



Department of Commerce

STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
STATE ENERGY OFFICE
OLYMPIA, WASHINGTON

NOTICE OF FUNDING OPPORTUNITY
UPDATED: 4/5/2019

PROJECT TITLE: Energy Efficiency and Solar Grants
for Public Agencies and Schools

BIDDER CONFERENCE DATE: Tuesday September 18, 2018
10:00 AM – 12:00PM PST

APPLICATION DUE: **12/31/2018**
5:00PM PST

CONTRACT PERFORMANCE PERIOD: 24 – 60 months from contract
execution date

APPLICANT ELIGIBILITY: Public higher education institutions, local agencies,
public school districts, and state agencies with projects that would result in
operational and energy cost savings.



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The following updates have been made as of 4/5/2019
Changes in the document are highlighted in **blue**.

1. Award Announcement Postponed:

Successful Applicants will be notified by close of business May 31, 2019.

The following updates have been made as of 1/29/2019
Changes in the document are highlighted in **green**.

2. Award Announcement Postponed:

Successful Applicants will be notified by close of business April 15, 2019.

The following updates have been made as of 10/5/2018
Changes in the document are highlighted in **yellow**.

3. Deadline Extended:

Applications must be received by 5:00 PM (PST) on Monday, December 31, 2018.
Successful Applicants will be notified by close of business March 1, 2019.
The Final Q&A will be published on 12/28/2018. No questions will be accepted after 5:00PM on 12/26/2018.

4. Contracting Requirements:

Updated to:

Projects must not enter into a contract for construction prior to award.

Previously:

Projects must not enter into a contract for construction prior to January 1, 2019.

5. Section 1.4 Match Requirements:

Commerce corrected the required match percentages. Specifically, small towns and cities need to provide 33%, not 66% of the project funding. The Energy Efficiency Leverage Goal is 75% not 25%.

Corrected to:

Minimum match requirements:

- Small Cities and Towns, 33% of the total project cost (leverage ratio of 1:2)
- All others, 50% of the total project cost (leverage ratio of 1:1)

Energy Efficiency Leverage Goals

Energy Efficiency projects will be scored on the leverage ratio of non-state funding sources to state grant. Projects will be scored based on a goal of 75% (leverage ratio of 3:1).

Previously:

Minimum match requirements:



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- Small Cities and Towns, 66% of the total project cost (leverage ratio of 1:2)
- All others, 50% of the total project cost (leverage ratio of 1:1)

Energy Efficiency Leverage Goals

Energy Efficiency projects will be scored on the leverage ratio of non-state funding sources to state grant. Projects will be scored based on a goal of 25% (leverage ratio of 3:1).

6. Section 2.06 Additional and Secondary Selection Criteria:

The link to the Office of Financial Management April 1, 2018 Population Determination was updated:

The new link is:

https://www.ofm.wa.gov/sites/default/files/public/dataresearch/pop/april1/ofm_april1_population_final.pdf

The previous link was:

<https://www.ofm.wa.gov/washington-data-research/population-demographics/population-estimates/april-1-official-population-estimates/april-1-population-estimates-program-information>

Please note: Updates were also made to the Guidelines and applications for this program.



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1 INTRODUCTION

1.1 SUMMARY

The State Energy Office is accepting grant applications for the Energy Efficiency and Solar Grants Program. The program is open to local agencies, public higher education institutions, school districts, and state agencies. Eligible use of the funds include:

Energy Efficiency

\$7,129,500.00 for operational cost savings improvements to facilities and related projects that result in energy and operational cost savings.

Solar

\$1,697,500.00 for grants to be awarded in competitive rounds for projects that involve the purchase and installation of solar energy systems, including solar modules and inverters, with a preference for Washington-manufactured products.

This program is in Section 1014 of Substitute Senate Bill 6090 of the Capital Budget.

1.2 PROGRAM OVERVIEW

The Washington State Legislature created the program to provide solely for operational cost savings improvements to facilities and related projects that result in energy and operational cost savings, and for projects that involve the purchase and installation of solar energy systems. These funds can be awarded to local agencies, public higher education institutions, public school districts, and state agencies.

