

REQUEST FOR QUALIFICATIONS (RFQ)
Industrial Sector Technical Review Consulting Services

Issue Date: March 6, 2024

1. Introduction and Energy Trust Overview

Energy Trust of Oregon, Inc. (Energy Trust) is seeking qualifications from consultants capable of assisting with industrial energy engineering review and processing of technical documentation related to energy efficiency improvements of industrial equipment and operations, as further described below in this RFQ.

Energy Trust is an independent Oregon nonprofit, 501(c)(3) corporation selected and overseen by the Oregon Public Utility Commission (OPUC) to help Oregon utility customers save energy and generate renewable power. Energy Trust services, cash incentives and energy solutions have helped participating customers of Portland General Electric, Pacific Power, NW Natural, Cascade Natural Gas and Avista save \$6.3 billion on utility bills since 2002. Energy Trust's work helps keep energy costs as low as possible, creates jobs and builds a sustainable energy future. More information about Energy Trust's background, funding sources, strategic and action plans, policies and programs are available on our website at www.energytrust.org/about.

2. RFQ Background

Energy Trust is seeking an independent contractor to provide technical review consulting services to Energy Trust's Production Efficiency program. The consultant would assist Energy Trust with its review and processing of technical energy studies (including ASHRAE Level 3 energy audits) and Excel-based calculations analyzing potential energy efficiency projects that are submitted to Energy Trust for review via Production Efficiency's Custom, Energy Performance Management and Standard tracks. In addition, the consultant would assist with Energy Trust's downstream lighting project reviews, which are delivered by Energy Trust's Production Efficiency and Existing Buildings programs, as further described below.

The selected consultant will work with Energy Trust and Energy Trust's program management contractor (PMC) to perform the technical review services. Energy Trust program and participant data is confidential and subject to nondisclosure requirements. Energy Trust requires that its contractors protect Energy Trust information from unauthorized access or use in accordance with industry best practices and to provide assurances, as requested by Energy Trust, of its data security program protocols.

Energy Trust has a goal of providing opportunities to people of color, women, and others who have historically faced barriers to full and fair participation in contracting opportunities in the energy efficiency industry. We value the participation of diverse businesses and individual contributors in doing the work associated with this RFQ. **Any contract resulting from this**

RFQ will require a minimum of 20% of the contract value to be paid to certified Supplier Diversity Contractors performing the consulting services. See Section 6 below for more information.

3. Program Overview

The Production Efficiency program provides electric and gas energy efficiency solutions and incentives for all sizes and types of eligible businesses in the industrial and agricultural sectors, helping these energy intensive businesses achieve cost-effective savings on an ongoing basis.

The **Custom track** provides customized technical services and incentives to drive deep and persistent process and operational efficiencies in industrial facilities. This can include both capital and operations and maintenance (O&M) measures. Energy Trust's Production Efficiency PMC performs program outreach and delivery and to prepare and deliver technical analysis studies and verification reports that analyze potential custom energy saving opportunities at specific participant sites.

The **Energy Performance Management track**, also known as Strategic Energy Management (SEM), provides coaching services and technical assistance to help industrial facilities of all types and sizes implement a holistic approach to energy management. The PMC is responsible for providing these services. Through SEM, customers participate in year-long program engagements designed to help them reduce energy use and establish a strong foundation for future continuous energy improvement at their sites.

There are currently two SEM offerings: First Year SEM and Continuous SEM. First Year SEM, launching in the fall of each year, is typically delivered in a cohort format comprised of different sites in various locations. Continuous SEM, launching primarily in the winter of each year, is currently delivered to individual sites that have completed a First Year SEM engagement and is available for sites that want to continue to expand their SEM practice in their facility. Energy Trust has its own developed curriculum and M&V requirements for delivery of the SEM services.

Additionally, Energy Trust uses a licensed, confidential and proprietary 3rd party platform for tracking energy performance and submitting final program documentation. Early in the engagement, Energy Trust reviews and approves energy intensity models developed by the PMC. At the end of the engagement, savings are calculated and claimed utilizing the energy intensity model and a final savings report.

