

*State of New Hampshire Public Utilities Commission*



**Renewable Energy Fund**

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

**REQUEST FOR PROPOSALS (RFP)**

**RFP #2021-001**

**Release Date January 8, 2021**

**Proposals Due: 4:30 p.m. EST February 12, 2021**

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## Executive Summary

Pursuant to RSA 362-F:10 X, the New Hampshire Public Utilities Commission (Commission) issues this Request For Proposals (RFP) seeking proposals to increase the supply of Renewable Energy Certificates (RECs) 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 program<sup>1</sup> are not eligible for funding under this solicitation.

Total funding available under this RFP will be \$1,100,000. The minimum grant request amount is \$150,000. The maximum grant request amount is \$500,000.

Electronic proposals must be received at the Commission no later than 4:30 p.m. on Friday, February 12, 2021.

## Pertinent Dates and Information

1. Written Inquiries about this RFP must be submitted by e-mail to [PUC-RFP@nh.gov](mailto:PUC-RFP@nh.gov) no later than 4:30 p.m. EST on January 20, 2021. The subject of the email should state the following: RFP #2021-001, 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 promptly to allow the Commission time to answer questions and to allow the proposer time to complete the proposal. Please note that responses to questions are carefully considered and responses may require several days. Responses will be posted as available, at: <https://www.puc.nh.gov/Sustainable%20Energy/RFPs.htm>. From the date of the release of this RFP until awards are made, all communications with personnel employed by or under contract with the Commission regarding this RFP are prohibited, unless first approved by the point of contact identified below, in advance, and in writing.
2. Electronic proposals **must be received** at the Commission no later than 4:30 p.m. EST on February 12, 2021. Proposals must be typed and double-sided. The strongly preferred format includes 12 point font size with 1-inch page margins. Page numbers should be included. Electronic copy must be in PDF (portable document file) format and must be searchable. Proposals must be submitted electronically to: [PUC-RFP@nh.gov](mailto:PUC-RFP@nh.gov). The file will be considered received based on the timestamp in the receiver's email. The Commission can accept electronic files no larger than 8 MB. 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.

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

3. Schedule of Events

<b>Event</b>	<b>Date/Deadline</b>	<b>Time</b>
RFP Issued	1/8/2021	
Question Period Closes	01/20/2021	4:30 PM
Responses to Questions Posted	01/27/2021	4:30 PM
Proposal Due Date and Time	02/12/2021	4:30 PM
Anticipated Contract Start Date	06/01/2021	

4. Paper copies are also required. In addition to the electronic submission, proposers must submit four (4) paper copies to the RFP point of contact:

Juli Pelletier,  
Business Office Director  
New Hampshire Public Utilities Commission  
21 S. Fruit Street, Suite 10  
Concord, NH 03301-2429  
[PUC-RFP@nh.gov](mailto:PUC-RFP@nh.gov)

The paper copies shall be sent by first class U.S. mail and postmarked no later than February 12, 2021, or sent by 1-day overnight express delivery service (UPS, Federal Express, etc.), no later than 4:30 PM February 12, 2021, or hand-delivered no later than 4:30 PM February 12, 2021. Hard copies must be identical to the submitted electronic copy in text and pagination. In the alternative, the electronic copy shall be controlling.

Follow-up conferences/interviews may be scheduled as described herein. In the event an interview is scheduled, proposers will be contacted by Ms. Pelletier, and may return calls for the sole purpose of scheduling an interview at (603) 271-6008.

5. **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 the point of contact, Juli Pelletier, 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.

**I. OVERVIEW**

**A. Background and Purpose**

The New Hampshire Public Utilities Commission (Commission) is an administrative agency responsible for administration of the state's Renewable Portfolio Standard (RPS) program, pursuant to RSA 362-F, and management of the state's Renewable Energy Fund<sup>2</sup>, pursuant to RSA 362-F:10. The purpose of the REF is to support thermal and

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<sup>2</sup> 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 available in the market, for

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](http://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 (C&I) 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](http://www.puc.nh.gov/Sustainable%20Energy/RenewableEnergyRebates.html)

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

## **B. Definitions**

As used in this RFP, the term “project” includes the equipment and facilities and the management and administration of financing, funding, operations, maintenance, and other related matters.

## **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

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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.

