STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

STATE ENERGY OFFICE

OLYMPIA, WASHINGTON

NOTICE OF FUNDING OPPORTUNITY

PROJECT TITLE: CEF 2 Reappropriation Energy Grants to Non-Profit Lenders

PROPOSAL DUE DATE: 7-31-2018

BIDDER CONFERENCE DATE: 7/9/2018 3-4 pm PST

EXPECTED TIME PERIOD FOR CONTRACT: September 2018 to August 2028

LENDER ELIGIBILITY: This procurement is open to those nonprofit lenders that satisfy the minimum qualifications stated herein and that are available for work in Washington State.

CONTENTS OF THE REQUEST FOR QUALIFICATIONS:

1. Introduction
2. General Information for Lenders
3. Proposal Contents
4. Evaluation and Award
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	1. Certifications and Assurances
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# INTRODUCTION

## PURPOSE AND BACKGROUND

The Washington Legislature re-appropriated $40 million to the Department of Commerce, State Energy Office in the 2017-2019 capital budget Substitute Senate Bill 6090 for the Clean Energy Fund (CEF 2) to develop, demonstrate, and deploy clean energy technologies. The CEF 2 re-appropriation included $13,600,000 for Revolving Loan Fund of which $3,104,000 will be available to create revolving loan fund grants to support the widespread use of proven energy efficiency and renewable energy technologies now inhibited by lack of access to capital. A copy of the proviso is found in Exhibit B.

Commerce is requesting qualifications from eligible nonprofit lenders who have experience in providing credit for energy efficiency and/or renewable power. Commerce will select one or more lenders that meet the selection criteria to operate the program.

Fund goals include the following:

* Support jobs and economic development in the state
* Timely deployment of capital
* Leverage additional capital
* Sustained operation of the revolving loan fund
* Growth of the market for energy efficiency and renewables
* Support the widespread use of proven energy efficiency and renewable energy technologies now inhibited by lack of access to capital.

The re-appropriation legislation identifies transportation-related investment, including electric vehicle charging infrastructure, as a new area of program focus. Commerce encourages proposals that would offer financing for assets in this sector that are now inhibited by lack of access to capital.

The awarded program monies can only be loaned out to borrowers qualified by the contracted awardee and will NOT be allowed to pay for administrative or support costs of the Awardee in their efforts to manage the program.

## OBJECTIVE

COMMERCE will identify qualified Awardee(s) to administer the fund using a Notice of Funding Opportunity (NOFO) process. Highest scoring candidates may be asked to participate in an oral interview process. Once Awardee(s) are selected and announced Commerce will work with Awardee(s) to discuss specific details of their respective program proposals and develop a contract.

COMMERCE may award one or more contracts to nonprofit lenders who submit proposals as a result of this NOFO.

This process will allow Commerce to receive, evaluate and score applicants’ qualifications. Awardees granted a contract would manage and run a revolving energy loan fund on behalf of Commerce and the state of Washington.

## MINIMUM QUALIFICATIONS

Qualifying entities must be nonprofit lenders licensed to do business in the state of Washington including, but not limited to:

* Community Development Financial Institutions as certified by CDFI Fund, US Treasury Dept.
* Credit Unions
* State conduit financing entities like the Housing Finance Commission
* Other Nonprofits

Nonprofit lenders who apply for grants to establish or support a revolving fund must address each of the following program requirements:

* Provide at least one to one dollar match of private funds to the CEF 2 energy loan fund grant to non-profit lenders program funds. State funds must not exceed fifty percent of the estimated cost of a project.
* Fund projects that develop and acquire assets that have a useful life of at least thirteen years.
* Disclose all sources of public funds invested in the project.
* Make loans available but not limited to: Residential, commercial, industrial, and agricultural energy retrofits, residential and community-scale solar installations, anaerobic digesters to treat dairy and organic waste, and combined heat and power projects using woody biomass as a fuel source, transportation electrification technologies, including electric vehicle charging infrastructure and equipment for cars, trucks, and buses, upgrades to facilitate such as equipment and infrastructure, and acquisition of zero-emission buses and class 4-8 vehicles, including but not limited to trucks and passenger shuttles

Nonprofit lenders who apply for grants to establish or support a revolving fund must address each of the following program characteristics:

* Organizational capacity to attract matching capital, generate deal flow, underwrite loans, manage a loan portfolio, and meet requirements for reporting and compliance.
* Underwrite credits within their organization, and cannot use an affiliated organization for underwriting, credit determination, or portfolio management.
* Have at least *5* years of experience in clean energy sector lending or relevant real estate lending experience in the case of energy retrofits and upgrades.