The **Standard track** is focused on identifying, developing, and delivering non-lighting prescriptive rebates and calculated incentives with wide-reaching applicability across targeted industrial and agricultural market sectors. Qualified measures are based on equipment size (e.g., per horsepower, cfm, units, etc.) with relatively simple inputs. For calculated incentives, a vendor or trade ally with support from the PMC calculates the incentive using one of several Energy Trust-approved Excel-based calculator tools. The development of a project in the calculator tool requires key system variable inputs (e.g., equipment size, operating hours, operating conditions, loading and others) and customer site characteristics to better define the baseline and new conditions of the equipment and energy usage.

Downstream lighting measures are delivered to industrial and agricultural and commercial customers through the Production Efficiency and Existing Buildings programs respectively. Downstream lighting includes prescriptive and custom incentives for lighting projects. The program is driven primarily by a network of trade allies, referrals from utility representatives and through direct PMC outreach. For all lighting projects, the trade ally or the respective PMC (either Production Efficiency or Existing Buildings) calculates the incentive using a program approved Excel-based calculator tool. The development of a project in the calculator tool requires key system variable inputs (lighting types, counts, specifications, operating hours, and others).

Note: Energy Trust offers midstream lighting, small business direct install lighting, new commercial construction lighting, residential lighting and residential direct install lighting services through other programs. Reviews of any energy savings calculations associated with these other Energy Trust lighting offers are not within the scope of this RFQ.

4. Description of Technical Review Consulting Services

The types of technical review consulting services that the selected contractor would be expected to provide include:

- A. Performing the services with that degree of skill and judgment normally exercised by recognized professional firms performing services of the same or substantially similar nature and in compliance with all applicable laws, regulations, codes, and standards, including but not limited to all federal, state, and local tax laws and regulations.
- B. Reviewing submitted Custom track technical analysis studies and verification reports according to established Energy Trust criteria, procedures, and program rules. The consultant would review the study for accuracy of overall content, determine the baseline system is accurate and energy efficiency measures are reasonable, and check savings, project costs, cost effectiveness and incentive values for correctness. This review would include the application of sound professional judgment to energy efficiency engineering calculations. The consultant would additionally be expected to work with the PMC to address questions or concerns in individual reviews. Upon review completion, the consultant would issue an approval to the PMC.
- C. Supporting SEM by performing the final review of both the energy intensity model and close-out reports (First Year SEM and Continuous SEM Annual Savings Reports) that take place at the end of an SEM engagement to document energy savings. This review is for the verification of savings and incentive values, ensuring adherence and compliance to program requirements and industry best practices. To perform SEM reviews, the consultant would access and use the licensed, confidential and proprietary platform to perform technical reviews in accordance with the terms and conditions of required platform user agreements.
- D. Reviewing submitted Standard project completions according to established program criteria, procedures, and program rules. Standard track calculated projects use Excel-

based calculator tools to analyze potential energy savings and are simpler than Custom track technical analysis studies. The calculator tools have been approved for use by Energy Trust, but individual project details need to be reviewed to confirm the viability of proposed energy-efficiency measures. The consultant's review would include confirming that calculated savings, project costs, cost effectiveness and incentive details are consistent with Energy Trust's provided program guidelines and requirements. The consultant would work with the PMC to address questions or concerns in individual reviews. Upon review completion, the consultant would issue an approval to the PMC. Energy Trust would expect that most Standard track reviews could be completed by personnel with junior level energy-efficiency engineering analysis qualifications.

- E. Reviewing completed downstream lighting projects submitted according to established Production Efficiency or Existing Buildings program criteria, procedures and requirements. These lighting projects use an Excel-based calculator tool to analyze potential energy savings by measure. The current calculator tool has been approved for use in 2024 by Energy Trust's planning department, but individual project details need to be reviewed to confirm viability of proposed energy efficiency measures. The consultant's review would include confirming calculated savings, project costs, cost effectiveness and incentive details are consistent with Energy Trust's provided program guidelines and requirements. The consultant would work with the PMCs to address questions or concerns in individual reviews. Upon review completion, the consultant would issue an approval to the respective PMC, copying Energy Trust staff. Energy Trust would expect that most lighting reviews could be completed by personnel with junior level energy-efficiency engineering analysis qualifications.
- F. Providing in writing, at least monthly, a list that summarizes the status of all assigned Custom project reviews, SEM reviews, Standard project reviews and downstream lighting project reviews that have been submitted to consultant for review and processing. Energy Trust would typically expect that technical reviews and project completion reviews would be completed within three to five business days of receipt. Occasionally high priority requests come in that require review within one day.
- G. Maintaining professional and regular communication with Energy Trust staff and the PMCs that deliver Custom track, SEM, Standard track, and downstream lighting services to participants as part of normal technical support consulting duties. These communications typically include telephone conversations, email exchanges and face-to-face meetings when possible. Additionally, Energy Trust has a SharePoint document library for file transfers; the consultant is expected to access files from that site in accordance with Energy Trust's data access and security requirements. Any e-mail communications to the PMC must copy Energy Trust's technical management team, unless otherwise noted by Energy Trust. PMCs are bound by Energy Trust's confidentiality requirements. The consultant would also be required to comply with confidentiality and nondisclosure requirements. Any and all consultant communications with a PMC regarding participating companies, including all project documentation, would be subject to Energy Trust's confidentiality requirements.

