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May 6, 2013

## REQUEST FOR PROPOSALS

### Grants for renewable energy generation projects in the commercial and industrial (non-residential) sector

The New Hampshire Public Utilities Commission (PUC or Commission) is seeking proposals for funding of thermal or electric renewable energy projects located in New Hampshire. Projects that are eligible to apply for a rebate under the Commission's existing commercial and industrial (C&I) solar rebate program, i.e., photovoltaic and solar thermal systems up to 100 kW, are not eligible for funding under this solicitation. Total funding available under this RFP is currently \$1.8 million but additional funding may become available subsequent to publication of this notice. Applications are due Friday, June 7, 2013. The minimum amount for proposals is \$100,000; there is no maximum amount.

#### Proposal Submissions:

1. Bidders may submit written inquiries about this RFP by e-mail to: [RFP@puc.nh.gov](mailto:RFP@puc.nh.gov) no later than May 20, 2013. No phone calls, please. Inquiries and responses will be posted on the PUC's website as they are received. Please note that answers to questions are carefully considered and may require several days before they are posted. It is highly recommended that applicants review the RFP as soon as possible to allow the PUC time to answer questions and to allow the applicant time to complete the proposal.
2. Proposals must be received by the PUC prior to 4:30 p.m. on Friday, June 7, 2013. Proposals must be submitted to:

Lynn Fabrizio, Director of Administration  
New Hampshire Public Utilities Commission  
21 S. Fruit Street, Suite 10  
Concord, NH 03301-2429

3. One original signed paper copy, seven additional paper copies, and an electronic copy of the proposal must be filed by the deadline. The electronic copy must be in PDF (portable document file) format and filed on a CD or USB drive with the paper copies. Proposals sent by fax or e-mail will not be accepted.

## **I. Background and Purpose**

### *Background*

The New Hampshire Public Utilities Commission is an executive branch agency with various responsibilities, among them 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>1</sup> (REF), pursuant to RSA 362-F:10. The purpose of the REF is to support thermal and electric renewable energy initiatives in New Hampshire. Administrative Rules, specifically Puc 2507, which can be found at [www.puc.nh.gov/Regulatory/Rules/Puc2500.pdf](http://www.puc.nh.gov/Regulatory/Rules/Puc2500.pdf), also govern the administration of the REF.

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, SB 218, 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, biomass thermal, and ground source heat pumps.

The Commission currently has one commercial and industrial renewable energy incentive program (a solar rebate program) and three residential renewable energy rebate programs. Any project that is eligible for funding under one of the four existing rebate programs is not eligible for funding under this solicitation. For more details on the existing rebate program, visit [www.puc.nh.gov/Sustainable%20Energy/RenewableEnergyRebates.html](http://www.puc.nh.gov/Sustainable%20Energy/RenewableEnergyRebates.html)

### *Purpose*

One of the main purposes of the REF is to use ACP revenue to incent investment in renewable energy projects that will in turn generate new RECs. Investing in renewable energy projects increases REC supplies and drives REC prices down. This lowers electricity suppliers' RPS compliance costs, resulting in lower costs for ratepayers. Targeting REF funds to projects that increase the supply of RECs helps the State achieve its renewable energy goals at lower costs.

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<sup>1</sup> The REF is funded through Alternative Compliance Payments (ACPs) made by the distribution utilities and competitive electric suppliers in the absence of Renewable Energy Credits available in the market, for sale, at a price that is equal to or less than the ACPs. The price of ACPs is set each year, pursuant to RSA362:F, II.

The Commission is seeking proposals from qualified individuals, teams, or entities to support electrical and thermal renewable energy projects in New Hampshire's commercial and industrial (non-residential) sector that will result in the creation of substantial numbers of RECs. To be eligible for funding, projects require new investments in eligible renewable energy projects that will result in the production of electrical or thermal RECs, or both. Renewable energy is defined in #1 below. Projects eligible for the existing C&I solar rebate program are not eligible for funding under this RFP.

