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Executive Director

# Region One Education Service Center

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**TO:** Texas Energy Center Members  
**FROM:** Marc David García, Purchasing Coordinator  
**SUBJECT:** Texas Energy Center Energy Supply and Related Services RFP 16-03-12, Ext. 3 of 4  
**DATE:** August 23, 2019

This proposal allows Region One Education Service Center Texas Energy Center (TEC) to provide competitive pricing and services to its members for energy supply, natural gas supply, renewable energy credits (RECs), demand response services, and/or on-site generation.

On April 27, 2016 the Region One Education Service Center Purchasing Department received six (6) responses to Texas Energy Center Energy Supply and Related Services RFP 16-03-12. On May 12, 2016 the Region One ESC Board of Directors met to review and approve the recommendations of the Texas Energy Center, acting on behalf of its members, for award of Energy Supply and Related Services RFP 16-03-12. Proposals were evaluated to select the best qualified vendors based on the established criteria. The following four (4) vendors were approved for Region One Education Service Center Texas Energy Center Energy Supply and Related Services Proposal 16-03-12: **Constellation NewEnergy** – Houston, TX; **Hudson Energy** – Houston, TX; **Reliant Energy** – Houston, TX; **Source Power & Gas, LLC** – Beasley, TX, effective from the date of execution through September 11, 2017 with four (4) one-year extension options, if all parties are in agreement.

On August 24, 2017 the Region One ESC Board of Directors met to review and approve the recommendations of the Texas Energy Center, acting on behalf of its members, for award of Energy Supply and Related Services RFP 16-03-12, Extension 1 of 4, all vendors were offered, and accepted, the extension option; effective September 12, 2017 through September 11, 2018 with three (3) one-year extension options, if all parties are in agreement. On August 23, 2018 the Region One ESC Board of Directors met to review and approve the recommendations of the Texas Energy Center, acting on behalf of its members, for award of Energy Supply and Related Services RFP 16-03-12, Extension 2 of 4, all vendors were offered, and accepted, the extension option; effective September 12, 2018 through September 11, 2019 with two (2) one-year extension options, if all parties are in agreement.

On August 22, 2019 the Region One ESC Board of Directors met to review and approve the recommendations of the Texas Energy Center, acting on behalf of its members, for award of Energy Supply and Related Services RFP 16-03-12, Extension 3 of 4, all vendors were offered, with **Source Power declining the extension option**; effective September 12, 2019 through September 11, 2020 with one (1) one-year extension option, if all parties are in agreement.

For additional information or questions, please contact the Region One Education Service Center Purchasing Department at [eBuyOne@esc1.net](mailto:eBuyOne@esc1.net):

- Lori Atwood Ramos, Purchasing Coordinator, Phone: 956-984-6123
- Marc David García, Purchasing Specialist, Phone 956-984-6178

**Region One Education Service Center  
Texas Energy Center  
Electricity Supply & Related Services RFP 16-03-12  
Evaluation Criteria Summary and Scoring**

