



## Vermont Energy Code Education, Outreach, and Training

# REQUEST FOR PROPOSALS

### INTRODUCTION

The Vermont Department of Public Service (DPS) is seeking the services of a qualified contractor with demonstrated experience in building practices; energy codes; public outreach; and excellent written, verbal and organization skills to provide education and training on the new Vermont Residential and Commercial energy codes. This will include builder education but should also include targeted training and education for realtors, lawyers, and mortgage lenders.

**Proposals are due by 4:00 P.M. on Thursday, March 3, 2011** with the goal of awarding a contract in March 2011. The contract period will run through December 2011.

Applicants mailing proposals should allow adequate time to ensure receipt of their proposal(s) by the deadline. One original signed hard copy, three additional hard copies, and an electronic copy (which can be emailed or submitted on a CD) of the proposal must be delivered to Kelly Launder, Vermont Department of Public Service. **Both** electronic and hard copies must arrive before the deadline. Proposals and questions should be addressed to:

Kelly        Launder  
Vermont Department of Public Service  
112 State Street  
Montpelier, VT 05620-2601  
Phone: (802) 828-4039  
Email:        [kelly.launder@state.vt.us](mailto:kelly.launder@state.vt.us)

Contracts executed under this RFP will be funded using American Recovery and Reinvestment Act (ARRA) monies and therefore applicants will be required to meet all ARRA transparency and reporting requirements including, but not limited to: tracking and segregation of incurred costs; job creating and preservation reporting; access to records; and ensuring wage rates. The Department of Public Service and the Clean Energy Development Fund Board reserve the right to make necessary changes or adjustments to the program design or to any statements made in this RFP upon receiving further guidance from U.S. Department of Energy (DOE) or The Office of Management and Budget (OMB).

## **BACKGROUND**

Vermont is currently in the process of updating the state Commercial and Residential Energy Codes to meet or exceed International Energy Conservation Code (IECC) 2009 as required by ARRA and state statute. Act 45, passed on May 27, 2009, directs the Commissioner of Public Service to amend and update the Residential Energy Code, by means of administrative rules. The energy standards must comply with the 2009 edition of the IECC. The act also directs the Commissioner to complete rulemaking to amend the Commercial Building Energy Standards to ensure that commercial building construction be constructed in a manner that complies with ANSI/ASHRAE/IESNA standard 90.1-2007 or the 2009 edition of the IECC, whichever provides the greatest level of energy savings.

The current Vermont Residential Building Energy Code is based on the IECC, 2000 edition and the Commercial Building Energy Code is based on the 2004 Supplement to the IECC. Due to the significant changes from the current codes to the updated codes (particularly residential) a significant amount of training and education on the new codes will be needed. Also with the change in the IECC from not only new construction but the expansion to any additions, alterations, renovations or repairs, there will be an entirely new group of building renovators to educate on the new energy codes.

Vermont has one of the few energy codes in the country where the builder self certifies that the building complies with the law. Builders are responsible for understanding the Energy Code, for building to the minimum (or better) standards, and for completing and filing an affidavit verifying the thermal and efficiency features of the building in the as-built condition. The certification may be issued by a builder, a licensed professional engineer, a licensed architect, or an accredited home energy rating organization (for residential). If certification is not issued by a licensed professional engineer, a licensed architect or an accredited home energy rating organization, it shall be issued by the builder. Energy code education for the building community can be a challenge as residential builders do not have to be licensed with the state. To access these builders its imperative that outreach strategies reach deep into the builder community with trainings held throughout the state, optimally in conjunction with local building supply stores.

Although some of the larger Vermont municipalities have code officials there are no state code officials. Therefore one of the checks for completion of compliance certification for the building energy codes (particularly for single family homes) comes from lawyers and realtors when the home is being sold. Often lawyers and realtors will require the certification that the code has been met prior to closing on a home. We hope to expand the knowledge of the energy codes to ensure this is happening in conjunction with all building sales. This makes it crucial to have targeted education and training to these groups about the update to the energy codes and the newly required certificates, etc. that will be put in place with adoption of the new codes. The DPS will ask the selected contractor to work with the Vermont Bar Association, Vermont Realtor

Association, and Vermont Bankers Association on training and education for the energy codes to this target group.

Another target group for energy code education is town officials as code certificates need to be filed in the town where the property is located as well as with the DPS. Therefore energy code information needs to be distributed to every town clerk and zoning official in the state. It would also be advisable for the contractor to make a presentation at one of the regularly scheduled Vermont League of Cities and Town meetings.