Commit to reporting on a quarterly and annual basis. Any proposal that is rejected as non-responsive will not be evaluated or scored.

In preparing this proposal, the nonprofit lender has not been assisted by any current or former employee, employed in the last 24 months with the state of Washington whose duties relate (or did relate) to this proposal or prospective contract, and who was assisting in other than his or her official, public capacity.

## FUNDING

The overall budget for this project shall not exceed ***$3,104,000.***

Any contract(s) awarded as a result of this NOFO is contingent upon the availability of funding.

The fund will support the widespread use of proven energy efficiency and renewable energy technologies now inhibited by lack of access to capital.

Commerce will make a capital grant (per Exhibit B) to the lender that the lender will match at 1:1, at a minimum, with private capital. Funding preference will be provided to applications that offer a higher percentage of private match funds.

Commerce will flow funds to the nonprofit lenders in tranches based on loan production. For example, if one lender was granted $3 million, Commerce could structure three tranches of $1 million. The nonprofit lender would have to match at least $1 million in available loan funds at the time the first $1 million tranche flowed from Commerce. The funding of subsequent tranches would depend on loan volume.

## PERIOD OF PERFORMANCE

The period of performance of any contract(s) resulting from this NOFO will begin on the latest date the contract is signed with Commerce and extend for 10 years from that date.

## DEFINITIONS

Definitions for the purposes of this NOFO include:

Applicant A lender that responds to this solicitation and submits a timely and complete proposal in response to this solicitation.

Awardee Individual or company whose proposal has been accepted by COMMERCE and is awarded a fully executed, written contract.

COMMERCE The Department of Commerce is the agency of the state of Washington that is issuing this NOFO.

Lender A company that is eligible to receive a grant in response to this solicitation and submits a timely and complete proposal in response to this solicitation.

Notice of Funding Opportunity (NOFO). Formal procurement document in which services needed are identified and firms are invited to provide their qualifications to provide the services.

Proposal A formal offer submitted in response to this solicitation.

## ADA

COMMERCE complies with the Americans with Disabilities Act (ADA). Applicants may contact the NOFO Coordinator to receive this Request for Qualifications and Quotation in Braille or on tape.

## Program Requirements

This section outlines program requirements that Awardees must meet throughout the fund management:

* Loan applications must disclose all sources of public funds invested in the project.
* Awardee must make loans available to one or more of the following types of projects that include, but are not limited to, residential, commercial, industrial, and agricultural energy retrofits, residential and community-scale solar installations, anaerobic digesters to treat dairy and organic waste, and combined heat and power projects using woody biomass as a fuel source, transportation electrification technologies, including electric vehicle charging infrastructure and equipment for cars, trucks, and buses, upgrades to facilitate such as equipment and infrastructure, and acquisition of zero-emission buses and class 4-8 vehicles, including but not limited to trucks and passenger shuttles
* State funds may not exceed fifty percent of the estimated cost of a project.

# GENERAL INFORMATION FOR APPLICANTS

## NOTICE OF FUNDING OPPORTUNITY COORDINATOR

The NOFO Coordinator is the sole point of contact in COMMERCE for this procurement. All communication between the Applicant and COMMERCE upon receipt of this NOFO shall be with the NOFO Coordinator, as follows:

|  |  |
| --- | --- |
| Name | Cathy Brockmann |
| Mailing AddressStreet Address | POB 42525, Olympia WA 98504-25251011 Plum Street SE, Olympia WA 98504-2525 |
| Phone Number | 360-522-3390 |
| NOFO Website | [http://www.commerce.wa.gov/serving-communities/current-opportunities-2](http://www.commerce.wa.gov/serving-communities/current-opportunities-2/)/<http://www.commerce.wa.gov/growing-the-economy/energy/clean-energy-fund/> |
| E-Mail Address | energy\_policy@commerce.wa.govSUBJECT LINE naming convention: CEF 2 ERLF, applicants name, topic |

Any other communication will be considered unofficial and non-binding on COMMERCE. Lenders are to rely on written statements posted on the COMMERCE CEF 2 webpage. Communication directed to parties other than the NOFO Coordinator may result in disqualification of the Lender.

