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REQUEST FOR PROPOSALS
RFP #2019-006

Issue Date December 13, 2019

RENEWABLE ENERGY FUND

**Grants for Renewable Energy Generation Projects in the
Nonresidential Sector**

Pursuant to RSA 362-F:10, XI, the New Hampshire Public Utilities Commission (PUC or Commission) issues this Request for Proposals (RFP) to increase the supply of Renewable Energy Certificates from thermal renewable energy or certain other non-photovoltaic electric renewable energy projects located in New Hampshire. Specifically, projects that will be eligible to generate Class I, Class I Thermal, or Class IV Renewable Energy Certificates are eligible to apply. Solar photovoltaic projects and projects or portions of projects that are eligible to apply for a rebate under the Commission's Commercial & Industrial (C&I) bulk fuel-fed wood pellet central heating system rebate program¹ are not eligible for funding under this solicitation.

Total funding available under this RFP will be \$1,250,000. The minimum grant request amount is \$150,000. The maximum grant request amount is \$500,000.

Electronic proposals must be received at the PUC prior to 4:30 p.m. on Monday, January 13, 2020.

Pertinent Dates and Information:

- 1. Written Inquiries:** Respondents may submit written inquiries about this RFP by e-mail to: RFP@puc.nh.gov no later than 4:30 p.m. on Friday, December 27, 2019. The subject line of the e-mail should state the following: RFP #2019-006, REF Nonresidential Grant Program. No phone calls, please. It is highly recommended that respondents review the RFP as soon as possible and submit any questions to allow the Commission time to answer questions and to allow the respondent time to complete the proposal. Inquiries will be posted as received, and responses posted as available, at <https://www.puc.nh.gov/Sustainable%20Energy/RFPs.htm>. Please note that responses to questions are carefully considered. It may require several days before answers are posted. The Commission may consolidate and/or paraphrase questions

¹ Information available at <http://puc.nh.gov/Sustainable%20Energy/RenewableEnergyRebates.html>

for sufficiency and clarity. The Commission reserves the right to amend this RFP at its discretion, on its own initiative or in response to issues raised by inquiries, as it deems appropriate prior to the proposal submission deadline. In the event of an addendum to this RFP, the Commission, at its sole discretion, may extend the proposal submission deadline, as it deems appropriate. Oral statements, representations, clarifications, or modifications concerning the RFP shall not be binding upon the Commission. Official responses by the Commission will be made only in writing by the process described above. Respondents shall be responsible for reviewing the most updated information related to this RFP before submitting a proposal.

- 2. Proposals must be submitted electronically to the PUC no later than 4:30 p.m. on Monday, January 13, 2020.** The electronic copy must be in PDF (portable document file) format and must be searchable. Proposals must be submitted electronically to: RFP@puc.nh.gov. The file will be considered received based on the timestamp in the receiver's email. The PUC can accept electronic files no larger than 8 MB. Submissions that are not received by the date and time and in the manner specified in this section shall be rejected as non-compliant. If a deviation is minor, explainable, and has essentially no material impact on the competition between respondents, it may be waived if doing so is determined to be in the best interests of the State. Any response that is filed shall be valid for not fewer than 180 days following the deadline for submission of proposals, or until the effective date of any resulting contract, whichever is later.
- 3. Paper Copies Also Required:** In addition to the electronic submission, respondents must submit four (4) paper copies to the following address:

Juli Pelletier, Business Office Director
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429

The paper copies shall be: sent by first class U.S. mail and postmarked no later than January 13, 2020, or sent by 1 day overnight express delivery service (UPS, Federal Express, etc.) no later than January 13, 2020, or hand-delivered no later than January 13, 2020. Hard copies must be identical to the submitted electronic copy in text and pagination. In the alternative, the electronic copy shall be controlling.

- 4. Restriction on Contact with State Employees:**
From the date of the release of this RFP until awards are made and announced regarding the selection all communications with personnel employed by or under contract with the State regarding this RFP is forbidden, unless first approved by Juli Pelletier, the Business Office Director. Commission employees have been directed not to hold conferences and/or discussions concerning this RFP with any potential grantee during the selection process, unless otherwise authorized by the RFP point of contact. All inquiries concerning this RFP, including but not limited to requests for clarification, shall be submitted by email to Ms. Pelletier at RFP@puc.nh.gov. The subject line of the e-mail should state the following: RFP #2019-006, REF Nonresidential Grant Program. No phone calls, please.

In the event an interview is scheduled, you will hear from Ms. Pelletier and may return calls to her for the sole purpose of scheduling an interview at (603) 271-6008.