The legislation mandates that:

For the Energy Efficiency Funding:

- At least twenty percent (20%) be awarded to small cities or towns with a population of five thousand or fewer residents.
- The higher the leverage ratio of non-state funding sources to state grant the higher the project ranking.
- The higher the energy savings the higher the ranking.
- For school district applicants:
 - Priority consideration must be given to school districts that demonstrate improve health and safety through:
 - Reduced exposure to polychlorinated biphenyl
 - Replacing outdated heating systems that use oil or propane as fuel sources
 - Priority consideration must be given to applicants that have not received grant awards for this purpose in prior biennia.

For the Solar Funding:

- Priority must be given for components made in Washington State.

1.3 This Round of Funding:

Energy Efficiency

\$7,129,500.00 will be competitively awarded for Energy Efficiency Projects.

A minimum of \$1,425,900.00 is dedicated for Energy Efficiency grants to small cities and towns with populations of 5,000 or less.



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\$1,794,500.00 in funding is allocated from State Funds.
\$5,335,000.00 in funding is allocated Federal Funds from U.S. Department of Energy from American Recovery and Reinvestment Act (ARRA) funds.

Awardees will be subject to the applicable requirements. Federal Funding is from the American Recovery and Reinvestment Act (ARRA). These funds are subject to federal requirements as outlined below. Awards that are a combination of state and federal funds will be subject to the more restrictive requirements.

The maximum grant award is \$500,000.00

Contracts will be performance based, with payment made upon successful completion and operation of the improvements.

Solar

\$1,697,500.00 will be competitively awarded for solar projects.

The maximum grant award is \$350,000.00

Contracts will be performance based, with payment made upon successful completion and commercial operation of the solar photovoltaic project.

1.4 MATCH REQUIREMENTS

Leverage ratios are based on the amount of non-state funds an applicant contributes to a project divided by the grant amount. The maximum points possible for leverage is 30. The higher the leverage ratio the higher the points.

Minimum match requirements:

- Small Cities and Towns, 33% of the total project cost (leverage ratio of 1:2)
- All others, 50% of the total project cost (leverage ratio of 1:1)

Energy Efficiency Leverage Goals

Energy Efficiency projects will be scored on the leverage ratio of non-state funding sources to state grant. Projects will be scored based on a goal of 75% (leverage ratio of 3:1).

To calculate funding awards, Commerce will use which ever amount is higher between the total incentives and rebates or the funding provided by the applicant. If post-completion incentives or rebates exceed the amount of funding provided at a cost to the awardee, Commerce will adjust the award to ensure the project is not funded beyond 100%. Incentives and rebates will not be considered match funds.

2 GENERAL INFORMATION FOR APPLICANTS

2.1 NOTICE OF FUNDING OPPORTUNITY (NOFO) COORDINATOR

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

Name	Dever Haffner-Ratliffe
Mailing Address:	P.O. Box 42525, Olympia WA 98504-2525
Street Address:	1011 Plum Street SE, Olympia WA 98504-2525



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Phone Number:	360-522-3610
NOFO Website:	http://www.commerce.wa.gov/growing-the-economy/energy/clean-energy-fund/
E-Mail Address:	energy_policy@commerce.wa.gov SUBJECT LINE naming convention: For Energy Efficiency: <Name of Applicant Entity>_EE&S_Energy APP PKG For Solar: <Name of Applicant Entity>_EE&S_Solar APP PKG

Applicants:

- May submit one project per application.
- Must submit Solar Projects and Energy Efficiency Projects separately on the appropriate application.
 - If an Energy Efficiency project includes a solar installation, the solar costs and data must be deducted from the Energy Efficiency application and submitted as a solar application.
 - Solar and energy efficiency grant applications will be scored separately.
- May submit applications under other Notices of Funding Opportunity; however, The Energy Division at the Department of Commerce will not make multiple awards for the same project.
 - This limitation does not apply to funds provided as a *bona fide* loan, even if the loan is provided through a mechanism that benefits from state-funded credit enhancement mechanisms.
- Must submit applications through the process determined by Commerce.
 - Applicants will download the documents that are required to accompany the application from the Commerce website.