Vermont is also currently participating in the Building Codes and Assistance Project (BCAP) Compliance Planning Assistance Project. For this project BCAP will be completing a Gap Analysis for Vermont which will include identification of education and training currently available in the state for stakeholders such as code inspectors and building professionals and what specific strategies and improvements could be made. This analysis is to be completed soon. The DPS will ask the contractor to take the information presented in this analysis into consideration before finalizing their outreach and education plan (described further in the Work Plan below).

## **SCOPE OF SERVICES**

The following tasks should be completed through this contract:

**TASK 1:** Develop an education, outreach and training plan, which includes the strategy and approach for delivering building energy code education and trainings.

The plan should include education and training components with some training targeted to realtors, lawyers, mortgage lenders, and town officials. Trainings for builders, architects and other trade allies should provide the information they need to understand how to comply with the new energy code requirements.

The plan should specify the outreach methods and the number and general location of trainings to be held throughout the state. The contractor should plan to focus on venues that can be obtained free of charge when possible. In addition the plan should outline the training methods and articulate how content will be delivered including learning objectives and workshop presentation outlines. The plan should include an assessment of the trainings, which at minimum would include a brief exit survey for participants. The plan should also identify training resources, educational tools and supplemental training materials (for example a simplified version of the handbook or other informational type materials for non-builder groups). The DPS will provide copies of the Vermont Residential Building Energy Standards Handbook (currently being finalized and printed) and copies of the Vermont Commercial Building Energy Standards to be distributed at the trainings.

Deliverable: Outreach and education plan

**TASK 2:** Implement the education, outreach and training plan, including presentations on the new energy codes to stakeholder groups.

Develop and complete and needed outreach and training methods and workshop presentations, including training resources, education tools, and materials. Schedule events and confirm locations/venues.

Education and training should begin as soon as possible after the contract is awarded as it is anticipated that the energy codes will become effective in February 2011 or shortly thereafter.

Deliverable: Training tools and materials

**TASK 3:** Conduct 10-20 trainings.

This will at minimum include realtors, lawyers, mortgage lenders, town officials, and the building community. The goal of these trainings will be to present the new Vermont energy codes, provide information on where the new codes and certificates will be available online and in hard copy, and provide contacts for assistance with code compliance. All training should be provided free of charge to the participants to maximize attendance. The trainings should be held regionally throughout the state. All trainings should be completed by December 2011.

Deliverable: Metrics on trainings held (including number of participants) by sector (residential, commercial, public, and institutional) and feedback obtained through exit survey's or by other means.

## **INFORMATION REQUIRED FROM APPLICANTS**

Proposals should be prepared simply and economically, providing a straightforward, concise description of the applicant's ability to meet the requirements of the RFP. Fancy bindings, colored displays, promotional materials, and so forth are not desired. Emphasis should be on completeness and clarity of content. Information in the applicant's proposal that should be held confidential must be clearly marked as confidential and comply with an exemption from public inspection as per 1 V.S.A. § 317(c) (available online at: <http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=01&Chapter=005&Section=00317>). It is not acceptable to mark the entire proposal as confidential.

Grant proposals should be no longer than 15 pages, with no less than an 11-point font and one-inch margins. Resumes, letters of support, and sample educational/training materials **do not** count toward the 15-page limit.

Proposals must include at minimum the following information:

**Identification of Organization**

State the full name and address of the organization and, if applicable, other subcontractors that will perform, or assist in performing, the work.

**Authorized Negotiators**

Include the names and phone numbers of personnel authorized to negotiate the proposed contract with the State. One original hard copy must be signed by a duly authorized representative of the party (or parties) submitting the proposal.

**Prior Experience Disclosure**

Prior experience in residential and commercial building practices, energy codes, and public outreach is important to the selection of a contractor. Proposals must include a description of the applicant's experience in each of these areas.

**Personnel**

Each organization submitting a proposal under this RFP shall have demonstrable knowledge, skills and experience as it relates to the required work. The proposal must identify all persons that will be employed in the proposed work by skill and qualifications. Identify key personnel by name and title and provide a resume for each (resumes **do not** count toward the 15 page limit). Subcontractors must be listed, including the firm name and address, contact person, and complete description of work to be subcontracted. Include descriptive information concerning subcontractor's organization and abilities.