- H. Collaborating with Energy Trust staff to ensure that Energy Trust program objectives are met. Energy Trust would expect that the consultant would collaborate closely and regularly with Energy Trust staff. The services anticipated may at times require the consultant's attendance at select program meetings with Energy Trust and/or the PMC to ensure successful delivery of services.
- I. Implementing and maintaining all appropriate technical, physical, and organizational security and confidentiality measures in accordance with industry best practices as necessary to protect against unauthorized or unlawful access to or processing of Energy Trust data and accidental loss, alteration, disclosure, destruction, misuse or damage of Energy Trust data. Energy Trust data must be stored securely in the United States. Additional security/confidentiality information requests are covered in **Section 8**.
- J. Providing and maintaining an efficient, secure, reliable high-speed, high-performance internet connection and compatible computer(s) so that consultant can access information and communicate effectively with Energy Trust to perform the technical services. The consultant will also be responsible for reasonable security precautions.
- K. Entering into written contracts with its subcontractors performing any portion of the services and including specified pass-through provisions in those contracts as may be required by Energy Trust, such as requiring subcontractors to be properly licensed, to disclose conflicts of interest, to securely maintain confidential information, to indemnify Energy Trust, to maintain appropriate insurance, and to acknowledge and respect Energy Trust's intellectual property rights.
- L. Providing its own equipment, supplies and materials as needed at its own expense. The specific time and place that the consultant chooses to provide the services are in consultant's sole discretion and control. Consulting services must be performed in a professional manner consistent with industry standards and in a timely manner in accordance with provided timeframes.

5. Technical Qualifications

Energy Trust is interested in respondent's team experience in successfully implementing comparable energy efficiency program technical review consulting services, as follows:

- Five years demonstrated project management experience
- Industrial energy efficiency experience
- Excellent oral and written communication skills
- Experience using MS Office programs, MS SharePoint, and Adobe Acrobat full featured software programs
- Three years demonstrated energy efficiency engineering experience with at least 10 of the following 25 system/technology types:
 - Air Handling
 - Blower
 - Boiler
 - Chilled Water
 - CHP
 - Compressed Air
 - Drives
 - Dust Collection

- Fan
- Furnace/Oven
- Greenhouse
- Heat Recovery
- HVAC
- Hydraulics
- Insulation
- Irrigation (Agricultural)
- Kiln
- Commercial/Industrial Lighting
- Horticultural (grow) lighting
- Motor
- Pump
- Refrigeration
- Steam
- Transformer
- Vacuum
- Water/Wastewater
- Energy Intensity Models (SEM)

- Experience reviewing energy intensity models specifically for industrial facilities. This includes any specific experience utilizing Energy Trust's Energy Intensity Modeling Guidelines¹ or other similar program guidelines and industry resources/standards applicable to SEM which may include familiarity with CEE SEM Minimum Elements and ASHRAE Guideline 14-2023.
- Experience creating or reviewing energy intensity models for SEM engagements at industrial sites, including models that were used as the basis for claiming energy savings.

Energy Trust understands that specific experience of personnel will vary. Respondents will clearly identify qualifications, experience, and proposed rates for each of its proposed team members and personnel that would be responsible for performing each type of review, by track, as described in the Budget section below. For example, Energy Trust would expect that Standard track reviews and downstream lighting reviews could typically be completed by qualified personnel billing at a lower rate than personnel performing more specialized Custom track reviews and SEM reviews; see **Section 7 Budget** below.

6. Diversity, Equity, and Inclusion

Energy Trust seeks to contract with organizations that share its commitment to building a diverse, equitable, and inclusive workplace and business environment. This includes both the business practices of the selected consultant, the diversity of key personnel performing contracted services, and the consultant's commitment to expanding diversity in the energy efficiency industry.