Awardees must:

- Conform to all utility, local, state, and federal laws, regulations, and policies, as applicable.
- Report on all pass-through funding using the provided reportable expense template under the Governor’s Diverse Spend Initiative.
- Comply with State Cultural and Historic Resource requirements and Tribal consultation as required by Governor’s Executive Order 05-05.
- Complete a Risk Assessment Survey provided by Commerce.
- Comply with audit and monitoring requirements, including scheduled site visits.
- Utilize the online invoicing process for reimbursement.

In addition, for funds awarded from federal sources (ARRA), the following federal requirements will apply to your project. If the requirements are contradictory to the state requirements, the most stringent requirements apply. It is the applicant’s responsibility to ensure understanding and compliance, with all utility, local, state and federal requirements. It is the applicant’s responsibility to ensure that all subcontractors and consultants understand and comply with all requirements including, but not limited to:

- Active Registration through SAM.gov
- Buy American Provisions of the Recovery Act
- Presidential Executive Order on Buy American and Hire American
- Davis Bacon
- Historic Preservation
- National Environmental Policy Act



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Pursuant to chapter 42.52 RCW, the applicant must identify any past or current association with current Department of Commerce employees. This includes any Department of Commerce employees or former employees employed by the firm or on the firms governing board during the past twenty-four months, and any ongoing family, personal, volunteer, or academic relationships with current Commerce employees. Any relevant relationships identified following the original application must be disclosed to the Department as soon as possible, within 5 business days. This disclosure requirement applies to the applicant, as well as first and second tier subcontractors.

If a conflict of interested is identified, the Department will pursue available alternatives to address the conflict of interest. If the applicant fails to identify and/or disclose a potential conflict of interest, or if the department determines that the conflict interest is unable to be addressed the applicant may be disqualified and the contract terminated with full repayment to the department. Commerce reserves its right to pursue all available remedies under the law to address the violation.

The information in the application regarding former state employees must:

- Identify the individual by name
- The nature of the association (employment, relative, etc.)
- The agency previously or currently employing the individual (if applicable)
- The job title or position held (if applicable)
- The separation date, if any.

2.2 ESTIMATED TIMELINE

Estimated Date	Task Category	Subtask Description
9/13/2018	NOFO and Application Released	Application Opens
9/18/2018	Bidders Conference	Recorded webinar on the application process – 10:00AM – 12:00PM
9/21/2018	FAQ	Frequently asked questions document updated/posted weekly
12/26/2018	Question Deadline	Questions submitted after 5PM on 12/26/2018 will not be answered.
12/28/2018	Last FAQ Update	The Final FAQ will be published the morning of 12/28/2018
12/31/2018	Application Closes	Application Closes
5/31/2019	Awards	Awardees and non-awardees notified
May 2019	Debriefing Conferences	Hold debriefing conferences, as requested

COMMERCE reserves the right to revise the above schedule.

2.3 BIDDERS CONFERENCE

Commerce will host a bidder conference via Skype to review the application process and to respond to questions from potential applicants. The online bidder conference will be held September 18, 2018 10:00AM -12:00 PM Pacific Standard Time via Skype for Business meeting. The link will be posted on the [Commerce Website](#) by September 15, 2018.

Questions regarding the application process may only be submitted in writing, either on the “Conversation” feature on Skype for business during the webinar, or via email to energy_policy@commerce.wa.gov. All questions and responses will be published on a “Frequently Asked Questions” (FAQ) document, which will be updated a minimum of weekly on the [Commerce Website](#). Commerce will respond to questions received prior to 5:00PM on 12/26/2018 and the final FAQ will be published on 12/28/2018.



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2.4 APPLICATION STEPS

Step 1: Review guidelines and Notice of Funding Opportunity (NOFO) thoroughly and note any items for clarification. Ask for clarification via the webinar bidder's conference, or

energy_policy@commerce.wa.gov.

[Review posted questions and answers \(Q&A\) at the Commerce's Energy Efficiency and Solar Grant webpage.](#)

Step 2: *Optional* Attend or review the Bidders' Conference webinar, which will be recorded and published on [Commerce's Energy Efficiency and Solar Grant webpage](#).

Step 3: Confirm that the proposed project is an eligible for the grant.

