



## REQUEST FOR PROPOSALS (RFP)

### Building Energy Code Working Group Facilitation

#### **Introduction**

The Vermont Department of Public Service (PSD) is seeking the services of a qualified contractor with demonstrated experience in building energy standards, residential building codes, building contractor certifications, meeting facilitation, and excellent written, verbal and organizational skills to provide consulting services to the Department of Public Service for facilitation of the Building Energy Code Working Group created in Act 151 of 2024. The selected contractor must be able to start work immediately upon the execution of a contract.

**Proposals are due by 4:00 PM on Monday, July 15, 2024**, with the goal of selecting a contractor by July 22<sup>nd</sup>. The contract period will run from contract execution through December 31, 2024. Questions on the RFP should be received no later than 4:00 PM on July 3<sup>rd</sup> with expected responses to be posted on the [PSD website](#) and at [Vermont Business Registry](#) by 4:00 PM on July 5<sup>th</sup>. An electronic copy of the required information must be sent to Kelly Launder, Vermont Department of Public Service at [kelly.launder@vermont.gov](mailto:kelly.launder@vermont.gov).

Per Act 151, the Working Group “will consist of 15 members with applicable expertise, to include program design and implementation, building code administration and enforcement, and Vermont’s construction industry. The Committee on Committees shall appoint one Senator. The Speaker of the House shall appoint one member of the House. The remaining members shall be the following:

- (1) the Commissioner of Public Service or designee;
- (2) the Director of Fire Safety or designee;
- (3) a representative of Efficiency Vermont;
- (4) a representative of American Institute of Architects–Vermont;
- (5) a representative of the Vermont Builders and Remodelers Association;
- (6) a representative the Burlington Electric Department;
- (7) a representative of Vermont Gas Systems;
- (8) a representative of the Association of General Contractors of Vermont;
- (9) a representative of the Vermont League of Cities and Towns;
- (10) a representative from a regional planning commission;
- (11) a representative from the Vermont Housing and Conservation Board;
- (12) a representative of the Office of Professional Regulation; and
- (13) a representative from the Vermont Association of Realtors.”

The contractor will work closely with PSD and the Working Group.

Per Act 151, “the Working Group shall:

- (1) recommend strategies and programs to increase awareness of and compliance with the RBES and CBES, including the use of appropriate certifications for contractors trained on the energy codes;
- (2) develop plans and recommendations for a potential transition to a comprehensive program for the RBES and CBES at the Divisions of Fire Safety, including potential funding sources; and
- (3) consider whether or not the State should adopt a statewide building code.

### **Scope of Work**

The contractor will assist the PSD with providing administrative and technical assistance to the Building Energy Code Working Group and complete the specific tasks below.

- Facilitate five Committee meetings (including assisting the PSD with drafting agendas, writing minutes, preparing materials/handouts, etc). The contractor should plan on the meetings being hybrid with both in-person (likely in Montpelier at the PSD offices) and a virtual option.
  - An introductory meeting will be held on June 27<sup>th</sup>, which the contractor will not be expected to attend given a contract will not yet be in place. The Working Group will decide how many meetings to hold prior to the first report due date. The PSD is recommending no more than five meetings. (Note: PSD staff will convene the meetings until a contract is executed so there may be less than five meetings for the contractor to facilitate.)
- Complete brief quarterly progress reports to fulfil federal reporting requirements.
- Complete a written report to the General Assembly on behalf of the Committee with its findings and recommendations for legislative action. The report must be submitted to the General Assembly on or before November 15, 2024.

### **Required Information**

Proposals should include the following information:

#### Experience

Prior experience in each of these areas: building energy standards, residential building codes, building contractor certifications, meeting facilitation. The bid must identify all people that will be employed in the proposed work by title and qualifications.

#### Budget

Indicate the number of hours allocated to each task, which staff member(s) will complete the tasks, and the hourly rate of each staff member, and total costs for each task. The budget for this work may not exceed \$50,000.

The following cost elements should be included:

Personnel (position, rate, hours)

Travel (mileage must be billed at the Federal IRS standard rate)

Supplies & Materials

Other (specify)

Total Direct Costs

Indirect Costs (must be a federally approved rate)

BUDGET TOTAL

### Authorized Negotiators

Include the names and phone numbers of personnel authorized to negotiate the proposed contract with the State.

### Due Date

**Proposals are due by 4:00 PM on Monday, July 15<sup>th</sup>.** The contract period will run from contract execution through December 30, 2024.

Bidders must send an electronic copy of the required information to Kelly Launder, Vermont Department of Public Service at [kelly.launder@vermont.gov](mailto:kelly.launder@vermont.gov).

### Selection Criteria

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

- Experience & Qualifications
- Budget
- Ability to start quickly

Acceptance or rejection of any or all proposals will be determined by the exercise of the Department's sole discretion.

All proposals are subject to an evaluation by the DPS and/or non-departmental reviewers. The DPS reserves the right (but in no way is obligated) to interview the top prospective candidates to aid in the selection process.

### Contract Provisions

The executed contract with the selected applicant will include Attachment C, Standard State Provisions for Contracts and Grants, which is available online at: <https://bgs.vermont.gov/purchasing-contracting/forms>. Please review these requirements prior to submitting your bid, particularly the Insurance Requirements.

The contract will be fully funded with State Energy Program (SEP) U.S. Department of Energy funds so additional federal provisions and reporting requirements will apply.

All tasks must be completed as outlined in this document with payments not to exceed \$50,000. **Costs beyond the not to exceed amount will not be considered so it is critical for the contractor to manage their time and resources within the not to exceed amount.**

### General Terms and Conditions

- The PSD 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.

- The PSD shall not be responsible for any costs incurred by any party in preparation of any proposal submitted in response to this RFP.
- The PSD reserves the right to amend or cancel this RFP at any time if the best interest of the State requires such action.
- News releases pertaining to this RFP, contract award, or the project shall not be made without prior written approval from the PSD.
- The PSD will pay for actual work performed and expenses incurred under this project up to the specified contract 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.
- All deliverables submitted by the selected contractor shall become the property of the State.
- The selected contractor(s) shall agree to contract to the State a nonexclusive, irrevocable license to reproduce, translate, publish, use, and dispose of all material developed as a result of the contract.
- The PSD assumes 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 PSD 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.