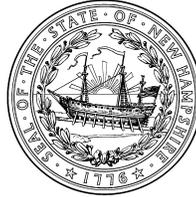


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March 15, 2019

**RFP #2019-002**  
**REQUEST FOR PROPOSALS**  
**Planning Consultant for Energy Efficiency Resource Standard for the Post 2020 Period**

Prospective Consultants:

The New Hampshire Public Utilities Commission (NHPUC or Commission) is seeking proposals from qualified firms to provide advice on (a) Policies relevant and applicable to the Energy Efficiency Resource Standard (EERS); (b) Establishing appropriate goals for the EERS Plan covering 2020 and beyond to include, by example, kWh, KW and MMBTU thresholds, as well as suitable approaches to income eligible programs; (c) the appropriate level of funding relating to the Plan and (d) the appropriate program design and delivery models to achieve stated goals, including ways to identify and address potential barriers and disincentives to serving the income eligible population, as detailed in the December 2018 [Settlement Agreement](#) approved by the Commission on December 31 2018 by [Order No 26,207](#). The Commission anticipates that beyond the \$95,000 budget supporting the Planning Consultant as referenced in the December 2017 Settlement Agreement in this docket, a further \$155,000 will be dedicated over 2019 and 2020 for a total funding over the next two years of \$250,000. According to the terms of the Settlement, one third (\$83,333) will be allocated for use in 2019 and two thirds (\$166,667) will be allocated for use in 2020.

Pertinent dates and information:

1. Electronic proposals must be received by the Commission no later than 4:30 p.m. on April 26, 2019. The electronic copy must be in PDF (portable document file) format.
2. Proposals should be submitted to:

Juli Pelletier, Business Administrator  
New Hampshire Public Utilities Commission  
21 S. Fruit Street, Suite 10  
Concord, NH 0330 1-2429  
[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 April 26, 2019.
4. Prospective consultants 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 March 29<sup>th</sup> 2019. 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 #2019-002 Planning Consultant for the Energy Efficiency Resource Standard for the Post 2020 Period.
5. Follow-up conferences/interviews will be scheduled as needed.
6. An Evaluation Team consisting of Commission staff and/or other qualified personnel will be established to evaluate responses (Proposals) to this RFP submitted by prospective consultants (proposers).

## **I. BACKGROUND**

In 2016, the Commission established an Energy Efficiency Resource Standard (EERS) for New Hampshire Utilities. The Commission has long required the utilities to help their customers save money by using less electricity and gas. The State's 10-year energy strategy, developed under RSA 4-E:1 and crafted with the input of consumer groups, environmental advocacy organizations, utilities, and others, also calls for increased energy efficiency through all sectors of the economy. The Core energy efficiency programs have given the utilities 14 years of experience with developing and implementing cost-effective programs, and the EERS will build on that foundation.

As part of the EERS process, the Commission approved a 2019 Update Plan incorporating the services of a Planning Consultant. The Settlement Agreement envisions that the consultant(s) will share information and provide advice to stakeholders, including the EESE Board, and this collaboration will enhance the development of the EERS programs going forward. The EESE Board has appointed an EERS Committee, which is the primary forum for the Board's EERS work and which makes recommendations to the EESE Board on EERS implementation. Details about the EESE Board and its EERS Committee are available at <https://www.puc.nh.gov/EESE.htm>.

## **II. SCOPE OF SERVICES AND DELIVERABLES**

The Settlement Agreement provides that the consultant(s) will be hired and supervised by the Commission to assist NHPUC Staff, the Utilities, and the Settling Parties, the EESE Board or successor, and others determined by the Commission who will be participating in the Stakeholder Process.

The Settlement Agreement outlines a stakeholder process to begin in the fall of 2019 to take place during meetings of the EERS Committee of the Energy Efficiency and Sustainable Energy Board. Discussion during the stakeholder process will include but not be limited to:

1. Policies relevant and applicable to the EERS;
2. Establishing appropriate goals for the EERS Plan to include, by example, kWh, KW and MMBTU thresholds, as well as suitable approaches to income eligible programs;
3. The appropriate level of funding relating to the next Plan
4. The appropriate program design and delivery models to achieve stated goals, including ways to identify and address potential barriers and disincentives to serving the income eligible population

The Stakeholder Consultant will provide information, analysis and advice to the stakeholders regarding these and other areas of discussion.

Specific tasks for the consultant will include the following:

- (a) Play an essential role in the development of the plan for implementation of the EERS after December 31, 2020.
- (b) Coordinate with the EERS Committee Chair, PUC Staff, Utility staff and others to develop a meeting schedule and framework for topics to be covered during the Stakeholder Process.
- (c) Attend and provide administrative support for those sessions of the EESE Board and its EERS Committee that deal with EERS Plan matters (approximately 12 meetings throughout the contract term).
- (d) Provide advice, technical expertise, and quantitative analysis as requested by the EESE Board, the EERS Committee of the EESE Board, or PUC Staff including:  
(1) appropriate goals (e.g., kWh, kW, and MMBtu savings and goals application to programs); (2) the appropriate level of program funding; and (3) the appropriate program design and delivery models to achieve the stated goals, including ways to identify and address potential barriers and disincentives to serving the income eligible population.
- (e) Provide input and recommendations relative to energy efficiency program and policy best practices from other jurisdictions.
- (f) Assist stakeholders in reviewing any proposals presented to the EERS Committee.
- (g) At year-end 2020, draft a report summarizing the findings of the EERS Plan and related work performed.
- (h) Additional work as assigned by the PUC Staff with notification to the chair of the EESE Board

The consultant will submit an annual report on the progress of planning activities, and the work of the consultant will be subject to an annual evaluation of progress achieved against the above-mentioned scope and tasks to take place during the month of December of the program.

### **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, 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 proposed services, including a description of the EM&V goals and 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, preferably 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.
7. Detailed Program Budget: Provide detailed annual program budgets for a three-year period, including details on key personnel including position, rates, and hours. (up to 3 pages)

## **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; first place shall receive 20 points, second shall receive 17, third shall receive 14, fourth shall receive 11, etcetera)
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, proposed scope of work and schedule. (Maximum Point Score: 10)

## **VI. TERM OF CONTRACT**

The term of the contract shall be from its effective date of October 1<sup>st</sup> 2019 to and including December 31, 2020.

## **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 no later than 4:30 p.m. EST on April 26, 2019. 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 April 20, 2019. Proposals must be addressed to Juli Pelletier, 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 March 29<sup>th</sup> 2019. Inquiries and responses will be posted on the NHPUC'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.

### VIII. 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).

### IX. 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 the initial term and the ability to renew are approved by Governor and Council, and subsequent options to renew are exercised in writing by the Commission.

3. Any contract awarded through this RFP will expire on December 31, 2020. 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.

## **X. 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.