Step 4: If the submitted project is eligible, the applicant completes and submits the Application, along with all required support documents.

Step 6: An internal Commerce review team will assess and prioritize projects. An evaluation team will review project technical requirements. No supplemental information or documents not directly requested by Commerce will be allowed after the application deadline. Applicants will not be provided an opportunity for project presentations. Commerce will make all final funding decisions.

Step 7: Notification of grant awards and unsuccessful proposals will take place approximately the week of **May 31, 2019**.

Step 8: If the Application is approved, the applicant will be notified via email that they are authorized to proceed to contract.

An applicant may appeal a determination of ineligibility within two business days by sending an email and any supporting documentation to energy_policy@commerce.wa.gov. ***Please type "EE&S Appeal" in the subject line.***

Step 9: Successful applicants will enter into contract negotiations starting **June 2019**.

2.5 MANDATORY ELIGIBILITY CRITERIA

Applicants must:

- Be one of the following:
 - Local Agency
Local Agencies includes city and any town, county, special district, municipal corporation, agency, port district or authority, tribal government, or political subdivision of any type, or any other entity or authority of local government in corporate form or otherwise.
 - Public Higher Education Institution
 - School District
 - State Agency
- Have current registration with the state's Department of Revenue and Secretary of State, as applicable.
- Cannot request grant funding to replace or duplicate previous, current, or future funding.

All projects must:

- Be located in the State of Washington.
- Benefit and be owned by the applicant.
 - Leased and community solar projects are not eligible.



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- Be completed within 18 months of execution of the grant agreement; however, extensions may be considered on a case-by-case basis.
- Enter into a contract for construction on or after **award**.
- Be retrofits of existing buildings and structures.
- Comply with utility, local, state, and federal laws, regulations, and policies, as applicable.
- Demonstrate benefit to Washington State and its citizens.
- Result in energy and operational cost savings.

In addition, solar projects must:

- For solar photovoltaic (PV) or solar thermal system the project must provide a minimum of 20,000 kilowatt hour (kWh) or equivalent Btu/year of generation.
- For small cities and towns with populations of 5,000 or less, the minimum is 10,000 kWh or equivalent Btu/year of generation.

Recipient Reporting

Energy Star Portfolio Manager for Energy Efficiency Grants

All energy efficiency grant applications, except municipal street lighting only projects, are required to:

- Create a Portfolio Manager account for each metered facility or campus.
 - For projects that include a single facility or multiple facilities with independent metering, create a Portfolio Manager account for each of the facilities.
<http://www.energystar.gov/buildings/facility-owners-and-managers/existing-buildings/use-portfolio-manager/get-started-benchmarking>
 - For projects that include multiple facilities served by campus metering, create a Portfolio Manager account using the campus option. <http://www.energystar.gov/buildings/tools-and-resources/how-benchmark-campus-campus>
- Document the baseline energy use of each facility
- Set target energy use based on the proposed project.
- Create an ENERGY STAR® Progress & Goals Report (PDF)
- Submit each ENERGY STAR® Progress & Goals Report to Commerce with the application
- Eighteen months after project completion, submit an updated copy of the ENERGY STAR® Progress & Goals Report (PDF) for each facility or campus. The report should document both the baseline year and most recent year for the facility.

Instructions: <http://www.energystar.gov/buildings/facility-owners-and-managers/existing-buildings/use-portfolio-manager/share-and-request-data>

Measurement and Verification (M&V) of Energy Savings Requirements

All projects must submit M&V reports to Commerce. After the project has been completed and the Notice of the Commencement of Energy Savings has been issued, ongoing M&V begins, in order to verify that energy savings are occurring.

All energy efficiency and solar measures are required to have three years of M&V.

All internal and external lighting and municipal street lighting projects one year of M&V is required. Commerce is no longer making a distinction between projects that use Energy Service Companies and those who do not.

Specific M&V requirements for municipal street lighting and lighting projects are in these guidelines. The contract Commerce has with the grantee also contains specific M&V requirements.

For all Lighting Projects



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Provide a complete copy of the lighting worksheet reports with the application. The lighting worksheets shall include itemized descriptions of the existing lighting fixtures and controls based on actual fixture counts, not estimates. The proposed replacement fixtures and controls shall be itemized.

