

State of New Hampshire Department of Energy



State Energy Program

CFDA 81.041

FAIN: DEEE0010041

REQUEST FOR PROPOSALS #2022-002

SEED GRANT PROGRAM TECHNICAL MONITOR

Release Date: July 27, 2022

Proposals Due: 4:00 p.m. EST on August 24, 2022

Executive Summary

Through the School Energy Efficiency Development (SEED) Grant Program, the New Hampshire Department of Energy (NHDOE) provides support and technical assistance to schools in small communities to implement energy efficiency projects and make necessary upgrades to their buildings. NHDOE intends to provide a grant to at least one school for a project to be completed during 2022-2023 (Project). NHDOE is seeking proposals from qualified professionals (proposer) to provide technical monitoring related to the Project. Women-owned and/or minority-owned businesses are strongly encouraged to apply.

An electronic proposal must be submitted to NHDOE no later than 4:00 p.m. EST on Friday, August 24, 2022. If NHDOE decides to award a contract as a result of this Request for Proposals (RFP), any contract award is contingent upon approval of the contract by the NHDOE.

I. PERTINENT DATES AND INFORMATION

1. Schedule of Events

EVENT	DATE/DEADLINE	TIME
RFP Issued	July 27, 2022	
Close of Question Period and Responses to Questions Posted	August 17, 2022	4:00 PM
Proposal Due Date and Time	August 24, 2022	4:00 PM

2. Written Inquiries

All inquiries concerning this RFP must be submitted by e-mail to the following RFP Point of Contact:

Joshua W. Elliott, Director, Division of Policy and Programs
New Hampshire Department of Energy
21 South Fruit Street, Suite 10
Concord, NH 03301-2429
joshua.w.elliott@energy.nh.gov

Inquiries must be received no later than the Close of Question Period as specified in the Schedule of Events. The subject of the email should state the following: *RFP #2022-002 SEED Grant Program Technical Monitor RFP Question Period*. **No phone calls please**. It is highly recommended that prospective proposers review the RFP as soon as possible and submit any questions promptly. Please note that responses to questions are carefully considered and may require several days. Responses to questions will be posted as received and can be found here: <https://www.energy.nh.gov/rules-and-regulatory/requests-proposals>.

3. Proposal Submission Instructions

Proposals must be submitted electronically in PDF format via e-mail to joshua.w.elliott@energy.nh.gov no later than the Proposal Due Date and Time as specified in the Schedule of Events, herein. The file will be considered received based on the timestamp in the receiver's e-mail. The NHDOE can accept electronic files no larger than 25 MB. Electronic proposals may consist of multiple PDF attachments or one PDF with all attachments combined. The subject of the e-mail should state the following: *RFP# 2022-002 SEED Grant Program Technical Monitor RFP Proposal*.

To guard against proposals potentially being overlooked due to being quarantined by the agency's spam protection software, it is strongly recommended that an email with no attachment be sent to the contact person initially stating that email(s) containing a proposal are to follow. The subject of the e-mail should state the following: *RFP# 2022-002 SEED Grant Program Technical Monitor RFP Intention to File*.

Late submissions will not be accepted, nor will extension be given. Delivery of the proposals and attachments shall be the proposer's responsibility. The NHDOE accepts no responsibility for damaged, mislabeled, or undeliverable e-mailed proposals. Proposals that are incomplete or unsigned will not be considered. **Faxed and physical proposals will not be accepted.**

The NHDOE shall assess completeness and responsiveness of the proposal to eliminate nonconforming proposals. The NHDOE 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. Any response that is filed shall be valid for not fewer than 150 days following the deadline for submission of proposals, or until the effective date of any resulting contract, whichever is later.

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 are forbidden, unless approved by the RFP point of contact, Joshua W. Elliott, Director, Division of Policy and Programs, or as otherwise outlined in

Section VI.1.(b). NHDOE employees have been directed not to hold conferences and/or discussions concerning this RFP with any potential proposer during the selection process, unless otherwise authorized by the RFP point of contact, or as otherwise outlined in Section VI.1.(b).

II. BACKGROUND

The United States Department of Energy's (USDOE) [State Energy Program](#) (SEP) (CFDA 81.041) provides funding and technical assistance to states, territories, and the District of Columbia to enhance energy security, advance state-led energy initiatives, and increase energy affordability. States have a robust role in administering program activities that can be tailored to their unique resources, deliver capacity, and energy goals.