## ESTIMATED SCHEDULE OF PROCUREMENT ACTIVITIES

|  |  |
| --- | --- |
| Issue Request for Qualifications and Quotation | 6/28/18 |
| Host Bidder Conference | 7/9/2018 |
| Proposals due | 7/31/2018 |
| Advisory Committee to evaluate applications and score making recommendations | 8/7/2018 – 8/21/2018 |
| Conduct oral interviews with finalists, if required | 8/28/2018 |
| Announce “Apparent Successful Awardee” and send notification via e-mail to unsuccessful proposers | 9/4/2018 |
| Hold debriefing conferences (if requested) | 9/10/2018 |

 COMMERCE reserves the right to revise the above schedule.

## BIDDER CONFERENCE

Commerce intends to host a bidder conference to receive and answer questions from potential applicants. The virtual bidder conference will be held July 9, 2018 3-4PM Pacific Standard Time via Skype meeting. It is recommended that if you plan to submit a request that you attend the bidders conference.

COMMERCE will be bound only to COMMERCE’s written answers to submitted written questions. Questions arising at the bidder conference or in subsequent communication with the NOFO Coordinator must be written and will be answered in written form. A copy of the questions and answers will be posted to the same page as the NOFO and can be found at: <http://www.commerce.wa.gov/growing-the-economy/energy/clean-energy-fund/>

## SUBMISSION OF PROPOSALS

The proposal must be received by the NOFO Coordinator via email no later than 5 pm, Pacific Standard Time (PST), on *July 31, 2018*

Proposals must be submitted electronically as an attachment to an e-mail to the NOFO Coordinator, at the e-mail address listed in Section 2.1. Attachments to e-mail shall be in Microsoft Word format or PDF. Zipped files cannot be received by COMMERCE and cannot be used for submission of proposals. The cover submittal letter and the Certifications and Assurances form must have a scanned signature of the individual within the organization authorized to bind the Consultant to the offer. COMMERCE does not assume responsibility for problems with Consultant’s e-mail. If COMMERCE email is not working, appropriate allowances will be made.

Proposals may not be transmitted using facsimile transmission.

Consultants should allow sufficient time to ensure timely receipt of the proposal by the NOFO Coordinator. Late proposals will not be accepted and will be automatically disqualified from further consideration, unless COMMERCE e-mail is found to be at fault. All proposals and any accompanying documentation become the property of COMMERCE and will not be returned.

## PROPRIETARY INFORMATION/PUBLIC DISCLOSURE

Proposals submitted in response to this competitive procurement shall become the property of COMMERCE. All proposals received shall remain confidential until the contract, if any, resulting from this NOFO is signed by the Director of COMMERCE, or the Director’s Designee, and the apparent successful Applicant. Thereafter, the proposals shall be deemed public records as defined in Chapter 42.56 of the Revised Code of Washington (RCW).

Any information in the proposal that the Applicant desires to claim as proprietary and exempt from disclosure under the provisions of Chapter 42.56 RCW or another state law that provides for nondisclosure of the document, must be clearly designated. The information must be clearly identified and the particular exemption from disclosure upon which the Applicant is making the claim must be cited. Each page containing the information claimed to be exempt from disclosure must be clearly identified by the words “Proprietary Information” printed on the lower right hand corner of the page. Marking the entire proposal exempt from disclosure will not be honored.

If a public records request is made for the information that the Applicant has marked as “Proprietary Information” COMMERCE will notify the Applicant of the request and of the date that the records will be released to the requester unless the Lender obtains a court order from a court of competent jurisdiction enjoining disclosure pursuant to Chapter 42.56 RCW, COMMERCE shall maintain the confidentiality of the Applicant’s information per the court order.

A charge will be made for copying and shipping, as outlined in Chapter 42.56 RCW. No fee shall be charged for inspection of contract files, but twenty-four (24) hours’ notice to the NOFO Coordinator is required. All requests for information should be directed to the COMMERCE Public Disclosure Coordinator.

## REVISIONS TO THE NOFO

In the event it becomes necessary to revise any part of this NOFO, addenda will be posted on the website listed in Section 2.1.

COMMERCE also reserves the right to cancel or to reissue the NOFO in whole or in part, prior to execution of a contract.

## MINORITY & WOMEN-OWNED BUSINESS PARTICIPATION

In accordance with the legislative findings and policies set forth in Chapter 39.19 RCW, the state of Washington encourages participation in all of its contracts by firms certified by the Office of Minority and Women’s Business Enterprises (OMWBE). Participation may be either on a direct basis in response to this solicitation or on a subcontractor basis. However, no preference will be included in the evaluation of proposals, no minimum level of MWBE participation shall be required, as a condition for receiving an award and proposals will not be rejected or considered non-responsive on that basis.

