

# Energy Trust of Oregon

## Request for Proposals for New Buildings Program Implementation Services

RFP Issue Date: January 24, 2024

Intent to Respond Submittal Deadline: February 13, 2024, 5:00 p.m. (PPT)

Proposal Submittal Deadline: March 20, 2024, 5:00 p.m. (PPT)



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# 1 Introduction

Energy Trust of Oregon, Inc. (Energy Trust) is issuing this Request for Proposals (RFP) from independent contractors to serve as the Program Management Contractor (PMC) for the New Buildings program, which provides incentives, technical support and other resources to promote the design and construction of energy-efficient, high-performance commercial buildings, including multifamily buildings.

The PMC will hold the contract directly with Energy Trust and will be responsible for providing program design, management, implementation and delivery services, as described in this RFP. The PMC will also directly manage any of its subcontracted firms or team members that perform portions of the program services and ensure these firms meet all contracted performance obligations. This RFP includes a **Supplier Diversity Spend Goal** (see **Section 1.4.4**).

The program implementation services described in this RFP are currently delivered through a contract scheduled to expire on December 31, 2024. To provide seamless customer service, Energy Trust expects to have a transition agreement in place with the incoming PMC by September 2024, and all required contracting and transition work completed to implement full delivery of the program implementation services by January 1, 2025.

The anticipated duration of the program implementation services contract resulting from this RFP is up to five (5) years, with the option of up to two (2) one-year extensions. Energy Trust's current program implementer is not prohibited from responding to this RFP.

## 1.1 RFP Schedule

Table 1 below provides due dates (and times, as applicable) for this RFP schedule.

**Table 1: RFP Schedule**

Event	Due Date and Time
<b>Posting of Request for Proposals</b>	January 24, 2024
<b>Deadline to submit written questions and requests for clarification</b>	January 31, 2024 5:00 p.m. PPT
<b>Pre-Bid Webinar</b>	February 5, 2024 10:00 a.m. PPT
<b>Intent to Respond form submittal deadline</b>	February 13, 2024 5:00 p.m. PPT
<b>Posting of responses to submitted questions/requests for clarification</b>	February 16, 2024 5:00 p.m. PPT
<b>Proposal submittal deadline</b>	March 20, 2024 5:00 p.m. PPT
<b>Invitations for interviews issued to finalists</b>	Week of April 22, 2024
<b>Interviews conducted</b>	Week of May 6, 2024
<b>Selection and notification to bidders</b>	Week of June 3, 2024
<b>Board meeting to request authorization for contracting with recommended bidder(s)</b>	June 2024

All times listed are Prevailing Pacific Time (PPT). Energy Trust reserves the right to modify this schedule (see **Section 6: Governing Provisions**).

## 1.2 RFP Objectives

Energy Trust is seeking a program implementation team that can provide the full spectrum of program design, management and implementation services necessary to deliver and evolve its New Buildings program incentive offers, resources and initiatives. This includes, but is not limited to, contract and budget management, energy engineering and energy modeling, outreach, marketing, grant management, and training and education coordination.

- Energy Trust releases RFPs for program management contracts on a regular basis to ensure that its programs have access to the best design and cost information available in the market.
- By releasing an RFP, Energy Trust is seeking to diversify and add to its pool of program delivery providers and gain access to the latest practices and technologies.
- Energy Trust seeks a well-qualified team of implementers who represent the market, including customers who have been previously underserved, and who can achieve Energy Trust's goals within its service area.

## 1.3 About Energy Trust

Energy Trust is an independent nonprofit organization selected and overseen by the Oregon Public Utility Commission (OPUC) to help Oregon utility customers save energy and generate renewable power. Over time, Energy Trust's services, cash incentives and energy solutions will help participating Oregon customers of Portland General Electric (electric), Pacific Power (electric), NW Natural (natural gas), Cascade Natural Gas (natural gas) and Avista (natural gas) save nearly \$10.6 billion on their energy bills. The cumulative organizational impact since 2002

has been a contributing factor in the region's low energy costs and in building a sustainable energy future. Read more at <https://www.energytrust.org/about/>.

To acquire cost-effective electric and natural gas savings, Energy Trust offers financial incentives and technical services to help customers improve the energy efficiency of their homes and businesses. Bidders should be familiar with Energy Trust's cost-effectiveness requirements and reference the [Cost-effectiveness Fact Sheet](#) on Energy Trust's website.

Energy Trust currently operates under a [2020–2024 Strategic Plan](#) that focuses on maximizing its energy efficiency and renewable energy investments for the benefit of customers. During 2024, Energy Trust will be developing the organization's next Strategic Plan.

Energy Trust strives to create a diverse, equitable and inclusive organization to achieve energy acquisition goals, serve all customers, and engage trade allies and other partners.

Energy Trust's board of directors has adopted a [Diversity, Equity and Inclusion Policy](#), and the organization finalized a [Diversity, Equity and Inclusion Plan](#) in 2022 (described below in **Section 1.4.2**).

Some of Energy Trust's requirements in this RFP and any subsequent negotiating or contracting phases are driven by governing law, the provisions of the OPUC Grant Agreement, and funding and data sharing agreements with each utility. A copy of the current OPUC Grant Agreement is available at [https://www.energytrust.org/wp-content/uploads/2016/10/grant\\_agreement.pdf](https://www.energytrust.org/wp-content/uploads/2016/10/grant_agreement.pdf) as is information about Energy Trust's background, funding, strategic and action plans, policies and programs. For more information about Energy Trust's budget and contract development processes, see [Appendix A: Contracting Overview](#).

## **1.4 Diversity, Equity and Inclusion Policies and Guidelines**

Energy Trust's diversity, equity and inclusion work focuses on ensuring that all customers can directly benefit from its services, including people experiencing low and moderate incomes, Black, Indigenous and people of color (BIPOC) communities and rural communities.

Energy Trust's [Diversity, Equity and Inclusion Plan](#), separate from the [OPUC equity metrics](#) that are described in **Section 1.4.1**, is a living document with goals, outcomes and metrics that center on community engagement and include aspects of program delivery.

Energy Trust is committed to serving all customers and advancing equitable access for any business that may experience challenges in receiving program benefits, including but not limited to: businesses owned or led by people who are Black, Native American or Alaska Native, Latinx, Asian or Pacific Islander, Middle Eastern, those who identify as women, and businesses located in rural areas. In this RFP, the term diverse customer refers to all of these customers.

### **1.4.1 Equity Metrics**

In 2023, Energy Trust and the OPUC developed a set of diversity, equity and inclusion performance measures (equity metrics) and targets based upon community engagement and stakeholder feedback. These equity metrics include the following:

1. Access support for community
2. Access to information
3. Energy burden reduction
4. Community resilience

### **1.4.2 Diversity, Equity and Inclusion Plan**

In addition to the OPUC equity metrics, Energy Trust developed its [Diversity, Equity and Inclusion Plan](#) as a framework for building trust and relationships with community. As part of Energy Trust's commitment to transparency and accountability, Energy Trust has established a set of five strategic goals along with outcomes, metrics and measurements to track qualitative and quantitative data starting in 2023. These goals include the following:

1. Increase representation and readiness
2. Shift and share leadership and power
3. Increase community capacity and investment in BIPOC, people experiencing low incomes, and people living in rural communities
4. Increase transparency and accountability
5. Deepen engagement with BIPOC, people experiencing low incomes, and people living in rural communities

Energy Trust anticipates the plan and metrics will evolve over the years based on community and stakeholder engagement.

### **1.4.3 Supplier Diversity Contractors**

Energy Trust's supplier diversity requirements are intended to create attractive opportunities for emerging small and minority-, woman-, and veteran-owned businesses to enter and grow in the clean energy field. For the purposes of this RFP and bidder's proposed Supplier Diversity

Spend Goal, a “Supplier Diversity Contractor” refers to a company on an implementation team (including the prime contractor) that meets one or more of the following:

Oregon Certification Office for Business Inclusion and Diversity (COBID) certifications:

- Minority Business Enterprise (MBE)
- Women Business Enterprise (WBE)
- Service-Disabled Veteran Business Enterprise (SDVBE)
- Emerging Small Business (ESB)
- Veteran Business Enterprise (VBE)

For more information on Oregon’s COBID certifications, see <https://www.oregon.gov/biz/programs/COBID/Pages/default.aspx>.

Federal contracting assistant program benefits or certifications managed by the U.S. Small Business Administration (SBA):

- Small Disadvantaged Business (SDB)
- Women-Owned Small Business (WOSB)
- Economically Disadvantaged Women-Owned Small Business (EDWOSB)
- 8(a) Business Development program
- Veteran-Owned Small Business (VOSB)
- Service-Disabled Veteran-Owned Small Business (SDVOSB)
- Historically Underutilized Business Zone (HUBZone)

For more information on SBA’s certifications, see: <https://www.sba.gov/federal-contracting/contracting-assistance-programs>. (Organizations can apply for federal certifications at <https://certify.sba.gov/>)

#### **1.4.4 Supplier Diversity Spend Goal**

This RFP requires that proposals demonstrate that bidder’s program implementation services will utilize Supplier Diversity Contractors in an amount equal to or exceeding **20%** of bidder’s proposed annual contract payment amounts (i.e., amounts paid to program implementer for program management, delivery and marketing services. This does not include incentive funding.)



## 2 New Buildings Program Overview

The following sections provide an overview of core components of the New Buildings program. The definitions below provide context on the program's overarching goals and primary work.

**Grid-interactive.** Building technology that can communicate with the grid to allow the utility to shift and shed load.

**Market Transformation.** In the New Buildings program, market transformation refers to two things:

- First, the work done to shift the market from existing standards of design to newer, more energy-efficient standards. This work is a growing component of how the program advances commercial building design.
- Second, the savings reported through collaboration with the Northwest Energy Efficiency Alliance (NEEA) on code compliance (see [Appendix B: Market Transformation Savings Reporting](#)).

**Net-Zero Energy.** A net-zero energy building is one that can create as much energy as it uses in a year. This refers to operational energy, rather than energy required to construct the building.

**Whole-Building.** A whole-building approach to design includes the interactivity of design choices that have impact on others — for instance, a decrease in window space can decrease HVAC load.

