

**REQUEST FOR PROPOSALS
FOR PROVIDING IMPLEMENTATION SERVICES AND
TECHNICAL ASSISTANCE TO THE
NEW MEXICO SOLAR FOR ALL PROGRAM
ISSUED BY THE STATE OF NEW MEXICO,
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT,
ENERGY CONSERVATION AND MANAGEMENT DIVISION**

AMENDMENT 3

1. *Section 3 - Scope of Work: Which tasks of this RFP present a conflict of interest for community solar subscriber acquisition and management firms?*

Answer: An organization participating as a Subscriber Organization in New Mexico's Community Solar program may bid on tasks for the Solar for All RFP. Depending on which task, there may be a conflict of interest. For example, Awardees from this RFP will not be eligible for funding to develop solar projects. This would be a conflict of interest as the implementor will select which projects will move forward (and which do not) and the implementor will serve as quality control and oversight. Tasks 3, 4, and 6 especially may present a conflict of interest for community solar subscriber acquisition and management firms.

2. *Section 3 - Scope of Work: While the RFP specifically notes that multiple contracts may be awarded under Task 1, is it a correct understanding that multiple contracts may be awarded under Tasks 2-10 as well such that multiple Offerors may be selected to collectively perform the required deliverables under a Task?*

Answer: Correct, ECMD may choose to award multiple Offerors under the same Task if ECMD determines that path will best serve the needs of the program.

3. *Section 4 - Proposal Contents Should we develop a budget assuming four years engagement? Or should we develop a budget by estimating the time necessary to complete each task?*

Answer: Budgets should be developed based on the estimated time needed to complete each task.

4. *Section 4 - Proposal Contents Should we include travel expenses in our budget or should we separately show the estimated travel expenses?*

Answer: Please separately show the estimated travel expenses if applicable.

5. *Section 7 - Award and Contract Duration: What is the envisaged timeline after submitting the proposal? (the timing of award, contract execution, and start of the engagement, etc.)*

Answer: ECMD envisions a contract start date by October 2024 for the Offeror(s) chosen for the Program Planning Task, and likely later in the winter for other Offeror(s) chosen. ECMD anticipates a program launch date by May 1, 2025.

6. *Attachment 4 - PA Agreement When will the technical assistant service fee be paid? Will it be upfront payment, milestone payment, or other payment structure?*

Answer: ECMD anticipates payments being made based on a milestone completed schedule.

7. *You reference all work needing to be Davis Bacon compliant. If this program is focused on solar but the homeowner needs energy efficiency improvements to make solar more effective, does that home repair/energy efficiency work also need to be Davis Bacon compliant?*

Answer: Any construction activity financed through Solar for All will be required to be Davis-Bacon compliant. Solar for All is able to fund some “enabling upgrades” for solar readiness. If the energy efficiency or other improvements are financed through a separate program, they would have to comply with the regulations of those programs.

8. *Is meeting the 90/10 implementation/admin budget target a key evaluation criteria for bids and would an 80/20 split budget still be competitive?*

Answer: the Offeror’s price is not a factor in evaluation of this RFP. The EPA requires at minimum 75% of the total budget be used for financial assistance to solar projects and ECMD has a target of 90% for financial assistance to maximize benefits for households in New Mexico.

9. *Near the close of the webinar, a question was asked regarding coalition and partner applications. Are applications with both a prime applicant and partner/contractor covering all tasks discouraged?*

Answer: Each Offeror should individually bid on the Task(s) they would perform.

10. *If awarded, can the program administrator (PA) stack multiple SFA dollars from multi-state awards/Tribal awards if the PA is managing multiple Solar For All programs?*

Answer: Such a determination would have to be made with the approval of the EPA.

11. *Are Community Solar projects under this RFP subject to NM PRC public utility community solar facility requirements and capacity caps?*

Answer: Shared solar projects of up to 5MW outside of investor-owned utility territory will not be subject to the NM PRC Community Solar requirements. There may be opportunities for specific projects to participate in both Solar for All and the NM PRC Community Solar program.

