

REQUEST FOR PROPOSALS (RFP)

RFP Number: OEO 09-10:

The Ohio Department of Development, Strategic Business Investment Division, Ohio Energy Office, is requesting proposals for the:

Ohio Energy Efficiency & Conservation Block Grant Program: Local Governments

RFP Issued: October 20, 2009
Inquiry Period Begins: October 20, 2009
Inquiry Period Ends: November 20, 2009 at 8:00 A. M.
Proposals Due: November 30, 2009 by 2:00 P.M.

Submit Proposals to:

Ohio Department of Development
Ohio Energy Office
EECBG - ARRA
77 South High Street 26th
Columbus, Ohio 43216-1001
Recovery.Tibbs@em.ohio.gov

This RFP consists of nine (9) parts, one (1) application and appendices, and seven (7) attachments, totaling 19 consecutively numbered pages. Please verify that you have a complete copy.

To be considered for funding for the **Energy Efficiency & Conservation Block Grant Program – Local Governments**, all interested parties must complete a two-step application process:

- 1) Submit a one-page project summary on the <http://recovery.ohio.gov/opportunities/state/> website no later than **2:00 pm** on – **November 20th, 2009**. Applicants that have already submitted a summary at <http://recovery.ohio.gov> do not need to submit again.

NOTE: On the <http://recovery.ohio.gov/opportunities/state/> page, click on “**Submit your Proposal**” in the “How to Apply” box. When filling out the “Project Information” section of the form, choose the Federal Stimulus Program category “**Energy and Environment**” and the subprogram “**Energy Efficiency and Conservation Block Grants**”

- 2) Submit an application to the Ohio Department of Development, Ohio Energy Office no later than **2:00 p.m.** on **November 30th, 2009**. The application form may be found at <http://development.ohio.gov/cdd/oe/GrantsLoans.htm>.

PART ONE: EXECUTIVE SUMMARY

Purpose

The Ohio Department of Development (Development) is requesting proposals from local governments for eligible activities through the Energy Efficiency and Conservation Block Grant (EECBG) program. The purpose of EECBG is to reduce fossil fuel emissions, reduce energy usage, and create jobs. Eligible activities for funding includes: Energy efficiency retrofits; Energy distribution projects; Traffic signals and street lighting; Reduction and capture of methane and greenhouse gases projects; Renewable energy technologies on government buildings.

Background

The State of Ohio's EECBG program for local governments provides funding for local governments that did not receive direct allocations from the federal government (<http://www.eecbg.energy.gov/>).

Details of Ohio's strategy for EECBG can be found at:

<http://www.development.ohio.gov/recovery/EnergyEfficiencyConservationBlockGrants.htm>

EECBG is federally funded from appropriations from the American Recovery and Reinvestment Act of 2009 (ARRA), Pub.L.111-5 for Energy Efficiency and Conservation Block Grants (EECBG). The U.S. Department of Energy's (DOE's) authorization for this program is set forth in Title V Subtitle E of the Energy Independence and Security Act of 2007 (42 United States Code (USC) 17151 et seq.). All projects must comply with the Program requirements outlined in DOE's guidance for the EECBG program, which can be found at:

http://www.eecbg.energy.gov/downloads/DE_FOA_0000013_Amendment_000003.pdf .

PART TWO: STRUCTURE OF THIS RFP

Parts

Part One	Executive Summary
Part Two	Structure of this RFP
Part Three	General Instructions
Part Four	Eligibility
Part Five	Proposal Requirements
Part Six	Evaluation of Proposals
Part Seven	Grant Award
Part Eight	Reporting Requirements
Part Nine	Special Terms and Conditions

[Application and Appendices](#)

Attachments

[Attachment A: Tax Information Disclosure Authorization](#)

[Attachment B: W-9 Form](#)

[Attachment C: Vendor Information Form](#)

[Attachment D: Historic Preservation Compliance Form, Section 106 Review](#)
[Attachment E: National Environmental Policy Act \(NEPA\) Compliance Form](#)
[Attachment F: Extra Planned Activity and Associated Costs](#)
[Attachment G: Extra Energy Savings Per Year - Table 5](#)

PART THREE: GENERAL INSTRUCTIONS

The following sections provide a calendar of events, details on how to respond to this RFP and how to get more information about this RFP. All responses must be complete and in the prescribed format.

Calendar of Events

The schedule for this RFP is given below and is subject to change. Development may change this schedule at any time. If Development changes the schedule before the Proposal due date, it will do so through an announcement on the Ohio Energy Office web site area for this RFP. The web site announcement will be followed by an addendum to this RFP, which will also be made available through the Ohio Energy Office web site. It is each prospective applicant's responsibility to check the web site question and answer area for this RFP for current information regarding this RFP and its calendar of events through award of the grant. No grant shall be made with Development until awards are announced. The Ohio Energy Office will be offering a conference call for interested and eligible applicants well in advance of the application due date to go over required forms, expectations, and other technical assistance. Notification will be posted on the Ohio Energy Office web site and sent to eligible entities that have registered and submitted proposals through the www.recovery.ohio.gov website.