The established annual procurement participation goal for MBE is 10% and for WBE is 4% for this type of project. These goals are voluntary. Lenders may contact OMWBE at

360-664-9750 to obtain information on certified firms.

## ACCEPTANCE PERIOD

Proposals must provide 60 days for acceptance by COMMERCE from the due date for receipt of proposals.

## RESPONSIVENESS

All proposals will be reviewed by the NOFO Coordinator to determine compliance with administrative requirements and instructions specified in this NOFO. The Applicant is specifically notified that failure to comply with any part of the NOFO may result in rejection of the proposal as non-responsive.

COMMERCE also reserves the right, however, at its sole discretion to waive minor administrative irregularities.

## MOST FAVORABLE TERMS

COMMERCE reserves the right to make an award without further discussion of the proposal submitted. Therefore, the proposal should be submitted initially on the most favorable terms that the Applicant can propose. COMMERCE does reserve the right to contact an Applicant for clarification of its proposal.

The Applicant should be prepared to accept this NOFO for incorporation into a contract resulting from this NOFO. Contract negotiations may incorporate some or all of the Applicant’s’ proposals. It is understood that the proposal will become a part of the official procurement file on this matter without obligation to COMMERCE.

## CONTRACT AND GENERAL TERMS & CONDITIONS

**2.11.1** The apparent successful Awardee(s) will be expected to enter into a contract. In no event is an Awardee to submit its own standard contract terms and conditions in response to this solicitation.

2.11.2 Commerce’s role will provide:

1. compliance oversight of lender partner
2. reporting assistance
3. program monitoring
4. develop program policies, procedures and performance standards

2.11.3 The Awardees must identify one or more of the allowable uses identified below which they intend to market to and make loans for. The allowable uses of funds for this program include but are not limited to the following energy efficiency and renewable energy project types:

1. Residential energy retrofits
2. Commercial energy retrofits
3. Residential and community scale solar
4. Residential and community scale wind
5. Anaerobic digesters to treat dairy and organic waste
6. Combined heat and power projects using woody biomass as a fuel
7. Transportation electrification technologies, including electric vehicle charging infrastructure and equipment for cars, trucks, and buses, upgrades to facilitate such as equipment and infrastructure, and acquisition of zero-emission buses and class 4-8 vehicles, including but not limited to trucks and passenger shuttles

## COSTS TO PROPOSE

COMMERCE will not be liable for any costs incurred by the Applicant in preparation of a proposal submitted in response to this NOFO, in conduct of a presentation, or any other activities related to responding to this NOFO.

## NO OBLIGATION TO CONTRACT

This NOFO does not obligate the state of Washington or COMMERCE to contract for services specified herein.

## REJECTION OF PROPOSALS

COMMERCE reserves the right at its sole discretion to reject any and all proposals received without penalty and not to issue a contract as a result of this NOFO.

## COMMITMENT OF FUNDS

The Director of COMMERCE, or the Director’s Designee, is the only individual who may legally commit COMMERCE to the expenditures of funds for a contract resulting from this NOFO. No cost chargeable to the proposed contract may be incurred before receipt of a fully executed contract.

## INSURANCE COVERAGE

The Awardee is to furnish COMMERCE with a certificate of insurance executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements set forth below.

The Awardee shall, at Awardee’s own expense, obtain and keep in force insurance coverage, which shall be maintained in full force and effect during the term of the contract. The Awardee shall furnish evidence in the form of a Certificate of Insurance that insurance shall be provided, and a copy shall be forwarded to COMMERCE within fifteen (15) days of the contract effective date.

Liability Insurance

1. *Commercial General Liability Insurance (CGL):* Awardee shall maintain general liability insurance and, if necessary, commercial umbrella insurance, with a limit of not less than $1,000,000 per each occurrence. If CGL insurance contains aggregate limits, the general aggregate limit shall be at least twice the “each occurrence” limit. CGL insurance shall have products-completed operations aggregate limit of at least two times the “each occurrence” limit. CGL insurance shall be written on ISO occurrence from CG 00 01 (or a substitute form providing equivalent coverage). All insurance shall cover liability assumed under an insured contract (including the tort liability of another assumed in a business contract), and contain separation of insureds (cross liability) condition.