**Work Plan**

Describe in narrative form the plan for accomplishing the work. Indicate the number of hours allocated to each task and which staff member(s) will complete the tasks. The work plan should also include an outline for the education, outreach and training plan and strategies for implementing the plan. Applicants should also describe quality assurance measures that will be put in place to make certain that services will be delivered in an effective, efficient, timely, and competent manner.

**Budget Considerations**

Applicants must submit a proposed budget for services (not to exceed \$60,000) described in this RFP and include narrative explanations.

The following cost elements should be included:

- Personnel (position, rate, hours)
- Travel (mileage must be billed at the state rate of 50 cents/mile)
- Supplies & Materials
- Other (specify)
- Total Direct Costs
- Indirect Costs
- BUDGET TOTAL

### **Central Contractor Registration and DUNS Number**

All applicants awarded federal funding must be registered in Central Contractor Registration (CCR) and have a DUNS number in order to receive a contract. This process can take a long time, so applicants should be preparing now. To obtain a number call 1-866-705-5711 or visit <http://www.dnb.com/us/>. Applicants should indicate in their proposal if they are already registered with CCR and if they have a DUNS number.

### **Additional Information**

Include any other information that is believed to be pertinent, but not specifically requested elsewhere in this RFP.

## **SELECTION CRITERIA**

All proposals received will be evaluated based upon qualifications of the individuals proposed to perform the work, relevance of previous experience, completeness and quality of the applications, reasonableness of cost, and any other criteria deemed relevant.

All proposals are subject to an evaluation by the DPS, the CEDF Fund Director, the CEDF Board, and any other reviewers deemed necessary. The Board reserves the right (but in no way is obligated) to interview the top prospective candidates to aid in the selection process.

Projects will be selected based upon the information provided in the grant applications and how the project matches up against the evaluation criteria listed below.

The award of the contract will be made based on the following criteria:

1. Experience & Qualifications
  - Experience in residential and commercial building practices, energy codes, and public outreach.
  - Adequate staffing for described work.
  - Previous experience with state or federal grants/contracts.
2. Work Plan
  - Clarity and reasonableness of work plan, including definition and timeliness of tasks to be performed.
  - Plan and capacity for project control and financial management are clear and reasonable (including a strategy to implement, operate, monitor, and evaluate the effectiveness of the project).
  - Ability to start quickly.
3. Budget
  - Budget line items and amounts are sufficiently described and justified.

- Administrative costs are reasonable and competitive.

## **GENERAL TERMS AND CONDITIONS**

1. The DPS and CEDF Board reserves the right to reject any and all proposals received as a result of this RFP for any reason, to waive minor irregularities in any proposals received, and to negotiate with any party in any manner deemed necessary to best serve the interests of the State.
2. The DPS and CEDF Board shall not be responsible for any costs incurred by any party in preparation of any proposal submitted in response to this RFP.
3. The CEDF Board reserves the right to amend or cancel this RFP at any time if the best interest of the State requires such action.
4. News releases pertaining to this RFP, contract award, or the project shall not be made without prior written approval from the DPS.
5. All parties submitting proposals shall be Equal Opportunity Employers. During the duration of the performance of this contract, the contractor will be expected to comply with all federal, state and local laws respecting non-discrimination in employment.
6. The DPS/CEDF will pay for actual work performed and expenses incurred under this project up to the specified grant amount. Specific payment provisions will be arrived at upon mutual agreement of the parties. All payments will require the submission of an itemized billing of work performed to date in sufficient detail to justify payment.
7. The selected applicants shall agree to grant to the State a nonexclusive, irrevocable license to reproduce, translate, publish, use, and dispose of all material developed as a result of this project. The selected applicants further shall agree that they will not copyright any material developed as a result of the project.
8. Before commencing work on this project, a contractor must have a contract in place with the State. Before a contract will be issued, the Party must provide certificates of insurance to show that the following minimum coverages are in effect. It is the responsibility of the Party to maintain current certificates of insurance on file with the state through the term of the Agreement. No warranty is made that the coverages and limits listed herein are adequate to cover and protect the interests of the Party for the Party's operations. These are solely minimums that have been established to protect the interests of the State.

Workers Compensation: With respect to all operations performed, the Party shall carry workers' compensation insurance in accordance with the laws of the State of Vermont.

