AMENDMENT # 3

DATE: January 21, 2010

TO: All Bidders of Record

FROM: Gil Rivera, Buyer

SUBJECT: Amendment #3 to P-279 “ESCO Provider”

This amendment becomes part of the Contract Documents and modifies the original bidding documents as noted below:

1. QUESTION: Are electronic copies of site utility, architectural, electrical, plumbing and infrastructure drawings available for most of the buildings and sites?

   ANSWER: Electronic copies will be provided to the awarded vendor. CNM will not disclose this information to bidders for use in their responses to this RFP.

2. QUESTION: Are monthly utility bills (electric, gas and water) available for each facility for at latest 24-36 months? If so, can they be received prior to the proposal due date?

   ANSWER: Information will not be provided prior to the proposal date, but the awarded ESCO will be given access to PNM and NM Gas Accounts on PNM and Gas web site to gather historical data on utility information. Water Bills for the past year will be provided to the awarded ESCO.

3. QUESTION: In order to facilitate a thorough energy study, some permanently installed monitoring equipment may be needed before or during Phase 1. Will CNM bear the cost of this equipment separate from this contract, or as part of it?

   ANSWER: The monitoring equipment will be the responsibility of the ESCO.
4. QUESTION: For economy purposes, would CNM consider monitoring at the whole building level (Option D on IPMVP) on buildings where equipment-level sub metering is less practical?

ANSWER: Yes, CNM would consider whole building Sub metering.

5. QUESTION: Does CNM have a design standard for new buildings that will account for their M&V requirements (i.e. contracted A/E firms include M&V equipment in all future designs, etc.), or should this be included as part of the scope?

ANSWER: ESCO should consider M&V in all new facilities and future facilities.

6. QUESTION: CNM asks for the carbon footprint of vehicles on campus.
   A. Is the carbon footprint to include student and faculty vehicles as well as miscellaneous?
   B. Can CNM provide the ESCO with an estimate of the number of registered vehicles on campus at given time?

ANSWER: 
   A. Yes.
   B. CNM will provide an estimated number of vehicles to calculate the footprint.

7. QUESTION: Are there any restrictions on turning mechanical equipment on or off (typically less than 15 minutes at a time) during occupied hours?

ANSWER: Any mechanical equipment shut offs will need to occur during CNM closed hours or weekends when the facilities are not in use.

8. QUESTION: Please clarify what you mean by “CNM facility status” on page 17 under Oral Presentations. Is CNM asking for a first blush assessment of each individual building, an overall summary of the campuses, or something in between?

ANSWER: CNM is looking at the ESCO to provide a general summary of what you think the assessment will entail.

9. QUESTION: Can you please clarify which documents will NOT be included in the page limit (i.e. letter of transmittal, the exhibits, resumes, projects, table of contents, tabs, licenses)?

ANSWER: The following items are NOT considered in the fifty (50) page limit:
   - Table of Contents
   - Completed Section E
   - Completed Exhibit A
   - Completed Exhibit B
   - Completed Exhibit C
   - Resumes
   - Tabs
   - Copies of Licenses or certifications
10. QUESTION: Are technical and cost proposals to be submitted in separate sealed envelopes per section 50 Submittals? You have the price as an evaluation criteria yet the data will be in a sealed envelope?

ANSWER: We have removed the requirement for separately sealed Technical and Cost proposals from Clause 50.

WAS: 50. SUBMITTALS. To submit an offer on the goods or services specified, provide a type written proposal responding to the scope of work/services, specifications, and evaluation criteria contained herein. Vendors are to submit responses as required for easy and clear evaluation with information presented in the order it appears herein referencing sections on all attachments. Each original proposal must be signed in ink by an authorized representative; all corrections shall be initialed in ink by person signing the proposal.

Technical and Cost proposals must be submitted in separate, sealed envelopes. Note, no cost information is to be included in the vendors' technical proposal. The Technical and Cost proposal envelopes should be submitted together in a single sealed package/envelope

Note, if you wish to offer more than one proposal, clearly label each additional offer as an alternate proposal and submit all responses in the same envelope/package as the original proposal.

IS NOW: 50. SUBMITTALS. To submit an offer on the goods or services specified, provide a type written proposal responding to the scope of work/services, specifications, and evaluation criteria contained herein. Vendors are to submit responses as required for easy and clear evaluation with information presented in the order it appears herein referencing sections on all attachments. Each original proposal must be signed in ink by an authorized representative; all corrections shall be initialed in ink by person signing the proposal.

