and permit conditions relevant to their proposals, potential conflicts between the project and existing permit conditions, and variances that might be required.
- b. Financing Plan: Provide a description of how the proposed project will be financed. Identify any potential financial partners that will be involved in the project. Describe in this plan possible sources of funds and revenue streams other than the sale of energy including all available tax credits, incentives, and subsidies that will be used to finance the project.
- c. Operations and Maintenance Plan: The Offeror will be responsible for operation and maintenance (O&M) services for the full term of the lease. Describe the proposed O&M procedures for the system, detailing duties performed and if the system will be maintained directly by the Offeror or a third-party provider.
- d. Decommissioning Plan: Provide information regarding the proposed approach to system decommissioning and restoration of the property. This decommissioning plan should include a description of Offeror's approach to providing financial assurance that funding will be available to decommission the system at the end of the lease term.

- e. Outreach Plan: Offeror will provide a clear plan to best meet the goals and strategies specified in the Project Scope section for Commissioning and Continued Operations.

#### **4. Technical Proposal**

- a. Components: Include an overview of the proposed solar facility, including brief descriptions of the main components (at minimum modules, inverters, racking system, and monitoring system) including manufacturer and warranty information. Offerors are encouraged to provide specification sheets for any proposed technologies as an appendix.
- b. Design:
  - i. System size (in kW DC and kW AC);
  - ii. Location of modules (including tilt);
  - iii. Location of inverters;
  - iv. Preliminary drainage mitigation practices or best management practices; and
  - v. Any other site-specific information that will aid in overall evaluation.
- c. Expected System Generation: Provide estimated annual production of the proposed solar project for years 1-25 inclusive of the degradation rates.

#### **5. Price Proposal**

Price proposals should be provided which shall include the following: (1) Lease payment per year, per acre for each of the Subject Properties Offeror proposes to lease; (2) any lease escalator percentage per year; and (3) total lease term and any renewal terms. However, Offeror may provide alternative pricing arrangements for the County to consider, including revenue sharing, reduced electrical costs, and/or assistance with capital or other local needs consistent with negotiation of a solar siting agreement pursuant to Virginia Code Section 15.2-2316.7. If siting agreement terms are proposed, such terms may not be accepted until after a public hearing by each applicable local governing body consistent with Virginia Code Section 15.2-2316.8 and any final lease agreement.

#### **C. Additional Proposal Preferences and Considerations**

1. Offeror's responses should be prepared as simply as possible with straightforward, concise descriptions of their capabilities to satisfy the requirements of this RFP. Expensive bindings, color displays, promotional materials, demo CDs, etc., are not needed. Emphasis should be concentrated on accuracy, completeness, and clarity of content. All information should be presented in a non-technical format (with the exception of the technical proposal component) to ensure understanding. All responses should be tailored specifically for the County.
2. The County encourages proposals that provide innovative alternatives to addressing the project described in the RFP, including proposals for one or both of the Subject Properties. Information which the Offeror desires to present that does not fall within

- any of the requirements of the RFP should be inserted at an appropriate place or be attached at the end of the proposal and designated as additional material.
3. There is an identified preference for including substantial vegetative buffers around the Thacker property to ensure that any project remains minimally visible from adjacent roadways and neighboring properties. These buffers should incorporate existing and supplemental native plantings to enhance screening, aesthetics, and ecological benefits.
  4. The County encourages developers to incorporate sustainability and environmental stewardship practices into their proposals. These might include the protection of existing vegetation and site features, the use of native pollinator-friendly plants to support biodiversity (Virginia Pollinator Smart Certification), the creation of habitats for birds and insects, and plantings that align with wildlife conservation efforts.
  5. The County is highly interested in exploring dual-use opportunities of the Subject Properties; potential opportunities of interest include trade/skills training, limited commercial/light-industrial use, participation in agricultural research programs involving solar facilities, trial agricultural growing initiatives, the use of sheep for site maintenance, apiculture/beekeeping, and other compatible uses identified by Offerors as viable.

#### **D. Proposal Period.**

Proposals will remain valid for a period of one hundred twenty (120) calendar days after the date specified for receipt of proposals.

