

QUESTIONS AND ANSWERS

RFP #2024-007
REQUEST FOR PROPOSALS

NEW HAMPSHIRE DEPARTMENT OF ENERGY
Home Electrification and Appliance Rebate Program (Sec. 50122)

	Questions	Answers
1.	<p>RFP page 18 of 20, Section IX. General Provisions, Form P-37, and Certificates. This section requires that the implementer raise any objections to Form P-37 during the question period. There are several clauses (e.g., termination, liability, etc.) that the implementer cannot explicitly agree to in advance of award. The implementer accepts that the eventual contract will be based on Form P-37. However, the implementer expects that the final contract provisions will be reasonably negotiated and mutually agreed upon. The implementer has undertaken and successfully closed similarly structured agreements with many similar clients. In lieu of an explicit statement, may the implementer include this type of language in our proposal and remain in consideration for the RFP award?</p>	<p>Proposers must identify during the Question Period (no later than August 2, 2024, at 4:30 PM) the specific provision or provisions of the P-37 for which they would like an exception and should propose revised terms for consideration. If the Department accepts the exception, or notes that it is open to negotiation, proposers that intend to include the revised term in their contract must logically state in their proposal that they intend to rely upon the exception/negotiation for that term and that they will comply with all other terms of the P-37. Proposers need not rely on the exception and may simply state that they intend to comply with the terms of the P-37. If the Department rejects the exception, all proposers must state in their proposals that they will comply with all terms of the P-37. If these statements are not made in a proposal, the proposal will be eliminated from consideration.</p> <p>A proposer may not, in lieu of an explicit statement that it will comply with the terms of the P-37, include general language in its proposal that it wishes to negotiate certain of the general provisions. A proposal containing such a statement would be eliminated from consideration.</p> <p>The question submitted does not request a specific exception, propose revised terms, or provide the Department with sufficient information to be open to negotiation of terms. Consequently, the Department rejects any exception, and is not willing to negotiate termination, liability, etc. clauses in response to this inquiry.</p>