



September 15, 2009

REQUEST FOR PROPOSALS (RFP)

**American Recovery and Reinvestment Act
Energy Efficiency and Conservation Block Grant Program
Award Number: DE-EE0000668
CFDA Number: 81.128
Subgrant Management**

**THE NEW HAMPSHIRE OFFICE OF ENERGY AND PLANNING
REQUESTS PROPOSALS FOR SERVICES TO AWARD AND MANAGE SUBGRANTS
TO NEW HAMPSHIRE MUNICIPALITIES FOR ENERGY-EFFICIENCY AND
EMISSIONS-REDUCTION MEASURES**

To Prospective Bidder:

The New Hampshire Office of Energy and Planning (OEP) is seeking an Administrator to assist in managing subgrants that will be issued as part of New Hampshire's Energy Efficiency and Conservation Block Grant Program (EECBG). Subgrants will be available to New Hampshire municipalities for projects and programs that increase energy efficiency, reduce greenhouse gas emissions and advance the development of renewable energy systems.

The chosen Administrator (heretofore referred to as the "EECBG Subgrant Manager") will:

- Develop and implement an application and selection process that is responsive to the principles and desired outcomes of the EECBG program;
- Educate and inform municipalities throughout the state about the grant opportunity through a variety of media;
- Distribute funds to selected municipalities;
- Oversee the program's progress and compliance with all associated requirements, and
- Collect and report upon jobs created and retained, energy saved, emissions reduced, funds leveraged and other relevant information, as outlined in this RFP.

Pertinent dates and information:

1. Proposals must be received by OEP prior to 4:00 PM on Friday, October 16, 2009.
2. Submit proposals to:

Dari Sassan, EECBG Coordinator
NH Office of Energy and Planning
4 Chenell Drive, Second Floor
Concord, NH 03301
dari.sassan@nh.gov

3. Questions about this RFP from bidders should be addressed to kathleen.vattes@nh.gov. They will be posted anonymously to the OEP-ARRA website with answers following a Frequently Asked Questions format. Questions regarding this RFP will be accepted until October 5, 2009.
4. An evaluation team consisting of OEP and other qualified personnel will evaluate proposals submitted in response to this RFP. The scoring sheet that accompanies this RFP may provide additional guidance to bidders.

I. Background

The New Hampshire Office of Energy and Planning (OEP) is coordinating New Hampshire's Energy Programs under the American Recovery and Reinvestment Act (ARRA) of 2009 including Weatherization for low-income homes, the State Energy Programs (SEP) and the Energy Efficiency and Conservation Block Grant Program (EECBG).

The goals of the American Recovery and Reinvestment Act are to:

1. Preserve and create jobs and promote economic recovery;
2. Assist those most impacted by the recession;
3. Provide the investments needed to increase economic efficiency by spurring technological advances in science and health;
4. Invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits, and
5. Stabilize state and local government budgets to minimize/avoid reductions in essential services and counterproductive state and local tax increases.

The US Department of Energy's (DOE) EECBG program, established as a component of the 2007 Energy Independence and Security Act, remained unfunded until ARRA allocated \$3.2 nationally billion toward the program.

EECBG was established to assist eligible entities in implementing strategies relating to:

1. Reduction of fossil fuel emissions;
2. Reduction of total energy use, and
3. Improved energy efficiency in transportation, building, and other areas.

Of New Hampshire's \$17.3 million dollar allocation, \$2.9 million has been issued to New Hampshire's ten most populous municipalities and \$4.7 million has been issued to the State's ten counties. The remaining \$9.6 million has been granted to OEP for implementation of the State's EECBG program.

EECBG program principles, as established by DOE, are to:

1. Prioritize energy efficiency and conservation first as the cheapest, cleanest, and fastest ways to meet energy demand;
2. To maximize benefits over the longest possible terms, entities should look for ways to link their energy efficiency efforts to long-term priorities (especially community economic development, community stabilization and poverty reduction efforts);
3. Invest funds in programs and projects that create and/or retain jobs and stimulate the economy while meeting long term energy goals;
4. Target programs and projects that will provide substantial, sustainable and measurable energy savings, job creation and economic stimulus effects;
5. Give priority to programs and projects that leverage federal funds with other public and private resources, including coordinated efforts involving other Federal programs targeting community development funded through the Recovery Act such as the Community Development Block Grant program, HOME, and job training programs;
6. To the extent possible, develop programs and strategies that will continue beyond the funding period;

7. Ensure oversight, transparency, and accountability for all program activities;
8. Enact policies that transform markets, increase investments, and support program goals, and
9. Develop comprehensive plans that benchmark current performance and set aggressive goals.

Desired outcomes of the EECBG program, as established by DOE, are:

1. Increased energy efficiency, reduced energy consumption and reduced energy costs through efficiency improvements in the building, transportation and other appropriate sectors;
2. New jobs and increased productivity to spur economic growth and community development;
3. Accelerated deployment of market-ready distributed renewable energy technologies, including wind, solar, geothermal, hydropower, biomass and hydrogen technologies;
4. Improved air quality and related environmental and health indicators associated with the reduction of fossil fuel emissions;
5. Improved coordination of energy-related policies and programs across jurisdictional levels of governance and with other local and community level programs in order to maximize the impact of this program on long-term local priorities;
6. Increased security, resilience, and reliability of energy generation and transmission infrastructure;
7. Leveraging of the resources of federal, state and local governments, utilities and utility regulators, private sector and non-profit organizations to maximize the resulting energy, economic and environmental benefits; and
8. Widespread use of innovative financial mechanisms that transform markets.

Additional Federal approvals may be required for some projects:

1. Under the Davis Bacon Act and related Acts, prevailing wage rates apply and payroll for certain laborers must be certified;
2. Projects that impact the environment may require National Environmental Policy Act review by OEP, DOE and/or the US Environmental Protection Agency;
3. All ARRA funded projects are subject to historic preservation review and compliance under the National Historic Preservation Act (NHPA) and implementing regulations at Section 106 (36 CFR 800). All individual projects must initiate Section 106 consultation with the Division of Historical Resources (DHR); please visit www.nh.gov/nhdhr/review for additional information or contact OEP for guidance. *Assuming no impact is identified, the DHR approval process typically takes a week for ARRA projects, although some projects may take longer. The selected administrator will be encouraged to develop a programmatic agreement with the NH Division of Historical Resources to simplify and expedite the process;* and
4. All provisions of the Equal Opportunity Act apply.

Other important conditions:

1. Buy American provisions apply for all iron, steel, and manufactured goods used in public facilities. Waivers for exemptions are available but must be approved by DOE in advance;
2. OEP, the NH Office of Economic Stimulus (OES), and DOE, and the Office of Management and Budget (OMB) reserve the right to inspect all project sites, interview workers, and publicize projects;
3. OEP, OES, DOE and OMB reserve the right to inspect and monitor financial and payroll records and transactions;
4. Reasonable access must be provided to OEP, OES, and DOE for all administrators, vendors, facilities, work sites, employees of the contractor(s), financial or other records, and assistance to ensure the safety and convenience for the performance of site visits and evaluations;
5. OEP reserves the right to approve RFPs for subrecipients, and to provide input on project types funded by this program;
6. OEP reserves the right to issue periodic notices, memos, and updated reporting forms, and information, and
7. OEP requests notification about media inquiries, responses, and published clippings.

Prohibited projects or activities include:

1. Creation or enhancement of swimming pools, golf courses, aquariums, casinos, and zoos;
2. Projects that would have been funded in the absence of ARRA funds (i.e. ARRA funds cannot supplant other funds), and
3. Other prohibitions may apply.

II. Scope of Services

With oversight from the OEP Director and designated OEP staff, the EECBG Subgrant Manager will be responsible for the following key tasks:

Task 1:

Develop the EECBG Subgrant Program

Building upon basic guidelines provided by OEP, the EECBG Subgrant Manager shall develop a process and timeline for completion of all subsequent tasks. The EECBG Subgrant Manager shall also develop a proposal for application scoring and an implementation schedule that complies with Federal requirements.

The basic guidelines for the EECBG Subgrant Program include:

- Grant regions shall be delineated as set forth in http://www.nh.gov/oep/recovery/documents/eecbg_draft_plan.pdf (the EECBG Subgrant Manager shall collaborate with OEP to determine rules regarding the use of “general funds” as referenced within the document);
- Grant categories shall include Building Retrofits, Energy Audits, Transportation, Solid Waste/Wastewater, Financial Incentive Programs, and Other Innovative Projects that fall within DOE’s eligible activity areas;
- A municipality may submit more than one application provided that it apply only once within each grant category. If more than one application receives funding, negotiations may become necessary to ensure that the total allocation for the municipality is within the grant ceiling;
- Multi-municipal/regional proposals shall be permitted (provided a single municipality acts as the lead applicant and financial agent);
- A ceiling of \$400,000 in EECBG subgrant funds per municipality shall be set;
- Subgrants must be provided on or before March 13, 2010 (OEP is seeking further guidance from DOE regarding the term “provided” as used in this instance);
- The sum of all subgrants shall be equal to the subgrant amount appearing in OEP’s final program budget (currently approximated at \$6.6 million);
- At least \$5.8 million shall be granted to New Hampshire municipalities that have not been designated to receive direct EECBG funding from DOE;
- Subgrant selection criteria shall be based, in large part, upon the EECBG program principles and the program metrics set forth by DOE, and
- Any other criteria determined by OEP to be necessary and appropriate toward maintaining the intent of the New Hampshire EECBG program

Task 2:

Conduct Pre-application Outreach

Because of the narrow timeframe provided for finalization of EECBG subgrant awards, it will be necessary for the subgrant program to be publicized prior to the finalization of the application and guidance document described in Tasks 3 and 4. Such outreach shall augment the outreach that OEP and other partners have conducted to date. The EECBG Subgrant Manager shall communicate with each New Hampshire municipality and shall also seek to engage other stakeholders in disseminating information throughout the stakeholders’ constituencies. Outreach will additionally include, but shall not be limited to, newsletter or newspaper articles, web site stories, tours or open houses of sites where funds have been invested, appearances on television or

radio, etc. All such publications will include acknowledgment of the federal support and be accompanied by appropriate Recovery Act and State of New Hampshire logos, and disclaimers. OEP shall support outreach through supplemental media outreach and OEP website.

Task 3:

Develop EECBG Subgrant Application

Building upon basic elements provided by OEP and with oversight from OEP, the EECBG Subgrant Manager shall develop an EECBG Subgrant application that facilitates the identification of proposals that will produce the greatest benefit to the people of the State of New Hampshire within the goals of the EECBG program.

Task 4:

Development of Program Guidance Document

The EECBG Subgrant Manager shall develop an EECBG Guidance Document, which will provide, at a minimum, the following:

- The EECBG goals, principles, desired outcomes and eligible activities;
- Application instructions;
- Explanation of evaluation/scoring criteria and regional subdivisions;
- Explanation of funds distribution schedule and invoice requirements;
- All conditions surrounding funds including those generally associated with ARRA funds and Federal funds as well as those specific to the EECBG program;
- Compliance instructions;
- Explanation of reporting requirements, and
- Any other elements determined by OEP to be necessary and appropriate toward maintaining the intent of the New Hampshire EECBG program.

Task 5:

Publicize Application and Guidance and Provide Guidance to Potential Applicants

The EECBG Subgrant Manager shall disseminate digital and paper copies of the Application and Guidance Document. The Subgrant Manager shall conduct outreach such that every New Hampshire municipality receives a reasonable opportunity to interact with the EECBG Subgrant Manager (or their authorized representative) in person during the development of the application. The EECBG Subgrant Manager shall work with OEP staff to generate a website that contains helpful information including all relevant documents and updates.

Task 6:

Application Processing

The EECBG Subgrant Manager shall:

- Receive applications and log them into a database;
- Reject applications exhibiting substantive ineligibility or non-compliance,
- Follow up with applicants regarding certain missing information, and
- Sort applications by region and category.

Task 7:

Awardee Selection Process

The EECBG Subgrant Manager shall:

- Coordinate the activities of a selection committee (to be named by OEP);
 - Focus evaluation on the merits of the application as well as the applicant's ability to comply with all terms of the program
 - Group applications by category
 - Facilitate discussions regarding the award of "general funds" (funds not dedicated to a particular region) with consideration toward addressing the following:
 - Assisting areas of economic hardship;

- Augmenting funding to communities receiving direct funding from DOE, and
- Funding exceptional projects in regions that will otherwise have already exhausted all dedicated funds.

Task 8:

Grant Administration

In conjunction with OEP, the EECBG Subgrant Manager shall:

- Enter into contracts with each subgrantee;
- Facilitate subgrantee reporting;
Reporting elements shall include but not be limited to:
 - NH Office of Economic Stimulus reporting (Section 1512 Federal Financial Reporting);
 - DOE programmatic reporting (jobs created/retained, energy saved, renewable energy capacity developed, greenhouse gas emissions reduced and funds leveraged), and
 - Davis Bacon Reporting
- Conduct site inspections and compliance audits including random audits of at least 15% of subgrantees as well as audits in response to potential complications identified by the EECBG Subgrant Manager, OEP, the Office of the Governor, or the Office of Economic Stimulus.

All elements of this Scope of Work are subject to OEP oversight. OEP reserves that right to alter the scope of work if said alterations are determined by OEP to be necessary and appropriate toward maintaining the intent of the New Hampshire EECBG program.

All materials and information generated through the implementation of this program shall be the property of OEP and the State of New Hampshire.

All funded projects must comply with Davis Bacon prevailing wage requirement and related Acts, Buy American provisions, National Environmental Policy Act, National Historic Preservation Provisions, and all other applicable local, state, and federal laws and regulations. Waivers or permits for any project that requires them will be the responsibility of the borrower and/or grantee in consultation with the Subgrant Manager and OEP.

III. Components of the Proposal

Proposals should respond to all areas listed below, in the order listed, and conclude with a separate section on cost. Excepting the Cover Letter, Resumes, Reference Letters, and Statement of Disclosure, the proposal should not exceed six (6) pages, single-spaced, ¾ inch margins, 12-point font. Please print and copy your proposal double sided.

1. Cover Letter: The bidder will include entity name, responsible party, mailing and physical address, phone numbers and e-mail addresses.
2. Approach: The bidder must provide a detailed plan explaining how this subgrant program will operate; an anticipated schedule based on approval by Governor and Executive Council on December 9, 2009; and how reporting requirements for the program will be met.
3. Corporate/Company Information:
The following should be detailed in the proposal:
 - Information concerning the administrator’s corporate/company history, including number of years in business, corporate officers or company principals, location of branch offices, professional and business association memberships, and other pertinent information;
 - Describe the capacity of the bidder(s) to administer this/these program(s) including experience with federal awards and contracts; experience with the Davis Bacon Act, National Environmental Policy Act (NEPA), Historic Preservation, and Buy American Provisions;
 - Describe the capacity/ability of the bidder(s) to comply with ARRA Section 1512 job reporting; specifically, the bidder(s) ability to cumulate total hours worked for those employees paid with

ARRA funding (jobs created/retained) on a monthly basis, no later than the 5th day following each month's end, and

- The ability to make these programs accessible and desirable to municipalities statewide; and
 - Please include a statement of assets and liabilities, financial audits from the prior three years, and proof of bidder's financial stability.
4. Personnel Assigned: Bidders are asked to include a list of all personnel who will be assigned to this project, including resumes and the nature of their specific responsibilities. During the course of the program, OEP must approve changes in personnel assigned to perform the administrative work.
 5. References: Bidders are asked to provide OEP with up to three Letters of Support for work performed which is similar in scope or content to the one being proposed.
 6. Partners: OEP understands that some bidders may desire to partner with other entities that specialize in components to the program. This is allowed. However there shall be only one lead contractual partner with OEP. All relevant information related to the partner's qualifications must be included in the proposal.
 7. Statement of Disclosure: Any existing or potential conflicts of interest should be identified, including those that arise as a result of relationships or affiliations with potential grantees, borrowers, or members of the staff of OEP. A statement of how potential conflicts will be handled should also be included in the proposal.
 8. Detailed Budget Proposal: Bidders must provide OEP with a detailed program budget, broken out annually that identifies the hourly rate for personnel, other administrative costs relative to this program, and other budgetary content. Budget for Subgrant Manager administration shall not exceed \$500,000. The total budget shall not exceed the sum of the subgrant amount appearing in OEP's final program budget (currently approximated at \$6.6 million) and the amount proposed to fund Subgrant Manager administration.

IV. Criteria for Selection

Administrative cost is a consideration, but may not be the determining factor in OEP's choice. Incomplete proposals will not be considered. A scoring sheet accompanies this RFP. OEP will consider the following criteria:

1. Overall responsiveness to the requirements of the RFP, including completeness, clarity, and quality of proposal;
2. The knowledge of and practical experience of the bidding firm/s and the staff assigned to the project. Lending, granting, reporting, and other relevant experience is required.
3. The quality and extent of the bidder's experience and expertise with similar programs;
4. Ability to report five (5) days after the end of each month and quarter. Reports will follow a pre-determined format including, but not limited to, funds expended, jobs created and retained, energy saved, emissions reduced, et cetera. A final report is due to DOE within 90 days after the expiration or termination of New Hampshire's EECBG award;
5. Existing resources (administrative, publicity, et cetera) that can be leveraged with these funds will add value to the proposal;
6. Ability to coordinate with external technical and financial resources;
7. Additional experience helpful for project administration includes awareness of energy projects, experience with federal requirements such as the Davis Bacon Act and NEPA are also helpful, but not required (some training is available);
8. Cost of administrative services and expenses, including the competitiveness of the proposed hourly rates and any proposed discounts or other cost-effective benefits. OEP reserves the right to negotiate lower fees or a different fee structure than proposed;
9. Potential conflicts of interest, and how they will be addressed; and
10. Any other considerations OEP may deem appropriate in light of its objectives and review of proposals received.

V. General Bid Conditions

1. Original and 5 copies of the bid must be submitted, along with an electronic copy in PDF format. Bids that are incomplete or unsigned will not be considered;
2. The deadline for submitting bids is 4:00 p.m. on Friday, October 16, 2009. Originals and copies must be addressed to Dari Sassan, EECBG Coordinator, NH Office of Energy and Planning, 4 Chenell Drive, 2nd floor, Concord, NH 03301; Electronic PDF files may be sent in CD format or via email to dari.sassan@nh.gov;
3. OEP reserves the right to reject or accept any and all bids; to reject or accept all or any part of any bid; to determine what constitutes a conforming bid; to waive irregularities that it considers not material to the bid; to award the bid solely as it deems to be in the best interest of the State; to contract for any portion of the bids submitted; and to contract with more than one bidder if necessary;
4. All information relating to this bid, including but not limited to fees, contracts, agreements, and prices are subject to the laws of the State of New Hampshire regarding public information;
5. Any contract awarded from this Request for Proposals will expire within three years from the date upon which OEP receives DOE approval of New Hampshire's EECBG program. OEP at any time, in its sole discretion, may terminate the contract or postpone or delay all or any part of the contract, upon written notice;
6. The selected administrator must agree to maintain the confidentiality of all information to which it has access until it is instructed otherwise by OEP; and
7. Those who do not meet the guidelines or who prove incapable of expending funds in a timely manner may be required to return funds to OEP for redistribution.

VI. Certificates

Please note that the American Recovery and Reinvestment Act (ARRA) and the State of New Hampshire Governor and Executive Council process may have specific requirements and/or documents that must be in place for award/approval. As such, these requirements may necessitate "lead time" and/or have a cost associated with them. Please build that time and potential cost into your response. Items that may be required include, but are not limited to, obtaining a DUNS number, registering with the Secretary of State and obtaining a Certificate of Good Standing, or providing a Certificate of Insurance.

Bidders will be required to provide the following certificates prior to entering into a contract:

1. DUNS number for administrator/s and partner/s;
2. Secretary of State's Office: Certificate of Good Standing;
3. Certificate of Vote/Authority; and
4. Certificate of Insurance: demonstrating insurance coverage required under the contract.

VII. Form of Contract

The terms and conditions set forth in Attachment 1: P-37 Contractor General Provisions agreement are part of the proposal and will apply to any contract awarded the bidder.

Any contract resulting from this RFP shall not be deemed effective until it is signed by OEP and approved by the Governor and Executive Council.