Include a separate description of the existing and proposed control strategy. The utility spreadsheets do not always provide good detail on the control strategies. Add a short paragraph describing the change in control strategies and how they will result in energy savings.

Provide documentation that the project will result in energy cost savings to the applicant.

Provide information based on the change in per unit utility rates for non-metered lighting or verify that the lighting system is on a metered rate and will benefit from reduction in energy use. Provide a copy of the utility tariffs applicable to the project baseline and the completed project.

At a minimum, municipal street lighting projects shall provide the following M&V:

Installation M&V:

Fixture Watts: The contractor shall measure the total watts of a sample of the existing fixtures and the replacement fixtures. For each fixture type and size, five percent of the fixtures shall be included in the sample. It is recommended that a third party representing the owner observe some of the testing.

Control Operation: A functional test protocol for the lighting control system which clearly describes the individual systematic test procedures, the expected systems' response or acceptance criteria for each procedure shall be developed and provided to the installing electrician. At a minimum, the contractor shall implement the test protocol on no less than five percent of the controls. It is recommended that a third party representing the owner observe some of the testing.

Energy Use Compared to Proposed Energy Use: Provide documentation of the actual energy use compared to the proposed energy use and cost.

Street Lighting: Any street light fixtures being replaced with LED lights must be recycled and disposed of properly. They cannot be reused in other street light fixtures or sold to a third party for reuse.

School Lighting: At the completion of the project, a disposal manifest accounting for all the PCB ballasts removed must be submitted to Commerce.

Annual M&V:

Fixture performance: Report the annual maintenance required to maintain fixture operation and energy savings, including fixture failure rates or other required maintenance.

Control changes and performance: Report changes in the control strategies that increase or decrease energy use. Report the annual maintenance required to maintain control operation and the energy savings.

Energy Use Compared to Proposed Energy Use: Provide documentation of the actual energy use compared to the proposed energy use, demand and cost.



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2.6 ADDITIONAL AND SECONDARY SELECTION CRITERIA

Refer to the Guidelines for addition information.

State agencies may not submit applications for leased facilities. Local agencies and higher educational facilities may submit applications for leased facilities as long as there is a minimum 10-year lease from the time of the final Commerce grant payment.

This program is does not include new construction projects.

Commerce will be using the list of small cities and towns determined annually by the Office of Financial Management (OFM) Please reference the official April 1, 2018 Population Determination, through the following website:

https://www.ofm.wa.gov/sites/default/files/public/dataresearch/pop/april1/ofm_april1_population_final.pdf.

Energy savings are based on current operating conditions as compared to the proposed operating conditions. Commerce will not allow modified baselines. Commerce will be using the following statewide average energy rates in determining the project’s simple payback:

Energy Source	Cost
Electricity	\$0.0856/kWh
Gas	\$0.818/therm
Fuel Oil	\$2.04/gal
Propane	\$1.05/gal
Wood Pellets and other fuels, provide documentation of the commercial price available	

Energy Efficiency:

- Small Cities and Towns will be scored separately and given first awards, totaling a minimum of 20% of the funds.
- The program allows the following maximum simple paybacks:
 - 35 years for energy efficiency projects
 - 20 years for lighting and municipal street lighting projects
- For school district applicants, priority will be given to:
 - School districts that demonstrate improved health and safety through:
 - Reduced exposure to PCBs
 - Replacing outdated heating systems that use oil or propane as fuel sources as identified by the Washington State University Extension Energy Program
 - Priority consideration must be given to applicants that did not receive grant awards from appropriations prior biennium.

Solar:

- The maximum simple paybacks is 100 years.
- Preference will be given to projects with components manufactured in Washington.
- For Solar PV, simple payback cannot include the Washington State Solar Incentive Program.

2.7 PROPRIETARY INFORMATION/PUBLIC DISCLOSURE

The applicant acknowledges that Commerce is subject to the Public Records Act and that the application and any future contract is a public record as defined in Chapter 42.56 RCW. Any specific information claimed by the applicant to be Proprietary Information must be clearly identified as such by the applicant. “Proprietary Information” means information owned by the applicant to which the NOFO for Energy Efficiency and Solar – Public Buildings – Updated 4/5/2019 Page 9 of 19



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applicant claims a protectable interest under law. Proprietary Information includes, but is not limited to, information protected by copyright, patent, trademark, or trade secret laws.