Additionally, the Awardee is responsible for ensuring that any subcontractors provide adequate insurance coverage for the activities arising out of subcontracts.

1. *Business Auto Policy:* As applicable, the Awardee shall maintain business auto liability and, if necessary, commercial umbrella liability insurance with a limit not less than $1,000,000 per accident. Such insurance shall cover liability arising out of “Any Auto.” Business auto coverage shall be written on ISO form CA 00 01, 1990 or later edition, or substitute liability form providing equivalent coverage.

Employers Liability (“Stop Gap”) Insurance

In addition, the Awardee shall buy employers liability insurance and, if necessary, commercial umbrella liability insurance with limits not less than $1,000,000 each accident for bodily injury by accident or $1,000,000 each employee for bodily injury by disease.

Additional Provisions

Above insurance policy shall include the following provisions:

* Additional Insured. COMMERCE, it’s elected and appointed officials, agents and employees shall be named as an additional insured on all general liability, excess, umbrella and property insurance policies. All insurance provided in compliance with this contract shall be primary as to any other insurance or self-insurance programs afforded to or maintained by the state.
* Cancellation. COMMERCE shall be provided written notice before cancellation or non-renewal of any insurance referred to therein, in accord with the following specifications. Insurers subject to 48.18 RCW (Admitted and Regulation by the Insurance Commissioner): The insurer shall give the state 45 days advance notice of cancellation or non-renewal. If cancellation is due to non-payment of premium, the state shall be given 10 days advance notice of cancellation. Insurers subject to 48.15 RCW (Surplus lines): The state shall be given 20 days advance notice of cancellation. If cancellation is due to non-payment of premium, the state shall be given 10 days advance notice of cancellation.
* Identification. Policy must reference COMMERCE’s contract number and state name.
* Insurance Carrier Rating. All insurance and bonds should be issued by companies admitted to do business within the state of Washington and have a rating of A-, Class VII or better in the most recently published edition of Best’s Reports. Any exception shall be reviewed and approved by COMMERCE, the risk manager for the state of Washington, before the contract is accepted or work may begin. If an insurer is not admitted, all insurance policies and procedures for issuing the insurance policies must comply with Chapter 48.15 RCW and 284-15 WAC.
* Excess Coverage. By requiring insurance herein, the state does not represent that coverage and limits will be adequate to protect the Awardee and such coverage and limits shall not limit the Awardee’s liability under the indemnities and reimbursements granted to the state in this contract.

Workers’ Compensation Coverage

The Awardee will at all times comply with all applicable workers’ compensation, occupational disease, and occupational health and safety laws, statutes, and regulations to the full extent applicable. The state will not be held responsive in any way for claims filed by the Awardee or their employees for services performed under the terms of this contract.

# PROPOSAL CONTENTS

Proposals must provide information in the same order as presented in this document with the same headings. This will not only be helpful to the evaluators of the proposal but should assist the Applicant in preparing a thorough response.

Items in this section marked “mandatory” must be included as part of the proposal for the proposal to be considered responsive, however, these items are not scored. Items marked “scored” are those that are awarded points as part of the evaluation conducted by the evaluation team.

## LETTER OF SUBMITTAL (MANDATORY)

The Letter of Submittal and the attached Certifications and Assurances form (Exhibit A to this NOFO) must be signed and dated by a person authorized to legally bind the Applicant to a contractual relationship, e.g., the president or executive director of a corporation, the managing partner of a partnership, or the proprietor of a sole proprietorship. Attach the Certifications and Assurances form to the Letter of Submittal.

## QUALIFICATIONS SECTION

The services to be provided under this NOFO are:

* Identifying prospective borrowers
* Providing client support, underwriting loans
* Conducting risk analysis
* Managing loan portfolios
* Meeting compliance requirements

The qualifications section of the proposal must contain information that will demonstrate to the evaluation committee the Applicant’s understanding of the types of services proposed, the Lenders ability to accomplish them, and the ability to meet tight timeframes.

The qualifications (Section 3.2.3) response is to be submitted in separate sections as follows: 1) Business History and Service Experience, 2) Detailed Lending Experience, 3) Staffing, 4) Revolving Loan Fund Program Proposal, 5) Schedule, and 6) Reference. The optional seventh section would include proof of certification for minority and women-owned businesses participating on the project.

