

THE STATE OF NEW HAMPSHIRE

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**July 20, 2018**

**RFP #2018-005**

**REQUEST FOR PROPOSALS  
RGGI ALL-FUELS PROGRAM**

The New Hampshire Public Utilities Commission (PUC or Commission) is seeking proposals from qualified firms to provide comprehensive energy efficiency programs for residential non-low income programs for a period of up to three years beginning on or about January 1, 2019. Total available funding under this RFP is dependent on revenues from New Hampshire's participation in the Regional Greenhouse Gas Initiative (RGGI). The Commission anticipates that roughly \$690,000 will be available for programs funded through this RFP through December 31, 2021. Proposals are due September 19, 2018.

Pertinent Dates and Information:

1. Electronic proposals must be received by the Commission prior to 4:30 p.m. EST on September 19, 2018. The electronic copy must be in PDF (portable document file) format.
2. Proposals must be submitted to:

Eunice Landry, Business Administrator  
New Hampshire Public Utilities Commission  
21 S. Fruit Street, Suite 10  
Concord, NH 03301-2429  
[RFP@puc.nh.gov](mailto:RFP@puc.nh.gov)

3. In addition to the electronic submission, prospective bidders must submit five (5) additional paper copies to the address above, which must be postmarked no later than September 20, 2018.
4. Prospective proposers may submit written inquiries about this RFP by email to [RFP@puc.nh.gov](mailto:RFP@puc.nh.gov) no later than 4:30 p.m. EST on September 5, 2018. Inquiries and responses will be posted on the PUC's website at: [www.puc.nh.gov/home/requestforproposal.htm](http://www.puc.nh.gov/home/requestforproposal.htm). The subject line of the e-mail must state the following: RFP #2018-005, RGGI All-Fuels Program. Follow-up conferences/interviews will be scheduled as needed.
5. An evaluation team consisting of Commission and/or other qualified personnel will be established to evaluate proposals submitted in response to this RFP (Proposals) submitted by prospective proposers.

## **I. BACKGROUND**

In 2008, the New Hampshire General Court enacted and the Governor signed into law RSA 125-O:19-28<sup>1</sup> authorizing New Hampshire's participation in the Regional Greenhouse Gas Initiative (RGGI). RGGI is a cooperative effort by nine Northeast and Mid-Atlantic states to reduce greenhouse gas emissions from the electric power sector through individual CO<sub>2</sub> Budget Trading Programs in each of the nine participating states.

In June of 2012, the New Hampshire legislature enacted HB 1490 that, among other things, placed a cap of \$1 for each RGGI CO<sub>2</sub> allowance sale, and directed that any proceeds above the cap be rebated to electric ratepayers. The legislation directed the PUC to allocate remaining RGGI revenues to the CORE energy efficiency programs administered by the State's electric distribution utilities, beginning in 2013.

In June of 2013, the New Hampshire legislature enacted SB 123, providing additional requirements regarding the allocation of RGGI funds remaining after the rebate to ratepayers. The bill directs the Commission to allocate at least 15% of the remaining RGGI proceeds to the low-income core energy efficiency program, and up to \$2 million for municipal and local government energy efficiency projects.<sup>2</sup>

SB 268, enacted in June, 2014, directs that any RGGI proceeds remaining after the rebate to ratepayers and the set-asides for the low-income core efficiency program and municipal and local government energy efficiency projects be allocated "to all-fuels, comprehensive energy efficiency programs administered by qualified parties which may include electric distribution companies as selected through a competitive bid process." Funding was distributed among residential, commercial, and industrial customers based upon each customer class's electricity usage to the greatest extent practicable as determined by the Commission. The legislation directs the PUC's Electric Division to conduct the competitive bid process.

Total funding available for this RFP, for the 3-year period 2019-2021 is estimated to be roughly \$690,000 based on projected RGGI revenues of \$230,000 per year. This RFP focuses exclusively on residential non-low income energy efficiency programs.

## **II. SCOPE OF SERVICES**

The scope of this RFP is to provide for the continued delivery of fuel neutral, whole house energy efficiency services to residential non-low income homes.

The overarching goal for these programs will be the reduction of end user energy usage, costs, and emissions of greenhouse gases.

The Commission will entertain applications from entities who propose to serve as program manager for this program. The program manager will be responsible for conducting outreach and identifying and/or developing promising energy efficiency projects at user sites.

Successful applicants will demonstrate significant technical expertise and qualifications in whole house energy management, as well as the ability and means to create a successful program.