### **5. EVALUATION OF PROPOSALS**

- A. Competitive Negotiation.** Proposals submitted in response to this RFP will be evaluated and awarded under a competitive negotiation process. Under the competitive negotiation process, one or more lease agreements may be awarded to the Offeror(s) whose proposal is determined to be the most advantageous to the County taking into consideration lease payment price and the evaluation factors set forth in the RFP. Selection of the successful Offeror(s) and execution of a lease agreement(s) is subject to the approval of the Middlesex County Board of Supervisors.
- B. Evaluation of Offerors.** The County will use an evaluation system to rank the qualified Offerors. It is the responsibility of each Offeror to provide information, evidence or exhibits that clearly demonstrate the Offeror's ability to satisfactorily respond to project requirements and the factors listed in this RFP. The evaluation process may include verification of references, confirmation of financial information, and examination of other information as the County deems appropriate. The County may, as it deems necessary and as may be required by Virginia Code Section 2.2-4302.2, conduct interviews to evaluate the Offerors and conduct negotiations with two or more firms. The County may require public presentations by the Offerors. The County reserves the right to request or obtain additional information about any and all responses. Each response from a qualified Offeror will be evaluated and ranked solely according to the criteria set forth in this RFP.
- C. Proposal Evaluation Criteria.** The following criteria will be utilized in the evaluation of

proposal to be considered for award. Individual criteria have been assigned a weight to reflect relative importance.

Criteria	Weight
<b>Price Proposal</b> - Financial benefit to the County of the proposed arrangement through annual lease payments and/or other proposed compensation or benefits.	25
<b>Proposal Narrative</b> - Offeror's approach to the various tasks, including scheduling methods, project schedule, construction, financing, measurement and verification, operations and maintenance, and decommissioning plans.	25
<b>Developer Experience &amp; Project Team</b> - The Offeror's experience in designing, financing, constructing, and operating solar energy facilities. Additional consideration will be given to firms with experience constructing and operating such facilities on municipal and commercial properties most similar to the Subject Properties, particularly capped landfill; the relevant experience and quality of project personnel and their commitment to the proposed projects; and the clarity and organization in the proposal of the proposed project scope.	20
<b>Technical Proposal</b> - The preliminary system design provided and the demonstrated ability of designing a system that will generate a high level of production while mitigating impacts, which will provide greater benefit to the County and the community.	20
<b>Preferences and Considerations</b> – Proposals that demonstrate consistency with identified project preferences and considerations, including innovative designs, use of Subject Properties, and/or benefits.	20
<b>References</b> - Responses received from references stating success, experience, and capabilities of firm in providing the same or similar projects.	10
<b>Total</b>	<b>120</b>

#### D. Review of Proposals.

1. Offerors are advised that, if an adequate number of proposals are received, which in the opinion of the County or designees require no clarifications and/or supplementary information, such proposals may be evaluated without further discussion. Consequently, Offerors should provide complete, thorough proposals with the Offerors most favorable terms. Should proposals require additional clarification and/or supplementary information, Offerors must submit such additional material in a timely manner upon request.
  
2. The County may cancel this RFP or reject proposals at any time prior to an award and is not required to furnish a statement of the reasons why a particular proposal was not deemed to be the most advantageous.