The total funding available under this RFP is currently \$1.8 million but additional funding may become available subsequent to the issuance of this RFP. The minimum amount for proposals is \$100,000; there is no maximum amount.

### *Basic Project Requirements*

1. To be eligible for funding under this RFP, projects must utilize grant funds primarily for capital investments<sup>2</sup> 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. Projects must be in the non-residential sector in New Hampshire. Renewable energy includes electricity generated from wind, ocean thermal, wave, current, tidal, hydrogen derived from biomass fuels or methane gas, methane gas, biomass, hydroelectric, and solar electric technologies or useful thermal energy produced from ground source geothermal heat pumps, biomass, and solar thermal technologies.
2. Projects must be completed within 2 years of award. Costs incurred prior to final grant agreement approval by the Executive Council are not eligible for reimbursement.
3. Projects eligible for the existing C&I solar rebate program are not eligible for funding under this RFP.
4. Projects must be physically located in New Hampshire.
5. Projects must be at commercial, industrial, public, non-profit, municipal, or school facilities, and may include multi-family residences of three units or more. Residential projects are not otherwise eligible.

## **II. Proposal Submission Requirements**

The overall proposal emphasis should be on completeness and clarity of content. **Applicants are strongly encouraged to print or copy their proposals double-sided and stapled in the upper left hand corner.** The strongly preferred font size is 12 points with 1" page margins. Page numbers are required. Proposals shall include the following:

- A. Letter of Transmittal** (1 page, including name of project, and contact information for and signature of, project lead)
- B. Summary of Proposal** (1 page) Please use the form provided in Attachment A.
- C. Technical Project Proposal** (no more than 4 pages, not including site photos, maps, or system schematics)

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<sup>2</sup> Labor costs, engineering costs, design, permitting, and legal costs that are associated with, and incurred in conjunction with a capital investment also qualify as reimbursable costs through this solicitation.

- a. Overview of project, project site (including site photos), technology employed, generating facility features (including a system schematic), and proposed operation date.
- b. Project ownership structure, including names of all project owners and project location ownership and/or leasing structure.
- c. Description of the project site's resource availability (i.e. wind resource, insolation).
- d. Project timeline, including start date, key milestones in project progress (design, permitting, construction, start-up, commissioning), and expected completion (project is operational) date.
- e. Assignment and roles of individual key project personnel.
- f. Estimate of work to be performed in house and by sub-contractors and identify potential sub-contractors.
- g. Description of operation and maintenance plan for after the system has become operational, including estimated project lifespan.

**D. Qualifications and Experience** (no more than 3 pages, not including resumes)

- a. Qualifications, experience, and roles of the project team with resumes of key personnel, including sub-contractors, if applicable. Resumes can be included as an attachment and do not count toward the page limit.
- b. The name, and contact information of the person who has the authority to enter into a binding agreement.
- c. Summaries of similar projects undertaken by key personnel (date of project installation, summary of project, client name, name and phone number of contact for reference).

**E. Renewable Energy Generation and Capacity** (1 page, not including model results and charts)

- a. Projected Kilowatt hours (or Btus where applicable) generated (annual and lifetime).
- b. Power capacity in kW (AC and DC) or kW equivalent (nameplate, gross and net capacities).
- c. Modeling results of expected gross and net capacities and estimated annual energy production.
- d. Daily, monthly, and annual load curves.
- e. Projected increase in annual supply of NH renewable energy credits (RECs), by class, resulting from project.

**F. Cost & Financing** (no more than 3 pages)

- a. Total project cost estimate, itemized for equipment, labor, design, permitting, balance of system costs, etc.
- b. The project's financing plan, description of financing status, and letters of intent/commitment from 3<sup>rd</sup> party financiers, if applicable.
- c. Description of all other financial resources, including grants, rebates, tax credits, etc.
- d. Levelized cost of kWh, or thermal equivalent, produced (over lifetime of project).
- e. Projected Return on Investment (ROI) or Net Present Value (NPV) of project, with and without requested grant funding.