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<sup>1</sup> For the text of the statute, see, <http://www.gencourt.state.nh.us/rsa/html/x/125-o/125-o-mrg.htm>

<sup>2</sup> In its Order No. 26,095 (January 2, 2018) approving the 2018-2020 New Hampshire Statewide Energy Efficiency Plan for Gas and Electric Utilities, the Commission approved a settlement agreement that provided for an allocation of 17% for the low-income programs.

### III. CONFIDENTIALITY

Each Proposer agrees to maintain confidential all information to which it has access until such time as it is instructed otherwise by the Commission. A Proposal must remain confidential until the effective date of any contract resulting from this RFP. A Proposer's disclosure or distribution of Proposals other than as permitted by the Commission will be grounds for disqualification.

### IV. COMPONENTS OF THE PROPOSAL

The following is a list of the information to be provided in the Proposal. Proposers should respond to all areas listed below, in the order listed, and conclude with a separate section on cost.

1. Letter of Transmittal: Include name of Proposer, contact information for, and signature of, proposed consultant. (1 page).
2. Corporate/Company Information: Information concerning its corporate/company history; i.e., how many years in business, corporate officers or company principals, location of branch offices, professional and business association memberships, etc., including current or prior engagements involving substantive areas similar to those described in this RFP, the parties it represented in such engagements, the scope of work it performed in such engagements, and the conclusion and recommendations it made publicly in connection with such engagements. (1 page)
3. Proposed Scope of Work and Schedule: Describe the essential elements of the residential non-low income programs and the milestones to be achieved during a three-year program. (no more than 3 pages)
4. Relevant Qualifications and Experience of Personnel Assigned: Detailed description of the Proposer's relevant experience with respect to the proposed scope of services, including a list of all personnel who will be assigned to this engagement, including the project manager (if applicable) and detailed resumes (in an appendix) and summaries of each individual reflecting their relevant experience and the nature of their specific responsibilities. During the course of the work, the Commission must approve in writing any substitutions or changes in personnel assigned to perform the work. (no more than 3 pages, not including the resumes of the key personnel)
5. References: A list of up to three references for work performed which is similar in scope or content to that proposed, preferable within the past 3 years. (1 page)
6. Statement of Disclosure: Identification and description of any existing or potential conflicts of interest, including those that arise as a result of relationships or affiliations with utility companies under the jurisdiction of the Commission, other industry participants, trade associations, or advocacy organizations or groups that participate in or represent active stakeholders in the commercial and industrial solar equipment manufacturing, sales, or installation industries. (1 page)
7. Detailed Program Budget: A detailed cost proposal that specifies the fees to be charged, including any relevant hourly rate for personnel, and any associated expenses. (1 page)

## V. SELECTION CRITERIA

Cost is a consideration but may not be the determining factor in the selection. In addition to cost, the Commission will also consider the following criteria, and assign a corresponding point score, where a maximum score for all criteria would be 100 points and any proposal with a total aggregate point score of less than 65 points will not be considered for selection.

1. Qualifications, technical expertise, certifications, knowledge and practical experience that the organization or individual possesses, including that of the staff and any subcontractors assigned to the engagement, providing services directly relevant to the specified scope of services. (Maximum Point Score: 25)
2. General experience and qualifications in providing similar services in New Hampshire as well as other states and to other utility commissions or regulatory agencies, including similar current or prior engagements. (Maximum Point Score: 25)
3. Cost of consulting services and expenses, including the competitiveness of the proposed fees and/or hourly rates and any proposed discounts or other benefits. (The Commission reserves the right to negotiate lower fees or a different hourly rate structure than proposed, with any selected firm(s) or individuals.) (Maximum Point Score: 20)
4. Ability to work effectively in New Hampshire, including accessibility and proximity to, and familiarity with New Hampshire. (Maximum Point Score: 20)
5. Overall responsiveness to the requirements of the RFP, including completeness, clarity, and quality of Proposal, including proposed allocation of resources and time to critical tasks. (Maximum Point Score: 10)

## VI. TERM of CONTRACT

The term of the contract will be for a time period beginning January 1, 2019, and ending on December 31, 2021, depending on the availability of RGGI funds.

## VII. GENERAL PROPOSAL CONDITIONS

1. Proposals must be typed and double-sided. Proposals that are incomplete or unsigned will not be considered. Electronic proposals must be received by the Commission prior to 4:30 p.m. EST on September 19, 2018. The electronic copy must be in PDF (portable document file) format. In addition to the electronic submission, prospective bidders must submit five (5) additional paper copies which must be postmarked no later than September 20, 2018. Proposals must be addressed to Eunice Landry, Business Administrator, New Hampshire Public Utilities Commission, 21 S. Fruit Street, Suite 10 Concord, NH 03301-2429, and to [RFP@puc.nh.gov](mailto:RFP@puc.nh.gov).
2. Proposers may submit written inquiries about this RFP by e-mail to [RFP@puc.nh.gov](mailto:RFP@puc.nh.gov) no later than 4:30 p.m. EST on September 5, 2018. Inquiries and responses will be posted on the PUC's website at [www.puc.nh.gov/home/requestforproposal.htm](http://www.puc.nh.gov/home/requestforproposal.htm). Please note that answers to questions are carefully considered and may require several days before they are posted. It is strongly recommended that Proposers review the RFP in its entirety as soon as possible to allow the PUC time to answer questions and to allow the Proposer time to complete the proposal.