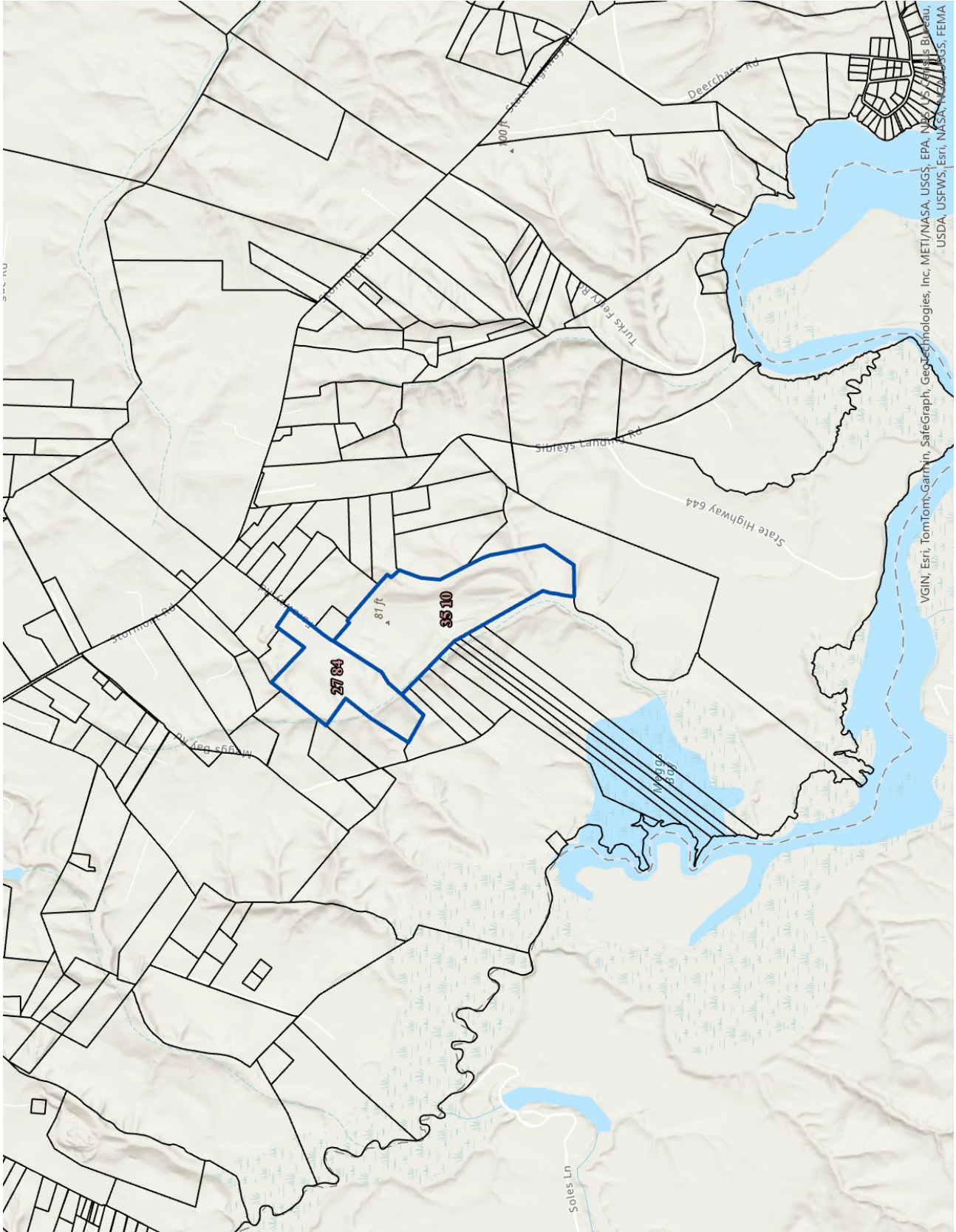
#### 6. AWARD

Based upon the results of the evaluation of the proposals and interview process (if applicable), a recommendation will be developed and submitted for approval by the Board of Supervisors.

One or more of the most qualified Offerors selected to move forward with the project will receive a lease agreement to be negotiated with the Middlesex County Attorney's Office. Final negotiated leases are subject to the approval of the Middlesex County Board of Supervisors.

If the County is unable to negotiate a satisfactory lease agreement(s) with the finalist(s) at a price the County determines to be fair, competitive, and reasonable, the County may negotiate with the next highest-rated Offeror. The County reserves the right to waive any and all informalities and to award the proposal on the basis of the above procedures to the Offeror they deem most qualified, or to terminate the process at any time without making an award. The County also reserves the right to make multiple awards to lease different locations to different Offerors.

**EXHIBIT 1**



**ATTACHMENT A**

**Virginia State Corporation Commission (SCC) registration information.**

The Offeror, \_\_\_\_\_:

is a corporation or other business entity with the following SCC identification number:

\_\_\_\_\_ **-OR-**

is not a corporation, limited liability company, limited partnership, registered limited liability partnership, or business trust **-OR-**

is an out-of-state business entity that does not regularly and continuously maintain as part of its ordinary and customary business any employees, agents, offices, facilities, or inventories in Virginia (not counting any employees or agents in Virginia who merely solicit orders that require acceptance outside Virginia before they become contracts, and not counting any incidental presence of the Offeror in Virginia that is needed in order to assemble, maintain, and repair goods in accordance with the contracts by which such goods were sold and shipped into Virginia from Offeror's out-of-state location) **-OR-**

is an out-of-state business entity that is including with this proposal an opinion of legal counsel which accurately and completely discloses the undersigned Offeror's current contacts with Virginia and describes why those contacts do not constitute the transaction of business in Virginia within the meaning of § 13.1-757 or other similar provisions in Titles 13.1 or 50 of the Code of Virginia.