### 2.1 About New Buildings

Energy Trust New Buildings strives to cost-effectively acquire large volumes of electric and natural gas savings and advance market transformation by promoting comprehensive energy efficiency and renewable energy solutions in commercial new construction and major renovation projects. The program offers cash incentives, technical support, grants, and training and education to achieve savings goals, increase the number of high-performance and net-zero buildings in Oregon, and expand the growing network of professionals who contribute to their development, design and construction.

In November 2023, the Oregon Public Utility Commission (OPUC) determined (docket UM 1696) that going forward, whole-building projects within the New Buildings program would not be required to meet the Total Resource Cost (TRC) test but would be required to meet the Utility Cost Test (UCT). The TRC will continue to be calculated at a measure level for prescriptive offers, but no program-level TRC will be calculated or reported. Further, the OPUC recognizes that the market transformation impact of training and education has equity benefits and produces program savings through future projects and as such, the program will expand training and education into the future.

#### 2.1.1 Target Markets and Customer Segments

New Buildings is a trusted advisor in a complex commercial design and construction market. The program is positioned to address barriers and accelerate the development of buildings that reduce energy needs and can be of service to the grid and the community. Participating projects may span multiple years, and the Program Management Contractor (PMC) works closely with

building owners and design teams from early design through post-construction to achieve beyond-code energy savings and project goals, maximize return on investment, and support the evaluation of projects to ensure savings.

#### *2.1.1.1 Commercial Building Market Sectors*

The New Buildings program serves commercial new construction and major renovation projects across all building sectors, including but not limited to multifamily, retail, office, schools, municipal buildings and data centers. The program may focus on specific markets based on commercial building trends, general market conditions and organizational goals. Current high-priority markets include affordable multifamily housing, data centers, major renovations, and projects that support underserved segments of the population.

#### *2.1.1.2 Target Audiences*

New Buildings is a customer-centric program, and since its inception program design has evolved with direct input from target audiences. These audiences include not only building owners and developers, but also commercial architecture, engineering and construction professionals. These communities and individuals are essential to achieving program savings and advancing market transformation. They influence and shape high-performance building design and are highly engaged with the program. Maintaining, cultivating and deepening relationships among and designing resources for these audiences and the organizations that support and serve them is critical to the program's success.

### **2.1.2 New Buildings Incentives, Continuing Education and Grants**

New Buildings offers a robust suite of incentives, services and resources to the design and construction industries to collaboratively maximize savings and market transformation goals. In addition to providing cash incentives for whole-building approaches that incorporate high-performance and resilient technologies and design practices, the program invests in continuing education, the advancement of emerging professionals, and research to support market transformation. For situations in which customers are not able to participate in whole-building approaches, the program offers a small number of individual (prescriptive) incentives.

#### *2.1.2.1 Incentive Offers*

New Buildings strives to work with all eligible new construction and renovation projects to influence energy efficiency decisions through design analysis and incentives. Over time, the program has developed relationships and established significant market penetration in its effort to ensure that most new buildings are designed beyond code.

- **Whole-Building Approaches and Path to Net Zero.** The program encourages whole-building design approaches and the construction of buildings that strive for net-zero energy use through Energy Trust's Whole Building and Path to Net Zero offerings, which include a suite of enhanced incentives and services to support the earliest phases of design through post-occupancy, including:
  - An incentive to cover some costs of an early design charrette to facilitate energy use index (EUI) target-setting, outline energy-efficient or net-zero design strategies, and review construction documents

- Technical assistance to support studies necessary to whole-building design, including but not limited to early design shoebox modeling, computational fluid dynamics (CFD) analysis, daylighting studies and energy modeling
  - Incentives for solar-ready design or grid-interactivity discussion in early design.
  - Installation incentives, including those based on energy savings determined through a whole-building energy mode
  - Incentives to support energy metering to help buildings perform as intended
  - An incentive to cover the cost of Zero Energy Certification from the International Living Future Institute (ILFI)
- **Market Solutions for Multifamily Buildings.** This incentive offer is designed to facilitate whole-building approaches for multifamily buildings and offers tiered incentives for projects that set and achieve higher energy-saving targets.
  - **Data Centers.** This offer includes a two-part payment of incentives to data center developers based on energy savings and the rate at which servers are loaded.
  - **Standard Incentives.** Customers who are not able to participate in Whole-Building, Path to Net Zero or Market Solutions offers may still take advantage of individual incentives, selecting the options that best meet the energy efficiency needs of their project.

As the program evolves and Oregon building codes become more aggressive, Energy Trust will redouble its efforts to support whole-building approaches to design and construction. Energy Trust is particularly interested in designing offers that make whole-building approaches accessible to a broader range of audiences. The program has begun to use the Simplified Performance Rating Method (S-PRM) developed by the Pacific Northwest National Laboratory.

#### *2.1.2.2 Delivering Solar Offers*

The New Buildings PMC is responsible for some delivery components funded by the Solar program and maintains a separate budget tracking mechanism and invoice for that work. The PMC will process Solar-funded incentives for adding Solar-ready to the early design agenda, report on application and payment volume, and coordinate with Energy Trust's Solar team.

The New Buildings PMC is responsible for helping to incorporate Solar and Storage into projects, starting from the early design stage. Outreach and field services include:

- Outreach and coordination to meet the goals for Solar-funded incentives.
- Subject matter expertise on the new construction market and market segments to help identify barriers and opportunities to increase adoption of solar and solar + storage.
- Coordination with Solar program staff on customer inquiries or concerns.
- Collaboration with staff to create and apply escalation rules.

The PMC is responsible for coordinating directly with the Solar program to ensure seamless delivery of Solar-funded deliverables within the PMC contract, including but not limited to:

- Attending regularly scheduled meetings with Energy Trust staff
- Supporting program budgeting and management with activity forecasting

#### *2.1.2.3 Training and Education*

One of the core resources the program provides to the commercial development and design community — and a critical means by which Energy Trust encourages market transformation — is a robust range of training and continuing education opportunities for the architecture, design and construction community. The program is leaning more heavily into the development and delivery of training to provide critical technical and cost information for design professionals as they encounter new code challenges as well as new technologies.

These free trainings feature leaders from local development and design communities and often provide continuing education credits to attendees. Some are hosted in-person and others are virtual webinars. The program also provides on-demand versions of many of the presentations.

Training covers a range of topics including emerging technologies, case studies on recently completed projects, grant-funded research, and interactive forums to connect established and emerging professionals.

In addition to general training and education for the broader design community, New Buildings also hosts the Building Energy Simulation Forum (BESF), a long-established technical training forum for engineers and energy modelers. BESF events qualify for continuing education credits.

The program has developed deep relationships with local professional organizations and in doing so has increased the diversity of training attendees significantly over the last four years. This part of the New Buildings program work is expected to grow.

#### *2.1.2.4 Net-Zero Emerging Leaders Internship Grants*

These grants provide funding to signatories of AIA 2030, MEP 2040, and SE 2050 to hire a college or graduate student for a 12-week internship. The purpose of these grants is twofold:

- To provide firms with the resources they need to meet their reporting requirements.
- To provide opportunities for emerging professionals and advance the next wave of net-zero designers.

#### *2.1.2.5 Net-Zero Fellowship Grants*

These grants provide funding for research that aims to address technological, financial, social and other barriers to designing and constructing net-zero buildings.

### **2.1.3 Market Transformation**

Market transformation is the foundation of the New Buildings program design. Program offers and resources stay ahead of code changes to influence, accelerate and increase adoption of Oregon's advanced energy codes. Customer uptake of Energy Trust incentives helps advance code by making the case for technologies and design practices to be included in the next code cycle. It also serves to educate and prepare the market for upcoming code enhancements, thereby increasing code compliance. The market transformation record of Path to Net Zero, which aligns with Architecture 2030's pace for increasing EUI performance, has been particularly influential in the adoption of Oregon's advanced energy codes.

This approach to market transformation recognizes that the design and development community is not homogenous and that the program serves a variety of customers. By offering meaningful support to high performance or net-zero project teams, Market Solutions, simplified modeling support and individual incentives, the program is relevant to customers along the innovation curve. In this way, the program can bring in new, underrepresented groups, such as women and Black, Indigenous and people of color (BIPOC) or those in rural areas.

#### *2.1.3.1 Savings Summary*

The program has two ways of claiming savings relative to code: from projects that design beyond code, and from market transformation savings based on projects' compliance with code. The practice of market transformation savings is based on calculations from NEEA's market transformation savings model.

#### *2.1.3.2 Code Changes and Policy Impact*

New Buildings' market transformation work is done in conjunction with the market and other mission-focused organizations including NEEA and national labs. Working together with these organizations increases the opportunity to effect change by advancing commercial code. Additionally, the New Buildings program works with code officials and American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) representatives to understand code update impacts and provide training to the market.

## **2.2 Program Delivery Approach**

The New Buildings PMC supports program design, maintenance, management and implementation, including but not limited to contract and budget management, forecasting, outreach, marketing, grant management, energy engineering and energy modeling reviews, measure development, technical support, project and incentive payment processing, data entry and quality control. In addition to developing, maintaining and implementing the existing program, the PMC tracks code changes, policies, design and construction trends, and other market intelligence that may influence the program's design or impact cost-effectiveness.

Customer engagement and outreach are central to New Buildings program delivery. PMC staff and outreach managers actively engage with target markets and geographies, working closely with building owners and design teams from early design to post-occupancy. They are trusted advisors who cultivate and maintain relationships with key decision-makers and influential players to establish and strengthen Energy Trust's ties to the market and promote participation.

In addition to collaborating with owners and design teams on multiyear projects participating in the program, the PMC engages and collaborates with a range of other stakeholders and market actors within communities and market sectors to influence and integrate energy efficiency and renewable energy into the design and construction of buildings. The PMC team engages with and coordinates Energy Trust's involvement in key professional associations such as the American Institute of Architects, including AIA Oregon, the National Organization of Minority Architects, the National Society of Black Engineers, and the Society of Hispanic Professional Engineers.