For the purposes of this RFQ, "Supplier Diversity Contractor" refers to a consultant or subcontracted consultant team member that has one or more of the certifications listed in the **Appendix 1** to this RFQ from either Oregon's Certification Office for Business Inclusion and Diversity (COBID) and/or one or more of the socioeconomic programs administered by the Small Business Administration (SBA).

Any contract resulting from this RFQ will require a minimum of 20% of the total

¹ To request a copy of Energy Trust's specific SEM Energy Intensity Modeling Guidelines, if necessary to inform your response, respondent can send an email request to productionsubmissions@energytrust.org. These are not publicly available currently and receipt shall be subject to confidentiality obligations.

contract value to be paid to certified Supplier Diversity Contractors performing the consulting services.

For more information on diversity, equity, and inclusion requirements, see:

- **Section 8C: Key Personnel**
- **Section 8E: Supplier Diversity Contractor Participation Commitment**
- **Section 8F: Diversity, Equity, and Inclusion Qualifications and Experience**
- **Appendix 1: Supplier Diversity Contractor Participation Commitment Template**

7. Budget

It is anticipated based upon current project projections, the approximate annual budget for the consulting services described in this RFQ would be approximately \$150,000 annually over a four-year contract term. Actual consulting services may vary and will depend upon program activity and assigned reviews. Energy Trust reserves the right to revise budget assumptions at any time. To calculate the approximate annual budget listed in this RFQ, Energy Trust used the following assumptions:

- Custom track studies: approximately 180 studies per year at an average review time of 2-4 hours.
- SEM close-out report reviews: approximately 50 per year at an average review time of 3-5 hours.
- Standard track reviews: approximately 140 projects per year at an average review time of 1 hour.
- Downstream lighting reviews: approximately 180 projects per year at an average review time of 30 minutes.
- Meetings/Other: approximately 40-80 hours/year in aggregate for all staff.

8. RFQ Response Requirements

To be considered complete, responses to this RFQ must include all the following information in the format listed with each section clearly labeled:

A. Executive Summary

Describe key information about respondent's team, clearly identifying the prime contractor that would be responsible for contracting with Energy Trust and, if applicable, any proposed team members that the prime contractor would be subcontracting to perform a portion of the consulting services.

The executive summary should clearly and succinctly demonstrate respondent's understanding of the RFQ's objectives and requirements and summarize why respondent's team would be the best candidate to perform and complete the services described in this RFQ.

B. Consultant Experience, Qualifications and References

Describe respondent team's qualifications, clearly addressing each of the following:

1. Describe the prime contractor firm's primary business, length of time in business, location of office(s) and contact information. Disclose any applicable 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 firm holds related to the proposed work.
2. Describe the nature and scope of the respondent team's experience and qualifications, addressing the qualifications outlined in this RFQ.
3. Identify any subcontractor firms that the respondent prime contractor is proposing to team with to perform the contracted consulting services, and briefly describe each firm's experience and qualifications relevant to this RFQ.
4. Provide contact information for three references knowledgeable of respondent's work performing technical review consulting services similar to that described in this RFQ. Include references to work done in the Pacific Northwest, if applicable.

C. Key Personnel

Energy Trust values the participation of diverse businesses and individual contributors in doing the work associated with this RFQ. Describe the qualifications of key personnel, including any subcontractor team personnel, that would perform the services described in this RFQ by addressing each of the following:

1. List location and relevant experience, training, and credentials (including any relevant licenses or certifications) of key personnel, who would be assigned to perform the services outlined in this RFQ, including dates or date ranges for assigned personnel availability.
2. Provide an organizational chart detailing roles and staff for the prime contractor and for all proposed subcontractor team members within the organizational structure. Clearly specify respondent's proposed personnel positions who would be assigned to perform each type of review, by track, as described in this RFQ (Custom track, SEM, Standard track, and downstream lighting).
3. Include completed **Appendix 2: Technical Capability Matrix Template**.
4. Include resumes of key personnel.

D. Business Information

Include the following information for each firm, including prime contractor and all proposed subcontractors, in respondent's team:

- Firm or organization name and address; name and address of parent company (if applicable)
- D-U-N-S® Number from Dun & Bradstreet or Unique Entity Identifier (UEI), if available
- All legal or administrative proceedings pending and those concluded for the firm within the last five years that relate to any procurement or performance of any public or private contracts
- Whether the firm or predecessors, if any, or any principal of the firm has been insolvent or declared bankruptcy within the past five years

Energy Trust reserves the right to request additional financial information from any RFQ respondent, such as copies of financial statements or credit or bank references.