Firm Dates

RFP Issued:	October 20, 2009
Inquiry Period Begins:	October 20, 2009
Inquiry Period Ends:	November 20, 2009 at 8:00 a.m.
Proposal Due Date:	November 30, 2009 by 2:00 p.m.

Estimated Date

Awardees Notified:	Winter 2010
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Inquiries

Prospective applicants may make inquiries or seek clarifications regarding this RFP any time during the inquiry period listed above. To make an inquiry, prospective applicants must submit written questions to the Ohio Energy Office to the e-mail address or fax number indicated below:

E-mail: Recovery.Tibbs@em.ohio.gov
Fax: (614) 466-1864

The Ohio Energy Office accepts no responsibility for faxes or e-mails that are not delivered. The prospective applicant who submitted the inquiry will not receive an e-mail response to the question. UPDATE: To access the direct link to the Question and Answer document, [click here](#). Development reserves the right to edit questions for brevity and clarity and to consolidate the same general question if received from more than one individual.

The State will try to respond to all inquiries within 48 hours, excluding weekends and State holidays. The State will not respond to any inquiries received after 8:00 a.m. on the Inquiry Period End Date.

The Ohio Energy Office will be offering a conference call for interested and eligible applicants well in advance of the application due date to go over required forms, expectations, and other technical assistance. Notification will be posted on the Ohio Energy Office web site and sent to eligible entities that have registered and submitted proposals through the www.recovery.ohio.gov website. No other form of communication is acceptable, and use of any other form of communication or any attempt to communicate with Development staff or any other agency of the State to discuss this RFP may result in the applicant being deemed not responsive.

Project Completion Date

Due to the Federal source of the ARRA funds, all projects selected for funding must be completed and submit the required documentation for repayment by July 20, 2012. Failure to do so may result in termination of the Agreement.

PART FOUR: ELIGIBILITY

Eligible Entities and Funding Amounts Available

Eligible entities includes the seventy-eight (78) county governments and the one-hundred fourteen (114) city governments located in the seventy-eight counties that did not receive a direct allocation from the U.S. Department of Energy for the EECBG. The list is provided in the chart below.

Townships, villages, and quasi-governmental entities (authorities, parks, boards, commissions, etc) located in one of the 78 eligible counties interested in participating must partner with an eligible city and/or county government. The application must be submitted by an eligible city or county government to be considered

The \$15 million will be available according to the following breakdown:

- **\$3 million** is available for the twenty-six (26) county governments with populations under 39,000* and the twelve (12) city governments located in these counties.
- **\$4 million** is available for the twenty-six (26) county governments with populations between 39,001 to 65,000* and the thirty-four (34) city governments located in these counties.
- **\$8 million** is available for the twenty-six (26) county governments with populations at 65,001 and above* and the sixty-eight (68) city governments located in these counties.

* Consistent with federal direct allocation calculations, the population for each of the 78 counties is based upon the 2007 census estimates and is modified to subtract city populations that received direct EECBG allocations.

The minimum amount for an individual award made under this announcement will be \$150,000.

Eligible entities include:

County Population Range*	Eligible County Governments	Eligible City Governments	Funding Available
39,000 and under	Adams, Carroll, Coshocton, Defiance, Fayette, Gallia, Hancock, Hardin, Harrison, Henry, Hocking, Jackson, Marion, Meigs, Monroe, Morgan, Morrow, Noble, Paulding, Perry, Pike, Putnam, Van Wert, Vinton, Williams, Wyandot	Bryan city, Coshocton city, Defiance city, Heath city, Jackson city, Kenton city, Logan city, Upper Sandusky city, Van Wert city, Washington Court House city, Waverly City city, Wellston city	\$3,000,000
39,000 to 65,000	Ashland, Athens, Auglaize, Brown, Champaign, Clinton, Crawford, Darke, Fulton, Guernsey, Highland, Holmes, Huron, Knox, Lawrence, Logan, Madison, Mercer, Ottawa, Pickaway, Preble, Sandusky, Seneca, Shelby, Union, Washington	Ashland city, Athens city, Bellefontaine city, Bellevue city, Belpre city, Bucyrus city, Cambridge city, Celina city, Circleville city, Clyde city, Crestline city, Eaton city, Fostoria city, Fremont city, Galion city, Greenfield city, Greenville city, Hillsboro city, Ironton city, London city, Marietta city, Marysville city, Mount Vernon city, Nelsonville city, Norwalk city, Port Clinton city, Sidney city, St. Marys city, Tiffin city, Urbana city, Wapakoneta city, Wauseon city, Willard city, Wilmington city	\$4,000,000
65,000 and above	Allen, Ashtabula, Belmont, Clark, Columbiana, Delaware, Erie, Fairfield, Geauga, Greene, Jefferson, Licking, Lorain, Lucas, Mahoning, Medina, Miami, Muskingum, Portage, Richland, Ross, Scioto, Trumbull, Tuscarawas, Wayne, Wood	Amherst city, Ashtabula city, Aurora city, Avon city, Avon Lake city, Bellbrook city, Bowling Green city, Brunswick city, Campbell city, Canfield city, Chardon city, Chillicothe city, Columbiana city, Conneaut city, Cortland city, Delaware city, Delphos city, Dover city, East Liverpool city, East Palestine city, Fairborn city, Geneva city, Girard city, Hubbard city, Huron city, Kent city, Martins Ferry city, Maumee city, Medina city, Napoleon city, New Carlisle city, New Philadelphia city, Newton Falls city, Niles city, North Ridgeville city, Northwood city, Oberlin city, Ontario city, Oregon city, Orrville city, Pataskala city, Perrysburg city, Pickerington city, Piqua city, Portsmouth city, Powell city, Ravenna city, Reynoldsburg city, Rittman city, Rossford city, Salem city, Sandusky city, Sheffield Lake city, Shelby city, St. Clairsville city, Steubenville city, Streetsboro city, Struthers city, Sylvania city, Tipp City city, Toronto city, Troy city, Uhrichsville city, Vermilion city, Wadsworth city, Wooster city, Xenia city, Zanesville city	\$8,000,000