**\*\*NOTE\*\*** >> Check the following box if you have not completed any of the foregoing options but currently have pending before the SCC an application for authority to transact business in the Commonwealth of Virginia and wish to be considered for a waiver to allow you to submit the SCC identification number after the due date for proposals (the Commonwealth reserves the right to determine in its sole discretion whether to allow such waiver):

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**REFERENCES**

A minimum of three (3) references is required. Reference projects shall be for work of similar character, preferably with other localities.

1. Project Name: \_\_\_\_\_

Project Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Business Name: \_\_\_\_\_

Name of Contact: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

2. Project Name: \_\_\_\_\_

Project Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Business Name: \_\_\_\_\_

Name of Contact: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

3. Project Name: \_\_\_\_\_

Project Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Business Name: \_\_\_\_\_

Name of Contact: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

4. Project Name: \_\_\_\_\_

Project Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Business Name: \_\_\_\_\_

Name of Contact: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**SMALL AND MINORITY BUSINESS ENTERPRISES**

The Middlesex County Purchasing Policies and Procedures and relevant Federal and State Laws, Orders and Regulations, require Middlesex County to ensure that its procurement practices are non-discriminatory and promote equality of opportunity for Small Women-Owned, Minority-Owned, and Service-Disabled Veteran-Owned (SWaM) Business Enterprises.

Definitions:

1. Small Business:

For the purposes of this document a small business concern is one which, regardless of ownership or control:

- (a) does not exceed two-hundred and fifty (250) employees; or
- (b) gross annual income does not exceed ten (10) million.
- (c) is independently owned and operated (not subsidiary of another firm).

2. SWaM Business:

A business entity which is operated and controlled by a minority.

- (a) The terms "operated and controlled" shall mean that the managerial and official staff of this entity shall be comprised of minority persons, sufficient in ratio and gross earnings to demonstrate that the business transactions are, in fact, controlled by minority persons; and that the primary power, direct or indirect, to influence the management of this entity shall rest with minority persons or a corporation, partnership, or sole proprietorship in which minority persons collectively own operate, control and share in earnings of fifty-one (51%) percent (51%) or more of such an enterprise.

- (b) SWaM entities shall be defined as provided in Virginia Code § 2.2-4310, as amended. PLEASE CHECK THE FOLLOWING INFORMATION RELEVANT TO YOUR FIRM:

SWaM Business Firm:  Yes  No

Small Business Firm:  Yes  No

The above information is requested for statistical purposes only. All Bidders tendering responses will receive equal consideration for award.

CONTACT FOR ADMINISTRATION:

NAME: \_\_\_\_\_

ADDRESS (OFFICE): \_\_\_\_\_

TELEPHONE (OFFICE): \_\_\_\_\_

**ATTACHMENT D**

**TRADE SECRETS/PROPRIETARY INFORMATION IDENTIFICATION**

***IF NO PROTECTION IS NEEDED STATE "N/A" ON THE TABLE BELOW AND SIGN.***

Trade secrets or proprietary information submitted by any Offeror in connection with a procurement transaction shall not be subject to public disclosure under the Virginia Freedom of Information Act, however, the Offeror must invoke the protection of §2.2-4342(F) of the Code of Virginia, in writing, prior to or upon submission of the data or other materials, and must clearly and specifically identify the data or other materials to be protected, and state the reasons why protection is necessary. **The proprietary or trade secret material submitted must be identified by the Bidder/Offeror on the table below.** If the Offeror fails to identify any protected information on the table below, the Offeror, by return of this form, hereby releases the County and all of its employees from any and all claims, damages, demands or liabilities associated with the County's release of such information, and agrees to indemnify it for all costs, expenses and attorney's fees incurred by the County as a result of any claims made by Offeror regarding the release of such information. By submitting its bid or proposal, Offeror understands and agrees that any language seeking protection from public disclosure, any specific documents or information, unless identified on the table below, are null and void and of no legal or binding effect on the County. The classification of line item prices, and/or total bid prices as proprietary or trade secrets is not acceptable. If, after being given reasonable time, the Offeror refuses to withdraw such a classification designation, the bid/proposal will be rejected.

SECTION/TITLE	PAGE NUMBER(S)	REASON(S) FOR WITHHOLDING FROM DISCLOSURE

**COMPANY NAME:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_