NHDOE, a state executive branch agency, provides guidance, information, and data on energy usage. As part of its mission to build partnerships and serve New Hampshire communities, NHDOE has received SEP grant funds and created the SEED Grant Program to encourage schools to holistically review their energy usage and offer funding to implement energy efficiency projects. Created in 2018, the SEED Grant Program has offered funding to schools in Hill, Lempster, New Boston, and Litchfield to advance energy efficiency efforts. These energy efficiency projects have created a safer, healthier learning environment for students and teachers, as well as reduced a school's energy usage and operating costs to provide a financial benefit to school district budgets and property taxpayers.

On May 18, 2022, NHDOE issued Notice of Funding Availability (NOFA) #2022-001, seeking proposals for a SEED Grant to fund such a Project during 2022-2023. NHDOE expects to select a Project and finalize a grant award in August-September 2022.

III. SCOPE OF SERVICES AND DELIVERABLES

The NHDOE is seeking a qualified professional to perform periodic inspections of the Project for purposes of quality control; program compliance; and to observe and interview workers regarding project health and safety. All inspections require a written report. The Technical Monitor will be overseeing projects funded through the SEED Grant Program and will be required to make periodic visits to the project site(s) until project completion at the end of June 2023. Along with the required reports, photographs will be taken to document progress. Additional site evaluations may be necessary in the event of a poor project report. A final report on the project will be submitted to NHDOE on or before July 15, 2023. The Technical Monitor will be required to meet with the Project manager for further Project details, after they are selected. The Technical Monitor will assist NHDOE to ensure program regulations are followed, including but not limited to ensuring

that: all appropriate measures are included on work orders; installed measures are allowed, effective, and of good quality workmanship; installed measures are relative to the work plan; and all measures meet New Hampshire Building Codes and best practices. Work shall commence upon approval by Governor and Executive Council of a SEED grant to the Project and will continue until July 15, 2023, until services are no longer required, or federal funding has been exhausted. The maximum funds allocated to this project are \$8,000.00, which will include time traveled, cost of each visit, price per hour, and any other cost relative to the project. The Technical Monitor will be supervised by NHDOE's Program Planner.

IV. GENERAL QUALIFICATIONS

1. Minimum three years' experience performing inspections on commercial buildings;
2. Familiarity with regulations governing federal programs;
3. Ability to communicate and report to NHDOE project deficiencies;
4. Ability to communicate technical information well, both verbally and in writing;
5. Not be disbarred from receiving federal grant money; and
6. Must act and communicate professionally at all times.

V. COMPONENTS OF THE PROPOSAL

The proposal must provide the following information and adhere to the following outline:

1. Cover Letter: Provide a brief (maximum of two pages) submittal cover letter that includes a summary describing the proposer's commercial building knowledge and technical monitoring experience and how the proposer proposes to provide the required services.
2. Description of Proposer: A brief description of the proposer and, if applicable, the proposer's firm, its current practice and history, i.e. how many years in business, corporate officers or company principals, office locations, professional and business association memberships, legal and organizational structure.
3. Response to the Scope of Services: A brief discussion of how the proposer would perform the services, the resources the proposer would use, the issues and challenges the proposer foresees, etc.
4. Qualifications and Relevant Experience: A detailed description of the proposer's qualifications and relevant experience, including areas of expertise, accomplishments, current

and previous employers/clients, etc. The proposer's resume that includes years of experience, education, professional affiliations, etc. If the proposer chooses to work with a sub-contractor, they will have to provide the name, qualifications, and relevant experience of the group or person with their proposals.

5. References and Work Samples: A list of two references, who are familiar with the proposer's work and experience, and their contact information. Relevant work samples are not required but may be provided electronically if desired.

6. Budget: A detailed schedule of fees and estimated costs for completion of the work scope, including details on key personnel positions, rates, fees, and hours. The detailed cost estimates should encompass the full scope of work described in this RFP, including time, travel, and any other costs necessary to complete Scope of Services and Deliverables as described in Section III above.

7. Additional Information: The submittal of additional information that would be beneficial to NHDOE in the Technical Monitor selection process is allowed.