*2007 Census estimates that subtracts populations of entitlement cities located in each county

All city governments that received a direct allocation (Akron, Beavercreek, Canton, Cincinnati, Cleveland, Cleveland Heights, Columbus, Cuyahoga Falls, Dayton, Dublin, Elyria, Euclid, Fairfield, Findlay, Hamilton, Huber Heights, Kettering, Lakewood, Lancaster, Lima, Lorain, Mansfield, Marion, Mentor, Middletown, Newark, Parma, Springfield, Strongsville, Toledo, Warren, Westerville, Youngstown) and all counties that received a direct allocation (Butler County, Clermont County, Cuyahoga County, Franklin County, Hamilton County, Lake County, Montgomery County, Stark County, Summit County, and Warren County), and all of the cities located in these 10 counties are NOT eligible to apply.

Eligible Activities

Eligible activities include:

1. **Energy efficiency retrofits (including energy saving performance contracting):** Energy efficiency retrofits MUST be for existing buildings or facilities (residential, commercial, industrial, government, academic) with energy efficient equipment. Activities include – insulation, installation of light emitting diodes (LED) lighting, heating, venting and air conditioning (HVAC) upgrades, weather sealing, the purchase and installation of ENERGY STAR appliances, replacement of windows and doors, etc. Retrofits do not include expansions of buildings or facilities. For historic structures, it may be necessary for the retrofits to maintain the building's historic character (e.g., replacement of windows and doors with appropriate designs).
2. **Energy distribution:** Entities may implement distributed energy resource technologies that significantly increase energy efficiency, including:
 - District heating and cooling systems
 - Combined heat and power systems (systems sized to boilers appropriate to the buildings in which they are located)
 - Cogeneration systems
 - Energy storage systems
 - Absorption chillers
 - Desiccant humidifiers
 - Micro turbines
 - Ground source heat pumps (Maximum of 10 tons of capacity)
3. **Traffic signals and street lighting:** Entities may use grant funds to replace traffic signals and street lighting with energy efficient lighting technologies, including light emitting diodes; and any other technology of equal or greater energy efficiency.
4. **Reduction and capture of methane and greenhouse gases:** Entities may use grant funds to purchase and implement technologies to reduce, capture, and, to the maximum extent practicable, use methane and other greenhouse gases generated by landfills or similar waste-related sources, such as wastewater treatment plants, operations producing food waste, dairy farms and other animal operations.

In order to be considered, reduction and capture of methane and greenhouse gases projects MUST, under the National Environmental Policy Act (NEPA), be able to receive a categorical exclusion from preparation of an Environmental Assessment (EA), or an Environmental Impact Statement (EIS), or provide proof that a federal agency has reviewed and cleared the project under NEPA regulations.

5. **Renewable energy technologies on government buildings:** Entities may use grant funds to develop, implement, and install on or in any government building of the eligible entity onsite renewable energy technology that generates electricity from renewable resources, including:
- A. Solar electricity – System MUST be appropriately sized units on existing rooftops or parking shade structures; or 60kW system or smaller if installed on the ground within the boundaries of an existing government facility
 - B. Wind energy – System MUST be 20kW or smaller and be installed within the boundaries of an existing government facility
 - C. Solar thermal – System MUST be an appropriately sized unit for the government building
 - D. Fuel cells – Systems MUST be small in scale and located at an existing governmental facility
 - E. Biomass – Systems MUST be small in scale and located at an existing governmental facility

Applicants that wish to exceed the size restrictions MUST provide proof that a federal agency has reviewed and cleared the project for NEPA compliance issues. This can be shown by providing an issued “Finding of No Significant Impact,” an Environmental Assessment, or an Environmental Impact Statement and attaching to application as Attachment H.

Activities 1, 4, 5D, and 5E MUST submit the NEPA Environmental Questionnaire EF-1 (Attachment E), to be considered for funding. If eligible entities are proposing multiple activities, a Questionnaire will need to be submitted for each activity. For example, if a local government wants to install a fuel cell, and install a biomass system, then a separate EF-1, Attachment E Questionnaire will need to be submitted for each activity.