E. Supplier Diversity Contractor Participation Commitment

Complete a Supplier Diversity Contractor Participation Commitment. Use **Appendix 1: Supplier Diversity Contractor Participation Agreement Template**. This form describes the respondent's plan for participation of and reporting payments to Supplier Diversity Contractors in the performance of services, if awarded a contract.

F. Diversity, Equity, and Inclusion (DEI) Qualifications and Experience

Energy Trust seeks to contract with organizations that share its commitment to building a diverse, equitable and inclusive workplace and business environment. Please address the following:

1. Provide specific examples of activities, projects or plans worked on or developed during the past 36 months that demonstrate how respondent promoted DEI within respondent's company in the areas of (1) recruitment, hiring, retention and promotion, (2) training and professional development and (3) respondent's company operations and strategy.
2. Provide information regarding any awards or recognition for respondent's organizational policies and practices relating to DEI.
3. Use **Appendix 3: Employee Data Template** to specify the gender and racial/ethnic makeup of respondent's firm and any subconsultant firms. For companies with 100 staff members or more, also include a copy of your most recent EEO-1 form submitted to the Equal Employment Opportunity Commission.
4. Describe firm's efforts to increase business with and/or mentor diverse business entities. Discuss any plans to expand these efforts.

G. Pricing Proposal

Provide a pricing proposal: rates and pricing for all proposed work; include hourly billing rates for proposed staff members. Energy Trust is interested in time and materials pricing.

Complete **Appendix 4: Pricing Proposal Matrix Template** with title, staff name, company, fully loaded hourly rate, hours per year by employee type, review type and track (Custom track, SEM, Standard track, and Downstream Lighting), and traceable back to the organizational chart described in **Section 8C**.

H. Insurance

Respondents must include a description of the insurance coverage that would be provided by respondent for performing the type of work described in this RFQ, and shall include:

- 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
- Effective date

Energy Trust typically requires technical review consultants to maintain appropriate insurance coverage for the program services provided, such as, workers compensation insurance, commercial general liability insurance coverage (including contractual liability and products &

completed operations coverage), cyber liability, and errors and omissions/professional liability insurance.

I. Confidentiality/Security

Describe any applicable industry certifications for IT security, including but not limited to SOC 2 and ISO 27001 certification, and results of external security assessments.

Provide an overview of the protections and security protocols, procedures, and systems, both physical and electronic, that respondent and any teaming subcontractors utilize to protect sensitive confidential information.

Identify and describe protections and security protocols, procedures and systems that would be utilized to protect Energy Trust confidential information from disclosure in the event respondent were selected as a technical review consultant. Describe each of the following for each firm identified in the response:

- Dedicated security staff
- Training protocols/processes on sensitive data handling and data breach incident response procedures
- Process and controls in place to ensure confidentiality, integrity, and availability of client data
- Approach to monitoring of information security in respondent's environment

Also identify and describe controls and safeguards (such as firewalls) that would be used internally by respondent to avoid any sharing of sensitive, confidential or business proprietary information obtained through its work with Energy Trust with any non-technical review consultant personnel *within* respondent's own organization.

J. Required Disclosures

Conflict of Interest Disclosure: Respondents must disclose any direct or indirect, actual or potential conflicts of interest respondent or any respondent team member may have with Energy Trust. If no conflicts are identified, provide an explicit statement to that effect. Determination of whether a conflict of interest exists is left to the sole discretion of Energy Trust. A "direct or indirect, actual or potential conflict" is defined as any situation in which an individual or member of their family or close business or personal acquaintance is employed by Energy Trust or the Oregon Public Utility Commission, 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 may be interested or is under consideration, or whether such conflict is purely conceptual, because of similarity of business interests or affairs.

Respondent's disclosure must specifically address any existing contracts, including any participation in Energy Trust's trade ally network, that respondent or any respondent team member currently has to perform any Energy Trust program services.

Additional Business Information Disclosure: The technical review consultant provides independent technical expertise to assist Energy Trust staff reviewing proposed project energy savings analysis submitted by its PMCs and trade allies that provide downstream lighting—an important program quality assurance/control procedure. Energy Trust desires to operate its programs in a manner that avoids confusion, lack of clarity or misperceptions in the marketplace regarding its program contractor’s roles and responsibilities.