8. Disclosure: Any existing or potential conflicts of interest should be identified, including those that arise as a result of relationships or affiliations with parties at the NHDOE.

VI. EVALUATION PROCEDURES AND SELECTION CRITERIA

1. Procedure for Proposal Evaluation

Proposals will be evaluated and an award will be made according to the criteria set forth in Section VI.2. of the RFP. The evaluation will be based solely on the proposals. Therefore, insufficient or unclear information may result in a low score.

The procedure for proposal evaluation and Technical Monitor selection will be as follows:

(a) An Evaluation Team for the State will review the information and proposals submitted by each proposer based upon the criteria established in the RFP.

(b) If numerous acceptable and potentially acceptable proposals have been submitted, the Evaluation Team will rank the proposals and create a "priority list" of the proposers who submitted high ranking proposals. Some or all proposers may participate in a detailed oral interview to more fully discuss their approach to this project. Interviews may be conducted in person or via remote access.

(c) A letter of intent will be sent out to the selected proposer's authorized submitter and an agreement will be entered into between NHDOE and the chosen authorized submitter.

(d) After a contract with the proposer is approved, work can begin on the proposed project.

2. Scoring Criteria and Weight

The Evaluation Team shall consider all the following criteria, and assign a corresponding point score, where a maximum score for all criteria shall be 100 points. Cost is a consideration but may not be the determining factor in the selection of the Technical Monitor. The NHDOE reserves the right not to consider any proposal with a total aggregate point score of less than 70 points.

(a) Quality and Clarity of Proposal: Overall responsiveness to the requirements of the RFP, including completeness, clarity, and quality of proposal. (Maximum Point Score: 15)

(b) Essential Proposal Requirements: Proposer meets all eligibility requirements, general requirements and conditions, and proposal submission requirements. (Maximum Point Score: 10)

(c) Qualifications of Proposer: The proposer has provided work experience, references, and description of the Technical Monitor. (Maximum Point Score: 15)

(d) Relative Project Experience: The proposer has relative project experience to the proposed project. (Maximum Point Score: 35)

(e) Confidence in Proposer's Ability to Meet General Requirements and Conditions: (Maximum Point Score: 10)

(f) Budget: Shows fiscal responsibility and understanding of available project funds. (Maximum Point Score: 15)

VII. CONFIDENTIALITY

Each proposer agrees to maintain as confidential all information received from the NHDOE in the course of this RFP and contracting process until such time as it is instructed otherwise by the NHDOE. A proposal must remain confidential until the effective date of any contract resulting from this RFP. A proposer's disclosure or distribution of proposals or the information received

from the NHDOE or Evaluation Team other than as permitted by the NHDOE will be grounds for disqualification.

VIII. GENERAL REQUIREMENTS AND CONDITIONS

1. All contracted activities resulting from this RFP are subject to the availability of Federal funds. General funds shall not be used.
2. 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.
3. By submitting a proposal, the proposer acknowledges that the NHDOE is subject to the Right-to-Know Law, RSA Chapter 91-A. Accordingly, information submitted as part of proposal packet 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 proposals shall remain confidential until the resulting contract is approved by the Governor and Executive Council, or, if the contract does not require approval from the Governor and Executive Council, until the effective date of the 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, financial 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 a proposer asserts is exempt from public disclosure, **the proposer must specifically identify all relevant text in a letter to the NHDOE, and must mark or stamp each page of the materials claimed to be exempt from disclosure as “confidential,”** and provide support for such assertion(s) as part of the proposer’s response to this RFP. The proposer 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 publicly disclosed. The explanation shall also identify by page number the specific information the proposer claims to be exempt from public disclosure pursuant to RSA 91-A:5. It is helpful if the text claimed to be confidential is also highlighted, underlined, or otherwise identified in the actual proposal packet itself. Marking the entire proposal or entire sections of the proposal (e.g., costs) as “confidential” will neither be accepted nor honored.

4. NHDOE may investigate the qualifications of any proposer under consideration, require confirmation of information furnished by proposer, and require additional evidence of qualifications to perform the work described in this RFP.

5. The NHDOE 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 remedy technical errors in the RFP process, to appoint a selection committee to review proposals, to interview less than all proposers, to reject and replace one or more proposed subcontractors, to cancel the entire RFP, to make funding decisions, including partial awards, and to increase or decrease the amount of funding available, solely as it deems to be in the best interests of the State; to negotiate with any party in any manner deemed necessary to best serve the interests of the State, and to extend any contract for a period of up to two years.