## **2.3 Diversity, Equity and Inclusion Focus Areas**

Energy Trust invests resources to deepen relationships with and equitably serve all customers and communities, particularly priority communities such as BIPOC communities, rural geographies and communities with low to moderate incomes. New Buildings supports the organization's efforts by:

- Removing barriers to participation with simplified, less costly approaches to energy modeling so that more customers can access and benefit from whole-building design and strive for net-zero energy use.
- Partnering with professional associations to expand access to training and education and co-create opportunities for emerging professionals from underrepresented populations such as women, BIPOC communities, and people experiencing low and moderate incomes or living in rural areas.
- Highlighting the contributions of net-zero innovators from underrepresented populations.
- Investing in research that supports advancement of and access to net-zero building design within and across all communities.
- Developing pathways for complementary funding and strategic partnerships to increase funding opportunities for customers.

### **3 Proposal Format and Content**

#### **3.1 Proposal Outline and Page Limits**

Proposals must be complete and submitted in the format described in Table 2 on the following page. Proposals that do not include all sections and information may be considered ineligible. Bidder should make their proposal concise, use [plain language](#) (e.g., avoid complicated language and jargon), and adhere to page limits. Some sections request or allow for appended materials (e.g., resumes, letters of commitment, marketing samples). Appended materials are not counted in the page limits.

**Table 2: Page Limits**

<b>Part</b>	<b>Content</b>	<b>Page Limit per Part</b>
<b>1</b>	<b>Introduction</b> A. Cover Page (1 page) B. Table of Contents (1 page) C. Executive Summary (2 pages)	<b>4</b>
<b>2</b>	<b>Program Design and Market Engagement</b> A. Market Transformation Savings and Intervention Strategies (6 pages) B. Marketing (4 pages) C. Customer Engagement and Outreach (4 pages) D. Collaboration and Coordination (2 pages) E. Training and Education (4 pages)	<b>20</b>
<b>3</b>	<b>Program Management</b> A. Budget and Savings Goals Development (3 pages) B. Forecasting and Market Intelligence (2 pages) C. Invoicing and Reporting (2 pages) D. Operations and Controls (4 pages)	<b>11</b>
<b>4</b>	<b>Technical Support</b> A. Energy Engineering and Technical Analysis (3 pages) B. Evaluation Support (2 pages) C. Program Analytics and Planning Support (2 pages) D. Measure Development and Research (3 pages)	<b>10</b>
<b>5</b>	<b>Transition Plan and Schedule</b> Transition Plan (2 pages) Transition Schedule (Gantt chart)	<b>2</b>
<b>6</b>	<b>2025 Implementation Schedule (Gantt chart)</b>	<b>N/A</b>
<b>7</b>	<b>Pricing and Savings Proposal*</b>	<b>4</b>
<b>8</b>	<b>Supplier Diversity Subcontracting Plan and Supplier Diversity Spend Goal</b>	<b>3</b>
<b>9</b>	<b>Staffing Plan and Qualifications</b> A. Staffing Plan and Organizational Chart B. Diversity, Equity and Inclusion Hiring Practices and Policies (2 pages) C. Diversity, Equity and Inclusion Program Implementation Experience (2 pages) D. Experience Subcontracting with Diverse Firms (2 pages) E. References (1 page) F. Required Licenses and Certifications (1 page)	<b>8</b>
<b>10</b>	<b>Administrative Materials</b> A. Conflict of Interest Disclosure (1 page) B. Insurance (2 pages) C. Financial Package (2 pages)	<b>5</b>
	<b>Total Page Limit</b>	<b>67</b>

\* Additionally complete and insert [Appendix F: Pricing and Savings Proposal Template](#)

### 3.2 Proposal Content

Proposals should illustrate bidder's knowledge of market needs, identify potential solutions and describe how and why bidder's approaches align with the program goals and objectives



described in this Request for Proposals (RFP). Bidder should also demonstrate how proposed approaches will create a more diverse, equitable and inclusive program.

**3.2.1 Part 1: Introduction (4 Pages)**

*3.2.1.1 Cover Page (1 Page)*

Bidder should include a cover page with their proposal that clearly identifies the legal business name of the entity submitting the proposal as prime bidder, along with contact information and a completed [Appendix C: Representations and Signature Page](#) signed by a duly authorized officer or agent of the prime bidder submitting the proposal.

*3.2.1.2 Table of Contents (1 Page)*

Response must include a table of contents.

*3.2.1.3 Executive Summary (2 Pages)*

Provide an executive summary that includes the following:

- Demonstrates understanding of the program objectives and requirements
- Summarizes why bidder's team would be the best candidate to deliver the services described in this RFP
- Summarizes bidder's understanding, approach and experience regarding diversity, equity and inclusion

**3.2.2 Part 2: Program Design and Market Engagement (20 Pages)**

*3.2.2.1 Market Transformation Savings and Intervention Strategies (6 Pages)*

Energy Trust seeks proposals that explore program design and delivery solutions premised on a deep understanding of the commercial design and construction market, the audiences with whom Energy Trust works, and the customer segments it serves. The New Buildings program is designed to generate energy savings through market transformation. The program should deliver offerings that focus on the following three phases of market transformation:

1. Innovation, research and development of new measures, approaches and best practices for commercial new construction
2. Acquisition of energy savings through incentives, training and other market interventions
3. Long-term market adoption of best practices through improving codes and standards and improving the market baseline

Pertaining to the design of the program, bidder should provide the following, with a five-year timeframe in mind:

- A market assessment that characterizes program opportunities
- A program design and offerings that will result in annual energy savings and describe their experience delivering such offerings
- Key objectives and market engagement strategies
- Areas for innovation and their experience implementing innovation in program design
- Tools and resources necessary for influencing customer decision-making

- Expected changes from energy codes and experience coordinating with other organizations to monitor code changes and impacts
- Proposed changes based on cost-effectiveness, utility avoided cost changes, measure changes, incentive changes, delivery cost, program participation and market penetration

Bidder should propose program strategies and relevant experience that specifically enhance the program's ability to:

- Serve customers experiencing low and moderate incomes by creating affordable multifamily housing
- Meet the needs of smaller or less complex buildings and projects
- Expand participation and opportunities to diverse professionals and disadvantaged businesses
- Support economic growth and resiliency for communities in rural areas and communities where English is not the first language of many residents
- Collect, quantify and report on progress of diversity, equity and inclusion efforts in alignment with program goals, as well as Energy Trust of Oregon's Diversity, Equity and Inclusion Plan and Oregon Public Utility Commission (OPUC) equity metrics as applicable

#### *3.2.2.2 Marketing (4 Pages)*

Marketing is fundamental to raising awareness of New Buildings across target audiences and engaging customers and members of the architecture, engineering and construction communities in Energy Trust's services and offers. The Program Management Contractor (PMC) marketing team acts as a full-service agency to support this contract. Specific services and expertise include but are not limited to: Account management; customer segmentation and market insights; design, development and execution of integrated marketing strategies; technical content development; and digital content strategy.

Energy Trust encourages marketing teams to form creative partnerships that prioritize inclusion and bring deeper insights and expertise to marketing strategy. Please note, public relations (PR) does not fall within the scope of marketing services for these contracts.

In addition to program-specific activities, the PMC marketing team coordinates closely with other Energy Trust programs, such as Solar and Existing Buildings, as well as with creative agencies working on sector-level projects.

The bidder should describe the proposed marketing team's capabilities and approach to resource, plan and execute annual program marketing activities or other key deliverables related to program awareness, engagement and promotion. At a minimum, proposals should address:

- Core capabilities and areas of specialization, e.g., advertising, media buying, digital/social content strategy and management, event coordination and promotion, and creative strategy
- Approach to marketing account management, collaboration and reporting

- Experience working with and/or managing multidisciplinary teams, including creative professionals, technical subject matter experts, program/product designers, market researchers and business analysts
- Approach to developing and implementing integrated marketing campaigns, including but not limited to conducting research, developing creative concepts and channel strategies, developing content, coordinating campaign launches and measuring campaign impacts
- Experience designing and executing business-to-business (B2B) marketing campaigns and strategies
- Experience with social media content strategy, listen and response, and measurement
- Experience and capabilities in event organization, coordination and promotion
- Experience designing and executing cooperative marketing strategies in collaboration with other organizations
- Experience with, approach to, and tools for managing, monitoring and reporting on marketing performance across channels
- An appendix that includes three to five examples of B2B marketing campaigns on which the bidder has worked

#### 3.2.2.3 *Customer Engagement and Outreach (4 Pages)*

Outreach representatives work closely with customers to help them navigate offers, inform investment decisions and achieve project goals. PMC engineers provide technical reviews and support to help customers reduce energy consumption at their sites. The successful bidder would be expected to maintain established relationships and continue to deliver offerings based on existing commitments while implementing any innovations in program design, and adhere to Energy Trust customer service values (see [Appendix D: Customer Service](#)).

Bidder should describe how their team would: (1) cultivate an understanding of and develop and maintain relationships within key markets, geographies and target audiences; (2) deliver a streamlined customer experience to help customers navigate and select appropriate New Buildings offerings; and (3) provide ongoing technical support and guidance. The approach should present strategies for reaching new or underserved customers.

At a minimum, the bidder should:

- Describe how they would staff and structure the outreach team to maximize program reach while cultivating deep relationships within markets and communities
- Describe how they would provide adequate technical support throughout a project's lifespan to guide customer decisions and maximize the efficiency of their projects
- Identify approaches and strategies for engaging with broader markets and communities to cultivate relationships with key stakeholders and decision-makers
- Specifically address team members' experience:
  - Working with commercial design teams in Oregon and the Pacific Northwest, including the number and types of companies with which they have worked
  - Working with diverse stakeholders in the Pacific Northwest and facilitating discussions across groups/individuals with divergent opinions
  - Establishing culturally competent outreach teams

- Onboarding and managing outreach staff focused on increasing participation within rural communities

#### *3.2.2.4 Collaboration and Coordination (2 pages)*

Bidder should describe their plan to work with other Energy Trust program implementers, Energy Trust internal support teams, and external stakeholders to successfully deliver all program services. Bidder should explain their approach to collaboration and coordination and frequency of activities below:

##### **3.2.2.4.1 Energy Trust's Other Programs and Implementation Teams**

- Align incentives, requirements, messaging and market engagement strategies for measures or offerings that are available across multiple programs.
- Develop strategies for deepening customer relationships, making referrals to other programs (e.g., Business Lighting, Existing Buildings and Renewable Energy programs) and providing a seamless customer experience with one point of contact where possible.