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 proposed and reasonably expected to be completed within 24 months of Governor and Council (G&C) approval. Any extension due to unforeseen circumstances must be approved by the Commission and G&C.
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.
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 ten percent (10%) of the total of any grant award until final completion of the project.

## II. PROPOSAL SUBMISSION REQUIREMENTS

The same entity can submit alternative proposals for the same site. In that instance, the respondent must **clearly** and separately provide information and calculations for each alternative proposal for any criteria in which the proposals would differ. Unique, distinct project proposals

for the same site must submit a separate complete proposal for each project and each such project must meet all RFP requirements without reference to the other proposal(s).

The overall proposal emphasis should be on completeness and clarity of content. Proposals that are incomplete or unsigned will not be considered. Proposals shall include the following information, and respond to all areas listed below, in the order listed, concluding with a separate section on cost estimates for the base scope of work, and a separate description of and cost estimate for the items in Section I above.

**A. Letter of Transmittal**

Include the name of the proposer, contact information for, and signature of, the individual authorized to bind the proposer, (or of the proposer), and identify the proposer's point of contact for the proposed project. (1 page)

**B. Project Summary Sheet**

Please use the form provided in Attachment A, "Project Summary Sheet."

**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 (kW) 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. If the project is expected to operate at a capacity factor and/or at an efficiency that would be considered unusual for such a project in New England, please describe why the unusual generation characteristics are expected.
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 any information used to substantiate assumptions)

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 short-term and long-term financing plan, description of financing status, and letters of intent/commitment from any third party investors, financiers, board of directors, company management, or any other applicable source of funds or financing.



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. The Levelized Cost of Energy (LCOE) in \$ per kWh or \$ per thermal equivalent kWh using the National Renewable Energy Laboratory (NREL) calculator at <https://www.nrel.gov/analysis/tech-lcoe.html>. Please provide a printout of the LCOE and additionally provide the following project-specific assumptions used to calculate the LCOE:
  - The expected maintenance cost of the facility over its first 20 years of operation. Maintenance costs can be expressed as a total dollar amount over 20 years, average dollars per year, and/or as a variable amount (\$/kWh production or \$/kWh thermal equivalent), or a combination of these. Maintenance costs should include any expected or likely costs incurred for regularly servicing the facility, repairing or replacing failed or failing components, performing ongoing commissioning, etc.
  - For Class I Thermal projects, provide the combustion efficiency of the facility. This should be the expected combustion efficiency of the facility when using its planned fuel type and quality, and facility operating parameters.
  - For Class I Thermal projects, provide the expected delivered cost of the renewable fuel in \$/MMBtu at today's prices, not incorporating the combustion efficiency of the facility. Provide documentation showing the expected price and Btu content of the fuel used to calculate the Fuel Cost. Alternately, the following assumption for the facility's fuel type may be utilized:
    - Wood Pellets: \$16.36
    - Dried Wood Chips (~25% Moisture Content): \$11.50
    - Semi-Dried Wood Chips (< 35% Moisture Content): \$9.20
    - Green Wood Chips (35-50% Moisture Content): \$8.90
    - Ground Source Heat Pumps: \$53.00

The LCOE should be calculated using the NREL calculator as follows:

- For maintenance costs, follow the guidance provided above.
- For fuel costs, Class I Thermal projects should follow the guidance provided above. "0" should be entered for the Heat Rate and Fuel Cost for any project which produces electricity and does not produce useful thermal energy.

- The life of the project should be assumed to be 20 years for all projects.
- The discount rate should be assumed to be 3% for all projects.
- The Capital Cost (\$/kW) should be calculated and entered using the total project cost and facility capacity provided in the Attachment A Project Summary Sheet. The Capital Cost may be rounded to the nearest \$10.
- The Capacity Factor (%) should be calculated and entered using the facility capacity and energy production provided in the Attachment A Project Summary Sheet. For example, a facility with a capacity of 100 kW that is expected to produce 100,000 kWh annually has a capacity factor of 11.4% ( $100,000 \text{ kWh} / 100 \text{ kW} = 1,000 \text{ hours}$ .  $1,000 \text{ hours} / 8,760 \text{ hours} = 11.4\%$  annual capacity factor). The Capacity Factor may be rounded to the nearest 1%.
- For projects producing useful thermal energy, the “Heat Rate” should be 3,412 divided by the efficiency of the system. For example, 80% efficiency results in ( $3,412 / 80\% = 4,265$  Heat Rate). The Heat Rate may be rounded to the nearest 100.
- The default values for the electricity price and cost escalation rate should be used.
- For any other values not addressed in this RFP, the guidance provided within the model will be followed.