**G. Potential Environmental, Economic Development and Societal Benefits** (no more than 2 pages)

- a. Environmental benefits
  - i. Fossil-fuel displaced (shown in gallons of oil, Tcf of natural gas, tons of coal, kWh)
  - ii. Tons of CO2e avoided and/or reduced
  - iii. Emissions rates for thermal projects fueled by biomass.
- b. Economic Development
  - i. Direct jobs created and/or;
  - ii. Jobs retained (please show justification for estimate).
- c. Societal Benefits
  - i. Description of any benefits to public or non-profit entities, reduction in peak load in New Hampshire, and potential of project to defer or eliminate local utility distribution plant expenditures.
  - ii. Description of high performance design and/or energy efficiency components to the project or project site, if applicable.
  - iii. Description of an educational component to the project, if one will exist upon completion.

#### H. Conflicts of Interest

- a. Describe any potential conflicts of interest on the part of the project team or its sub-contractors.

### III. Proposal Selection Process and Criteria

The Commission will evaluate all proposals received based upon completeness, clarity, and quality of the proposal, how well the project meets the goals of RSA 362-F and the Renewable Energy Fund, reasonableness of cost, the qualifications of the project team, and the likelihood of project completion. Specifically, all projects will be considered based upon the following factors, as detailed in Puc 2507.03(b) *Renewable Energy Initiatives*:

- 1) The extent to which the project is likely to expand or support the REC production capacity of renewable energy facilities located in New Hampshire;
- 2) The extent to which the project is likely to be cost-effective, including use of grant funds;
- 3) The extent to which the project promotes market transformation, innovation, and energy cost savings;
- 4) The extent to which the project will reduce New Hampshire's peak electric load as well as defer or eliminate local utility distribution plant expenditures;
- 5) The economic development potential of the project;
- 6) The environmental benefits for New Hampshire;
- 7) The ability of the project to increase the end-use fuel diversity in New Hampshire;
- 8) The applicant's capacity to successfully complete the project; and
- 9) The significance of the proposed assistance of the REF in the viability of the project.

Pursuant to Puc 2507.03(c) the Commission will fund those initiatives that it finds are:

- (1) Substantially consistent with the factors set forth above;
- (2) Realistically proposed and achievable by the applicant; and
- (3) Most likely, on balance, to advance the purposes of RSA 362-F, within the constraint of available funds.

Proposals will be reviewed and evaluated by an Evaluation Team, which will consist of Commission staff and other state agency staff, using a four-step process, as listed below:

Step 1: Assess completeness and responsiveness of proposals.

Step 2: Conduct interviews as needed and score conforming proposals (see Attachment B for an example of the scoring sheet).

Step 3: Submit recommendations to Commissioners; Commission selection of awardees.

Step 4: Submit grant agreements to Governor and Executive Council for approval.

#### **IV. General Conditions**

1. 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 nonmaterial to the proposal, to make funding decisions, including partial awards, solely as it deems to be in the best interest of the State, and to negotiate with any party in any manner deemed necessary to best serve the interests of the State.
2. The Commission reserves the right to request additional information from any or all parties submitting proposals to assist in its evaluation process.
3. All information relating to this proposal (including but not limited to fees, contracts, agreements and costs) are subject to the laws of New Hampshire regarding public information. RSA 21-I:13-a, II provides that “No information shall be available to the public, the members of the general court or its staff, notwithstanding the provisions of RSA 91-A:4, concerning specific invitations to bid or other proposals for public bids, from the time the invitation or proposal is made public until the bid is actually awarded, in order to protect the integrity of the public bidding process.” If any applicant asserts that any portion of its application is exempt from public disclosure as “confidential, commercial, or financial information” pursuant to RSA 91-A:5, after funding decisions are made, it should provide support for such claim as part of the application, explaining what measures the applicant has taken to keep such information confidential and the privacy or competitive business interest that would be harmed if such information were to be publicly released. The Commission would then determine, if needed, whether such information qualifies under the law (RSA 91-A) for exemption from public disclosure.
4. The Commission shall not be responsible for any costs incurred by any party in preparation of any proposal submitted in response to this RFP.
5. 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.
6. The Commission reserves the right to amend or cancel this RFP at any time if the best interest of the State requires such action. Applicants should check the PUC website at <http://www.puc.nh.gov/Sustainable%20Energy/RFPs.htm> for any addenda to this RFP before filing their proposals.