##### **3.2.2.4.2 External Stakeholders**

- Coordinate delivery and marketing efforts with subcontractors, utilities, associations and other organizations as needed.
- Support Energy Trust in coordinating with external stakeholders including, but not limited to, the Bonneville Power Administration (BPA), Regional Technical Forum (RTF), Northwest Energy Efficiency Alliance (NEEA), Oregon Department of Energy (ODOE), and others.

#### *3.2.2.5 Training and Education (4 Pages)*

Training and education, including New Buildings-hosted training and grant offers, represent a critical component of the program's approach to market transformation and the advancement of net-zero design and construction. Trainings and grants offered by the program are well-known and well-established, and their growth is fundamental to the program's success.

Energy Trust is looking for bidders who bring expertise in continuing education in commercial architecture, engineering and construction, premised on a deep understanding of the target audiences and their needs.

Energy Trust is also looking to expand training and education materials to include design briefs and case studies with an emphasis on best practices and guidance on making cost-informed decisions. Bidder should describe how their team would expand and enhance New Buildings training, grants and future education-related offers to achieve long-term market transformation.

The bidder should describe their experience:

- Developing a schedule of training that provides both consistency and flexibility
- Identifying content that is relevant to the commercial design audience, and that provides critical information for designing cost-effective, high-performance buildings
- Recruiting and coaching speakers with varying levels of experience
- Facilitating training and panel discussions in-person and virtually
- Managing training content that is in-person, webinar-style or on-demand
- Managing Continuing Education Unit submissions
- Developing and running competitive grant application processes

### **3.2.3 Part 3: Program Management (11 Pages)**

Energy Trust program administration requires significant collaboration among PMC staff, Energy Trust staff and key stakeholders. Many of Energy Trust's systems and processes are standardized, interrelated or integrated. For each of the following sections, please consider that collaboration will be a necessary part of development and implementation.

#### *3.2.3.1 Budget and Savings Goals Development (3 Pages)*

The PMC will be responsible for supporting multiyear budget development and savings, working with Energy Trust to determine incentive levels for all measures and establish targets for expenditures and savings. Program budgets will be comprehensive to include all expenditures including incentives, Energy Trust internal management costs and PMC costs. The PMC will use Energy Trust's organizational budget tools and action plan development documents.

The proposal for budget development should demonstrate the following capabilities:

- Setting energy savings goals within Energy Trust's cost-effectiveness and levelized cost parameters
- Managing a comprehensive budget that achieves annual goals with minimal variance between budget and expenditure
- Contractor and subcontractor management

*3.2.3.2 Forecasting and Market Intelligence (2 Pages)*

Bidder should describe how they would implement monthly, quarterly and future-year forecasting and project pipeline management, including:

- Methods and tools to track anticipated savings, delivery costs and incentives to goal and budget on monthly, quarterly and annual bases
- Methods for using market intelligence, project pipeline data and experience to forecast year-end savings and potential shortages or overages on savings and budget
- Methods for developing multiyear projections to monitor development pipelines, technologies and design trends, and/or other indicators to inform action plans and budgets
- Strategies to mitigate any forecasted variances to approved goals and budgets
- Documentation of forecasting methods

*3.2.3.3 Invoicing and Reporting (2 Pages)*

Describe staffing responsibilities, core abilities and overall business capacity to support accurate and timely invoicing. Bidder should demonstrate how their team would meet invoicing and reporting requirements, including:

- Generation of monthly invoices accounting for all labor (prime contractor and subcontractor labor hours and costs) and other direct charges incurred the previous month, including breakdown of program delivery costs by track and supporting documentation (e.g., payroll reports, certified expense reports or receipts)
- Segmentation of invoiced costs utilizing Energy Trust-provided general ledger codes, unique to the organization. Distinct invoices are required for unique contract elements or scopes of work; the PMC contract will likely require at least three separate invoices.
- Monthly documentation of payments to Supplier Diversity Contractors and invoices from those subcontractors as supporting documentation to track annually established Supplier Diversity Spend Goals, in a format specified by Energy Trust
- Monthly reporting on program activities and results such as incentive spending and progress to savings goals by utility and measure type; detailed outreach activities and market intelligence; progress updates on significant projects; outcomes from diversity, equity and inclusion activities; and other relevant program implementation information
- Monthly, quarterly and annual reporting on program achievements, challenges, lessons learned and plans for future quarter/year activities
- Ad hoc reporting and data requests from Energy Trust

*3.2.3.4 Operations and Controls (4 Pages)*

Energy Trust maintains high quality standards, conducts file and audit reviews for compliance, and requires detailed record management and data security from the PMC. The proposal must describe a plan for delivery of the following activities:

**3.2.3.4.1 Project and Incentive Payment Processing**

Describe bidder team responsibilities and overall capacity and experience with project and incentive payment processing, including:

- Processing incentive payments for completed projects. Program implementers are required to use Energy Trust's systems and conduct processing according to Energy Trust requirements, including the following tasks:
  - Verifying participant's eligibility (including determining self-direction eligibility)
  - Verifying that submitted incentive applications, energy models/calculators and forms meet program requirements
  - Collecting complete, accurate and verifiable tax identification information for incentive payments, ensuring W-9 procedures meet Energy Trust requirements
  - Supporting concurrent audit of incentive payments that exceed a specified amount or any requests for which the program implementer is the incentive recipient
  - Delivering checks per Energy Trust procedures
- Ensuring project, forecast and payment processing passes quality control checks prior to Energy Trust approval, including but not limited to:
  - Reviewing all project documentation (invoices, spec sheets, etc.) for completeness, legibility and accuracy
  - Ensuring accurate data entry of customer information, incentive form information and payment details with spot-checks and statistical checks for validation of accuracy and completeness
- Meeting agreed-upon service level agreements related to completed applications, missing information and payment processing turnaround time
- Maintaining data integration across bidder's internal systems and Energy Trust systems to avoid duplicative data entry, whenever possible

#### 3.2.3.4.2 Information Technology

The bidder should describe how they would use Energy Trust's systems of record to manage and deliver the program (e.g., Customer Relationship Management (CRM) and Project Tracker (PT)), including:

- Details and justification for any additional technologies or software applications that would be used to deliver the program
- Approach to setting up, testing, monitoring and maintaining data transfers if needed between bidder's information technology (IT) systems and Energy Trust systems
  - Identification of any data points from Energy Trust systems that would be accessed in order to be fully functional
  - Any updates to bidder's systems that would be required to deliver the program
  - The technical team available to implement and support the system integration
- Security protocols that would be implemented to protect all confidential information

Describe the team's approach and capabilities to perform effective IT project management, including:

- Providing examples of successful IT development and Extensible Markup Language (XML) data transfer capabilities



- Describing security protections governing any client data input into its systems
- Describing approach to monitoring information security in bidder's environment
- Listing all industry certifications for IT security, including but not limited to SOC 2 and ISO 27001/27002 compliance or certification
- Listing date and high-level results of most recent independent information security assessment
- Discussing how bidder would comply with the Energy Trust Information Technology requirements outlined in [Appendix E: Information Technology Requirements](#)

#### 3.2.3.4.3 Recordkeeping and Audit Requirements

Program implementers are required to maintain electronic files, according to Energy Trust policies and procedures, with all associated paperwork in systematic order with a clear accounting of the contents, the final disposition of the project and storage in a secure location.

Describe team responsibilities and overall capacity and experience with recordkeeping, including:

- Maintaining and delivering sensitive data and other confidential information in a secure environment as required by state and federal laws and regulations
- Maintaining updated project information directly in Energy Trust's systems of record or in bidder's system(s) integrated with Energy Trust's systems of record
- Maintaining electronic project files in accordance with documented requirements and procedures, including all files that substantiate participation, how energy savings were calculated and claimed, and other project details
- Cooperating with Energy Trust quarterly internal audits that check the program's adherence to written policies and provide opportunities to discuss process improvements
- Supporting Energy Trust annual external audits by (1) keeping its own financial records according to generally accepted accounting principles; (2) keeping accurate and complete records of how Energy Trust's funds are spent; and (3) responding to requests for information related to audits and to any other authorized external information requests
- Cooperating with Energy Trust concurrent audits, which include payments that exceed specified dollar thresholds or incentive dollars that are flowing directly to the PMC. A satisfactory concurrent audit is required before the incentive requests are processed.
- Working with Energy Trust to implement program changes based on audit findings
- Complying with standard data retention and data destruction protocols
- Providing samples of applicable record-keeping procedures in an appendix to bidder's proposal (appended items will not count toward the page limit)

#### 3.2.3.4.4 Forms Management

Energy Trust provides resources to work with program implementers to develop and manage program forms used to document program participation requirements, workflows and incentive agreements consistent with Energy Trust's requirements. This includes use of paper, digital and online tools. Bidder should demonstrate capacity to:

- Work collaboratively with Energy Trust resources to develop and maintain forms



- Develop and manage program forms used to document program participation requirements, workflows and incentive agreements consistent with Energy Trust's requirements
- Use DocuSign forms or similar online workflows for information-gathering and process management, including any web service integration
- Develop and manage Excel workbooks used to estimate energy savings and incentives, including developing requirements documentation and submission to developers, version control and deployment
- Create accessible and fillable forms in either of the following formats: PDFs (Adobe Acrobat) or Adobe InDesign

#### 3.2.3.4.5 Quality Control

Bidder should explain their approach and plan to ensure the accuracy of data entry and required program and project documentation. Bidder should describe quality control challenges their team has encountered and overcome. Describe the team's program implementation compliance audit results for a program similar in size and scope to the program services in this RFP. Costs associated with quality control and compliance activities must be considered in budgeting for this proposal, which should include bidder's approach and plan for:

- Conducting site visits and verification reviews for purposes of quality control, including coordinating with customers on scheduling, safety and site access requirements
- Developing and complying with protocols for processing and delivering incentive payments
- Developing and complying with protocols for project-level forecasting, reporting accuracy and marketing material accuracy
- Ensuring that security protocols are in place to maintain sensitive data and customer confidentiality

#### 3.2.3.4.6 Process Improvement

Program implementers will identify ways to streamline and simplify program processes and materials. Program implementers will also work collaboratively with Energy Trust to implement process changes identified by Energy Trust. Describe bidder's experience:

- Identifying and implementing continuous program process improvements
- Meeting requirements and maintaining high data quality standards with a focus on ways to improve the customer experience and/or relieve administrative burdens
- Making recommendations and working collaboratively with contracting companies on implementation of changes to processes as needed

#### 3.2.3.4.7 Program Implementation Manual

The PMC is responsible for developing, delivering and maintaining content for a program implementation manual. The manual documents all procedures, protocols, forms, processes and policies regarding the program delivery, program management, quality control, customer service and compliance with Energy Trust's requirements. The PMC is required to update this documentation on a regular basis and post the document to Energy Trust's systems.