### Business Information (Mandatory)

1. State the following information:
	* Name of the Nonprofit Lender
	* Area of Expertise
	* Lender’s interest in NOFO
	* Number of Lenders and Underwriters
	* Number of employees
	* Physical office locations
	* Geographic area you currently serve
	* Primary Contact Name, Phone number, fax number, website and e-mail address
	* Legal status of entity (ownership) and year entity was established as it now substantially exists
	* What is your company’s current source(s) of lending capital?
2. Provide the firm’s Federal Employer Tax Identification number and the Washington Uniform Business Identification (UBI) number issued by the state of Washington Department of Revenue.
3. Describe the general management structure. Name the firm’s principals and their roles.
4. Identify any state employees or former state employees employed by the Applicant or on the Applicant’s governing board during the past twenty-four months as of the date of the proposal. Identify each individual by name, the agency previously or currently employed by, job title or position held, and separation date. Additionally, provide each individual’s position and responsibilities within the Applicant’s organization. If following a review of this information, it is determined by COMMERCE that a conflict of interest exists, the Lender may be disqualified from further consideration for the award of a contract.
5. If the Applicant has had a contract terminated for default in the last five years, describe such incident. Termination for default is defined as notice to stop performance due to the Applicant’s non-performance or poor performance and the issue of performance was either (a) not litigated due to inaction on the part of the Proposer, or (b) litigated and such litigation determined that the Proposer was in default.
6. Submit full details of the terms for default, including the other party's name, address, and phone number. Present the Applicant’s position on the matter. COMMERCE will evaluate the facts and may, at its sole discretion, reject the proposal on the grounds of the past experience. If no such termination for default has been experienced by the Applicant in the past five years, so indicate.
	* 1. Authority (Mandatory)
7. Include a certification that the Applicant is a nonprofit lender.
8. Include a certification that the Applicant’s proposed use of public funds will provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions or otherwise increase energy independence for the state.

### Qualifications (Scored)

1. Business History and Service Experience

1. Company’s “Mission Statement” and a short description of how this mission aligns with the proposed fund.
2. Most recent 3 years audited financial statements.
3. Has your financial institution been subject to any findings, sanctions or restrictions by its regulatory body in the last three years? Please explain.
4. Is your organization currently involved in any lawsuits? If so please explain.
5. Estimate firm’s average loan size and the number of loans closed per year.
6. Indicate firm’s lending limit.
7. Indicate the total current amount your firm has available to lend?
8. Indicate the amount obligated in loans currently.
9. Describe your standard due diligence when reviewing a loan request.
10. Describe your standard follow-up and services offered to new loan clients.
11. How often are financials collected and reviewed on a borrower after a loan is granted?
12. Describe the proposed pipeline activities you will engage in to find qualified candidates for program funds.
13. Without this program could you continue to operate as you have in with satisfactory financial results?
14. Have there been any significant changes to your source of operating income in the last five years? If so, please describe the changes and the impact on your business model.
15. What is the proposed geographic area you will support with these funds?
16. How is your loan pipeline currently generated? Relationships with relevant associations? Organization partnerships, etc.

2. Detailed Lending Experience

1. How many years has your organization been marketing and closing loans?
2. Please describe your past experience of:
* Managing other loan or grant programs;
* Working with federal or state money;
* Federal or state program reporting process.
1. Please provide references to similar business types you have successfully loaned to in the past.
2. What, if any, government supported finance programs do you currently participate in? Briefly describe your role.
3. What is the loan default rate per year for the last 5 years?
4. How many loans did you close last year?
5. What is the current % of your portfolio that can be classified as energy efficiency or renewable energy?
* What is the average loan size of these loans?
* What is the total outstanding balance for these loans?
* What measures do these loans currently finance?

3. Staffing

1. Provide a description of the proposed Program team structure, number of employees allocated
2. Describe internal controls to be used during the course of the project, including any subcontractors.
3. Provide the name and a resume of the person who will be the lead contact for the project and any other pertinent information. If applicable, provide the name and a resume of the person who will be the lead contact at any Lenders who are proposed as sub-grantees. Describe the services each sub-grantee would provide. Provide the information in Section A about each.