Note, if you wish to offer more than one proposal, clearly label each additional offer as an alternate proposal and submit all responses in the same envelope/package as the original proposal.

11. QUESTION: How many originals and copies need to be submitted?

ANSWER: One (1) original and five (5) copies. All versions must include responses to BOTH the technical and cost proposals.

12. QUESTION: What comprises a complete response?

ANSWER: See RFP 3.4.1 through 3.4.2

NOTE: Required submittals includes the following:

- Respondent’s response to SECTION D. This must include a point-by-point response to CRITERIA clause 3.5.3 and all sub-paragraphs.
- SECTION E: Signature of Firm’s Authorized Representative and Debarment/Suspension Status & Non-Collusion Affidavit Form
- EXHIBIT A: Insurance Requirements (UPON REQUEST)
- EXHIBIT B: Small and Small Disadvantaged Business Certificate
- EXHIBIT C: Campaign Contribution Disclosure Form

13. QUESTION: Does a responsive proposal require pricing for Phase II and III?

ANSWER: Yes. These phases are for providing a metering at the building level and a monitoring and control system. Vendors should propose the system that best meets CNM’s immediate needs, and suggest any upgrades or future changes that may result as a part of completing the audit.
14. QUESTION: LEED is mentioned many times in the scope but not in the evaluation criteria, what are the specific requirements are you looking for? LEED EB? LEED Level certification? Silver, Gold, etc?

ANSWER: CNM is seeking LEED Silver on all new construction projects and existing Buildings. CNM will hire a commissioning agent separately for those projects, but after the year warranty, the vendor will need to ensure the verification of the systems operate as intended.

15. QUESTION: If LEED Certification is required will we need to have an independent commissioning agent?

ANSWER: CNM issue a separate RFP to procure an independent commission agent for all LEED certification. CNM does not currently have a contract in place for the LEEDS commission agent.

16. QUESTION: If some buildings don’t have energy conversation measures are we still to provide measurement and verifications?

ANSWER: Yes.

17. QUESTION: At the 2nd Mandatory Pre-Proposal Meeting you referred to a “Quick” Audit process can you provide more details. Is this 120, 180 days or other timeframe for response so we can focus our schedule better?

ANSWER: We are unsure when this was mentioned during the meeting; however, CNM will require each respondent to identify what schedule is required to perform each phase of work.

18. QUESTION: Is carbon footing printing part of the evaluation criteria for selection? Is vehicle carbon foot printing (CNM fleet vehicles and student / user vehicles) part of the scope?

ANSWER: Yes. Vehicular and air transportation will need to be included in the carbon footprint calculations.

19. QUESTION: Is there a maximum allowed contract length given the requirement to review equipment related to renewable energy on page 7 of 23 of the RFP?

ANSWER: There appears to be confusion between the allowable length of time that CNM may be in contract with the vendor, and the length of time to perform various aspects of the work. CNM may renew the contract with the awarded vendor per NMSA 13-1-150 as stated in “CONTRACT TERM” RFP page 7. The time necessary for the awarded Vendor to perform the work needs to be identified by the vendor with his response to this RFP.
20. **QUESTION:** Can CNM provide some historical utilities usage data?

**ANSWER:** See below table of approximate yearly amounts from 2001 through 2008.

<table>
<thead>
<tr>
<th>Year</th>
<th>CNM Electric Use (KWH)</th>
<th>CNM Natural Gas Use (MMbtu)</th>
<th>Water (Gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>16,600,291</td>
<td>55,555</td>
<td>Data not available</td>
</tr>
<tr>
<td>2002</td>
<td>16,600,291</td>
<td>55,555</td>
<td>Data not available</td>
</tr>
<tr>
<td>2003</td>
<td>20,510,927</td>
<td>65,118</td>
<td>Data not available</td>
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<tr>
<td>2004</td>
<td>22,070,386</td>
<td>65,118</td>
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<tr>
<td>2005</td>
<td>22,674,566</td>
<td>66,332</td>
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<td>Data not available</td>
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<tr>
<td>2007</td>
<td>24,088,296</td>
<td>65,321</td>
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<tr>
<td>2008</td>
<td>24,389,412</td>
<td>69,812</td>
<td>2,000,000</td>
</tr>
</tbody>
</table>

All other specifications, terms and conditions remain unchanged. Bidders are required to acknowledge receipt of this Amendment in the space provided in Section E.

NOTE: Any verbal responses offered by CNM to vendor questions are non-binding. If vendors have any further questions or need further clarification, please contact the buyer in writing by email (preferred) or fax. Buyer shall respond to vendor or issue an amendment to the Request for Proposals as appropriate.