Proposals should:

- Describe approach to developing and maintaining a program implementation manual

### **3.2.4 Part 4: Technical Support (10 Pages)**

#### *3.2.4.1 Energy Engineering and Technical Analysis (3 Pages)*

Bidder should describe their team's experience and approach to the following customer-facing energy engineering and analysis activities:

- Establishing savings calculations based on the whole-building approach used in ASHRAE 90.1 commercial code, accounting for fuel-agnostic savings for gas and electric fuels when influencing a project to go beyond code
- Process for developing and maintaining energy savings calculator tools that are used to estimate energy savings and incentives for whole buildings or individual measures, including developing requirements documentation and submission to developers, version control and deployment, including a description of a current or past project on which bidder's team has developed a complex Microsoft Excel workbook using Microsoft VBScript (Visual Basic Script) and optional XML output, which were validated by a client or other vendor.
- Development of additional tools, automations and/or workflows needed to create program forms and documentation from calculator tool outputs (e.g., offer letters to participants that show project information, estimated savings, project costs and estimated incentive)
- Performing energy efficiency technical analyses including building simulation models and performing post installation verifications at commercial sites
- Technical team qualifications in energy engineering, energy modeling development and review, energy metering and commissioning, detailed project analysis and technical support for commercial energy efficiency
- Use of software and methodologies that include technical information but are designed for customer-facing use

#### *3.2.4.2 Evaluation Support (2 Pages)*

Energy Trust evaluation staff manage efforts to document and assess program activities, program impacts and customer experiences. Evaluation activities are typically implemented by third-party contractors and require implementer awareness and coordination. Evaluation scopes may require that the PMC provide program data, documents and project files; help develop evaluation plans for research projects and new initiatives; introduce customers and market actors to evaluation requirements; help recruit and follow up with customers and market actors

to participate in evaluations; participate in evaluation interviews; answer evaluator questions; and review and comment on evaluation deliverables.

The PMC will work with Energy Trust evaluation staff and other groups to develop, design, implement and evaluate program and measure-related research projects, pilots, initiatives and formal coordinated research projects, following Energy Trust's established processes when applicable. After a research project has been designed, Energy Trust evaluation staff may conduct research entirely on the PMC's behalf, evaluate the outcomes of pilots, initiatives and research projects implemented by the PMC, or simply review deliverables from research conducted by the PMC.

Describe bidder's approach to supporting evaluation activities and provide examples of how bidder's team has incorporated evaluation and research findings to continuously improve program delivery.

#### *3.2.4.3 Program Analytics and Planning Support (2 Pages)*

The PMC provides support to the Energy Trust planning team as necessary for work such as:

- Providing data and market intelligence to support Energy Trust efficiency forecasting for utility integrated resource planning efforts
- Providing data and support for data requests from stakeholders such as the Oregon State Legislature, the OPUC and Energy Trust's funding utilities
- Forecasting cost-effectiveness ratios (i.e., utility and total resource cost tests) based on planned program designs
- Coordinating to develop mechanisms to quantify peak reduction impacts and carbon reduction impacts from program activities and actions
- Ensuring that planning assumptions are up-to-date in program tools
- Developing cost-effectiveness frameworks to quantify the combined impacts of Energy Trust and Northwest Energy Efficiency Alliance market transformation activities related to new construction in Oregon
- Coordinating with Energy Trust and utilities to develop solutions for distribution system planning projects

The PMC is also expected to support and develop reports and ad hoc analyses. Bidder should describe their team's ability to provide the general support noted above and to additionally:

- Perform statistical and quantitative data analyses to support program forecasting, design, operations, reporting and other goals or activities, as requested (Note: Energy Trust uses SQL, Excel and R).
- Perform analyses to create market characterizations and/or customer segments and provide information about the data and methods used. If requested, collect market and/or customer data to support market characterizations and/or customer segments.
- Develop and build dynamic reports for use in management and delivery of the program
- Use data visualization tools to support program forecasting, design, operations, reporting and other goals or activities (Note: Energy Trust uses Power BI.)
- Develop and maintain datasets to support program forecasting, design, operations, reporting and other goals or activities

**3.2.4.4 Measure Development and Research (3 Pages)**

The New Buildings program's prescriptive and semi-prescriptive measures are developed and maintained following Energy Trust's established measure development process. The PMC is expected to follow this process, which includes the following responsibilities listed in [Appendix G: New Buildings Roles and Responsibilities](#), **Section 2.9 Measure Development**.

- Use project management trackers or tools as directed by Energy Trust's Measure Development Manager
- Vet and develop new measures and technical analyses according to the Energy Trust measure development process and in coordination with Energy Trust's Measure Development Manager, Program Manager and Planning Engineers
- Manage and maintain existing measures according to the Energy Trust measure development process and in coordination with Energy Trust's Measure Development Manager, Program Manager, Planning Engineers and other programs that may share the measure
- Define program designs, market conditions, measure specifications, end use applicability, measure life, selection of load profile, estimated ranges of costs, estimated savings and non-energy benefits, including citations for all sources and assumptions

Bidder should describe their team's approach to energy-efficiency program measure development as described below, including the tools or methods used:

- Approach to identifying and developing new measures and maintaining existing energy efficiency measures, including:
  - Demonstrating market knowledge of customers to propose new measures and updates to existing measures to increase savings and customer participation through prescriptive and calculated measures
  - Proactively identifying research needs and potential research strategies for new and existing measures, including primary and secondary research
  - Using the total resource cost test and utility cost test or provided cost-effectiveness calculator tool to assess whether a proposed measure is cost-effective
  - Documenting measure analysis work in clear and readable language, and including Excel workbooks, final assumptions, citations and other supporting resources
- Methods for monitoring measures for necessary updates or changes
- Methods for applying an equity lens to program's measure development and research
- Expectations for ongoing learning and skills development for technical team members

**3.2.5 Part 5: Transition Plan and Schedule (2 Pages)**

**3.2.5.1 Transition Plan (2 Pages)**

Energy Trust anticipates a transition period from September through December 2024. Energy Trust would expect a new program implementer to continue the program in its current form, beginning on January 1, 2025. Any significant changes or enhancements to the program should be planned for no earlier than the second half of 2025.

Bidder should describe their plan to ensure a successful launch on January 1, 2025, with minimal change or disruption to customers or other program partners.

The following information describes Energy Trust's expectations for the current and incoming program implementer(s) activities during the transition, to inform bidder's proposal.

During the transition period, the current PMC will be responsible for:

- Delivering 2024 energy savings to Energy Trust, including close-out of 2024 projects, which may carry into January 2025
- Transferring information, training, and handing off relationships and projects to the incoming implementation team, including transferring project files for all current and past projects
- Completing enrollment activities for all projects in the pipeline, including getting signed enrollment forms into Project Tracker
- Completing review of all energy models or technical studies by December 31, 2024
- Delivering all incentive reservation letters with approved savings estimates
- Completing end-of-year changes to marketing materials, forms, calculator tools and any other tools or processes used to administer the program

The incoming program implementer transition plan must include specific tasks and deliverables to implement an efficient and coordinated transition of the New Buildings program that covers the following activities:

- Execute a transition staffing plan to ensure adequate ramp-up time and training for program team members, including Supplier Diversity Subcontracting Plan activities, as applicable. While Energy Trust expects to see Supplier Diversity Contractors included in the transition plan, the Supplier Diversity Spend Goal requirements do not apply to the transition contract value.
- Participate in program orientation sessions and training on program requirements, processes, forms and tools.
- Participate in training on Energy Trust's Budget, CRM and PT systems, Utility Customer Information (UCI), confidentiality/sensitive data requirements, customer experience and complaint management, and other processes and systems.
- Work with Energy Trust and the current PMC to transition customer accounts and strategic relationships, including:
  - Transition all in-process customer projects with forecasted completion dates in 2025 or beyond
  - Transition relationships with trade associations, industry groups, community-based organizations, etc.
  - Begin technical review for studies identified during the transition period.
- Coordinate with current PMC and Energy Trust on transition of and training on all program forms, calculator tools, customer lists, training and grant documentation, and any other tools or processes used to administer the program, such as associated forms, workflows, and participant requirements.
- Coordinate with existing implementers and Energy Trust to receive all project documentation, including quality control plans and relevant desktop procedures
- Update or develop program documentation:

- Initiate updates to the program implementation manual (PIM) to address any needed changes due to new implementer.
- Coordinate with Energy Trust marketing and communications staff on plans for communicating about the transition and to update marketing and/or website content required for 2025.
- Coordinate with current PMC and Energy Trust on transition of and training on all calculator tools and documentation used in the program.
- Set up phone and email communication channels for customer support.
- Establish collaboration protocols for working with other Energy Trust program implementers.
- Establish monthly invoicing, reporting templates and forecasting procedures.
- Discuss incentive payment structures with Energy Trust compliance audit reviewer to ensure necessary procedures and controls are in place.
- Work with Energy Trust to finalize New Buildings 2025 and 2026 energy savings goals and program budget.
- Work with Energy Trust to develop the 2025 contract scope of work.
- Begin general outreach and day-to-day operations by participating in program management and outreach activities and meetings with current implementers and Energy Trust, for example:
  - Work with the current implementer(s) to understand and manage all aspects of project recruitment and development.
  - Develop a system for managing active projects.
  - Work directly with current outreach team members to acquire knowledge about projects in the pipeline, including project contacts, history and status.
  - Make introductions and develop participant and stakeholder relationships as applicable.