<b>A</b>	<b>GENERAL INFORMATION</b>					
1.0	Company Name:	<b>Constellation NewEnergy</b>	<b>Hino Electric</b>	<b>Hudson Energy</b>	<b>Reliant Energy</b>	<b>Source Power &amp; Gas, LLC</b>
1.1	Company Address:	1221 Lamar Street Houston, TX 77010	503 W. Hwy 100 Port Isabel, TX 78578	5251 Westheimer Rd. Ste #1000 Houston, TX 77056	1201 Fannin Houston, TX 77002	PO Box 181 (203 South 7th St) Beasley, TX 77417
1.2	Company Phone #:	800-672-0255	(956) 761-2200	(713) 544-8121	(713) 537-2354	(281) 690-4300
1.3	Company Website:	<a href="http://www.constellation.com">www.constellation.com</a>	<a href="http://www.hinoelectric.com">www.hinoelectric.com</a>	<a href="http://www.hudsonenergy.net">www.hudsonenergy.net</a>	<a href="http://www.reliant.com">www.reliant.com</a>	<a href="http://www.spgenergy.com">www.spgenergy.com</a>
1.4	Contact Name:	Jay Beasley	Alejandro Hinojosa, Jr.	Leigh Sweeney	Arthur Formas	Tim Harrell
1.5	Contact Email:	<a href="mailto:Jay.Beasley@Constellation.com">Jay.Beasley@Constellation.com</a>	<a href="mailto:HinoJr@HinoElectric.com">HinoJr@HinoElectric.com</a>	<a href="mailto:Leigh.Sweeney@HudsonEnergy.net">Leigh.Sweeney@HudsonEnergy.net</a>	<a href="mailto:Aformas@Reliant.com">Aformas@Reliant.com</a>	<a href="mailto:Tharrell@SourceEnergy.com">Tharrell@SourceEnergy.com</a>
1.6	Contact Phone #:	800-672-0255	(956) 761-2200	(713) 544-8121	(713) 537-2354	(214) 755-4100
1.7	Business Type (Corporation, Partnership, Individual, Joint Venture, Other):	Corporation	Limited Partnership	Corporation	Corporation	Corporation
1.8	Charter State:	Maryland	Texas	Texas	Texas	Texas
1.9	Names of all principals (officers, directors, partners, general or managing partners):	Joseph Nigro (CEO), Mark Houston (SVP), Chuck Hanna (VP), Dave Pfeifer (VP), Jay Beasley (BDM)	Alejandro Hinojosa, Jr. (sole owner)	Rebecca Macdonald (Executive Chair), James Lewis (President), Deb Merrill (President, CEO), Patrick McCullough (CFO), Jonah Davis (EVP, General Counsel)	Not Listed	John Werner (Pres.), Qadir Khan (COO), Kelli Mitchell (VP)
1.10	Other names under which business has operated in the last 5 years:	N/A	N/A	N/A	N/A	N/A
1.11	List of affiliate companies:	Exelon Generation		Just Energy	NRG	
<b>B</b>	<b>PHASE 1: QUALIFICATIONS</b>	<b>POINTS</b>	<b>POINTS</b>	<b>POINTS</b>	<b>POINTS</b>	<b>POINTS</b>
2.0	The reputation of the vendor and of the vendor's goods and services, including its industry reputation; Max 8 points for Section 2	8	8	8	8	8
2.1	5 References (overall score to include: dependability, quality, customer service, timeliness and accuracy of invoicing); max 8 points	8	8	8	8	8
3.0	Quality of the vendor's goods or services; Max 8 points for Section 3	8	8	6	8	8
3.1	5 References Questionnaire #2; max 4 points	4	4	4	4	4
3.2	Proposal submission is complete and in the required format; max 4 points	4	4	2	4	4
4.0	The extent to which the goods or services meet the needs of the Service Center and its Member Districts; Max 12 points for Section 4	10	12	11	12	12
4.1	Copy of documentation of registration as a Retail Electric Provider by the Public Utility Commission; max 1 point	1	1	0	1	1

1.0	Company Name:	Constellation NewEnergy	Hino Electric	Hudson Energy	Reliant Energy	Source Power & Gas, LLC
4.2	Ability to cover the TEC members firm, total requirements for electricity supply needs; max 1 point	1	1	1	1	1
4.3	Total responsibility for meeting any and all load following requirements; max 1 point	1	1	1	1	1
4.4	Agrees to cover all line losses up to each of the contacted Member's meters and provide all necessary ERCOT ancillary services; max 1 point	1	1	1	1	1
4.5	Scheduling and coordinating activities up to the meter; max 1 point	1	1	1	1	1
4.6	Ability to plan and forecast; max 1 point	1	1	1	1	1
4.7	Responsible for the full replacement cost of the power to serve the member's load in the event the REP does not properly schedule all of the member's electric requirements with ERCOT; max 1 point	1	1	1	1	1
4.8	Sample invoice; max 1 point	0	1	1	1	1
4.9	Invoice must show line items for all TDSP charges; max 1 point	0	1	1	1	1
4.10	Invoices delivered in 1 envelope; max 1 point	1	1	1	1	1
4.11	Monthly billing data delivered electronically via email in PDF and on an Excel spreadsheet that corresponds to the ESI ID's in ascending order; max 1 point	1	1	1	1	1
4.12	Assurance of timely and accurate bills; max 1 point	1	1	1	1	1
<b>5.0</b>	<b>The vendor's past relationship with the Service Center or the Member Districts; Max 5 points for Section 5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>
5.1	References - TEC members, prior approved REPs in good standing; max 5 points	5	5	5	5	5
<b>6.0</b>	<b>The impact on the ability of the Service Center to comply with laws and rules relating to Historically Underutilized Businesses (HUB); Max 1 point for Section 6</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>
6.1	HUB Certificate(s); max 1 point	0	1	0	0	0
<b>7.0</b>	<b>The total long-term cost to the Service Center to acquire the vendor's goods and services; Max 8 points for Section 7</b>	<b>8</b>	<b>1</b>	<b>8</b>	<b>8</b>	<b>8</b>
7.1	Energy conservation programs (demand side management, examples of financial and non-financial benefits delivered; max 2 points	2	0	2	2	2
7.2	Plan to ensure timely switch on first meter read; max 2 points	2	0	2	2	2