If respondent currently performs energy efficiency technical energy engineering project design, installation or technical review consultation work, describe the nature and scope of the work and how you would avoid a conflict of interest if selected to contract with Energy Trust as a technical review consultant. If no such conflict exists, provide an explicit statement to that effect. The determination of whether a conflict of interest exists is left to Energy Trust at its sole discretion.

9. Instructions and RFQ Schedule

A. RFQ Schedule

Announce RFQ on Energy Trust website	February 13, 2024
Posting of RFQ	March 6, 2024
Informational Session (webinar)	March 12, 2024, at 10:00am Pacific Time
Deadline to submit written questions/requests for clarification	March 20, 2024
Posting of responses to submitted questions/request for clarifications on website	March 27, 2024
Deadline for submission by respondents of qualifications	April 12, 2024
Energy Trust to interview finalists - if necessary	Week of May 20, 2024
Energy Trust selection and notifications to bidders	Week of May 27, 2024
Anticipated contracting negotiations	June 2024
Contract effective	July 1, 2024

B. Response Format

Responses to the RFQ must be submitted in accordance with the format outlined below. Proposals should be responsive to the RFQ criteria and should not be excessively long.

Section A: Executive Summary	Up to 2 pages
Section B: Experience, Qualifications, and References, and Section C: Key Personnel	Up to 10 pages, excluding resumes and template provided in Appendix 2: Technical Capability Matrix
Section D: Business Information	1 page

Section E: Supplier Diversity Contractor Participation Commitment	Use template provided in Appendix 1: Supplier Diversity Contractor Participation Commitment
Section F: Diversity, Equity, and Inclusion (DEI) Qualifications and Experience	Up to 3 pages, plus template provided in Appendix 3: Employee Data
Section G: Pricing Proposal	Use template provided in Appendix 4: Pricing Proposal Matrix
Section H: Insurance	1 page
Section I: Confidentiality/Security	Up to 3 pages
Section J: Required Disclosures	1 page

C. Informational Session

Energy Trust invites all potential respondents to attend an informational session about Energy Trust and the RFQ requirements. The presentation will be conducted via webinar and participation is encouraged.

The date and time of the webinar is listed in **Section 9A RFQ schedule above**.

Register for the webinar at:

https://us06web.zoom.us/webinar/register/WN_e1FMgtndTy6aaHp1c61aqQ

After registering, you will receive a confirmation email containing information about joining the webinar.

D. Questions/Requests for Clarifications

Verbal discussions with individuals cannot be accommodated. Any questions and/or requests for clarification or additional information regarding this RFQ must be submitted in writing, via email, to productionsubmissions@energytrust.org by the deadline date in **RFQ schedule above**.

Subject line of the emailed question/request must clearly state: ***RFQ Request for Additional Information***. Questions/requests for clarifications received prior to the stated deadline will be answered and posted on Energy Trust's website by the date in **RFQ schedule above**.

E. RFQ Response Submittal Deadline

RFQ responses must be sent electronically to productionsubmissions@energytrust.org, and received not later than **5:00 p.m., Pacific Time on Friday, April 12th, 2024**. Submittals must clearly identify ***Time Sensitive: RFQ Response - Industrial Sector Technical Review Consulting Services*** in the subject line of the email.

10. Evaluation and Selection Process

Energy Trust will review responses received for the requirements listed above and will evaluate each in accordance with the scoring criteria identified below.

- Qualifications and strength of team – weighted at 40%
- Pricing – weighted at 30%
- DEI Qualifications – weighted at 30%

Energy Trust may request additional information from a respondent or conduct interviews, prior to making final selection. Energy Trust expects to complete the selection process and notify respondents per the **RFQ schedule above**.

11. RFQ Governing Provisions

By submitting a response to this RFQ, respondent represents that it is authorized to submit a response and explicitly agrees and accepts the following provisions of this RFQ and all other terms and conditions set forth in this RFQ:

A. Right to Accept or Reject

This RFQ is not an agreement to purchase goods or services. Energy Trust is not bound to enter into a contract with any qualified respondent. Energy Trust reserves the right to modify the terms of this RFQ at any time in its sole discretion. This includes the right to cancel or revise this RFQ at any time. Further Energy Trust reserves the right to waive any nonconformity in submissions received, to accept or reject any or all of the items in the submission and award any ultimate contract in whole or in part as it is deemed in Energy Trust's best interest. 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 the RFQ, unless specifically included in a written addendum issued by Energy Trust.