Include names and roles of transition team members, as well as their experience implementing other program transitions of like scale and scope, in a Transition Plan Staffing Summary of no more than two pages. Bidder should include their proposed budget for the 2024 transition work in [Appendix F: Pricing and Savings Proposal Template](#).

#### 3.2.5.2 *Transition Schedule*

Provide a transition implementation schedule, in a Gantt chart, for the four-month transition period in 2024 and any startup or development activities planned for 2025. Bidder may use an oversized page for their Gantt chart. Energy Trust anticipates transition activities will begin in coordination with the selected implementer and the existing implementer by September 1, 2024. Energy Trust expects the selected implementer's team to begin full program implementation as of January 1, 2025. Transition activities and any additional startup or development activities contemplated beyond December 31, 2024, must be accounted for in bidder's proposed 2025–2026 Pricing and Savings budgets.



### **3.2.6 Part 6: 2025 Implementation Schedule**

For this part, at a minimum, the proposal should address elements identified in **Parts 2, 3 and 4** of bidder's proposal. It should also include and specifically identify any subcontracted work where applicable and provide an implementation schedule, in the form of a Gantt chart. Bidder may use an oversized page for their Gantt chart.

The PMC is responsible for day-to-day delivery of all program services for New Buildings (see [Appendix G: New Buildings Roles and Responsibilities](#)), maintaining the existing program and proposing program enhancements. Below are examples of the type of work that should be included in the schedule.

- Strategy deployment
- Strategic market development
- Project delivery
- Implementation of offers
- New developments and pilots
- Staff deployment and management
- Detailed tracking, reporting and regular communication
- Forecast and budget of program initiatives, including incentive management
- Estimate of development and implementation timelines

### **3.2.7 Part 7: Pricing and Savings Proposal (4 Pages)**

Energy Trust budgets annually on a calendar year basis and tracks and reports expenses and energy savings for eligible Oregon electric customers of Portland General Electric and Pacific Power, and eligible Oregon natural gas customers of NW Natural, Cascade Natural Gas and Avista. Bidder should include their assumptions and processes for estimating potential savings and incentives in their proposal.

Use [Appendix F: Pricing and Savings Proposal Template](#) (in Microsoft Excel format) according to the instructions included in the template to prepare a Pricing and Savings Proposal for the program implementation services. The bidder is required to complete the 1) Summary, 2) Price Proposal Efficiency, 3) Price Proposal Solar, 4) Incentives and Savings, 5) Personnel Summary and 6) Supplier Diversity tabs. Where subtasks have not been specified, bidder is encouraged to add relevant subtasks.

In addition to submitting the Pricing and Savings Proposal Template, bidder should provide a narrative explaining the assumptions for their proposal. A summary of savings by measure is not required for bidder's proposal, though any information bidder would like to include addressing sources of savings should be included in their proposal narrative. Any proposal that does not include all required information or does not use the format as directed by Energy Trust may be disqualified.

If bidder is proposing program enhancements, bidder must include the optional delivery costs in the "Program Enhancements" section of the Delivery task in the Price Proposal Efficiency tab and must include pricing assumptions in the price proposal narrative. These enhancements may expand on or streamline aspects of the program offerings. If the enhancement reduces program cost, show the pricing as a negative number, and if it is additional program work, show the pricing as a positive number.

Bidder must assume:

- The transition is expected to start September 1, 2024.
- All other tasks will start January 1, 2025.
- Other direct costs should be priced according to associated subtasks.
- Expenses should be transparent and the weighted average hourly rate for all personnel and subcontractor personnel should be easily identifiable. The template is set up to calculate average billing rates by role and in total, so bidder must ensure this functionality remains in place.
- Energy Trust does not permit markup on any direct costs or on any billings payable to subcontractors, and strongly prefers that other subcontractor labor or other costs are not subject to any proposed markup. If bidder is proposing a markup on any proposed subcontractor billings for labor or other costs, they must clearly identify and explain the proposed markup amount in this section of the proposal.
- The customer cash incentives associated with each track and utility are built into the Pricing and Savings Proposal Template as a cost per unit of energy savings. These cash incentive run rates are the rates used in the 2024 board-approved budget and are being used to ensure consistency between proposals.
- Other incentives such as early design assistance, technical studies and other technical assistance incentives should be built into “Energy Incentives” for Whole-Building Projects when preparing [Appendix F: Pricing and Savings Proposal](#).

Include proposed electric and gas savings goals for 2025 and 2026. For bidder’s reference, Energy Trust’s 2024 energy savings goals and budgets by offering and utility are located in the [2024 Budget and Action Plans](#).

### **3.2.8 Part 8: Supplier Diversity Subcontracting Plan and Supplier Diversity Spend Goal (3 Pages)**

For this RFP, Energy Trust requires that a minimum of 20% of bidder’s proposed New Buildings contract value goes to Supplier Diversity Contractors (**see Section 1.4.3**).

In RFP responses, Energy Trust expects to see:

- A program implementation team including Supplier Diversity Contractors that will best help Energy Trust meet the communities in its service area with meaningful roles on bidder’s implementation team
- Bidder’s plan for working with teaming Supplier Diversity Contractors to develop a long-term connection to communities, community-based organizations and other community partners
- A description of how bidder’s implementation team, including Supplier Diversity Contractors, will be embedded within the overall program design and delivery
- Bidder’s plan for establishing collaboration protocol between Supplier Diversity Contractors and other programs or groups within Energy Trust

Bidder’s proposal should thoughtfully address challenges that Supplier Diversity Contractors may experience, with bidder’s plans to proactively support their success. Examples include, but are not limited to:



- Considerations for onboarding Supplier Diversity Contractors into the clean energy industry and professional organizations
- Considerations for how to expand or flex a Supplier Diversity Contractor's role to maintain their expected involvement, if there were a change in program plans that would reduce the subcontractor's initial or ongoing role on the team
- Establishment of protocols for attributing Supplier Diversity Contractor contributions and work (e.g., attributions on presentations)
- Considerations for mentoring and how bidder would, as PMC, provide initial and ongoing resources and/or support to Supplier Diversity Contractors who are entering the clean energy industry and program implementation, and may be taking on new responsibilities

All Supplier Diversity Contractors are expected to remain in good standing with the certifying entity throughout the duration of the contract. Energy Trust will periodically meet with Supplier Diversity Contractors to ask for feedback on their role and experience on the team, find out what's working and what could be improved, and to check that the commitments made by prime contractors are maintained and/or changes to commitments are fairly communicated and agreed upon.

Only those certifications listed in **Section 1.4.3** for Supplier Diversity Contractors will count for Supplier Diversity Spend Goal purposes. Supplier Diversity Contractor firms must be certified as indicated in **Section 1.4.3** or have their certification in process when a proposal is submitted, with certification complete and verified by the selection date for this RFP, as shown in **Section 1.1**.

Prime bidders must develop a Supplier Diversity Subcontracting Plan using the template provided as [Appendix H: Supplier Diversity Subcontracting Plan](#), which specifies in three pages or fewer how bidder would, as PMC, contribute to achievement of Energy Trust's goals of contracting with Supplier Diversity Contractors during the initial five-year contract term and strategies for increasing the total Supplier Diversity Spend Goal percentage for Supplier Diversity Contractors each year of the potential contracting term. Bidder will also provide details on its Supplier Diversity Subcontracting Plan in [Appendix F: Pricing and Savings Proposal Template](#).

The selected PMC will agree to implement their Supplier Diversity Subcontracting Plan as part of their contract with Energy Trust. Such plan and implementation efforts will be measured as a criterion for annual contract goal achievement purposes (associated with potential performance compensation) and for evaluating any potential extensions beyond the initial five-year contract term. See [Appendix A: Contracting Overview](#) for more information.

The successful bidder will be required to designate an individual responsible for administering the plan and will provide regular reporting on the annually established Supplier Diversity Spend Goal under the contract.

Energy Trust aspires to use Oregon resident contractors (e.g., existing or new businesses domiciled in Oregon and/or regularly maintaining a place from which business is physically conducted in Oregon). Energy Trust additionally encourages teams to work with community-based organizations (CBOs) and other stakeholders that represent a specific geographic region or customer group to help achieve program diversity, equity and inclusion goals. However,

teaming with CBOs or other stakeholders will not count toward Supplier Diversity Spend Goal percentages.

### **3.2.9 Part 9: Staffing Plan and Qualifications (8 Pages)**

#### *3.2.9.1 Staffing Plan and Organizational Chart*

In this section, describe how each team member would contribute to the delivery of the program. Identify all key personnel by name, position title, primary responsibilities, summary of qualifications and expected full-time equivalent (FTE) designation for each title. Note the location of each person, whether they are Portland-based or in home/field offices outside of the Portland metropolitan area. If the prime bidder or any subcontracted team members are not currently located in Oregon, include a plan and timing for how bidder would build a presence and deliver services in Oregon.

Subcontracting to provide expertise for specific tasks, such as outreach and delivery to specific market segments, is encouraged. Describe the roles of subcontractors and the scope they would perform to deliver various aspects of the program.

Provide an organizational chart, including clearly labeled subcontractor team members who would deliver portions of the program.

Include resumes of key personnel as appendices. Resumes should highlight experience relevant to this RFP, should not exceed one page each in length, and do not count toward the overall page count.

Include a letter of commitment to the proposed team from each subcontractor or consultant included in bidder's proposal. Letters of commitment should be included as an appendix and will not count toward the overall page count.