I. Overview

A. Background

The New Hampshire Public Utilities Commission is an executive branch agency with various responsibilities, among them administration of the state's Renewable Portfolio Standard (RPS) program, pursuant to RSA 362-F, and management of the state's Renewable Energy Fund² (REF), pursuant to RSA 362-F:10. The purpose of the REF is to support thermal and electric renewable energy initiatives in New Hampshire. Administrative rules, specifically N.H. Admin. R., PART Puc 2508, also govern administration of the REF. Commission rules are posted at www.puc.nh.gov/Regulatory/Rules/Puc2500.pdf.

Enacted in 2007, the RPS law requires electricity suppliers to obtain a portion of their electricity from renewable energy sources. Renewable energy requirements are spread across four classes of renewable energy. Eligible technologies for the four classes are set forth in [RSA 362-F:4](#). Legislation enacted in 2012, added a Class I sub-class for useful thermal renewable energy. "Useful thermal energy" is defined in RSA 362-F:2, XV-a as follows:

"Useful thermal energy" means renewable energy delivered from class I sources that can be metered and is delivered in New Hampshire to an end user in the form of direct heat, steam, hot water or other thermal form that is used for heating, cooling, humidity control, process use or other valid thermal end use energy requirements and for which fuel or electricity would otherwise be consumed.

Eligible thermal technologies are limited to solar thermal, eligible biomass technologies, geothermal, and methane gas as currently defined in [RSA 362-F](#).

Any project that is eligible for funding under the Commission's Commercial & Industrial bulk fuel-fed wood pellet central heating rebate program funded by the Renewable Energy Fund is not eligible for funding under this solicitation. Solar photovoltaic generating systems are not eligible for funding under this solicitation. For more details on the existing rebate programs, visit the PUC web site at: www.puc.nh.gov/Sustainable%20Energy/RenewableEnergyRebates.html

All grant awards are contingent upon approval by the Governor and Executive Council.

² The REF is funded through Alternative Compliance Payments (ACPs) made by the distribution utilities and competitive electric power suppliers in the absence of Renewable Energy Certificates (RECs) available in the market, for sale, at a price that is equal to or less than the ACPs. The price of ACPs is set each year, pursuant to RSA 362-F:10, II and III.

B. Purpose

The REF uses Alternative Compliance Payment (ACP) revenue received from energy providers for compliance with the RPS statute to encourage investment in renewable energy projects that will, in turn, generate new Renewable Energy Certificates (RECs). Investing in renewable energy projects increases REC supplies and will, in theory, reduce REC prices. This lowers RPS compliance costs for electricity providers, resulting in lower costs for ratepayers. Targeting REF funds to projects that increase the supply of RECs helps the State achieve its renewable energy goals at lower costs.

The Commission is seeking proposals from qualified individuals, entities, or multiple entities to support electrical and thermal renewable energy projects in New Hampshire's nonresidential³ sector that will result in the creation of Class I, Class I Thermal and Class IV RECs. Renewable energy is defined below in paragraph C.1. **Note that if the proposal includes multiple locations, any individual location that by itself would be eligible for one of the rebate programs administered by the Commission is not eligible for a grant under this RFP.**

C. Basic Project Eligibility Requirements

To be eligible for funding, projects must meet the following minimum requirements:

1. Respondents must propose new investments in eligible renewable energy projects that will result in the production of electric or thermal RECs or both. Renewable energy, for the purposes of this solicitation, includes electricity generated from wind, ocean thermal, wave, current, tidal, hydrogen derived from biomass fuels or methane gas, biomass, hydroelectric, and useful thermal energy produced from geothermal ground source heat pumps, biomass, methane gas, and solar thermal technologies. *See* N.H. Admin. R. Puc Chapter 2500.
2. Projects must utilize grant funds primarily for capital investments in: new REC-eligible renewable energy facilities, upgrades to existing facilities to increase REC production, or upgrades to existing renewable energy facilities that will qualify them as eligible for RECs.
3. Projects must be in the nonresidential sector. Projects may be at commercial, industrial, public, non-profit, municipal, or school facilities. Projects may include multi-family buildings of four units or more; otherwise residential projects are not eligible.
4. Projects must be completed within 18 months of Governor and Council (G&C) approval.
5. Grantees must commit to seeking REC eligibility in New Hampshire for the project, including but not limited to submitting a complete application for REC eligibility to the PUC.
6. Solar photovoltaic projects are **not eligible for funding** under this RFP.

³ "Nonresidential" includes commercial, industrial, and other nonresidential sectors as defined in RSA 362-F:10, XI.