7. Recipients of funds will be required to submit their Taxpayer Identification Number (TIN) or Social Security Number (SSN).
8. The terms and conditions set forth in the State's "General Provisions" for grant agreements, attached hereto as Attachment C, will apply to the funding agreement to be entered into with grant recipients. In addition, each agreement will be supplemented by three exhibits. Exhibit A will set forth in detail the Scope of Services. Exhibit B will set forth the amount of the grant, and schedule and conditions of payments. Exhibit C will include any special provisions including any modifications to the General Provisions.
9. If an applicant's proposal is selected, any subsequent material changes or modifications to the overall program budget or key program personnel must be submitted for approval.
10. This program is not an offer. Neither the State nor this program shall create any commitment on the part of the State or confer any rights on the part of the applicant unless and until a binding written award agreement is executed between the NH PUC and the Applicant.
11. There will be reporting and inspection requirements for the projects that are awarded grants under this solicitation. These may include, but are not limited to the reporting of expenditures and annual energy production for up to ten years after the project becomes operational. Pursuant to Puc 2507.05 any recipient of any monies disbursed from the renewable energy fund 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.

## V. CERTIFICATES

Successful applicants will be required to provide the following certificates prior to entering into a contract or grant agreement:

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 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).

**Attachment A. PROJECT SUMMARY SHEET**

*Please fill in and insert directly following the letter of transmittal in your final proposal submission.*

<b>Project Name:</b>		
<b>Project Team (name, role):</b>	1. 2. 3. 4. 5.	
<b>Project Location:</b>		
<b>Technology Employed:</b>		
<b>Brief Project Description:</b> <i>(please include project life, in years)</i>		
<b>Capacity and Energy:</b>	(kilowatts) (Btus)	(kWh/year) (Btus/year)
<b>Total Project Cost:</b>	(\$)	
<b>Total Funding Requested under this RFP:</b>	(\$)	
<b>Economic Development Benefits:</b>	(including jobs created/retained)	
<b>Environmental Benefits:</b>	(Tons of CO <sub>2</sub> e avoided/yr)	
	(Gallons of fossil-fuel displaced/yr)	
	(peak load reduction, kW)	
<b>Anticipated Project Completion date:</b>		

**Attachment B. SCORING CRITERIA SAMPLE SHEET**

Applicant:

Technology:

Reviewer:

Date:

Is this project eligible to receive funding under the C&I rebate program?    Yes No  
 Will the project be completed within two years?                                    Yes No

Criteria	Criteria Points	Comments
The extent to which the project is likely to expand or support the production capacity of renewable energy facilities located in New Hampshire (including specifically NH REC qualification)	25	
Likely cost-effectiveness	10	
Promotes market transformation, innovation, and energy cost savings	5	
Reduces New Hampshire’s peak load as well as defer or eliminate local utility distribution plant expenditures	5	
Economic development and job creation	10	
Environmental benefits including CO2 reductions	10	
Increases fuel diversity in the production of electricity or thermal energy for consumption in New Hampshire	5	
Capacity to successfully complete the initiative	20	
Significance of the proposed assistance of the renewable energy fund in the viability of the project, and the utilization of other financial resources	10	
<b>GRAND TOTAL</b>	<b>100</b>	

## **Attachment C. GENERAL PROVISIONS**

Visit:

[www.puc.nh.gov/Sustainable%20Energy/RFPs/2011%20C&I%20RFP/Grant%20Agreement%20Form-General%20Provisions.pdf](http://www.puc.nh.gov/Sustainable%20Energy/RFPs/2011%20C&I%20RFP/Grant%20Agreement%20Form-General%20Provisions.pdf) to find the General Provisions for a contract or grant agreement executed between the State of New Hampshire and a Grantee.

Applicants will be required to fill in this form only upon award of grant funds.