Examples of these activities can be found at the following website:

<http://www.eecbg.energy.gov/solutioncenter/eligibleactivities/default.html>

Project Restrictions

Funding **cannot** be used:

- For any work related to the construction of a new building, an addition, or an expansion project;
- For non-energy-related alteration or upgrades or repair of a building or structure;
- For any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool; or
- To purchase land, a building or structure or any interest therein.
- For projects that would require, but have not yet completed environmental impact statements.

Historic Preservation

If this project would alter any structure or site that is:

- Fifty years of age or older
- Listed on the National Register of Historic Places, or
- Located in a historic district

Applicants MUST comply with the requirements of Section 106 of the National Historic Preservation Act and complete Attachment D- Historic Preservation Compliance Form.

Additional information regarding Section 106 compliance can be found at:
<http://www.ohiohistory.org/resource/histpres/services/106LandingPage.html>

Funding Restrictions

Up to 10 percent or \$75,000, whichever is less, of grant funds may be used for administrative expenses, excluding the cost of meeting the reporting requirements of the program. Administrative costs are the allowable, reasonable, and allocable direct and indirect costs related to overall management of the awarded grant. Budget Information and Explanation of Budget Categories can be found in the Application and Appendices, under Exhibit IX

Cost Share

Cost share is not required, but is a selection factor that will be use when evaluating Projects. The use of other Federal funds, including other ARRA grants, will not be considered as eligible for cost share.

DUNS Number Registration

If your organization does not have a DUNS number, go to the Dun & Bradstreet (D&B) online registration located at <http://fedgov.dnb.com/webform/displayHomePage.do> to receive a number free of charge or call 1-866-705-5711.

CCR Registration

- The Central Contractor Registration (CCR) collects, validates, stores, and disseminates business information about the Federal Government's trading partners in support of the contract award, grants, and the electronic payment processes.
- UPDATE: To see if your organization is already registered with CCR, check the CCR website located at <https://www.bpn.gov/ccrsearch/Search.aspx> . You will be able to search CCR by using either your organization's DUNS Number or legal business name. If your organization is already registered, take note of who is listed as the organization's E-Business Point of Contact (E-Business POC).

If your organization is not registered in CCR, go to the CCR Website at www.ccr.gov and select the "Start New Registration" option to begin the registration process. Please allow up to 7 days for processing of your registration which includes the IRS validating your Employer Identification Number (Taxpayer Identification Number or Social Security Number). The organization's E-Business POC will be designated during the CCR registrations process. A special Marketing Partner ID Number (MPIN) is established as a password to verify the E-Business POC.

PART FIVE: PROPOSAL REQUIREMENTS

Proposals must include all requested Forms, Exhibits, and Attachments identified in the Checklist in Appendix Section.

Proposal Submittal

Proposals must be submitted in the following manner:

- One original paper copy marked as "Original," 2 additional paper copies marked "Copy."
- One CD containing a Word version and a single unlocked PDF file of the Proposal, application, exhibits, and attachments.

- Total number of pages, not including attachments, should total no more than 50.
- Proposals are to be submitted on 8.5 x 11-inch paper.
- Margins must not be less than $\frac{3}{4}$ of an inch on all sides.
- Font must be 10 point or larger with no more than 6 lines of text per inch.
- All pages must be numbered consecutively using the format "Page [#] of [total number of pages]" (e.g., Page 2 of 20).
- The proposal title and applicant name (acronyms are acceptable) must appear at the bottom of each page.
- Proposals must be stapled once in the top left-hand corner and must not be bound.
- **Proposals may not be submitted by e-mail or fax. All proposals must be submitted no later than 2:00 p.m. on November 30, 2009, at the following office:**

Ohio Department of Development
Ohio Energy Office
EECBG - ARRA
77 South High Street, 26th, 27th Floor
Columbus, OH 43216-1001

Applicants are advised there will be no opportunity to correct mistakes or deficiencies in their proposals after the submission deadline. Proposals that are missing required information may not be evaluated.

It is the applicant's responsibility to ensure timely submission of a complete proposal. Development is under no obligation to consider a proposal which is received after the deadline or that is incomplete. Proposals that are not submitted in the format requested will not be scored. Late proposals will not be scored.

No supplementary or revised materials will be accepted after the scheduled date for submission unless specifically requested by the Development.

All costs incurred in the preparation of the proposal shall be borne by the applicant alone, and Development shall not contribute, in any way, to the cost of the preparation of the proposal.

All information submitted in response to this RFP shall be public information unless a statutory exception exists which would protect the information from release to the public. Any information submitted with the proposal which the applicant treats as a trade secret, as that term is defined in Section 1333.61 of the Ohio Revised Code, may be designated as such by marking the information: two asterisks (**) must be placed at the beginning and end of the trade secret information and the trade secret information shall be underlined. Information determined to be a trade secret under the laws of the State of Ohio will be protected as trade secrets by Development in accordance with Ohio law.

Development reserves the right to:

- Accept or reject any and all proposals if the State of Ohio determines that it is in its best interest to do so; and rebid the RFP requesting new proposals from qualified parties.

- Waive or modify minor irregularities in proposals received;
- Negotiate with applicants, within the requirements of the RFP, to best serve the interests of the State of Ohio;
- Require the submission of modifications or additions to proposals as a condition of further participation in the selection process;
- Fund any proposal in full or in part; and/or,
- Adjust the dates for whatever reason it deems appropriate.