1.0	Company Name:	Constellation NewEnergy	Hino Electric	Hudson Energy	Reliant Energy	Source Power & Gas, LLC
7.3	Assurances and financial guarantee provided in the event that any of the TEC members ESI ID's incur charges from their existing supplier or are dropped either to the affiliated REP of the POLR that will keep the TEC Member entity financially whole; max 2 points	2	0	2	2	2
7.4	Access to a limited license or other rights to software to forecast and back-cast (and resettle) market data for the purpose of supporting demand side management, price response, and other services in the nature of peak-shaving and/or load acting as a resource. How such license would survive the expiration of any underlying electricity service agreement that may accompany access to such software and technical support; max 2 points	2	1	2	2	2
8.0	<b>Whether the vendor's parent company or majority owner: a) has its principal place of business in the state of Texas or b) employs at least 500 persons in the state of Texas; Max 0 points for Section 8</b>	0	0	0	0	0
8.1	Principal place of business (State):	Maryland	Texas	Texas	Texas	Texas
8.2	Number of employees in the State of Texas:	Not Listed	Not Listed	Not Listed	2,937	Not Listed
8.3	Is company authorized to conduct business in the State of Texas? "No" disqualifies vendor from participation in this RFP.	Yes	Yes	Yes	Yes	Yes
9.0	<b>Experience serving schools and large electricity loads; Max 8 points for Section 9</b>	8	2	8	8	8
9.1	Existing electric capacity under contract with ERCOT (location, term, amount under contract); max 4 points	4	1	4	4	2
9.2	Number of meters currently being served by the REP (rounded to nearest 100); max 4 points	4	1	4	4	3
10.0	<b>General history of competitiveness; Max 8 points for Section 10</b>	8	8	8	8	8
10.1	Does the company anticipate any mergers, transfer of organization ownership, management reorganization, or departure of key personnel with the next 12 months that may affect the organization's ability to carry out its proposal?; max 4 points	4	4	4	4	4
10.2	Has the company or any of its principals been debarred or suspended from contract with any public entity?; max 4 points	4	4	4	4	4

1.0	Company Name:	Constellation NewEnergy	Hino Electric	Hudson Energy	Reliant Energy	Source Power & Gas, LLC
11.0	Contract terms and conditions and willingness to include required terms in resulting school district contracts; Max 15 points for Section 11	14	15	14	14	14
11.1	Agrees to all Additional Required Contract Terms and Conditions outlined in Exhibit 1; max 10 points	9 (some minor legal clarifications)	10	9 (some minor legal clarifications)	9 (some minor legal clarifications)	9
11.2	Copy of proposed standard ESA (Electric Service Agreement) and a copy of your proposed form(s) of Service Agreement for all products and services proposed; max 5 points	5	5	5	5	5
12.0	Financial stability; Max 12 points for Section 12	12	8	12	12	12
12.1	Has the company ever been declared bankrupt or filed for protection from creditors? If yes, list date, court jurisdiction, cause number, amount of liabilities and amount of assets; max 3 points	3	3	3	3	3
12.2	Has the company defaulted under any contact in the last 10 years? If yes, state the name and address of the individual or entity with whom the project was contracted, the name of the project, the date of the removal and the reason for removal; max 3 points	3	3	3	3	3
12.3	Audited financial statements. If relying on a parents credit for qualification, confirm parent entity's agreement to provide a parental guarantee of the agreement; max 3 points	3	2	3	3	3
12.4	Debt rating; max 3 points	3	0	3	3	3
13.0	Years in business; Max 5 points for Section 13	5	2	5	5	3
14.0	Quality of customer service; Max 10 points for Section 14	10	4	6	8	9
14.1	Customer service and management programs; max 2 points	2	0	2	2	2
14.2	Plan to address the TEC member needs for reliable delivery of services, including protocol for reporting outages to the TESP, arranging for construction services, resolving billing disputes, and other reliability issues; max 4 points	4	2	4	4	4
14.3	Complaints filed with the PUCT in the past 24 months against your company, how many complaints filed, how were they resolved; max 4 points	4 (Three complaints filed in last 24 months)	2	0 (Failed to answer question)	2 (938 complaints filed in last 24 months)	3
<b>TOTAL EVALUATION SCORE:</b>		<b>96</b>	<b>74</b>	<b>91</b>	<b>96</b>	<b>95</b>