4. Revolving Loan Fund Program Proposal

1. Identify the specific sector or sectors to be served by your proposed loan program, using the sectors identified in Section 2.11.3 above.
2. For each sector identified, provide the Applicant’s evaluation demonstrating that the proposed target sector lacks adequate access to loan capital. Describe the factors that contribute to any barriers to capital access in the sector, and the mechanisms by which the proposed loan program would address the identified barriers to capital access.
3. State the amount of grant funds requested and the amount of private funds to be committed as matching funds. Provide supporting information to demonstrate that the private match funds are available at time of contract signing and the source of those funds.
4. How many loans do you estimate or anticipate closing over the 10 year term of the program? Please provide assumptions.
5. What revolving loan program type are you proposing to run with the award funds?
	* 1. Collateral Support Program (CSP)
		2. Direct Lending
		3. Loan Participations
		4. Supplemental loan loss reserve program
		5. Other (please describe)
6. If you have run this type of program before, please provide details.
7. Please briefly describe how this program described in Question D above would work.
8. Describe the proposed method of documenting and reporting the energy savings associated with projects financed by the revolving loan program.
9. Please provide an average estimated loan size for each sector identified in Section A above.

**5.** **Leverage and Schedule**

Grant funds may not exceed 50 percent of the estimated cost of a project, and the scoring of proposals gives a preference to proposals with higher leverage of private funds. The program is designed to run for 10 years from the contract start date. The funds are intended to be 75% disbursed within three years of contract execution.

1. Provide the proposed schedule for disbursement of grant funds through program lending.
2. Provide the amount of private funds that will be leveraged for each dollar of state grant funds.

6. Reference

List names, addresses, telephone numbers, and e-mail addresses of three business references for whom work has been accomplished and briefly describe the type of service provided for them. By submitting a proposal in response to this NOFO, the Lender grants permission to COMMERCE to contact the references and others who may have pertinent information. Do not include current COMMERCE staff as references. COMMERCE may evaluate references at COMMERCE’s discretion.

7. OMWBE Certification (OPTIONAL AND NOT SCORED)

Include proof of certification issued by the Washington State Office of Minority and Women’s Business Enterprises if certified minority-owned firm and/or women-owned firm(s) will be participating on this project.

# EVALUATION AND CONTRACT AWARD

## EVALUATION PROCEDURE

Responsive proposals will be evaluated strictly in accordance with the requirements stated in this solicitation and any addenda issued. The evaluation of proposals shall be accomplished by an evaluation team to be designated by COMMERCE, which will determine the ranking of the proposals.

COMMERCE, at its sole discretion, may also elect to select the top-scoring firms as finalists for an oral presentation.

## CLARIFICATION OF PROPOSAL

The NOFO Coordinator may contact the Applicant for clarification of any portion of the Applicant’s proposal.

## EVALUATION WEIGHTING AND SCORING

The following weighting and points will be assigned to the proposal for evaluation purposes:

|  |  |
| --- | --- |
| Qualifications Section – 100% | 200 points |
| Business History and Service Experience Detailed Lending Experience | 25 points50 points |
| Staff Qualifications Revolving Loan Fund Program Proposal | 15 points75 points |
| Leverage and Schedule  | 25 points |
|  Reference  | 10 points |
|  | Grand Total | 200 Points |

Funding preference will be provided to proposals that offer a higher percentage of private match funds.

## ORAL PRESENTATIONS MAY BE REQUIRED

Oral presentations, if considered necessary by COMMERCE, may be utilized in selecting the winning proposal. COMMERCE, at its sole discretion, may elect to select the top-scoring firm(s) from the written evaluation for an oral presentation and contact the top-scoring firm(s) to schedule a date, time and location for an oral presentation. Commitments made by the Lender at the oral interview, if any, will be considered binding.

As part of the final selection, COMMERCE may submit a specific scope of work to the top scoring finalists from the oral presentations to provide a final written response. Upon evaluation of this secondary written submittal, award to one or more Awardees will be made.

## NOTIFICATION TO APPLICANT

Firms whose proposals have not been selected for further negotiation or award will be notified by e-mail.

## DEBRIEFING OF UNSUCCESSFUL APPLICANT

Upon request, a debriefing conference will be scheduled with an unsuccessful Applicant. The request for a debriefing conference must be received by the NOFO Coordinator within three (3) business days after the Notification of Unsuccessful Lender letter is sent to the Lender. The debriefing must be held within three (3) business days of the request.

Discussion will be limited to a critique of the requesting Applicants proposal. Comparisons between proposals or evaluations of the other proposals will not be allowed. Debriefing conferences may be conducted in person or on the telephone and will be scheduled for a maximum of one hour.

## PROTEST PROCEDURE

This procedure is available to Applicants who submitted a response to this solicitation document and who have participated in a debriefing conference. Upon completing the debriefing conference, the Applicant is allowed three (3) business days to file a protest of the acquisition with the NOFO Coordinator. Protests may be submitted by email but must be followed by the original document.

Applicants protesting this procurement shall follow the procedures described below. Protests that do not follow these procedures shall not be considered. This protest procedure constitutes the sole administrative remedy available to Applicants under this procurement.

All protests must be in writing and signed by the protesting party or an authorized agent. The protest must state the grounds for the protest with specific facts and complete statements of the action(s) being protested. A description of the relief or corrective action being requested should also be included. All protests shall be addressed to the NOFO Coordinator.

Only protests stipulating an issue of fact concerning the following subjects shall be considered:

* A matter of bias, discrimination or conflict of interest on the part of the evaluator
* Errors in computing the score
* Non-compliance with procedures described in the procurement document or COMMERCE policy

Protests not based on procedural matters will not be considered. Protests will be rejected as without merit if they address issues such as: 1) An evaluator’s professional judgment on the quality of a proposal, or 2) COMMERCE’S assessment of its own and/or other agencies’ needs or requirements.

Upon receipt of a protest, a protest review will be held by COMMERCE. COMMERCE director or an employee delegated by the director who was not involved in the procurement, will consider the record and all available facts and issue a decision within five business days of receipt of the protest. If additional time is required, the protesting party will be notified of the delay.

In the event a protest may affect the interest of another Applicant that submitted a proposal, such Applicant will be given an opportunity to submit its views and any relevant information on the protest to the NOFO Coordinator.

The final determination of the protest shall:

* Find the protest lacking in merit and uphold COMMERCE’s action.
* Find only technical or harmless errors in COMMERCE’s acquisition process and determine COMMERCE to be in substantial compliance and reject the protest.
* Find merit in the protest and provide COMMERCE options which may include:
	+ Correct the errors and re-evaluate all proposals
	+ Reissue the solicitation document and begin a new process
	+ Make other findings and determine other courses of action as appropriate

If COMMERCE determines that the protest is without merit, COMMERCE will enter into a contract with the apparently successful Awardee. If the protest is determined to have merit, one of the alternatives noted in the preceding paragraph will be taken.

# NOFO EXHIBITS

* Exhibit A Certifications and Assurances
* Exhibit B Budget Proviso Section 1012
* Exhibit C Survey questions

EXHIBIT A

CERTIFICATIONS AND ASSURANCES

1. I/we make the following certifications and assurances as a required element of the proposal to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related contract(s):
2. I/we declare that all answers and statements made in the proposal are true and correct.
3. The attached proposal is a firm offer for a period of 60 days following receipt, and it may be accepted by COMMERCE without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 60-day period.
4. In preparing this proposal, I/we have not been assisted by any current or former employee, in the last 24 months, of the state of Washington whose duties relate (or did relate) to this proposal or prospective contract, and who was assisting in other than his or her official, public capacity. (Any exceptions to these assurances are described in full detail on a separate page and attached to this document.)
5. I/we understand that COMMERCE will not reimburse me/us for any costs incurred in the preparation of this proposal. All proposals become the property of COMMERCE, and I/we claim no proprietary right to the ideas, writings, items, or samples, unless so stated in this proposal.
6. I/we agree that submission of the attached proposal constitutes acceptance of the solicitation contents and the contract and general terms and conditions proposed by Commerce. If there are any exceptions to these terms, I/we have described those exceptions in detail on a page attached to this document.
7. No attempt has been made or will be made by the Proposer to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.
8. I/we grant COMMERCE the right to contact references and others, who may have pertinent information regarding the Proposer’s prior experience and ability to perform the services contemplated in this procurement.

|  |
| --- |
| Name of Applicant:  |
|  |
| Signature of Proposer |
|  |
| Title | Date |
|  |  |

EXHIBIT B



EXHIBIT C

Survey Questions

*The following questions are intended to help us improve our application process. Please indicate your agreement/disagreement with the following statements.*

*Your responses will not impact the evaluation of your application in any way.*

1: Strongly Disagree

2: Disagree

3: Neither Agree Nor Disagree

4: Agree

5: Strongly Agree

|  |
| --- |
| Name of Applicant:  |
|  |
| Application Survey Questions | Responses |
| 1. The application instructions were clear.
 |  |
| 1. The application questions were easily understood.
 |  |
| 1. I was able to receive the assistance I needed from Commerce to complete the application.
 |  |
| 1. I had adequate time to prepare the application prior to the deadline.
 |  |
| 1. Given program requirements, the application process was reasonable.
 |  |