In accordance with federal and state statutes and Development policy, no person shall be excluded from participation or subject to discrimination in the RFP process on the basis of race, color, age, sex, national origin, military status, religion, or disability.

PART SIX: EVALUATION OF PROPOSALS

Evaluation Process

The evaluation process may consist of up to four distinct phases:

1. The procurement representative's initial review of all proposals for timely submission;
2. The evaluation committees review of the proposals for defects and scoring;
3. Request for more information (interviews, presentations, and/or demonstrations); and
4. Negotiations.

Development may decide whether phases three and four are necessary. Development has the right to eliminate or add phases three or four at any time in the evaluation process. The State also may add or remove sub-phases of phases 2 through 4 at anytime if Development believes doing so will improve the evaluation process.

Proposal Evaluation Criteria

A total of **100 points** is available according to the following breakdown:

- A. Project Readiness (25 Points)
- B. Economic Impact for Ohio (20 Points)
- C. Positive Impact on Distressed Communities (15 Points)
- D. Innovation, Transferability, Collaboration (15 Points)
- E. Cost Effective Measurable Energy Savings/Energy Production Impacts (15 Points)
- F. Leverage/Match (10 Points)

Project Readiness	Maximum
<p>Demonstrated by preliminary engineering analysis of technology, engineering layout documents, energy audits, vendor quotes, capital budget appropriation (internal) approved, financing arrangements in place.</p> <p>Minimal: This project will move forward and be completed prior to July 20, 2012.</p> <p>Typical: Preliminary analysis of technology, vendor quotes. This project will move forward and be completed in 18 months.</p> <p>Extraordinary: Engineering analysis and layout complete, capital budget appropriations approved, financing in place (bank letter addressing approval of loan). This project will move forward and be completed within 12 months.</p>	10
<p>Regulatory approvals</p> <p>This project has obtained no regulatory permits. 0 points</p> <p>This project shows evidence of having contacted regulatory agencies, and has some permits in place, including NEPA reviews, and/or National Historic Preservation Act if required. 1-9 points</p> <p>This project has all required regulatory permits in place. 10 points</p>	10
<p>Key Personnel: Identify the role(s) of key staff person(s) responsible for the project;</p> <p>Project Management: Demonstrated ability to administer and report a complete project.</p>	5
Total Points Available 25	

Economic Impact for Ohio	Maximum
<p>The number of jobs or partial jobs created and/or retained during construction, and during normal operation of the project. Construction hours = person hours required for site preparation, installation of equipment. Assess jobs directly associated with the construction and/or operation of the project.</p>	10
<p>Cost per job created/retained measured by grant amount requested divided by number of jobs created/retained</p> <p>Cost per job is in lower third of applications. (highest cost/job): 1 Point</p> <p>Cost per job is in middle third of applications. 3 Points</p> <p>Cost per job is in upper third of applications. (lowest cost/job): 5 Points</p>	5
<p>Potential for Ohio job creation and/or retention through use of Ohio-made components, Ohio suppliers, and/or Ohio-employed installers not directly employed by applicant. Applicant should be able to express this multiplier effect in terms of specific numbers or as a factor multiplier of the direct jobs created.</p> <p>Applicant is creating 5 or fewer indirect Ohio-based jobs: 1 Point</p> <p>Applicant is creating 6 – 20 indirect Ohio-based jobs: 3 Points</p> <p>Applicant is creating 21 or more indirect Ohio based jobs: 5 Points</p>	5
Total Points Available 20	

Positive Impact on Distressed Communities	Maximum
This project will use ___% of components that are locally produced (within 100 miles of jurisdiction) 2% or less: 0 points 3-9%: 1 Point 10-19%: 3 Points More than 20%: 5 Points	5
Project will save ___% of local government's energy bills 2% or less: 0 points 3-9%: 1 Point 10-19%: 3 Points More than 20%: 5 Points	5
Jurisdiction of local government is a Priority Investment Area for 2009 that is listed here: http://www.development.ohio.gov/research/Reports_in_maps_economic_related.htm	5
Total Points Available 15	

Innovation, Transferability, Collaboration	Maximum
Level of innovation of project that could be replicated in other communities.	5
Demonstrated partnership/collaboration with multi-jurisdictional entities on location of project implementation.	5
Level of commitment to share lessons learned with other communities. Committed number of case studies, tours, presentations, peer-to-peer networking.	5
Total Points Available 15	

Cost-Effective Measurable Energy Savings/Energy Production Impacts	Maximum
Total implementation cost divided by total energy saved, generated, or displaced (\$/MMBTU).	15
Total Points Available 15	

Leverage/ Match	Maximum
This project will match % of the total project's cost with non-federal funds. All cost share investments must be committed by letter executed agreements/contracts and/or evidence of cash dedicated to the project. Match is 0% 0 Points Match is between 1% - 5%: 2 Point Match is between 6%-10%: 4 Points Match is between 11-15%: 6 Points Match is between 16%-25%: 8 Points Match is over 26%: 10 Points	10
Total Points Available	10

PART SEVEN: GRANT AWARD

Grant Award Process

Development plans to award grants based on the schedule in Part Three of this RFP.