To the extent consistent with Chapter 42.56 RCW, Commerce will maintain the confidentiality of all such information marked Proprietary Information. If a public disclosure request is made to view the applicant's Proprietary Information, Commerce will notify the applicant of the request and of the date that such records will be released to the requester unless the applicant obtains a court order from a court of competent jurisdiction enjoining that disclosure. If the applicant fails to obtain the court order enjoining disclosure, Commerce will release the requested information on the date specified.

2.8 REVISIONS TO THE NOFO

In the event it becomes necessary to revise any part of this NOFO, addenda will be posted on the [Commerce website](#).

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

2.9 DISCLAIMER

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.

This solicitation does not commit Commerce to award any funds, pay any costs incurred in preparing an application, or procure or contract for services or supplies. Only responses meeting all Mandatory Eligibility Criteria will be approved for further evaluation. Commerce reserves the right to determine at its sole discretion whether the proposer's response to Mandatory Eligibility Criteria in the Application review is sufficient to pass. Commerce reserves the right to modify award amount from that requested, negotiate with qualified applicants, cancel or reissue at any time without obligation or liability, or change the application guidelines for subsequent funding rounds. If there are changes to the proposed award notification schedule, applicants will be notified via email.

Grant and application guidelines, NOFO documents, as well as required documentation for applicant download, will be posted electronically using Commerce's [Energy Efficiency and Solar website](#). Any amendments and addenda to the documents will be posted on the same site.

This solicitation will be distributed electronically to subscribers for Energy [email updates](#) and by posting on Commerce's [Energy Efficiency and Solar website](#). Applicants are responsible for checking the website for updates, amendments, and addenda. Commerce accepts no liability and will provide no accommodation for applicants who submit an application based on out-of-date solicitation documents.

2.10 REJECTION OF APPLICATION

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

2.11 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.



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2.12 NOTIFICATION TO APPLICANT

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

2.13 DEFINITIONS

Definitions for the purposes of this NOFO include:

Applicant An organization that responds to this solicitation and submits a timely and complete proposal in response to this solicitation.

Awardee Individual or organization 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.

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.

2.14 ADA

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

2.15 NO OBLIGATION TO CONTRACT

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

3 EVALUATION AND CONTRACT AWARD

3.1 EVALUATION PROCEDURE

The Applications will be reviewed by Commerce staff to determine if the mandatory eligibility criteria has been met. Applicants meeting minimum threshold requirements will be scored for further evaluation.

Applications which meet the minimum requirements will be reviewed by technical experts both internal and external to the Department of Commerce. The applications will be scored, rated, and ranked. Recommendations for funding will be made based upon the scoring results and awards will be made via emailed award letters.

Applications determined to meet the mandatory eligibility criteria will be ranked by the category of the application, requested amount of funding, energy savings, leveraging of non-state funds, with funding to be awarded to the applicants requesting the lowest per-unit amount of funding.

Energy Efficiency Projects

A minimum of 20% of funds will be awarded to small cities and towns.

Commerce uses simple payback to score energy savings. The original legislation specified deep energy retrofits. Projects with short paybacks are not considered deep energy retrofits and should be funded through state loans or other public or private funds. Projects with long paybacks indicate the project includes too many elements that do not provide energy savings.



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Energy efficiency projects may receive additional points for going beyond the energy code or using premium equipment. To receive the additional points, applicants must demonstrate efficiency improvements by selecting equipment from recognized efficiency programs. For example, when replacing a heat pump, specify equipment that exceeds the minimum federal standards by specifying an Energy Star Heat pump. When replacing lighting, use lights approved by: Northwest utility programs or the Seattle Lighting Design Lab, or CEE High-Performance T8 Specification rather than conventional T-8 ballast and lamps.

The program also recognizes the use of advanced designs and controls that exceed minimum code requirements. For example, add heat recovery not otherwise required by code; incorporate Luminaire Level Lighting Controls. Applicants must document how the efficiency element exceeds code and the anticipated savings.