3. The Commission reserves the right to cancel or withdraw this RFP, to reject or accept any or all Proposals, to reject or accept all or any part of any Proposal, to determine what constitutes a conforming Proposal, to waive irregularities that it considers not material to the Proposal, to award the Proposal solely as it deems to be in the best interest of the State, to contract for any portion of the Proposals submitted and to contract with more than one Proposer if deemed necessary. Notwithstanding any other provision of this RFP, this RFP does not commit the Commission to award a contract.
4. 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.
5. The Commission reserves the right to amend or modify this RFP at its discretion, prior to the Proposal submission deadline. In the event of an amendment or modification of this RFP, the State, at its sole discretion, may extend the Proposal submission deadline, as it deems appropriate.
6. Proposals must be valid for sixty (60) days following the deadline for submission of Proposals.
7. 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 the preparation of or in connection with the Proposal, or for work performed prior to the effective date of any resulting contract.

**I. CERTIFICATES**

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

Secretary of State's Office Certificate of Good Standing ("CGS")	Individuals contracting in their own name do not need a CGS. Business organizations and trade names need a CGS, except for nonresident 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 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).

## **II. FORM OF CONTRACT**

1. The terms and conditions set forth in Form P-37 (v. 5/8/15) General Provisions Agreement (available at: <http://www.puc.nh.gov/Home/requestforproposal.htm>) are part of the proposal and will apply to any contract awarded to the Proposer.
2. Any contract resulting from this RFP shall not be deemed effective until it is signed by the Commission.
3. Any contract awarded through this RFP will expire on December 31, 2021. The Commission at any time, in its sole discretion, may terminate the contract, or postpone or delay all or any part of the contract, upon written notice to the engaged consultant.
4. When responding to this RFP, please include your ability to comply with Paragraph 14 of the Form P-37 General Provisions Agreement, "Insurance", referenced in subparagraph X.1 above. Please note that the Commission will allow substitution of 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 further waive or modify the insurance requirement in Paragraph 14 based on Proposals submitted.

## **III. FINANCIAL INFORMATION AND PUBLIC POSTING REGARDING RFPS**

1. Pursuant to the relevant statutes and regulations, all responses to this RFP shall be considered confidential until the award of a contract. At the time of receipt of Proposals, the State will post the number of responses received with no further information. No later than five (5) business days prior to the final approval of the proposed contract, the Commission will post the name and the rank or score of each Proposer on the PUC website (<http://www.puc.nh.gov/Home/requestforproposal.htm>).
2. The content of each Proposal will become public information upon the effective date of any resulting contract. Any information submitted as part of a response to this RFP may be subject to public disclosure under RSA 91-A. In addition, in accordance with RSA 9-F:1, any contract entered into as a result of this RFP will be made accessible to the public online via the website Transparent NH (<http://www.nh.gov/transparentnh/>). Accordingly, business financial information and proprietary information such as trade secrets, business and financial models and forecasts, and proprietary formulas, may be exempt from public disclosure under RSA 91-A:5, IV. If you believe any information being submitted in response to a request for proposal, bid, or information should be kept confidential as financial or proprietary information, you must specifically identify that information in a letter to the Commission, and should mark/stamp the materials as such. Marking of the entire Proposal or entire sections of the Proposal (e.g., pricing) as confidential will neither be accepted nor honored.
3. Notwithstanding any provision of this RFP to the contrary, contractor pricing will be subject to disclosure upon approval of the contract by the Commission. The State will endeavor to maintain the confidentiality of portions of the Proposal that are clearly and properly marked confidential. If a request is made to the State to view portions of a Proposal that the

contractor has properly and clearly marked as confidential, the State will notify the contractor of the request and of the date upon which the State plans to release the records. A designation by the contractor of information it believes exempt from disclosure does not have the effect of making such information exempt. The State will determine the information it believes is properly exempted from disclosure. By submitting a Proposal, contractors agree that, unless the contractor obtains a court order, at its sole expense, enjoining the release of the requested information, the State may release the requested information on the date specified in the State's notice without any liability to the contractor.