The award decisions of Development are final. All applicants will be notified in writing of the outcome of their proposals after Development makes its decision.

Upon the approval of the award recommendation issued by the evaluation committee, a notice of grant award and finalized grant terms and conditions will be sent to the awarded applicants for signature. Once three copies of the signed grant agreement are received from the applicant, Development will complete full execution of the grant agreement by signing it.

Once the grant is fully executed, Development will issue a copy of the executed grant agreement to the awardees for their files.

Expected Number of Awards

3-50 awards depending on the size of the awards.

PART EIGHT: REPORTING REQUIREMENTS

Reporting Requirements

As funding for this program is appropriated from the federal American Recovery and Reinvestment Act of 2009, every taxpayer dollar spent on economic recovery must provide unprecedented levels of transparency and accountability. The State of Ohio and Governor Strickland are committed to this accountability, as well. If selected for an award, entities must be prepared to describe the auditing or monitoring procedures currently in place or that will be in place (by what date), to ensure funds would be used for authorized purposes only and that every step is taken to prevent instances of fraud, waste, error, and abuse.

Reporting requirements are identified below:

Expenditures: Accurate records shall be kept on project expenditures for all EECBG

ARRA funded efforts and MUST be kept in a separate account. The specific information to be gathered and tracked is listed below and will be the same for all project types:

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

Metrics Activity: The key metrics to be reported will vary by project type. The minimum information to be reported, by project activity type, is reported below.

Job Creation/Retention (both direct and documented indirect jobs)

- Number
- Type
- Duration

Building Retrofits

- Number of buildings retrofitted, by sector
- Square footage of buildings retrofitted, by sector

Government, School, Institutional Procurement

- Number of units purchased, by type (e.g., vehicles, office equipment, HVAC equipment, streetlights, exit signs)

Renewable Energy Market Development

- Number and size of solar energy systems installed
- Number and size of wind energy systems installed
- Number and size of other renewable energy systems installed; or
- Renewable energy measures recommended, by sector

Energy Savings (kilowatt-hour (kwh) equivalents)

- Annual reduction in natural gas consumption (million cubic feet (MMcf)) by sector and end-use category
- Annual reduction in electricity consumption (megawatt-hour (MWh)) by sector and end-use category
- Annual reduction in electricity demand (megawatts (MW)) by sector and end-use category
- Annual reduction in fuel oil consumption (gallons) by sector and end-use category
- Annual reduction in propane consumption (gallons) by sector and end-use category
- Annual reduction in gasoline and diesel fuel consumption (gallons) by sector and end-use category

Renewable Energy Capacity and Generation

- Amount of wind-powered electric generating capacity installed (MW)

- Amount of electricity generated from wind systems (MWh)
- Amount of PV generating capacity installed (MW)
- Amount of electricity generated from PV systems (MWh)
- Amount of electric generating capacity from other renewable sources installed (MW)
- Amount of electricity generated from other renewable sources (MWh)

Emissions Reductions (tons) (CO₂ equivalents)

- Methane
- Carbon
- Sulfur dioxide
- Nitrogen oxide
- Carbon monoxide

There currently is an EECBG estimated expected benefits calculator which can be found at: <http://www.eecbg.energy.gov/solutioncenter/applicationresources/default.html>. If DOE provides additional guidance to states regarding the measurement and calculation of energy savings, the Ohio Energy Office will share this information with local governments as soon as it is available.

PART NINE: SPECIAL TERMS AND CONDITIONS

Supplemental Terms and Conditions for Projects Funded in Whole or in Part with Moneys from the American Recovery and Reinvestment Act of 2009

1. Timely and Accurate Reporting. The Grantee shall comply with all reporting requirements outlined in Section 1512 of ARRA and such additional reporting guidance as may be issued from time to time. The Grantee's reporting must be sufficient to support the requirements of the Grantor to make timely and accurate reports to the federal agency from which the Grantor receives ARRA funds. The Grantor's reporting requirements include quarterly reporting of the amount of ARRA funds received; the amount of ARRA funds expended or obligated; detailed list of all projects or activities for which the ARRA funds were expended; an estimate of the number of jobs created and the number of jobs retained by the project or activity; and detailed information concerning subcontracts or sub-grants including the state Ohio.
 - a. Separate Tracking and Reporting. Section 1512 of ARRA mandates special reporting for expenditure of ARRA funds. ARRA funds may be used in conjunction with funds from other sources, including federal funds not provided under the authority of ARRA and State funds, to complete the Project, but tracking and reporting of ARRA funds must be separate from tracking and reporting of other funds used for the Project. The Grantee shall ensure that the grant of ARRA funds is established and maintained in its accounting system to accommodate separate tracking and reporting.
 - b. Separate Accounts for ARRA Funds. If required by federal law, including any rules or regulations implementing ARRA, the Grantee shall deposit and maintain funds provided under the authority of ARRA in separate accounts.
 - c. Identification of ARRA Funds with "ARRA-" Prefix. The Grantee is subject to the requirements of the Single Audit Act Amendments of 1996 and OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." The Grantee shall separately identify the expenditures of funds provided under the authority of ARRA in its Financial Reports submitted to Grantor on the Schedule of Expenditures of Federal Awards ("SEFA") and, if required, the Data Collection Form (SF-SAC). The separate identification shall be accomplished by identifying expenditures of ARRA funds separately on

the SEFA and as separate rows under Item 9 of Part III on the SF-SAC by CFDA number and by including the prefix "ARRA-" in identifying the name of the federal program on the SEFA and as the first characters in Item 9d of Part III on the SF-SAC.