7. Projects or portions of projects eligible for the existing C&I bulk fuel-fed wood pellet central heating system rebate program **are not eligible for funding** under this RFP.
8. Projects must be physically located in New Hampshire; any point of grid interconnection must also be in New Hampshire.
9. Reimbursement to grantees under this program is on a cost-reimbursable basis, unless approved otherwise. Costs incurred prior to final grant agreement approval by the G&C are not eligible for reimbursement. Reimbursement may be contingent on the occurrence of specified milestone events and the satisfaction of other conditions as set forth in the approved grant agreement. In accordance with the terms of the grant, a grantee is required to submit requests for reimbursement together with the supporting documentation of the paid expenditures. The Commission will withhold payment of a percentage of any grant award until final completion of the project.

II. Proposal Submission Requirements

The overall proposal emphasis should be on completeness and clarity of content. As explained above, both electronic and paper copies must be submitted. Respondents are strongly encouraged to print or copy their proposals double-sided and stapled in the upper left hand corner. The strongly preferred format includes 12 point font size with 1" page margins. Page numbers should be included. Proposals shall include the following:

- A. Letter of Transmittal** (1 page, including name of project, and contact information for and signature of project lead and contact information for the person who has the authority to enter into a binding agreement.)
- B. Project Summary Sheet** (1 page) Please use the form provided in Attachment A.
- C. Technical Project Proposal (no more than 5 pages, not counting site photos, maps, system schematic, or other technical material such as a relevant engineering or feasibility study, and letters of support)**
 1. Overview of project, project site (including site photos), technology employed, generating facility features (including a system schematic), and proposed operation date. Please attach a copy of any relevant engineering or feasibility study.
 2. Description of the project site's resource availability (e.g., wind resource, hydraulic head and flowage rates, shading and orientation losses for solar thermal projects, biomass availability).
 3. Project timeline, including start date, key milestones in project progress (e.g., design, permitting, construction, start-up, commissioning), and expected completion date, i.e. the date the project is operational.
 4. List of permits and approvals required and status of such permits and approvals, including any lease or site-control arrangements with property owners.
 5. Project ownership structure, including names of all project owners and project site ownership and/or leasing structure.
 6. Assignment and roles of individual key project personnel.

7. Estimate of work to be performed in-house and by contractors and sub-contractors with potential contractors and sub-contractors identified or a timeline and a description of the process to identify them.
8. Description of operation and maintenance plan for the system once it has become operational, including estimated project lifespan.
9. Letters of support from the community or municipality, board of directors, customers, and other key entities. (Please provide as attachments.)

D. Renewable Energy Generation and Capacity (2 pages, not including modeling results)

1. Projected kilowatt hours (or Btus where applicable) to be generated (annual and lifetime) and the assumptions (e.g., capacity factor, hours of operation, etc.) used for the estimate.
2. Power capacity in kW or Btu/hr heat input (or kW equivalent) (nameplate, gross, and net capacities).
3. For solar thermal projects, please include energy modeling that shows ideal generation and generation taking into account orientation and shading losses.
4. For biomass sources, estimated annual fuel consumption (in tons/year for solid biomass and gallons/year for liquid biomass).
5. Projected increase in annual supply of New Hampshire RECs, by RPS class (Class I, Class I Thermal, or Class IV), resulting from the project.
6. A statement verifying that the grantee will submit a complete application for the project to be certified as REC-eligible in New Hampshire.

E. Project Cost and Financing (no more than 3 pages, not counting the printout of the Levelized Cost of Energy (LCOE), *see* LCOE calculator, item 5 below. This use of the NREL LCOE calculator is required to calculate the LCOE.)

1. Total project cost estimate, itemized for equipment, labor, design, permitting, balance of system costs, etc., and any specific quotations from vendors and contractors.
2. The project's financing plan, description of financing status, and letters of intent/commitment from 3rd party investors or financiers or board of directors or company management, if applicable.
3. Description of all other financial resources, including grants, rebates, tax credits, etc.
4. The projected annual and lifetime energy cost savings attributable to the project.
5. LCOE (\$ per kWh or \$ per thermal equivalent kWh) estimated using the National Renewable Energy Laboratory (NREL) calculator at <https://www.nrel.gov/analysis/tech-lcoe.html>. Please use project-specific assumptions, except as specified below:
 - For the life of the project, enter 20 years.
 - For the discount rate, enter 3%.
 - Projects producing electricity enter "0" for the Heat Rate and Fuel Cost.
 - For Class I Thermal projects, the "Heat Rate" is 3,412 divided by the combustion efficiency of the system. For example, 80% efficiency results in (3,412/80%) 4,265 Heat Rate. Use the appropriate combustion

efficiency based on the expected fuel type and quality and system operating parameters.

- For Class I Thermal projects the “Fuel Cost” should be the expected delivered cost in \$/MMBtu of the renewable fuel at today’s prices, not incorporating the combustion efficiency of the system. Provide documentation showing the expected price and Btu content of the fuel used to calculate the Fuel Cost. Alternately, enter the following assumption for fuel type:
 - Wood Pellets: \$16.36
 - Dried Wood Chips (~25% Moisture Content): \$11.55
 - Semi-Dried Wood Chips (< 35% Moisture Content): \$9.20
 - Green Wood Chips (35-50% Moisture Content): \$8.86
 - Ground Source Heat Pumps: \$53.05
- Please use the default values for the electricity price and cost escalation rate.
- For other values, follow the guidance provided within the model. Additional guidance is found by hovering the cursor over the “?” adjacent to each input. More thorough guidance is provided by clicking on the name of each input to follow the hyperlink.

A copy of the NREL LCOE worksheet must be printed out and included as an attachment to the proposal.

F. New Hampshire Benefits (no more than 2 pages). A narrative or description addressing benefits that will be derived within New Hampshire including:

1. Governmental or Public Entity
 - i. If the project will provide energy cost savings to a governmental or public entity, please describe the entity or entities, and provide a description of how those energy savings will be realized.
2. Economic Development
 - i. Direct jobs created in New Hampshire during the planning, development, and construction of the project.
 - ii. Direct jobs created in New Hampshire after project operational date.
3. Societal Benefits
 - i. Estimated energy cost savings to entity and other customers attributable to the renewable energy project.
 - ii. A description of any energy efficiency measures implemented at the project site within the last five years and cost of and energy savings estimate attributable to such measures.
 - iii. Use of any new or innovative technology in connection with the project.
 - iv. Inclusion of energy storage generated from eligible renewable energy sources.
 - v. Other benefits to New Hampshire.

G. Environmental Benefits (no more than 1 page)

1. Type and annual usage of fossil fuels or other energy sources displaced and reduced (usage presented in gallons of oil, gasoline, kerosene or propane; cubic feet of natural gas; kWh of electricity).
2. Tons of CO₂ emissions avoided and/or reduced annually. Use the emission rates specified in Table 1 below. For example, if 150,000 gallons of No. 2 fuel oil (distillate oil) will be displaced by the proposed project, then 1,691 tons of CO₂ will be reduced. (150,000 gallons x 22.54 lbs CO₂/gallon ÷ 2,000 lbs/ton = 1,691 tons of CO₂).

Table 1 CO ₂ Emission Rates for Displaced Fuel Usage		
Fuel/Energy Displaced	Units	CO ₂ Emission Rate
Electricity	lbs CO ₂ /kWh	0.730
Distillate Oil (#1,#2, #4)	lbs CO ₂ /gallon	22.54
Gasoline	lbs CO ₂ /gallon	20.41
Natural Gas	lbs CO ₂ /ccf	11.70
Propane	lbs CO ₂ /gallon	13.07
Residual Oil (#5 & #6)	lbs CO ₂ /gallon	26.10
Kerosene	lbs CO ₂ /gallon	21.47

H. Qualifications and Experience (no more than 4 pages, not including resumes)

1. Provide a 1-2 page summary of the qualifications, experience, and roles of the project team. As a separate attachment to your proposal, provide resumes of key personnel, including contractors and sub-contractors, if applicable. Resumes do not count toward the page limit, but should be limited to relevant experience.
2. Provide summaries of similar projects undertaken by key personnel (date of project installation, summary of project, client name, contact name and phone number of contact for reference)

I. Conflicts of Interest

1. Describe any potential conflicts of interest on the part of any members of the project team or its contractors and sub-contractors.

III. Proposal Selection Process and Criteria

Proposals will be reviewed and evaluated in a three-tier review process, followed by a contracting phase. The steps are summarized below:

Step 1: Commission Staff shall assess completeness and responsiveness of proposals to eliminate non-conforming proposals. Staff may waive or offer a limited opportunity to

cure immaterial deviations from RFP requirements it is determined to be in the best interests of the State.

Step 2: An Evaluation Team consisting of Commission and other State agency staff members shall score conforming proposals and conduct interviews if requested, as described below. The Evaluation Team shall score all proposals using pre-published scoring criteria set forth in the RFP and develop a score for each proposal from 0-100 points. (See Attachment B for an example of the scoring sheet).

Step 3: Based on the scores developed by the Evaluation Team and the criteria set forth in N.H. Admin. R., Puc 2508.02(c), the Commissioners shall rank and select awardees within the constraints of available funds. The Commissioners will apply the criteria set forth in Puc 2508.02(c)(2) and (3) and determine percentage factors for each proposal. The scores developed by the Evaluation Team will be multiplied by those factors to produce a final score, upon which the proposals will be ranked. Awards will be made within the constraint of available funds; consequently, awards may not be made to all qualifying proposals. In addition, the Commission reserves the right to award grants to a lower-ranked proposal(s) if there are insufficient funds remaining to award the amount requested in a higher-ranked proposal.

Step 4: The Commission shall negotiate, if necessary, develop grant agreements and related contract documents; and submit completed contracts to G&C for approval.

Notwithstanding any other provision of this RFP, this RFP does not commit the Commission to make an award. The Commission reserves the right, at its sole discretion, to reject any or all proposals, or any portions thereof, for any reason, at any time, including, but not limited to, canceling the RFP, and to solicit new proposals under a new acquisition process. If, for any reason, negotiations with the top scorer(s) do not result in a contact(s), despite reasonable efforts made in good faith, the Commission may go to the next highest scorer(s) and seek to negotiate with that respondent(s).

Proposals will be deemed incomplete and ineligible for grant funding if information that is essential to the scoring evaluation is not included in the proposal. Proposals that fail to meet the following application requirements will be deemed ineligible:

- Filing of a timely application, with the correct number of paper and electronic copies, and all mandatory elements;
- Identification of potential contractors or subcontractors, if applicable, or a detailed process and timeline to identify and engage them;
- Listing of key project milestones and the associated timeline and project schedule; and
- Identification of other funding and financing sources, or in the alternative a statement that there are no other funding or financing sources, and related letters of intent or commitment.

All projects deemed ineligible will receive notification of this determination in a timely manner.

Broadly, the Commission will evaluate all proposals received and deemed eligible based upon completeness, clarity, quality of the proposal, how well the project meets the goals of RSA 362-F and the REF, reasonableness of cost, the qualifications and relevant experience of the project team, and the likelihood of project completion within the contract period. All projects deemed eligible for consideration will be evaluated based upon the specific criteria identified below.

If Commission Staff determines that it is appropriate, respondents may be invited to oral interviews and/or demonstrations including demonstrations of any proposed systems or technology components. Commission Staff retain the sole discretion to determine whether to conduct oral interviews, with which respondents, and the number of interviews. Respondents are advised that Commission Staff may decide to conduct interviews with fewer than all respondents.

The purpose of oral interviews and demonstrations is to clarify and expound upon information provided in the written proposals. Respondents are prohibited from altering the basic substance of their proposal during the oral interviews and /or demonstrations. Commission Staff may ask the respondent to provide written clarifications of elements in the technical Proposal regardless of whether Staff intend to conduct oral interviews.

Information gained from oral interviews and demonstrations will be used to refine technical review scores assigned from the initial review of the Proposal.

A. Grant \$/REC

The Commission will evaluate the proposal based on the amount of grant dollars per total amount of RECs estimated to be produced over ten years. The lower the Grant \$/REC value, the higher the score as shown in Table 2.

Table 2	
Grant \$/Total RECs over 10 years	Score
>\$65	5
>\$50 and ≤\$65	10
>\$25 and ≤\$50	15
>\$10 and ≤\$25	20
≤\$10	25
Maximum	25

B. Levelized Cost of Energy (LCOE)

The Commission will evaluate financial aspects of the project based on the LCOE, calculated using the NREL calculator available online at <https://www.nrel.gov/analysis/tech-lcoe.html>. The use of the NREL LCOE calculator, and the project assumptions identified on page 6, are mandatory. As shown in Table 3, the lower the LCOE, the higher the score.

Table 3	
LCOE (\$/kWh)	Score
> \$0.25	4
>\$0.18 and ≤\$0.25	8
>\$0.12 and ≤\$0.18	12
>\$0.07 and ≤\$0.12	16
≤\$0.07	20
Maximum	20

C. New Hampshire Benefits

The Commission will evaluate the proposal for the benefits to New Hampshire as shown in Table 4.

Table 4	
NH Benefits	Maximum Score
Energy cost savings to governmental or public entity.	5
Direct NH Jobs - Short Term For 1 to 10 jobs, a score of 1; For more than 10 jobs, a score of 2.	2
Direct NH Jobs – Long Term (after project is operational) For 1 to 10 jobs, a score of 1; For more than 10 jobs, a score of 2.	2
Energy Efficiency Measures Included.	2
Innovative Technology.	2
Inclusion of Electric or Thermal Energy Storage.	3
Other New Hampshire Benefits.	4
Maximum	20

D. Project Readiness and Community Support

The Commission will evaluate the proposal based on project readiness and community support based on the criteria in Table 5.

Table 5	
Project Readiness and Community Support	Maximum Score
Project funding and financing described, and volume secured. Letters of intent/commitment provided.	4
Detailed application with completed feasibility or engineering studies, timelines, schedule, major tasks identified, major equipment specified, and quotations provided.	4
Permits and approvals secured.	4
Community/Municipality/Company support obtained.	3
Maximum	15

E. Matching and Other Funding Sources

The Commission will evaluate the proposal based on matching and other sources of funding and the leveraging of the grant with other available funds as shown in Table 6. Generally, the greater the number of other sources of funds that will be part of a project’s overall finance picture as well as the greater the amount of those other funds, the higher the score will be on this criteria.

Table 6	
Matching and Other Funds	Score
Other Funding Sources	
Federal	1
State (Other than NH PUC)	1
Community (e.g., City, County, etc.)	2
Other (Private)	1
Matching (non-REF \$\$) Funds %	
0 and ≤20%	1
>20% and ≤40%	2
>40% and ≤60%	3
>60% and ≤80%	4
>80%	5
Maximum	10

F. Environmental Benefits

The Commission will evaluate the proposal based on the environment benefits as measured by annual CO₂ emissions reduced or displaced from the project as shown in Table 7.

Table 7	
CO ₂ Emissions Reduced Annually (tons)	Score
0 and ≤300	1
>300 and ≤600	2
>600 and ≤1200	4
>1200 and ≤1800	6
>1800 and ≤5000	8
>5000 and ≤10,000	9
>10,000	10
Maximum	10

G. Regulatory Evaluation Criteria

The above factors in Sections A through F address evaluation criteria outlined in N.H. Code Admin R., Puc 2508.02, *Renewable Energy Initiatives*, which directs the Commission to consider the extent to which:

1. The project expands the supply of RECs for use to comply with the renewable portfolio standard;
2. The project is likely to be cost-effective;
3. The project promotes market transformation, innovation, and energy cost savings;
4. The project will reduce New Hampshire's electrical peak load or fossil fuel consumption as well as defer or eliminate local utility distribution plant expenditures;
5. The project is likely to result in economic development and environmental benefits for New Hampshire;
6. The project increases fuel diversity in the production of electricity or useful thermal energy for consumption in New Hampshire; and
7. The respondent has the capacity to successfully complete the project.

See Puc 2508.02(b).

Pursuant to Puc 2508.02(c), and review of the Evaluation Team scoring, the Commission will provide funding for selected initiatives that it finds are:

1. Substantially consistent with the criteria set forth above;
2. Realistically proposed and achievable by the respondent; and
3. Most likely, on balance, to advance the purposes of RSA 362-F, within the constraint of available funds.

IV. General Conditions

- A. The Commission reserves the right to reject any or all proposals, or any part thereof, to determine what constitutes a conforming proposal, to waive irregularities that it considers non-material to the proposal, to make funding decisions, including partial awards, solely as it deems to be in the best interests of the State, and to negotiate with any party in any manner deemed necessary to best serve the interests of the State.
- B. The Commission reserves the right to request additional information from any or all parties submitting proposals to assist in the evaluation process.
- C. Confidentiality of a Proposal

Unless necessary for the approval of a contract, the substance of a proposal must remain confidential until the effective date of any contract resulting from this RFP. A respondent's disclosure or distribution of proposals to other than to the Commission may be grounds for disqualification, unless disclosure was made to other funding sources to obtain funding.

- D. Public Disclosure:

By filing a proposal, the respondent acknowledges that the Commission is subject to the Right-to-Know Law, RSA Chapter 91-A. Accordingly, information submitted as part of a proposal in response to this RFP may be subject to public disclosure unless otherwise exempt. *See* RSA 91-A and RSA 21-G:37, VII. Business financial information, confidential information, such as personally identifiable information, including but not limited to, social security numbers, taxpayer identification numbers, employer identification numbers, and account numbers, proprietary information such as trade secrets, financials models and forecasts, and proprietary formulas, are categories of information that may be exempt from public disclosure. RSA 91-A:5, IV.

If any part of its proposal contains information that the respondent asserts is exempt from public disclosure, **the respondent must identify all relevant text, mark it "confidential"** and provide support for such assertion(s) as part of respondent's response to this RFP. The respondent shall explain, in writing, what measures it has taken to keep such information confidential, and the personal privacy, or competitive business interests, that would be harmed if such information were to be publically disclosed. The explanation shall identify by page number and proposal section number the specific information the respondent claims to be exempt from public disclosure pursuant to RSA 91-A:5. It is helpful if the text alleged to be confidential is also highlighted, underlined, or otherwise identified in the actual proposal itself. Marking the entire proposal or entire sections of the proposal (i.e. costs) as "confidential" will neither be accepted nor honored.

The PUC shall maintain the confidentiality of information contained in proposals, insofar as doing so is consistent with RSA Chapter 91-A. Any information a respondent

identifies as exempt from disclosure shall be kept confidential until the Commission has determined, as necessary, whether such information is exempt from public disclosure pursuant to RSA 91-A.

In the event that the PUC receives a request for the information identified by a respondent as confidential, the PUC shall notify the respondent and specify the date the PUC intends to release the requested information, redacting any information the PUC independently concludes is exempt, consistent with applicable laws and regulations.

Any effort to prohibit or enjoin the release of the information the PUC identifies for release shall be the respondent's responsibility at the respondent's sole expense. If the respondent fails to obtain a court order enjoining the disclosure, the PUC may release the information on the date the PUC specified in its notice to the respondents, or in its notice to any other relevant parties.

- E. By submitting a proposal, a respondent agrees that in no event shall the Commission be either responsible for or held liable for any costs incurred by a respondent in preparation of or in connection with the proposal, or for work performed prior to the effective date of a resulting contract.
- F. All parties submitting proposals shall be Equal Opportunity Employers. Funding recipients will be expected to comply with all federal, state, and local laws respecting non-discrimination in employment.
- G. The Commission reserves the right to amend or cancel this RFP at any time. Respondents should check at <http://www.puc.nh.gov/Sustainable%20Energy/RFPs.htm> for any addenda to this RFP before filing their proposals, and for answers to questions other parties may have submitted, if any.
- H. Recipients of funds will be required to submit their Taxpayer Identification Number (TIN), Employer Identification Number (EIN), or Social Security Number (SSN), and to register as a vendor with the State of New Hampshire.
- I. The terms and conditions set forth in the State's "General Provisions" for grant agreements, attached hereto as Attachment C, will apply to the funding agreement to be entered into with grant recipients. In addition, each agreement will be supplemented by three exhibits: Exhibit A will set forth in detail the Scope of Services and reporting requirements; Exhibit B will set forth the amount of the grant, any required milestones and preconditions to reimbursement, the amount of grant holdback, and the documentation requirements for and conditions of grant payments; and Exhibit C will include any special provisions, including any modifications to the General Provisions regarding insurance coverage and other matters.
- J. Once a contract becomes effective, any subsequent material changes or modifications, including, but not limited to, changes in project site plan, design, equipment, or other major components, overall project budget, key project personnel, or proposed technical details must be submitted for review and prior approval.

- K. This RFP is not an offer. Neither the State nor this RFP shall create any commitment on the part of the State or confer any rights on the part of the respondent unless and until a binding written grant award agreement is executed between the Commission and the respondent, and approved by G&C.
- L. There will be reporting and inspection requirements for the projects that are awarded grants under this solicitation. These may include, but are not limited to, development and construction progress reports and the reporting of expenditures and annual energy production for up to ten years after the project becomes operational. Pursuant to N.H. Admin. R., Puc 2508.04, any recipient of any monies disbursed from the REF shall make its books, records and facilities available to the Commission for the purpose of allowing the Commission to discharge its audit responsibilities pursuant to RSA 362-F:10, I.
- M. Property of the State: All materials and data submitted or received in response to this RFP will become the property of the State and will not be returned to the respondent. Upon contract award, the State reserves the right to use any information presented in any proposal, provided that its use does not violate any copyrights, or other provisions of law, including RSA 91-A.
- N. Reimbursement to grantees under this program is on a cost-reimbursable basis, unless approved otherwise. Costs incurred prior to final grant agreement approval by the G&C are not eligible for reimbursement. Reimbursement may be contingent on the occurrence of specified milestone events and the satisfaction of other conditions as set forth in the approved grant agreement. In accordance with the terms of the grant, a grantee is required to submit requests for reimbursement together with supporting documentation of the paid expenditures. The Commission will withhold payment of a percentage of any grant award until final completion of the project.
- O. Ethical Requirements