12. *The webinar replay mentioned that SFA program will be available to people who live in RVs or people living in remote rural areas. Currently similar programs require building permits. How will this be addressed?*

Answer: Specific program rules will be developed during the planning period over the next several months.

13. *Is this RFP appropriate for an installation contractor? Tasks 1 – 8 are all normal course of business for an installation contracting business. OR is another RFP forthcoming for vetting installation contractors (Task 4: Project Development and Technical Assistance)?*

Answer: This RFP is looking for services related to program planning, administration, implementation, and technical assistance. ECMD does not anticipate a final program design that includes an RFP for installation contractors.

14. *If this RFP is the right fit for us what is there a preferred way we outline budget information (commercial, residential, utility, kW's, ESS, ground, roof, etc)?*

Answer: A budget should be shared for each Task included in the submission. Budget information should be based on the cost to complete the deliverables in the Task.

15. *During the Webinar, it was stated that the rebate processing or coupon processing work, is part of the next RFP. Thus, can you please clarify what specific invoices and reports will be done during this RFP and how this will relate to invoices and reports done by the Offeror in the next RFP?*

Answer: The financial assistance products offered through Solar for All will include grants and loans, and may include other instruments. The successful Offeror(s) for the upcoming financial services RFP. The intention of Task 6 is for the awarded Offeror(s) to manage and review invoices related to the completion of projects that are receiving financial assistance through the Solar for All program. The successful Offeror(s) for this RFP will be monitoring invoices and reports to ensure that projects receiving financial assistance through Solar for All are following program rules.

16. *During the webinar, it was stated that \$15.5M is available for administration of both RFPs, but that this becomes ~\$13.7M after state admin costs are deducted. Also, it*

was stated that ECMD is waiting to work with the EJ Advisory Committee to determine what type of breakout there should be between single family, multi-family and community solar projects. There is also little guidance as to whether there are preferred project sizes or breakouts between solar and ESS. Do you have a suggestion as to how bidders should complete budget estimates given that the \$13.7M is to be split between two RFPs, and that sections of this RFP state that “each” project shall be reviewed (Task 3) – but there is not yet clarity in number/type/size of projects, and that Section 4.C. calls for a deliverables based budget for each Task?

Answer: The exact budget available for program administration is flexible up to a maximum of \$39,030,000.00 that will be split between ECMD, the successful Offerors of this RFP, the successful Offeror(s) of the financial services RFP, and the administration of the Environmental Justice Advisory Committee (e.g. facilitator). Subject to change, ECMD is anticipating serving 20,000 households through approximately four to seven shared solar projects, 10-20 multifamily solar projects, and 10,000 residential solar projects.

17. Understanding the Department’s interest in a one-stop-shop for New Mexicans, can Offerors submit joint proposals with a team/multiple subcontractors?

Answer: ECMD prefers to create partnerships of organizations through the RFP process by selecting individual Offerors to best meet the needs of the program. This will also help ensure compliance with 2 C.F.R. 200.

18. Is it possible for questions to be addressed before July 17th to allow bidders time to prepare an informed response by the proposal due date of July 26th? Alternatively, would you consider extending the submission deadline to July 31st?

Answer: ECMD is working to answer questions promptly and post them before the 17th.

19. Can ECMD confirm if redaction is allowed? Section 4. Proposal Contents

Answer: Any information redacted by Offerors must be proprietary or confidential as defined in NMSA 1978, Sections 57-3A-1 to 57-3A-7. Offerors are also required to provide an unredacted version of their proposal.

20. From Attachment 4 Professional Services Agreement: “Comprehensive performance liability protection covering contractual liability that may arise under this Agreement and any amendment hereto. Such policy or policies shall name the State of New Mexico and EMNRD as additional insured and shall specifically state the coverage provided under the policy is primary over any other valid and collectible insurance and provide a waiver of subrogation.” Can ECMD clarify if

the previous requirement is regarding contractual liability and would be covered under a General Liability policy?

Answer: ECMD recommends that Offerors seek counsel from their insurance provider concerning any question regarding insurance.