6. The NHDOE reserves the right to amend, extend or cancel this RFP at any time at its sole discretion. Any changes to this RFP will be made in writing and made available to the public on NHDOE's website. No oral modifications will be binding. Proposers should check the NHDOE website at [Requests for Proposals | NH Department of Energy](#) for any addenda to this RFP and for answers to questions other proposers may have submitted, if any, before submitting their proposals.

7. 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.

8. The terms and conditions set forth in the State's Form P-37 (version 12/11/2019) "Agreement, General Provisions" (General Provisions) for contracts, attached hereto as Appendix B, shall apply to the contract to be entered into with the winning proposer. In addition, each contract shall be supplemented by three exhibits: Exhibit A will include any special provisions, including any modifications to the General Provisions regarding insurance coverage and other matters; Exhibit B will set forth in detail the Scope of Services; and Exhibit C will set forth in detail the price limitation, the source of payment, and any preconditions to payment. In addition, a number of exhibits may consist of federally required certifications by grantees of federal funds.

9. As with all contracts made with the State of New Hampshire or using federal funding, certain requirements apply, including registration with the NH Secretary of State's Office. These requirements can be found at the State's Vendor Resource Center at <https://das.nh.gov/purchasing/vendorresources.aspx>.

- a. Additionally, the successful proposer will be required, among other things to provide:
 - i. The NH Secretary of State's Certificate of Good Standing;
 - ii. The Certificate/Vote of Authority from a governing body of the proposer if applicable;
 - iii. The completion of a State of New Hampshire Vendor Application form;
 - iv. Proof of sufficient liability and workers' compensation insurance unless a waiver is requested and approved;
 - v. Proof of active registration in the Federal System for Award Management (SAM) and have a Unique Entity Identifier (UEI) number of proposer and sub-contractor(s);
 - vi. Sign certain assurances including but not limited to: Drug Free Workplace; Lobbying; Americans with Disabilities Act Compliance; Environmental Tobacco Smoke; Federal Funding and Accountability Act (FFATA) Compliance; Buy American Compliance; and National Environmental Policy Act (NEPA) compliance.

10. Once a contract becomes effective, any subsequent material changes or modifications to the contract terms must be submitted for review and prior approval by the Commissioner of the NHDOE and, if applicable, the Governor and Executive Council.

11. 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(s). 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.

12. 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 NHDOE from obtaining the best possible competitive proposal. Proposers who wish to

submit joint proposals with other consultants must clearly identify that the proposal is a “joint proposal” and must identify all proposers in the first instance.

13. The NHDOE and the USDOE and/or its assignee reserve the right to inspect and monitor financial records and transactions.

14. Reasonable access must be provided to the NHDOE and the USDOE and/or its assignee to all administrators, vendors, facilities, work sites, employees of the Technical Monitor(s), and financial or other records; and reasonable assistance must be available to NHDOE and USDOE to ensure safe and convenient performance of site visits and evaluations.

15. NHDOE reserves the right to issue periodic notices, memos, and updated reporting forms, and information.

16. NHDOE requests notification about media inquiries, responses, and published clippings.

17. NHDOE will requires notification, as soon as possible, of issues concerning the Technical Monitor or their company that have or may potentially have legal implications as a result of their actions through this contract.

18. By submitting a proposal to this RFP, proposers hereby agree not to disclose any SEED Grant Program awardee information in any form for any purpose not required by local, state, or federal law. Failure to maintain awardee confidentiality will be punishable to the fullest extent of the law. SEED Grant Program awardee information cannot be used as a resource for the financial benefit of the Technical Monitor now or in the future for any purpose.

19. 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 NHDOE at least ten (10) business days prior to the proposal submission deadline, by sending written notice to the RFP Point of Contact, Joshua W. Elliott, Director, Division of Policy and Programs. By submitting a proposal, the proposer is deemed to have waived any challenges

to the NHDOE's authority to conduct this procurement and the form and procedures of this RFP.