- d. Central Contractor Registration. During the term of this Agreement, the Grantee shall maintain a current registration in the Central Contractor Registration.
- e. State of Ohio Reporting Form. The Grantee shall complete and provide to the Grantor or its representative the "OBM, Ohio Sub-Grantee and Sub-Recipient Spending Report in Compliance with ARRA Sec. 1512."
- f. Monthly Reporting. The Grantee shall report its performance and spending under the Agreement monthly as provided in the Agreement notwithstanding that the Grantor will report quarterly to federal agencies. In order to comply with reporting deadlines to which the Grantor may be subject, the Grantor reserves the right to accelerate the deadline for reports required from the Grantee.
- g. Jobs Created and Retained. The Grantee shall report the number of jobs created and retained directly by the Grantee and by each of its contractors as a result of the ARRA funding provided pursuant to this Agreement as well as an estimate of jobs created or retained elsewhere as a result of ARRA funding.
 - (1) "Jobs or positions created" means those new positions created and filled, or previously existing unfilled positions that are filled, as a result of ARRA funding. "Jobs or positions retained" means those previously existing filled positions that are retained as a result of ARRA funding. This description may rely on job titles, broader labor categories, or the contractor's existing practice for describing jobs as long as the terms used are widely understood and describe the general nature of the work.
 - (2) For purposes of estimating the number of jobs created and jobs retained in the United States and outlying areas, at a minimum, the estimate shall include any new positions created and any existing filled positions that were retained to support or carry out ARRA projects or activities managed directly by the recipient, and if known, by subrecipients. The number shall be expressed as "full-time equivalent" (FTE), calculated cumulatively as all hours worked divided by the total number of hours in a full-time schedule, as defined by the recipient. For instance, two full-time employees and one part-time employee working half days would be reported as 2.5 FTE in each calendar quarter.
 - (3) A job cannot be reported both as created and retained.
 - (4) Additional guidance will be provided for reporting jobs created and retained.
- h. Additional or Modified Reporting Requirements. The Grantor may, from time to time as it deems appropriate and necessary, communicate specific instructions and requests to the Grantee concerning any additional reporting requirements related to the ARRA funds received under this Agreement.

2. Accessibility to Records and Project Sites.

- a. *Comptroller General of the United States Authority to Inspect.* Pursuant to Section 902 of ARRA the Comptroller General of the United States and his representatives have the authority to:
 - (1) Examine any records of the Grantee and any contractor and subcontractors of the Grantee that directly pertain to, and involve transactions relating to, the contract or subcontract, or of any State or local agency administering such contract; and
 - (2) Interview any officer or employee of the Grantee or any of its contractors or subcontractors, or of any State or local government agency administering the contract, regarding such transactions; and
 - (3) Designate a time and place to examine those records and interview those officers and employees

described above.

b. *Inspector General Authority to Inspect.* Pursuant to Section 1515(a) of ARRA, an Inspector General or any representative of an Inspector General has the authority to:

- (1) Examine any records of the Grantee and any contractor and subcontractors of the Grantee that directly pertain to, and involve transactions relating to, the contract or subcontract, or of any State or local agency administering such contract; and
- (2) Interview any officer or employee of the Grantee or any of its contractors or subcontractors, or of any State or local government agency administering the contract, regarding such transactions; and
- (3) Designate a time and place to examine those records and interview those officers and employees described above.

c. *Duty to Incorporate in Contracts.* To facilitate access to records and personnel by the Comptroller General and/or an Inspector General as described in paragraphs (a) and (b), the Grantee shall include verbatim in any agreement with a contractor, and shall cause each of its contractors to include verbatim in any agreement with a subcontractor, from which the Grantee or a contractor acquires any goods or services for the Project the language set forth in paragraphs (a) and (b) of this Section 2.

3. Prohibition on Use of Funds. None of the funds provided under this agreement derived from the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, may be used by any State or local government, or any private entity, for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.

4. Equal Employment Opportunities.

a. *Compliance with Federal Laws.* In addition to the Grantor's equal employment opportunity requirements set forth in the Agreement, the Grantee shall comply, and the Grantee shall obtain the agreement of each of its contractors and any subcontractors to comply, with all of the following federal laws pertaining to civil rights and anti-discrimination:

Title VI & Title VII of Civil Rights Act of 1964
Equal Pay Act of 1962
Age Discrimination in Employment Act of 1967
Title IX of Educational Amendments of 1972
Section 504 of the Rehabilitation Act of 1973
Age Discrimination Act of 1975
Title I & Title V of Americans with Disabilities Act of 1990
Fair Housing Act
Fair Credit Reporting Act
Equal Educational Opportunities Act
Uniform Relocation Act

Failure by the Grantee to comply with these laws shall constitute a breach of a material obligation of the Grantee and may result in termination of the Agreement.

b. *Implementation Plan for Small and Disadvantaged Businesses.* The Grantee shall provide the Grantor an implementation plan for training and hiring minority and disadvantaged workers. The Grantee shall also demonstrate to the Grantor that when contractors are being hired by the Grantee, if applicable, small disadvantaged business enterprises are offered opportunities to bid on and receive contracted work on the Project. Information about the Grantee's outreach to small and disadvantaged business enterprises shall be provided to the Grantor when contracts are presented for review and approval in accordance with Section 1 of this Appendix A.

5. Job Postings. The Grantee shall post all jobs created by the Grantee resulting from the award of the contract and the use of ARRA funds on www.ohiomeansjobs.com. The Grantee shall also require each of its contractors to

post all jobs created by the contractor resulting from the award of this contract and the use of ARRA funds on www.ohiomeansjobs.com. "Jobs created" are those positions created and filled or previously existing unfilled positions that are retained as a result of ARRA funding.

6. Protections for Individuals Reporting Compliance Issues (Whistleblower Protection).

- a. Pursuant to Section 1553 of ARRA, the Grantee and each of its contractors and any subcontractors are prohibited from discharging, demoting, or otherwise discriminating against any employee of the Grantee, contractor or subcontractor, as a reprisal for disclosing information that the employee reasonably believes is evidence of:
 - (1) gross mismanagement of the contract relating to funds for the Project;
 - (2) gross waste of ARRA funds;
 - (3) substantial and specific danger to public health or safety related to the implementation or use of ARRA funds;
 - (4) an abuse of authority related to the implementation of or use of ARRA funds; or
 - (5) a violation of law, rule, or regulation related to the contract (including the competition for or negotiation of the contract) relating to ARRA funds.
- b. ARRA authorizes an appropriate inspector general shall receive and investigate all complaints alleging a violation as described in paragraph (a) of this section.
- c. All employers receiving ARRA funds, including the Grantee, its contractors and any subcontractors, shall post notice of employee rights as described above in conspicuous locations with other required employee rights information.

7. Construction Projects. For those construction projects for which the State uses ARRA funds for the construction, alteration, maintenance, or repair of a public building or public work, the following conditions apply:

- a. *Buy American.*
 - (1) Products: Pursuant to Section 1605 of ARRA, all steel, iron, and/or manufactured goods used in the construction project must be produced in the United States.
 - (2) Exception: The requirement set forth in clause (1) of this paragraph shall not apply if and only if the appropriate federal agency determines one of the following:
 - (a) The application of the requirement in clause (1) of this paragraph would be inconsistent with the public interest; or
 - (b) That (i) the cost of domestic iron, steel, and/or manufactured goods would be unreasonable; or (ii) an insufficient amount of steel, iron, or relevant manufactured goods were produced and reasonably available in the United States; or (ii) that the steel, iron, or relevant manufactured goods is not produced in the United States. The cost of domestic iron, steel and/or manufactured goods will be considered unreasonable when the cumulative costs of such material will increase the overall cost of the project by more than twenty-five percent (25%).

A Grantee, its contractors, and subcontractors must comply with the above requirement unless the Grantor obtains a waiver from the appropriate federal agency stating that at least one of the above-referenced exceptions applies. The Grantee, its contractors, or subcontractors shall notify the Grantor immediately and shall cooperate with the Grantor if the Grantor determines it will seek an exception to the Buy American requirements by appealing to the appropriate federal agency pursuant to rules and regulations in 2CFR Part 176, Federal Register Volume 74, No 77 (April 23, 2009). The Buy American requirements shall be performed in a manner consistent with United States obligations under international

agreements.

- b. *Prevailing Wage Rates and Labor Standards.* The Grantee and each of its contractor and any subcontractors shall pay all laborers and mechanics employed by the Grantee, contractor or subcontractors, respectively, on the Project not less than the prevailing wage determined under the “Davis-Bacon Act” for similar work in the civil subdivision for which the laborers and mechanics perform the work. In addition, the Contractor and subcontractors shall pay all laborers and mechanics overtime compensation in accordance with the provisions of the “Contract Work Hours and Safety Standards Act,” 40 U.S.C. §§ 327 to 333. The Grantee, its contractors, and any subcontractors shall comply with all regulations issued pursuant to the above-referenced Acts and with all applicable federal and state laws and regulations.
8. Logos. The Grantee agrees to use the appropriate logos provided by the Grantor to indicate state or federal funding sources on all publicity or educational materials developed, in whole or in part, under this Agreement. Grantees receiving American Recovery and Reinvestment Act funding agree to display the Recovery Act Logo in a manner that informs the public that the project is a Recovery Act Investment.

All Projects receiving financial assistance from the U.S. Department of Energy must be reviewed under the National Environmental Policy Act (NEPA) of 1969 – 42 U.S.C. Section 4321 et seq. https://www.eere-pmc.energy.gov/NEPA_Act.aspx