#### *3.2.9.2 Diversity, Equity and Inclusion Hiring Practices and Policies (2 Pages)*

Energy Trust seeks to contract with organizations that share its commitment to building a diverse, equitable and inclusive workplace and business environment. Describe bidder's experience developing and executing diversity, equity and inclusion initiatives and/or policies within bidder's company, including:

- Specific examples of activities, projects or plans worked on or developed during the past 36 months that demonstrate how prime bidder company promoted diversity, equity and inclusion in the areas of (1) recruitment, hiring, retention and promotion; (2) training and professional development; (3) company operations and strategy; and (4) any other relevant company policies or initiatives
- Specific activities the prime bidder and key team members have implemented to expand their professional networks with diverse customers
- Specific activities the prime bidder and key team members have implemented to engage with communities, community-based organizations or other community partners
- Whether prime bidder's firm holds any of the certifications listed in **Section 1.4.3**
- Information regarding state or federal certifications, awards and/or recognition for bidder's organizational policies and practices relating to diversity, equity and inclusion
- Use [Appendix I: Employee Data Template](#) to specify the gender and racial/ethnic makeup of prime bidder and subcontractor companies. For companies with 100 staff

members or more, include most recent EEO-1 form submitted to the Equal Employment Opportunity Commission as an appendix to bidder's proposal (appended items do not count toward proposal page limits).

**3.2.9.3      *Diversity, Equity and Inclusion Program Implementation Experience (2 Pages)***

Energy Trust seeks program implementers with experience delivering programs that reach all customers, including those not previously served, and to track the results of such programs.

Describe bidder's diversity, equity and inclusion program implementation experience, specifically addressing:

- Program design and strategies the team has successfully implemented for other clean energy programs that build relationships with community and remove barriers for participation from priority communities
- Program design and strategies the team has successfully implemented for clean energy programs that prioritize frontline and diverse customers who have been historically underserved within the clean energy industry
- Examples of specific program activities implemented to increase the awareness and participation of diverse customers
- Experience using an equity lens to develop program measures and offers to meet the needs of diverse customers
- Methods to collect, analyze and report disaggregated market, customer and participant demographic and firmographic data to baseline, and to benchmark and track participation of prioritized customer groups

**3.2.9.4      *Experience Subcontracting with Diverse Firms (2 Pages)***

Energy Trust seeks program implementers who share its commitment to advancing opportunities for diverse companies to become active and valued service providers in the clean energy industry. Bidder should describe its specific experience in subcontracting with businesses holding one or more of the certifications listed in **Section 1.4.3**, and include the following:

- Provide a summary of the prime bidder's supplier diversity program, including the system used for tracking and reporting on the diversity of its subcontractors. If prime bidder does not have an existing supplier diversity program, explain why not.
- Describe prime bidder's efforts to increase business with women-, minority-, service-disabled veteran-owned and emerging small businesses and any plans to expand these efforts.
- Describe prime bidder's experience in embedding diverse contractors into clean energy program delivery.
- Provide a summary of how the prime bidder mentors women-, minority-, service-disabled veteran-owned and emerging small business subcontractors. If none, explain why.
- Provide a summary of the prime bidder's experience in providing support and resources for diverse contractors who are new to the clean energy industry and/or program implementation.

- State the percentage of prime bidder's total contracting and procurement spend for the prior year (2023) with women-, minority-, service-disabled veteran-owned, and emerging small businesses. If bidder is unable to provide this information, describe the systems and plans bidder would have in place to provide this data if selected as the successful bidder on this RFP.
- Describe any experience prime bidder and team members have in engaging with community-based organizations, including ethnic business organizations, in Energy Trust's service area for program outreach and/or other services.
- Describe any experience prime bidder and team members have in engaging with rural businesses and community-based organizations in Energy Trust's service area, such as Southern and Eastern Oregon, for program outreach and/or other services.

#### *3.2.9.5 References (1 Page)*

Bidder should provide contact information for parties knowledgeable about their clean energy program implementation services. Include three references from parties knowledgeable about the prime bidder's experience with energy-efficient new commercial construction program delivery such as the work described in this RFP, including at least one person who directly worked with the prime bidder on a prior information technology (IT) integration project and can speak to their capabilities in integration and adoption of IT systems and IT security. Also include one additional reference who is knowledgeable about the team's experience in delivering whole-building design programs.

References must include name, title, address, telephone number and email address. Energy Trust is especially interested in references who have had experience working directly with key team members identified in the proposal. Energy Trust may request additional references.

#### *3.2.9.6 Required Licenses and Certifications (1 Page)*

In no more than one page, disclose whether any of the work proposed would require any type of State of Oregon and/or other state or federal approved license or professional certification and/or any type of third-party license or professional certification.

Disclose relevant licenses and certifications of individuals on proposed team. If the prime bidder or any of its team members do not have the required licenses or professional certifications, specify plans for obtaining the necessary licenses and professional certifications or explain why such licenses or professional certifications would not be needed.

### **3.2.10 Part 10: Administrative Materials (5 Pages)**

#### *3.2.10.1 Conflict of Interest Disclosure (1 Page)*

In one page or less, disclose any direct or indirect, actual or potential conflicts of interest the bidder and/or bidder's proposed subcontractors have or would have with Energy Trust. A direct or indirect conflict of interest is any situation in which the bidder or an individual, or a member of their family or close business or personal acquaintance, is employed by Energy Trust or the OPUC, or may be reasonably construed to have a direct or indirect personal or financial interest in any business affairs of Energy Trust, whether because of a proposed contract or transaction to which Energy Trust may be a party or in which it may be interested or is under consideration,

or whether such conflict is purely conceptual, because of similarity of business interests or affairs.

If no such conflict exists, the proposal should explicitly so state. The determination of whether a conflict of interest exists is left to Energy Trust at its sole discretion.

Bidder's disclosure must specifically address any existing contracts that bidder or bidder's proposed subcontractor team members currently have in place for performance of any portion of Energy Trust program services, including any participation in Energy Trust's trade ally network.

#### *3.2.10.2 Insurance (2 Pages)*

In two pages or fewer, provide a description of bidder's proposed insurance coverage for performing the program implementation work, including but not limited to:

- Whether such coverage is on a comprehensive or commercial form
- Whether such coverage is on a claims-made or occurrence basis
- All endorsements excluding coverage of any nature, if any
- All limits, including aggregate limits and the current remaining coverage amounts under those limits

Additional information may be appended if needed (appended items will not count toward the page limit). For reference purposes and to inform Pricing and Savings Proposal development, Energy Trust's prime contracts for program implementation services typically require, at a minimum, the following types and amounts of insurance:

- Workers' compensation insurance including employer's liability coverage in compliance with statutory requirements
- Occurrence-based commercial general liability insurance coverage (including contractual liability and products and completed operations coverage) with at least \$1,000,000 per occurrence/\$2,000,000 aggregate
- Automobile liability insurance with at least \$1,000,000 per accident
- Umbrella coverage (in excess of the employer's liability, commercial general and automobile liability insurances) of at least \$5,000,000 per occurrence/aggregate
- Errors and omissions/ professional liability insurance with at least \$2,000,000 per claim/aggregate
- Cyber liability insurance with an annual total limit of at least \$1,000,000
- Pollution liability/hazardous substances insurance of at least \$1,000,000

Additional requirements apply. Appropriate insurance would have to be in place by transition contracting.

#### *3.2.10.3 Financial Package (2 Pages)*

All financial package materials provided are confidential. Proposals should include a financial statement package of no more than two pages (excluding appended items) including, at a minimum:

- A plan for financing the program, such as sources of working capital and payment plans for subcontractor reimbursement
- Details of the risk management instruments and strategies that bidder employs for operating programs of this scope
- A signed copy of the most recently completed full-year financial statement reviewed or audited by an outside independent accounting firm, including balance sheet, income statement and cash flow statement. (Provide a complete copy of the independent auditor's or accountant's report, including footnotes, along with contact information and authorization to contact. Also provide a copy of any reported significant deficiencies, material weaknesses or recommendations issued by the independent firm, which may be appended.)
- A copy of the most recently completed interim or unaudited financials, noted as such (may be appended)
- The same information required by this section for any subcontractors that would play a significant role in program implementation and handling of program funds (if applicable)
- If the plan for financing the program implementation includes external sources of funds, such as a bank line of credit, provide copies of in-force agreements
- Three credit references
- Bank reference information and authorization for Energy Trust or its representatives to contact regarding verification of financial information
- Tax Identification Number (this information, plus an authorization for a financial credit check, will be required for finalists)
- List of all legal or administrative proceedings pending and concluded for bidder within the last five years that relate to procurement or performance of any public or private contracts
- Statement about whether bidder or predecessors or any principal of the firm has been insolvent or declared bankruptcy within the past five years
- D-U-N-S® Number from Dun & Bradstreet, if available

## 4 Proposal Submittal Process

### 4.1 Intent to Respond

All firms planning to submit a proposal in response to this RFP must complete and submit [Appendix J: Intent to Respond](#). This ensures that Energy Trust can communicate any updates or changes to the RFP to all bidders who are preparing proposals. Firms who submit proposals without submitting an Intent to Respond may be disqualified.

Bidder should email their completed form by the Intent to Respond form submittal deadline date and time shown in **Section 1.1** to [NewBuildingsRFP@energytrust.org](mailto:NewBuildingsRFP@energytrust.org).

The email should reference this RFP in the subject line (e.g., Intent to Respond — New Buildings RFP). Confirmation of receipt will be sent via reply email within one business day.

### 4.2 Questions and Request for Clarification

Any questions and/or requests for clarification or additional information regarding this RFP, including any questions that may arise during the informational pre-bid webinar, should be submitted via email and received by Energy Trust by the date and time listed in **Section 1.1** for submittal of written questions or requests for clarifications to [NewBuildingsRFP@energytrust.org](mailto:NewBuildingsRFP@energytrust.org).

These emails should include a subject line stating Request for Clarification – New Buildings RFP. Confirmation of receipt will be sent via reply email within one business day.

Answers to questions or requests for clarifications submitted by email and received prior to the stated deadline will be published on Energy Trust's website by the date shown in **Section 1.1**. Energy Trust staff are not available for verbal conversations with individual bidders and will not respond to additional requests for information after the date listed in the schedule.

### 4.3 Pre-Bid Webinar

Energy Trust invites all potential bidders to attend an informational pre-bid webinar. This session will provide potential bidders with information about the New Buildings program, roles and responsibilities, and RFP goals and process. The presentation will be conducted via webinar and participation is encouraged.

The date and time of the pre-bid webinar is listed in **Section 1.1**.

Register for the pre-bid webinar at [https://us06web.zoom.us/webinar/register/WN\\_Rkv22MyoQbqcBrI\\_GwH2ww](https://us06web.zoom.us/webinar/register/WN_Rkv22MyoQbqcBrI_GwH2ww).