IX. GENERAL PROVISIONS, FORM P-37, AND CERTIFICATES

The selected proposer(s) will be expected to enter into a contract with the State of New Hampshire. The terms and conditions set forth in Form P-37 General Provisions are mandatory and will apply to any contract awarded to the proposer, as will a number of federally required certifications. In addition, project specific terms and conditions will be negotiated with the proposer and included in the final contract. For the convenience of the proposers, Form P-37 has been included in Appendix B.

When responding to this RFP, each proposer must explicitly indicate that the proposer shall comply with the requirements of Form P-37. To the extent a proposer believes that an exception to the standard form will be necessary for the proposer to enter into a contract, the proposer should raise that issue during the proposer inquiry period. The NHDOE will review the inquiry regarding the requested exception(s) and respond that the exception is accepted, rejected, or note that the NHDOE is open to negotiation regarding the requested exception(s) at the NHDOE's sole discretion. If a proposer's exception is accepted, or is open to negotiation, the NHDOE will, by means of posting the answer to the proposer's inquiry, and prior to the conclusion of the inquiry response period, provide notice to all potential proposers of the exception(s) which has been accepted, or is open to negotiation, and indicate that exception is available to all potential proposers. Any exceptions to the standard form contract that are not raised during the proposer inquiry period are waived. In no event is a proposer to submit its own standard contract terms and conditions as a replacement for the State's terms in response to this RFP. The proposer inquiry period begins when the RFP is posted, and ends at the conclusion of the RFP's written inquiry period. All inquiries must be in writing, and must be sent to the RFP point of contact identified above.

With regard to Form P-37 General Provisions, Paragraph 14, "Insurance," please note that proposers may be allowed to substitute professional liability insurance for part or all of the per occurrence comprehensive general liability insurance coverage. In addition, excess liability insurance in an equal amount may be substituted for up to \$1,000,000 of the per occurrence comprehensive general liability or professional liability insurance coverage. The State reserves the right to consider further waiving or modifying the insurance requirements in Paragraph 14 based on inquiries and proposals submitted, consistent with the procedure described above.

A proposer will be required to fill in the P-37 Form ONLY upon the NHDOE’s selection of its proposal, and prior to submission of the final contract for review and approval by the NHDOE Commissioner and, if applicable, the Governor and Executive Council.

The selected proposer will be required to provide the following certificates prior to entering into a contract with the NHDOE:

Secretary of State’s Office Certificate of Good Standing (“CGS”)	Business organizations and businesses using trade names need a CGS, except for nonresident nonprofit corporations. Individuals contracting in their own names do not need a CGS.
Proof of active SAM registration	Proposer and any sub-contractor, if used, must provide proof of active SAM registration and a valid UEI number. Proposer and any sub-contractor must not be debarred from working on projects funded with Federal funds.
Certificate of Vote/ Authority (“CVA”)	Business entities and businesses using trade names need a CVA. Individuals contracting in their own name do not need a CVA.
Certificate of Insurance	Certificate of Insurance form attached with insurance coverages required under the contract. Modifications of insurance coverage required will be specified in the contract.
Workers’ Compensation	Contractor must demonstrate compliance with or exemption from RSA 281-A (and if applicable, RSA 228:4-b and RSA 21-I:80, and any other applicable laws or rules).

The selected proposer will be required to provide the above certificates ONLY upon the NHDOE’s selection of their **proposal, and prior to submission of the final contract(s) for review and approval by the NHDOE Commissioner and, if applicable, the Governor and Executive Council.**

X. ETHICAL REQUIREMENTS

From the time this RFP is published until a contract is awarded, no proposer shall offer or give, directly or indirectly, any gift, expense reimbursement, or honorarium, as defined in 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 proposer that violates RSA 21-G:38 shall be subject to prosecution for an offense under RSA 640:2. Any proposer 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 this 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 in the case of annulment the information shall be deleted from the list.

Appendix A. SCORING CRITERIA SUMMARY SHEET

Proposer:

Factor	Maximum Score	Score	Comments
Quality and Clarity of Proposal	15		
Essential Proposal Requirements	10		
Qualifications of Proposer	15		
Relative Project Experience	35		
Confidence in Proposer's Ability to Meet General Requirements and Conditions	10		
Budget	15		

Comments:

Appendix B. Form P-37

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

<https://www.nh.gov/nhdoc/business/documents/contract-p37.pdf>

Proposer will be required to fill in this form ONLY if and when its proposal is selected by the NHDOE.