**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, quantify the energy cost savings, and provide a description of how those energy savings will be realized. Provide a copy of the contract and/or a letter of intent.
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 as a direct result of this renewable energy project.

3. Societal Benefits
  - i. Any energy efficiency measures implemented at the project site within the last five years and an energy savings estimate attributable to such measures.
  - ii. Any energy efficiency measures that are being implemented as part of, or alongside the project and their expected energy savings.
  - 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 CO<sub>2</sub> emissions avoided and/or reduced annually. Use the emission rates specified in Table 1 below and then divide by 2000 to convert from lbs to tons. 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 CO<sub>2</sub> will be reduced. (150,000 gallons x 22.54 lbs CO<sub>2</sub>/gallon ÷ 2,000 lbs/ton = 1,691 tons of CO<sub>2</sub>).

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

Describe any potential conflicts of interest on the part of any members of the project team or its contractors and subcontractors. Contractors have a continuing obligation throughout the entire procurement process to update this information.

### **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: Proposal Screening:** The Commission shall assess completeness and responsiveness of proposals to eliminate non-conforming proposals; the Commission may waive or offer a limited opportunity to cure immaterial deviations from RFP requirements if it is determined to be in the best interests of the State;

**Step 2: Preliminary Evaluation:** An Evaluation Team, which will consist of Commission staff and possibly other State agency Staff will review each proposal to determine compliance with basic qualifications as outlined in Section I, C. Any Bidder who fails to demonstrate that it meets all of the basic qualifications shall be deemed non-compliant and eliminated from further consideration. The Evaluation Team shall then evaluate and score (individually or a consensus score) qualified proposals according to the criteria set forth in the RFP, including both technical requirements and funding amount requested (See Attachment B, Scoring Criteria Summary Sheet for an example of the scoring sheet);

**Step 3: Final Evaluation:** The Evaluation Team may request and hold interviews, and product demonstrations if applicable (if requested as described below), and conduct reference checks (if appropriate). Following interviews, product demonstrations and reference checks and review of written clarifications of proposals requested by the evaluation team (if any), the Team will refine the score from the Preliminary Evaluation. The Evaluation Team shall submit recommendations regarding projects and funding to the Commissioners;

**Step 4: Commissioners' Review:** Based on the scores developed by the Evaluation Team, 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 make partial awards, and/or 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 5: The Commission shall negotiate, if necessary, and develop grant agreements and related contract documents with selected proposers; and

Step 6: The Commission shall submit completed grant agreements to the Governor and Executive Council 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 proposer(s).

Proposals will be deemed incomplete, nonconforming, and ineligible for grant funding if information required under this RFP that is essential to the scoring evaluation is not included in the proposal. Proposals that fail to meet the following criteria will be deemed ineligible:

- Filing of a timely proposal, with the correct number of paper and electronic copies, and all mandatory elements;
- Identification of potential contractors and 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;
- 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; and
- Insufficient evidence to demonstrate that the project is likely to obtain eligibility to produce New Hampshire RECs upon completion.

Ineligible projects will not be scored. All projects deemed ineligible will receive notification of that determination.

The Evaluation Team will evaluate all qualified proposals received and deemed eligible for their completeness, clarity, quality of presentation, 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.

During the evaluation process, if the Evaluation Team determines that it is appropriate, proposers may be invited to oral interviews and/or demonstrations, including demonstrations of any proposed systems or technology components. The Evaluation Team retains the sole discretion to

determine whether to conduct oral interviews, with which proposers, and the number of interviews. Proposers are advised that the Evaluation Team may decide to conduct interviews with fewer than all proposers.

The purpose of oral interviews and demonstrations is to clarify and expound upon information provided in the written proposals. Proposers are prohibited from altering the basic substance of their proposal during the oral interviews and /or demonstrations. The Evaluation Team may ask the proposer to provide written clarifications of elements in the technical Proposal regardless of whether an oral interview will be conducted. Information gained from oral interviews and demonstrations will be used to refine scores assigned based on the preliminary evaluation of the Proposal.