Street Lighting Project Scoring

Commerce uses simple payback to score energy savings for street lighting projects. The lowest simple payback receives the highest score.

K-12 Public School District Project Scoring

After school districts have received their energy savings and leverage scores, they will be scored on the three additional criteria listed in the legislation for energy savings:

- **Lighting Only Projects**
Lighting upgrade projects that include replacement of existing ballasts with PCBs are awarded an additional points. To qualify for these additional a minimum of 10 percent of the existing ballasts must have PCBs.
- **Outdated Heating Projects**
Replacing outdated heating systems, which use oil or propane as fuel sources (as identified by WSU-Energy Programs) will be awarded an additional points
- **Prior Grant Award**
School districts that did not receive a prior award from prior biennia are awarded additional points.

Solar Projects

Commerce uses simple payback to score energy savings (production). To acknowledge the use of made in Washington solar equipment, additional points will be added to the base score.

3.2 EVALUATION WEIGHTING AND SCORING

Energy Efficiency

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

Maximum available points are as follows:	95 points
Energy Savings	30
Beyond Energy Code	10
Leveraging Ratio	30
Additional Points for Schools:	
Lighting Projects- Replacement of PCB fixtures	10



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Replacing outdated heating systems, which use oil or propane as fuel sources (as identified by WSU-Energy Programs)	10
Not previously awarded EE&S funds	5
Grand Total	95 Points

Solar

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

Maximum available points are as follows:	70 points
Energy production	30
Components made in Washington State	10
Leveraging Ratio	30
Grand Total	70 Points

3.3 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 Applicant letter is sent to the applicant. 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 permitted. Debriefing conferences may be conducted in person or on the telephone and will be scheduled for a maximum of one hour.

3.4 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 evaluators
- 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. The Commerce director or an employee delegated by the director who was not involved in the procurement, will consider the NOFO for Energy Efficiency and Solar – Public Buildings – [Updated 4/5/2019](#) Page 13 of 19



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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.



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4 Attachments

4.1 BUDGET PROVISO SECTION 1014 – SUBSECTIONS 1-2

8 Energy Efficiency and Solar Grants (30000882)

9 The appropriations in this section are subject to the following
10 conditions and limitations:

11 (1)(a) \$3,675,000 for fiscal year 2018 and \$3,675,000 for fiscal
12 year 2019 is provided solely for grants to be awarded in competitive
13 rounds to local agencies, public higher education institutions,
14 school districts, and state agencies for operational cost savings
15 improvements to facilities and related projects that result in energy
16 and operational cost savings.

17 (b) At least twenty percent of each competitive grant round must
18 be awarded to small cities or towns with a population of five
19 thousand or fewer residents.

20 (c) In each competitive round, the higher the leverage ratio of
21 nonstate funding sources to state grant and the higher the energy
22 savings, the higher the project ranking.

23 (d) For school district applicants, priority consideration must
24 be given to school districts that demonstrate improved health and
25 safety through: (i) Reduced exposure to polychlorinated biphenyl; or
26 (ii) replacing outdated heating systems that use oil or propane as
27 fuel sources as identified by the Washington State University
28 extension energy program. Priority consideration must be given to
29 applicants that have not received grant awards for this purpose in
30 prior biennia.

31 (2) \$1,750,000 is provided solely for grants to be awarded in
32 competitive rounds to local agencies, public higher education
33 institutions, school districts, and state agencies for projects that
34 involve the purchase and installation of solar energy systems,
35 including solar modules and inverters, with a preference for products
36 manufactured in Washington.



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4.2 APPLICATION PROCESS SURVEY

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 guidelines provided enough information on the program.	
2. The Bidders Conference was helpful introducing the application process	
3. The Notice of Funding Opportunity (NOFO) application instructions were clear.	
4. The NOFO application process was easy to follow.	
5. I was able to receive the assistance I needed from Commerce to complete the application.	
6. Commerce staff was timely in responding to process related inquiries.	
7. I had adequate time to prepare the application prior to the deadline.	
8. Given program requirements, the application process was reasonable.	