B. Ownership of Responses

All materials submitted in response to this RFQ shall become the property of Energy Trust and shall not be returned to the respondent.

C. Confidentiality

Respondent shall clearly identify those portions for their responses that they do not want revealed to third parties and label such portions as "Confidential Information." Except as required under Energy Trust policy, law or for regulatory purposes Energy Trust will maintain confidentiality of such information.

D. Respondent Expenses

Respondent is solely responsible for its own expenses in preparing a response and for any subsequent negotiations. Energy Trust will not be liable to any respondent for any claims, whether for costs or damages incurred by the respondent in preparing the response, loss of anticipated profit in connection with any final contract or any other matter whatsoever.

E. Waiver of Claims

Respondent waives any right it may 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 RFQ.

F. Resulting Contract

The selected respondent(s) would be required to execute a written contract with Energy Trust as an independent contractor to perform the technical review consulting work. No award will be considered a commitment, and no obligations or legal relations shall exist between Energy Trust and any selected respondent until a final and binding written contract has been executed by and between Energy Trust and such selected respondent. Key terms in any resulting contract would include the following: appropriate license and certification requirements, timely and accurate invoicing requirements, requirements that written contracts with subcontractors performing portions of the program on behalf of the technical review consultant include provisions requiring such subcontractors to adhere to requirements incumbent upon technical review consultant in its contract with Energy Trust, intellectual property provisions, conflict of interest disclosure requirements, confidential information nondisclosure requirements, indemnification for third party claims and limitation of liability provisions, and insurance 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 generally be completed quickly. In some cases, a few terms and conditions may need to be substituted or waived, in accordance with contract negotiations. Any party involved in these contract discussions can terminate negotiations at any time and 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 respondent.

In addition to any other confidentiality and nondisclosure requirements, the selected respondent team members (company and individuals) would be required to sign Energy Trust's Utility Customer Information (UCI) confidentiality agreements which specifically govern customer account and utility energy usage that is subject to Energy Trust's agreements with its funding utilities. Current versions can be viewed via the following links:

https://www.energytrust.org/wp-content/uploads/2021/10/LGL_FM0205C.pdf.

https://www.energytrust.org/wp-content/uploads/2021/10/LGL_FM0205I.pdf.

Appendix 1: Supplier Diversity Contractor Participation Commitment Template

For this solicitation, Energy Trust requires that small and/or diverse businesses (prime contractor plus, if applicable, any teaming subcontractors) with a certification listed below (each a "Supplier Diversity Contractor") perform at least 20% of the total value of this contract.

Complete the table below to demonstrate the level of participation of Supplier Diversity Contractors in the performance of the services related to this RFQ.

<u>Company Name</u>	<u>Business Type (Prime or Sub)</u>	<u>COBID or Fed Program*</u>	<u>NAICS/Description of Work</u>	<u>Dollar amount / % of total</u>

*Accepted Supplier Diversity Contractor certifications are listed below. Include all that apply for prime contractor and each proposed subcontractor company on the respondent's team.

Oregon State certifications [issued by Oregon's Certification Office for Business Inclusion and Diversity (COBID)]:

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

For more information on Oregon's COBID certifications:

<https://www.oregon.gov/biz/programs/COBID/Pages/default.aspx>

Federal socioeconomic program certifications [managed by the 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 certification (HUBZone)

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

Reporting: Upon award, this plan will be incorporated into the contract. The prime contractor would be required to track and report payments to its Supplier Diversity Contractors on a monthly basis during each year of the contract term.

Appendix 2: Technical Capabilities Matrix

Download at: <https://www.energytrust.org/wp-content/uploads/2024/03/PETechRev-Appendix-2-Technical-Capability-Matrix.xlsx>

Appendix 3: Employee Data Template

Download at: <https://www.energytrust.org/wp-content/uploads/2024/03/PETechRev-Appendix-3-Employee-Data-Template.xlsx>

Appendix 4: Pricing Proposal Matrix Template

Download at: <https://www.energytrust.org/wp-content/uploads/2024/03/PETechRev-Appendix-4-Pricing-Proposal-Matrix.xlsx>