The Commission will consider the following criteria and assign a corresponding point score. A maximum score for all criteria would be 100 points:

**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
<b>Maximum</b>	<b>25</b>

**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>. 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
<b>Maximum</b>	<b>20</b>

**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
<b>Maximum</b>	<b>20</b>

**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
<b>Maximum</b>	<b>15</b>

**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. The project will score full points for any “Other Funding Sources” category in which a funding source or a combination of funding sources of that category will provide an amount that is at least 5% of the total project cost.

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

**F. Environmental Benefits**

The Commission will evaluate the proposal based on the environment benefits as measured by annual CO<sub>2</sub> emissions reduced or displaced from the project.

Table 7	
CO <sub>2</sub> Emissions Reduced Annually (tons)	Score
0 and ≤100	1
>100 and ≤200	2
>200 and ≤300	4
>300 and ≤500	6
>500 and ≤1,000	8
>1,000 and ≤5,000	9
>5,000	10
<b>Maximum</b>	<b>10</b>



## **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. Reservation of Rights. 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. This RFP and all information relating to this RFP (including, but not limited to, fees, contracts, agreements, and

prices), are subject to the laws of the State of New Hampshire regarding public information and state procurement of goods and services.

- B. Requests for Additional Information. 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 Proposal and Information Provided to Proposers. The substance of a proposal must remain confidential until the effective date of any grant agreement resulting from this RFP. A proposer's disclosure or distribution of proposals other than to the Commission may be grounds for disqualification, unless disclosure was made to other funding sources to obtain funding. Each proposer also agrees to maintain as confidential all information received from the Commission in the course of this RFP and any related contracting process, until such time as it is instructed otherwise by the Commission.
  
- D. Public Disclosure. By submitting a proposal, the proposer 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. In addition, in accordance with RSA 9-F:1, any contract entered into as a result of this RFP may be made accessible to the public online through the website Transparent NH: (<http://www.nh.gov/transparentnh/>).

Notwithstanding RSA 91-A:4, information relating to grant applications or proposals shall remain confidential until the grant contract is approved by the Governor and Executive Council, or, if the grant contract does not require approval from the Governor and Executive Council, until the effective date of the grant contract as determined by the issuing agency. RSA 21-G:37. Business financial information, confidential information, such as personally identifiable information, 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 a proposer believes any information submitted in response to this RFP should be kept confidential, the proposer must specifically identify that information where it appears in the submission in a manner that draws attention to the designation and must mark/stamp each page of the materials that the proposer claims must be exempt from disclosure as "CONFIDENTIAL." Proposers must also provide a letter to the person listed as the point of contact for this RFP, identifying the specific page number and section of the information you consider to be confidential, commercial or financial and providing your rationale for each designation. Marking or designating an entire proposal, attachment or section as confidential shall neither be accepted nor honored by the State. Proposers must also provide a separate copy of the full and complete document, fully redacting

those portions and shall note on the applicable page or pages that the redacted portion or portions are “confidential.”

Submissions which do not conform to these instructions by failing to include a redacted copy (if necessary), by failing to include a letter specifying the rationale for each redaction, by failing to designate the redactions in the manner required by these instructions, or by including redactions which are contrary to these instructions or operative law may be rejected by the Commission as not conforming to the requirements of the proposal.

Notwithstanding a proposer’s designations, the Commission is obligated under the Right-to-Know law to conduct an independent analysis of the confidentiality of the information submitted in a proposal. If a request is made to the Commission by any person or entity to view or receive copies of any portion of the proposal, the State shall first assess what information it is obligated to release. The Commission will then notify the proposer that a request has been made, indicate what, if any, information the Commission has assessed is confidential and will not be released, and specify the planned release date of the remaining portions of the proposal. To halt the release of information by the Commission, a proposer must initiate and provide to the Commission, prior to the date specified in the notice, a court action in the Superior Court of the State of New Hampshire, at its sole expense, seeking to enjoin the release of the requested information.