From the time this RFP is published until a contract is awarded, no bidder (respondent) shall offer or give, directly or indirectly, any gift, expense reimbursement, or honorarium, as defined by RSA 15-B, to any elected official, public official, public employee, constitutional official, or family member of any such official or employee who will or has selected, evaluated, or awarded an RFP, or similar submission. Any bidder (respondent) that violates RSA 21-G:38 shall be subject to prosecution for an offense under RSA 640:2. Any bidder (respondent) who has been convicted of an offense based on conduct in violation of this section, which has not been annulled, or who is subject to a pending criminal charge for such an offense, shall be disqualified from bidding on the RFP, or similar request for submission and every such bidder (respondent) shall be disqualified from bidding on any RFP or similar request for submission issued by any state agency. A bidder (respondent) that was disqualified under this section because of a pending criminal charge which is subsequently dismissed, results in an acquittal, or is annulled, may notify the department of administrative services, which shall note that information on the list maintained on the state's internal intranet system, except in the case of annulment, the information, shall be deleted from the list.

P. Challenges on Form or Process of the RFP

Any challenge regarding the validity or legality of the form and procedures of this RFP, including but not limited to the evaluation and scoring of proposals, shall be brought to the attention of the Commission at least ten (10) business days prior to the Proposal Submission Deadline, by sending written notice to the RFP Point of Contact, Ms. Juli Pelletier, the PUC Business Office Director. By submitting a proposal, the respondent is deemed to have waived any challenges to the Commission’s authority to conduct this procurement and the form and procedures of the RFP.

V. Grant Agreement and Certificates

Successful respondents will be expected to enter into a grant agreement with State of New Hampshire. A copy of the General Provisions of the agreement to be signed by the parties can be found via an internet link provided in Attachment C and at [NH P-37 General Provisions for Grant Agreement](#). In addition, project specific terms and conditions will be negotiated with the respondent and included in the grant agreement.

Respondents will be required to fill in this form ONLY upon the Commission’s approval of the proposal for REF grant funding.

Successful respondents will also be required to provide the following certificates prior to entering into a contract or grant agreement with the PUC:

NH Secretary of State’s Office Certificate of Good Standing (“CGS”)	Individuals contracting in their own name do not need a CGS. Business entities and trade names need a CGS, except for non-resident nonprofit corporations.
Certificate of Vote /Authority (“CVA”)	Individuals contracting in their own name do not need a CVA. Business entities and trade names need a CVA.
Certificate of Insurance	Certificate of Insurance form attached with insurance coverage required under the contract. Modifications of insurance coverage required will be specified in Exhibit C to the contract.
Workers’ Compensation	Contractor must demonstrate compliance with or exception from RSA 281-A (and, if applicable, RSA 228:4-b and RSA 21-I:80, and any other applicable laws or rules).

Respondents will be required to provide these certificates ONLY upon selection of the proposal to receive REF Nonresidential grant funding by the Commission.

Attachment A.

PROJECT SUMMARY SHEET

Please fill in the Project Summary Sheet and insert it directly following the letter of transmittal in your final proposal submission.

Please see next page.

Project Summary Sheet		
Project Name:		
Project Team: (include names, roles)		
Respondent Name (name of entity which will contract with the PUC and receive the grant funds):		
Name, phone number, and email address of person authorized to enter into a binding grant agreement, and of the project contact person (if different):		
Project Location:		
Technology Employed:		
Brief Project Description:		
Capacity and Energy Production:	(kW or MMBtu/hr)	(kWh/year or MMBtu/year)
REC Annual Production:	REC Class	Est. # of RECs produced per year
Total Project Cost (\$):		
Total Funding Requested under this RFP (\$):		
Levelized Cost of Energy (\$/kWh or thermal equivalent) See page 6 above		
Economic Development Benefits (Direct NH Jobs):	Direct Short-Term Jobs: Direct Long-Term Jobs:	
Environmental Benefits:	Amount of fossil fuel or electricity displaced/year: Tons of CO ₂ avoided/year:	
Anticipated Project Operational Date:		

Attachment B. SCORING CRITERIA SUMMARY SHEET

Project:

Respondent:

Technology:

Grant Amount Requested:

Factor	Maximum Score	Score	Comments
Grant \$/Total RECs (Table 2)	25		
LCOE (Table 3)	20		
NH Benefits (Table 4)	20		
Project Readiness and Community Support (Table 5)	15		
Matching /Other Funds (Table 6)	10		
Environmental Benefits (Table 7)	10		
Total	100		

Comments:

Attachment C. GENERAL PROVISIONS

A copy of the State of New Hampshire's Form P-37 General Provisions to be executed by the parties can be found at [NH P-37 General Provisions for Grant Agreement](#).

A Respondent will be required to fill in this form ONLY if and when its proposal is selected by the Commission to receive REF Nonresidential grant funding.