1.0	Company Name:	Constellation NewEnergy	Hino Electric	Hudson Energy	Reliant Energy	Source Power & Gas, LLC
C	<b>SERVICES OFFERED UNDER THIS PROPOSAL:</b>					
15.0	<b>Electricity Supply: the supplier is responsible for the supply of electricity to the member's meters.</b>	YES	YES	YES	YES	YES
16.0	<b>Natural Gas Supply: the supplier is responsible for the supply of natural gas to the member's meters.</b>	YES	NO	NO	YES	NO
16.1	Documentation showing currently serving at least 100 commercial meters in Texas, with at least 20 of the meters belonging to public sector clients	YES	NO	NO	YES	NO
17.0	<b>Renewable Energy Credits/Certificates (RECs): the sale or purchase of renewable energy credits or certificates, as applicable, to or from the members per the specifications in a Request for Pricing.</b>	YES	NO	YES	YES	YES
17.1	Documentation showing at least 10 clients for which you purchase or supply RECs in Texas, with at least 2 public sector clients	YES	NO	NO	YES	NO
18.0	<b>Demand Response Services:</b>	YES	NO	YES	YES	NO
18.1	Documentation showing at least 10 clients for which you provide demand response services in Texas, with at least 2 of them public sector clients	YES	NO	NO	YES	NO
18.2	Description of Emergency Response Service, price response, demand and peak load management, and description of whether all such programs and arrangements are available regardless of whether the REP chosen to provide electricity services to the REC members is the same or different than the respondent seeking to provide ERS, price response and/or peak load shaving or management type services.	YES	NO	NO	YES	NO
18.3	How and to what extent the REPs bandwidth structures would accommodate TEC member participation in price response, demand response or peak shaving programs.	YES	NO	NO	YES	YES
18.4	Time-of-use KW tracking applications. Include information on applicable charges for district use of such applications.	YES	NO	NO	YES	NO
18.4	<b>Software only</b> -- provide a license to an energy management system that would allow for members to monitor control their electricity load in order to participate in Demand Response programs.	YES	NO	NO	YES	NO
18.5	<b>Program Management</b> -- manage the member's participation in demand response programs including interface with Independent System Operator (ERCOT in Texas), Qualified Scheduling Entities (QSEs), and event management.	YES	NO	YES	YES	NO

1.0	Company Name:	Constellation NewEnergy	Hino Electric	Hudson Energy	Reliant Energy	Source Power & Gas, LLC
19.0	<b>On-site Generation:</b>	YES	NO	YES	YES	NO
19.1	<b>Turn-key Construction</b> -- comprehensive onsite generation construction and scheduling for member's using wind, solar and/or natural gas/propane. The generation can be used for emergency backup, baseload, or to support participation in demand response programs.	YES	NO	YES	YES	NO
19.2	Documentation showing at least 10 clients for which they have provided turnkey on-site generation service including site evaluation, project sizing, equipment costs, engineering and installation, and ongoing maintenance. Preferably 2 public sector clients. The generation can be sourced via natural gas/propane, wind and/or solar.	YES	NO	NO	YES	NO
19.3	<b>Contract Scheduling Only</b> -- integration into contract on-site generation when constructed or managed by outside contracts, including buyback programs if member over-generate on any meter.	YES	NO	YES	YES	NO
19.4	REP is willing and able to purchase from TEC member excess electricity generated from any facility using solar panels or otherwise generating electricity in excess of the districts needs. Such a buyback purchase agreement may be made by a separate contract from the ESA. Willing to buy back such excess at retail or wholesale prices?	YES	NO	NO	YES	NO

**Phase II: Texas Energy Center will seek pricing from pre-qualified Region One ESC Retail Electric Providers/"Panel Suppliers" who will be solicited to submit proposals to TEC aggregated pools or individual TEC member districts as deemed appropriate.**

\* Proposal received from Nueces Electric Cooperative (NEC) Retail Division incomplete and not considered.

Evaluated by: Lori Atwood Ramos, Region One ESC; Frances Guzman, Region One ESC; Kevin Schaffer, Texas Energy Aggregation.