- E. Proposers’ Costs. By submitting a proposal, a proposer agrees that in no event shall the Commission be either responsible for or held liable for any costs incurred by the proposer in preparation of or in connection with the proposal, or for work performed prior to the effective date of a resulting grant agreement.
- F. Equal Employment Opportunity and Non-Discrimination. 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. Amendment or Cancellation of RFP. The Commission reserves the right to amend or cancel this RFP at any time. Proposers should check the Commission website at <http://www.puc.nh.gov/Sustainable%20Energy/RFPs.htm> for any addenda to this RFP before submitting their proposals, and for answers to questions other prospective proposers may have submitted, if any.
- H. Vendor Registration Requirements. 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. Grant Agreement General Provisions. The terms and conditions set forth in the State’s “General Provisions” for grant agreements, attached hereto as Attachment

C, will apply to the grant award and funding agreement that the Commission will enter into with grant recipients. In addition, each agreement will be supplemented by three exhibits: Exhibit A will set forth the scope of services and reporting requirements in detail; Exhibit B will set forth the amount of the grant, any required milestones, preconditions to reimbursement, the amount of grant holdback or retainage, 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. Project Changes. Once a grant agreement becomes effective, any subsequent material changes or modifications to the project or agreement terms, including, but not limited to, changes in project site plan, design, equipment, or other major components, overall project budget, key project personnel, project funding or financing model, project administration, management, or communications, or proposed technical details, must be submitted for review and evaluation by the Commission. Amendments to the Grant Agreement are subject to approval by the Commission and Governor and Executive Council.
- K. Nature of RFP. This RFP is not an offer. Neither the Commission nor this RFP shall create any commitment on the part of the State or confer any rights on the part of the proposer unless and until a written grant award agreement is executed between the Commission and the proposer, and approved by the Governor and Executive Council.
- L. Reporting, Inspection, and Audit. There will be reporting and inspection requirements for the projects that are awarded grants under this RFP. 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 5 years after the project becomes operational. Pursuant to 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 proposer. Upon grant award and agreement, 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. Non-Collusion: The proposer's signature on a proposal submitted in response to this RFP guarantees that the prices, terms and conditions, and work quoted have been established without collusion with other proposers and without effort to preclude the Commission from obtaining the best possible competitive proposal.

- O. Reimbursement of Project Costs. Payment to grantees under this program is on a cost-reimbursable basis, unless approved otherwise. Costs incurred prior to final grant agreement approval by the Governor and Executive Council 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 and interconnection of the project.
- P. Ethical Requirements. From the time this RFP is published until a grant is awarded, no proposer 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. RSA 21-G:38. Any proposer that violates RSA 21-G:38 shall be subject to prosecution for an offense under RSA 640:2. Any proposer, or member of proposer's board or senior management, 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 proposer shall be disqualified from bidding on any RFP or similar request for submission issued by any state agency. A proposer 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 that, in the case of annulment, the information shall be deleted from the list.
- Q. 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 10 business days prior to the deadline for submission of proposals, by sending writing notice to the RFP point of contact, Ms. Juli Pelletier, the Commission's Business Office Director. By submitting a proposal, the proposer is deemed to have waived any challenges to the Commission's authority to conduct this procurement and the form and procedures of this RFP.

## **V. GRANT AGREEMENT AND CERTIFICATES**

Successful proposers will be expected to enter into a grant agreement with the State of New Hampshire. A copy of the General Provisions of the grant agreement to be signed by the parties is included as Attachment C to this RFP. In addition, project-specific terms and conditions will be negotiated with the proposer and included in the grant agreement.

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

Successful proposers will also be required to provide the following certificates prior to entering into a grant agreement with the Commission:

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 nonresident nonprofit corporations.
Certificate of Vote /Authority (“CVA”)	Individuals contracting in their own names 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 grant agreement. Modifications of insurance coverage required will be specified in Exhibit C to the agreement.
Workers’ Compensation	Grantee 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).

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

**Attachment A. PROJECT SUMMARY SHEET**

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

Please see next page.

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



**Attachment B. SCORING CRITERIA SUMMARY SHEET**

**Project:**

**Respondent:**

**Technology:**

**Grant Amount Requested:**

<b>Factor</b>	<b>Maximum Score</b>	<b>Score</b>	<b>Comments</b>
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		
<b>Total</b>	<b>100</b>		

**Comments:**

## Attachment C. GENERAL PROVISIONS

A copy of the State of New Hampshire's General Provisions to be executed by the parties can be found at

<http://www.puc.nh.gov/Sustainable%20Energy/RFPs/2011%20C&I%20RFP/Grant%20Agreement%20Form-General%20Provisions.pdf>.

**Proposer 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.**