### 4.4 Proposal Submittal and Method of Delivery

Proposals should be clear, complete and concise. Pages must be numbered, with sections clearly titled, with font no smaller than 11 point. Submit one electronic copy of the complete proposal as a searchable and accessible PDF file. Microsoft Excel-based appendices should be submitted separately in Microsoft Excel format.

Submit proposal via email to [NewBuildingsRFP@energytrust.org](mailto:NewBuildingsRFP@energytrust.org). Email subject line should include a reference to this RFP (e.g., Proposal — New Buildings RFP).

Confirmation of receipt will be sent via reply email within one business day.



Energy Trust will accept proposals no later than the proposal submittal deadline date and time indicated in **Section 1.1**. Energy Trust will not be obligated to consider information received after this deadline.

#### **4.5 Withdrawal and Modification of Proposals**

Bidders may withdraw their proposal and submit a revised proposal prior to the proposal submittal deadline. After the proposal submittal deadline, Energy Trust will not accept bidder-initiated changes unless Energy Trust, in its sole discretion, decides otherwise. Bidders may withdraw their proposal from consideration at any time.

#### **4.6 Revisions to RFP**

If revision of any part of this RFP becomes necessary, Energy Trust will issue an addendum and provide the addendum to all parties that submitted the [Appendix J: Intent to Respond](#) form. Potential bidders should contact Energy Trust if any inconsistencies or ambiguities are found in the RFP. Clarifications given by Energy Trust may become an addendum to the RFP.

#### **4.7 Validity and Deadlines**

Proposals should specify the date through which the proposal is valid. At a minimum, proposals should be valid for 180 days from the proposal receipt deadline.



## **5 Proposal Evaluation Process and Criteria**

### **5.1 Proposal Selection Criteria**

Proposal selection will be the sole responsibility of Energy Trust. A team of reviewers consisting of Energy Trust staff and one or more experts from external organizations will evaluate the proposals. All external reviewers sign confidentiality agreements related to their review. Proposals may be eliminated from consideration at Energy Trust's sole discretion for any reason including, but not limited to:

- The prime bidder did not return an Intent to Respond form
- The proposal is substantially incomplete or exceeds page limits
- The proposal is not responsive to the objectives and requirements of this RFP
- The proposal does not meet Energy Trust's minimum Supplier Diversity Spend Goal requirements for this RFP
- The prime bidder firm or team has not demonstrated financial stability
- The proposal is inconsistent with Energy Trust policies or requirements
- The proposal does not meet financial criteria
- Energy Trust determines that a conflict of interest exists

### **5.2 Proposal Evaluation and Notification for Interview**

Energy Trust will review the proposals as received and will evaluate each in accordance with the scoring criteria described below. Interviews may be scheduled with finalists. Energy Trust will re-score following interviews and initiate negotiations with the leading bidder whose proposal ranked highest in the evaluation process.

### **5.3 Scoring Criteria**

The following selection criteria, and any other criteria that Energy Trust deems, in its sole discretion, to be relevant, will be used to rank and select proposals. The criteria in Table 3 below will be applied to proposals from the finalists chosen for interviews.

**Table 3: Scoring Criteria for Proposal Ranking and Selection**

Criteria	Weight	Description
<b>Cost and Energy Savings</b>	30%	<p>Budget aligned with program functions and proposed approaches</p> <p>Adequate FTE allocation for management and implementation</p> <p>Energy savings goals achievable and appropriate</p> <p>Competitive labor rates and subcontractor costs</p> <p>Competitive other direct costs</p> <p>Competitive and reasonable transition costs</p>
<b>Strength and Cohesion of Bidder Team</b>	30%	<p>Demonstrated management experience and technical ability to implement the program</p> <p>Demonstrated experience and success in new commercial construction program management and delivery, including:</p> <ul style="list-style-type: none"> <li>• Budget management</li> <li>• Forecasting and market intelligence</li> <li>• Technical expertise</li> <li>• Market knowledge of commercial development and design</li> <li>• Invoicing and reporting</li> <li>• Marketing</li> <li>• Cross-program coordination</li> <li>• ASHRAE 90.1 standards</li> </ul>
<b>Diversity, Equity and Inclusion</b>	25%	<p>Bidder has developed a program implementation team and contracting plan that includes Supplier Diversity Contractors</p> <p>Demonstrated experience and success in diversity, equity and inclusion hiring practices, policies and staffing</p> <p>Demonstrated experience and success in diversity, equity and inclusion is embedded throughout the proposal</p> <p>Demonstrated experience and success in engaging with community-based organizations for clean energy programs</p> <p>Strength of Supplier Diversity Subcontracting Plan and demonstrated experience with and ability to deliver on proposed Supplier Diversity Spend Goal</p>
<b>Strength of Proposal</b>	15%	<p>Proposal demonstrates understanding of program objectives and makes connections to Energy Trust's organizational goals and strategies</p> <p>Proposal demonstrates understanding of challenges facing the commercial new construction market, customers and potential customers, and presents strategies and approaches to effectively overcome these challenges</p> <p>Proposal is concise and uses plain language to respond to required sections of the RFP</p>

## **6 Governing Provisions**

All submitted proposals are subject to the following provisions:

### **6.1 Agreement to All Terms**

By submitting a response to this RFP, the bidder represents that it is authorized to submit a response, all information provided in the response is true and correct, and it explicitly understands and agrees to the following provisions of this RFP and all other provisions set forth in this RFP.

### **6.2 Right to Accept or Reject**

Energy Trust reserves the right to make multiple awards, reject any and all proposals and to waive any nonconformity in proposals received; to accept or reject any or all of the items in the proposal; or to award the contract in whole or in part as it is deemed in Energy Trust's best interest. Energy Trust may also choose to negotiate any details of proposals prior to contracting.

### **6.3 Criminal Record and Credit Check**

Energy Trust might require bidders selected as finalists to this RFP to consent to a combined criminal record and credit check to proceed in the process. Energy Trust will obtain the bidder's consent to proceed with these checks.

### **6.4 Confidentiality**

Except in the case of litigation or other legal disclosure and/or audit requirements, Energy Trust will not disclose information submitted in response to an RFP to any third party.

### **6.5 Ownership of Responses**

All materials submitted in response to this RFP shall become the property of Energy Trust and will not be returned to the bidder.

### **6.6 No Verbal Addendums**

No verbal agreement or conversation made or had at any time with any officer, agent or employee of Energy Trust, nor any oral representation by such party shall add to, detract from, affect or modify the terms of this RFP. Any addendum to this RFP will be in written form.

### **6.7 Proposal Costs**

Each proposal prepared in response to this RFP will be prepared at the sole cost and expense of the bidder and with express understanding that there will be no claims whatsoever for reimbursement from Energy Trust.

### **6.8 Waiver of Claims**

The bidder waives any right it might otherwise have to bring any claim, whether in damages or equity, against Energy Trust, Energy Trust Board of Directors or any of Energy Trust's agents, employees or contractors, with respect to any matter arising out of any process associated with this RFP.

## **6.9 Energy Trust Rights Reserved**

Energy Trust reserves the right, in its sole discretion, to reject any or all proposals in whole or in part, to waive any minor irregularities or informalities in a proposal, and to enter into any agreement deemed to be in its best interests. In addition to any other enumerated reserved rights and/or options as stated in this RFP, Energy Trust may in its sole discretion do any one or more of the following:

- Determine which proposals are eligible for consideration in response to this RFP
- Disqualify proposals that do not meet the requirements of the program
- Negotiate with bidder to amend any proposal
- Select and negotiate and/or enter into agreements with bidders who are most responsive to the RFP and whose proposals best satisfy the interests of Energy Trust and not necessarily on the basis of price alone, or any other single factor
- Issue additional subsequent solicitations for proposals, including withdrawing this RFP at any time and/or issuing a new RFP that would supersede and replace this one
- Vary any timetable or schedule, add or change any provisions discussed herein
- Conduct any briefing session or further RFP process on any terms and conditions
- Suspend or modify the RFP process at any time
- Enter into relationships with more than one bidder

## **6.10 Resulting Contract**

This RFP does not constitute an offer to contract with any party for any purpose. Energy Trust does not consider any response to this RFP to constitute an agreement to enter into any contract. Execution of a written contract with Energy Trust would be necessary to perform any of the work described in this RFP or any responding proposals. No award will be considered a commitment, and no obligations or legal relations shall exist between Energy Trust and any selected bidder(s) until a final and binding written contract has been executed by and between Energy Trust and the bidder(s).

Key terms in any resulting contract would include the following: appropriate license and certification requirements; timely and accurate invoicing requirements; requirements stating that written contracts with any of the subcontractors performing any portions of the program on behalf of contractor are required and must include provisions requiring adherence to specified requirements incumbent upon the contractor in its contract with Energy Trust; intellectual property provisions ensuring that work product developed for the program shall be the property of Energy Trust; conflict of interest disclosure requirements; confidential information nondisclosure requirements; indemnification for third-party claims and limitation of liability provisions; and insurance requirements. Resulting contract(s) may additionally include terms consistent with federal funding requirements.

Time is of the essence, and prolonged contract negotiations will not be undertaken. In general, Energy Trust strongly prefers contracts that are consistent with Energy Trust's standard terms and conditions; negotiations for such contracts can typically be completed quickly. Any party involved in these contract discussions can terminate negotiations at any time for any reason. If it appears that contract negotiations are not proceeding in a timely manner, Energy Trust may opt to terminate the discussions and select another bidder.

## **7 Appendices**

[Appendix A: Contracting Overview](#)

[Appendix B: Market Transformation Savings Reporting](#)

[Appendix C: Representation and Signature Page](#)

[Appendix D: Customer Service](#)

[Appendix E: Information Technology Requirements](#)

[Appendix F: Pricing and Savings Proposal Template](#)

[Appendix G: New Buildings Roles and Responsibilities](#)

[Appendix H: Supplier Diversity Subcontracting Plan](#)

[Appendix I: Employee Data Template](#)

[Appendix J: Intent to Respond](#)

[Appendix K: New Buildings Measures](#)

[Appendix L: Energy Trust Service Area](#)