General Liability and Property Damage: With respect to all operations performed under the contract, the Party shall carry general liability insurance having all major divisions of coverage including, but not limited to:

Premises - Operations  
Products and Completed Operations  
Personal Injury Liability  
Contractual Liability

The policy shall be on an occurrence form and limits shall not be less than:

\$1,000,000 Per Occurrence  
\$1,000,000 General Aggregate  
\$1,000,000 Products/Completed Operations Aggregate  
\$ 50,000 Fire/ Legal/Liability

Party shall name the State of Vermont and its officers and employees as additional insureds for liability arising out of this Agreement.

Automotive Liability: The Party shall carry automotive liability insurance covering all motor vehicles, including hired and non-owned coverage, used in connection with the Agreement. Limits of coverage shall not be less than: \$1,000,000 combined single limit.

**Party shall name the State of Vermont and its officers and employees as additional insureds for liability arising out of this Agreement.**

9. The CEDF Board and the State assume no liability in any fashion with respect to this RFP or any matters related thereto. All prospective contractors and their subcontractors or successors, by their participation in the RFP process, shall indemnify, save and hold the State and its employees and agents free and harmless from all lawsuits, causes of action, debts, rights, judgments, claims, demands, damages, losses and expenses or whatsoever kind in law or equity, known and unknown, foreseen and unforeseen, arising from or out of this RFP and/or any subsequent acts related thereto, including but not limited to the recommendation of a contractor and any action brought by an unsuccessful applicant.
10. All grant funds dispersed from the American Recovery and Reinvestment Act (ARRA) are subject to all requirements of the ARRA including reporting requirements, purchasing requirements, auditing requirements, requirements for administration of funds received, and requirements for transparency and accountability. Please review the bulletins and forms available at <http://finance.vermont.gov/forms> for the latest guidance.

11. All awards are subject to the availability of funding.
12. Any equipment purchased by or furnished to the Grantee is provided on a loan basis only and remains the property of the State.
13. Grantees must comply with the provisions of the Davis-Bacon Act (40 U.S.C. 276a 7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874), and the Contract Work Hours and Safety Standards Act (40.327-333), regarding labor standards for federally assisted construction contractors.

## **AMERICAN RECOVERY AND REINVESTMENT ACT TERMS AND CONDITIONS**

In addition to the General Terms and Conditions above, the following applies to any grants awarded ARRA funding:

The funds used to support this agreement, in full or in part, are provided through the federal American Recovery & Reinvestment Act (ARRA or the Act); this agreement therefore is subject to payment criteria and specific reporting requirements mandated by the Act. A periodic report, certified by an authorized agent of the Party, utilizing the form provided by the State of Vermont, shall be submitted as required. Failure to submit timely, accurate and fully executed reports will result in a mandate to return to the State funds already disbursed under this agreement, or the withholding of current and future payments under this agreement until such time as the reporting irregularities are resolved to the State's satisfaction.

For subrecipients who report awards of federal funds to the State, said subrecipient agrees to include information of ARRA funding separately from other federal awards reported on their Statement of Expenditures of Federal Awards (SEFA).

The parties to this agreement are further bound by the Act that they shall promptly refer to an appropriate federal inspector general any credible evidence that a principal, employee, agent, contractor, subrecipient, contractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving the ARRA funds used to support this agreement.

### **ARRA Reporting Requirements:**

All grantees will be required to meet DOE ARRA reporting requirements, including metric reporting. The metric reporting is designed to track the accomplishments of projects funded by ARRA. Contractors will be expected to report their achievements in terms of the specified metrics presented below. Contractors will also be required to report quarterly on project expenditures and on specific activities and achievements.

**Expenditures:** Accurate records should be kept on project expenditures for all EECBG ARRA funded efforts. The specific information to be gathered and tracked is listed below.

- Expenditures for project activities
- Expenditures for administration
- Leveraged funds

**Metrics Activity:** The key metrics to be reported for this project are listed below.

#### Workshops, Training, and Education

- Expenditure of Recovery Act Funds
- Expenditure of Non-Federal Funds
- Number of workshops, training, and education sessions held, by sector
- Number of people attending workshops, training, and education sessions, by sector

#### Technical Assistance

- Number of information transactions contacts (for example, webinar, site visit, media, fact sheet) in which energy efficiency or renewable energy measure were recommended, by sector

In addition to a regular quarterly report, ARRA-funded projects must supply the jobs information in the format on the next page (Jobs calculation worksheet) no later than 5 days after the end of every quarter:



