

**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**

Questions and Answers Document

General

1. *Will there be a separate RFP for an implementation contractor?*

Answer: No. This is the request for proposals (RFP) for technical assistance and implementation services. There will be a separate RFP later this summer for parties to provide financial services.

2. *If so, will the contractor chosen for this RFP be precluded from bidding on the implementation RFP?*

Answer: There will not be a separate implementation RFP. Offeror(s) chosen for this RFP will not be precluded from bidding on the financial services RFP.

3. *What is the budget for this program?*

Answer: The program's total budget is \$156,120,000.00, of which \$400,000.00 is in-kind technical assistance provided through the U.S. Environmental Protection Agency (EPA).

4. *What is the envisioned contract start date and program launch dates?*

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.

5. *Can you provide a copy of New Mexico's EPA Solar for All (SFA) request and any EPA award information.*

And

Will ECMD make its Program Narrative available for public review for bidders' reference?

Answer: ECMD is revising the program work plan based on EPA guidance. This will be shared with successful Offeror(s).

6. *How does NM plan to allocate Solar for All funding across single and multifamily homes in terms of \$, % or number of units etc.?*

Answer: ECMD anticipates deciding on an allocation across single, multifamily, and shared solar projects during the planning year with advice from the Environmental Justice Advisory Committee.

7. *“Customer” is broadly defined (e.g. households, utilities, municipalities, CBOs ...). Does this mean that all entities defined under “customer” could apply to the Solar for All program to install a project? Or does this mean that the Offeror should expect to work with all stakeholders to advance solar deployment for low-income households?*

Answer: The answer is yes to both. The SFA program has multiple pathways (shared, multifamily, and residential) meaning all entities defined under “customer” may be eligible to install a project as long as the beneficiaries of the project are low-income residents. Additionally, the Offerors shall work with all stakeholders to advance solar deployment for low-income households.

8. *The RFP states that successful administration shall result in households owning “in whole or in part, solar energy resources that lead to a 20% or more reduction in utility bills”. Does the ECMD envision a scenario in which households may receive the 20% reduction in bills (meaning, there is no direct ownership of the array)?*

Answer: A program requirement is 20% reduction in utility bills, but not necessarily ownership of a solar energy system, for example in the case of renters living in multifamily housing units who experience lower utility bills or lower rent due to the installation of a solar project on the property through SFA.

9. *Do you have an existing technology partner or solution you plan to use for website and/or an application storage and management platform?*

Answer: ECMD has an existing technology partner for a website, but not necessarily for an application storage and management platform. ECMD will work with the winning bidder to find the best way to connect the existing information technology systems to their software, if applicable.

10. *Is the Offeror requested to develop a website to promote the program and house program resources? Or will program information be hosted within the ECMD website?*

Answer: ECMD is developing a “one-stop-shop” website with an existing contractor for all of ECMD’s customer facing programs. ECMD expects that SFA content will be on that website and is open to suggestions from bidders for additional methods of providing information to customers.

11. *Does ECMD have a range in mind for project sizes? E.g. 1 MW – 5 MW? Or, 250 kW – 3 MW?*

Answer: The project sizes will vary depending on the pathway. For the shared solar projects ECMD envisions 1MW-5MW projects.

12. *Does ECMD have a preference/vision for how much solar also includes ESS? (E.g. all solar projects have ESS, or, 25% of the solar projects have ESS?).*

Answer: ECMD anticipates deciding on an allocation for what percent of projects include energy storage systems (ESS) during the planning year with advice from the Environmental Justice Advisory Committee. ECMD anticipates that less than 50% of projects will include ESS.

13. *Can an organization that is participating as a Subscriber Organization in the New Mexico's Community Solar program bid on tasks for the Solar for All RFP?*

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.

14. *To maximize program dollars, New Mexico's Program shall prioritize funding for large community or shared solar projects in rural and tribal areas of the state as well as community solar or shared solar (e.g., multi-family onsite) projects in urbanized areas. The Program shall also prioritize onsite solar and storage for individual low-income households not currently connected to the electric grid. We are very excited to respond the RFP but are unclear if you all are considering helping low-income families who are on the grid get access to solar via rooftop residential solar. Can you clarify for me if that is also a priority?*

Answer: It is also a priority of the program to provide rooftop residential solar pathways to low-income households on the grid.

Upcoming Financial Services RFP

15. *Can you provide additional detail for what is going to come in the second RFP referenced in Section 2 ("ECMD expects to release a second RFP to manage the direct program financial assistance (i.e., grants and debt-financing) for Customers.")?*

Answer: The financial services RFP is in development and subject to change, but it will include tasks for development of financial products for multiple programs within ECMD, including Solar for All, as well as the administration of those products.

16. *In other words: is financial assistance product refinement and design expected to be done under the current RFPs scope? Does the second RFP relate to the administration of the financial assistance products?*

Answer: this RFP's scope does not include the development or design of financial products. The upcoming financial services RFP will be for design and administration of financial assistance products.

17. *Can you provide an estimated timeline for issuing the second RFP?*

Answer: The financial services RFP will likely be issued in late summer or early fall.

18. *Section 2 details an anticipated second RFP to manage direct program financial assistance. Would the winner of this RFP be precluded from participating in this second RFP?*

Answer: No, the selected Offeror(s) from this RFP would not be precluded from participating in the RFP for financial services related to this program.

19. *Section 3, Task 2 Does ECMD have a perspective on how they plan to structure financial assistance products or should that be included in the response to Task 2?*

Answer: The structure of financial assistance products is not an element of this RFP. It will be a Task in the upcoming financial services RFP.

20. *When do you anticipate this second RFP will be released?*

Answer: ECMD anticipates the RFP for financial services will be released late summer or early fall. To be informed when it is released you may email Trevor Leuzinger or sign up for the ECMD newsletter.

21. *Who are the "Financial Project Manager(s)" and what specifically is/are their role(s), compared to the financial tasks to be completed by the Offeror(s)? How will Financial Project Manager role interface with the Offerors compared to the second RFP to be released ("to manage the direct program financial assistance, i.e. grants and debt-financing, for Customers") p. 2?*

Answer: The Financial Project Manager(s) will develop and provide financial assistance products including but not limited to grants and loans. The upcoming financial services RFP will be to select the entity(ies) for those roles. The selected Offeror(s) for this RFP will assess viability of projects and provide technical assistance to customers. The Financial Project Manager will provide the financial product to the customer.

22. *Task 2 lists a "Financial Project Manager(s)" and Task 6 lists a "Financial Program Manager(s)". Are these both the entity envisioned from our question [13] above? If not, can you describe who these entities are and what their role will be?*

Answer: Yes, that entity(ies) will be the selected offeror(s) from the RFP for financial services.

23. *Can you provide information on what exactly the financial services RFP will encompass, there seems to be the potential for a lot of overlap. For example, will there be rebates in this program and if so will they be disbursed by this program administrator or the financial services administrator?*

Answer: Financial assistance through the Solar for All program will be disbursed by the selected Offeror(s) for the upcoming financial services

RFP.

24. *Under what conditions might an organization, or multiple organizations with affiliations, that participates in a winning bid for this RFP be ineligible from potentially submitting a successful bid for the second RFP to manage the direct program financial assistance (i.e., grants and debt-financing) for Customers?*

Answer: ECMD does not anticipate that winning a bid for this RFP will be a conflict with also winning a bid with the upcoming financial assistance RFP

25. *Within Section 2 the RFP states that “ECMD expects to release a second RFP to manage the direct program financial assistance (i.e., grants and debt-financing) for Customers.” Will any award made under this Implementation Service and Technical Assistance RFP impact an offer’s ability or eligibility to seek funding for direct program financial assistance?*

and

Will organizations that are awarded a contract to complete tasks on this RFP also be eligible for funding to develop solar projects when that RFP comes out?

Answer: 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 don’t) and the implementor will serve as quality control and oversight.

26. *Why is the financial assistance component of the program separate from the program development and implementation and coming later in a separate RFP?*

Answer: The financial services RFP is separate in order to provide comprehensive financial services to households for multiple programs including but not limited to SFA.

Section 3

27. *Who are the ECMD-trained energy coaches? Are these staff within the ECMD, or are they external stakeholders trained by ECMD? Are these the same individuals as “ECMD’s cross-grant energy coaches” mentioned in the 2nd bullet in Task 1? Will these individuals be actively involved in the Solar for All program, or are they focused on other energy programs?*

Answer: These two references are to the same individuals, who will be external contractors to ECMD. The exact responsibilities for the energy coaches are in development, and the roles will be solicited in an upcoming RFP. They will be actively involved in SFA at the intersection with other energy programs.

28. *Would an organization that is affiliated with a winning bid to do Task 1: Education and Outreach, be ineligible to submit a bid to for the second RFP to manage the direct program financial assistance?*

Answer: ECMD does not anticipate that winning a bid for any Task of this RFP would cause an entity to be ineligible to submit a bid for the

upcoming financial assistance RFP.

29. *Would an organization that is affiliated with another organization that partners/sub-contracts to do aspects of Task 1: Education and Outreach, be ineligible to submit a bid to for the second RFP to manage the direct program financial assistance?*

Answer: ECMD does not anticipate that winning a bid for any Task of this RFP would cause an entity to be ineligible to submit a bid for the upcoming financial assistance RFP.

30. *Can you expand on what implementation tasks the selected contractor will be responsible for? For example: Task 2 lists planning tasks including developing an application to be submitted by prospective project developers, but it is not clear to what extent the winning bidder will be responsible for collecting and evaluating those applications? Task 2 lists proposing and collecting "metrics" to evaluate projects, is "metrics" in this case another word for completed applications?*

Answer: The selected Offeror(s) shall be responsible for collecting and evaluating the solar project applications under the guidance of ECMD. Metrics are elements within the application by which the application will be evaluated.

31. *Task 2 references EMNRD's existing tool to estimate utility cost savings. Can more information on the tool be provided? Is there a link to the tool available?*

Answer: The tool will be provided to successful Offeror(s).

32. *In the RFP, Section 3, Task 2 in the opening paragraph lists several actions, which don't then appear in the deliverables. Should we assume that there are deliverables associated with assisting "ECMD, un the guidance of the EJAC, with crafting the Program implementation plan. The Program implementation plan shall include, but is not limited to, the process for soliciting and choosing projects, the process for engaging and providing oversight for contractors and project developers; how to manage coordination with outreach and education specialists,"*

Answer: Yes, Offerors shall assume that there are deliverables associated with all elements of crafting the Program implementation plan.

33. *Section 3, Task 3 Can you clarify whether the "technical and financial assessment" in Task 3 is intended to be project specific, or overall market specific? In other words, does ECMD require support in the evaluation of individual project applications to determine if it meets program goals and is a viable project to fund? Or is it more focused on an overall solar market assessment for New Mexico to identify key gaps, needs, opportunities, etc. to help shape program priorities?*

Answer: The assessments in Task 3 are to support the evaluation of individual project applications.

34. *Why no deliverables listed for Technical and Financial Assessment, only a description. Text says "Successful Offeror(s) may be tasked with completing the following deliverables:" but no bullets of tasks.*

And

Task 3 mentions: "Successful Offeror(s) may be tasked with completing the following deliverables:" but does not list any deliverables. Were those inadvertently omitted?

Answer: The deliverables were inadvertently omitted. The deliverables include applying the tool developed in Task 2 to estimate utility cost savings to ensure 20% annual savings for participants; report findings to the Financial Project Manager(s) preparing grant and financing options; assist Customer in developing a pro forma application to Financial Project Manager(s); and complete other deliverables necessary for the success of the task of assessment that are agreed upon with ECMD during the course of the contract.

35. *Task 2 lists collecting these "metrics", but not actually doing the evaluation, is evaluation an included task?*

Answer: Evaluation is an included deliverable within Task 3. Additional deliverables include applying the tool developed in Task 2 to estimate utility cost savings to ensure 20% annual savings for participants; report findings to the Financial Project Manager(s) preparing grant and financing options; assist Customer in developing a pro forma application to Financial Project Manager(s); and complete other deliverables necessary for the success of the task of assessment that are agreed upon with ECMD during the course of the contract.

36. *In Section 3, Task 3, the RFP states that "the cost-effectiveness shall be tied to the average grant per household and maximum grant per household". I do not understand the statement. Can you clarify?*

Answer: Every individual project will not be evaluated based on the cost-effectiveness of their measured, actual savings. Households shall on average see 20% utility bill savings based on the tool described in Task 2.

37. *Is the Offeror expected to provide professional, legal tax advice? Or is the expectation that the Offeror would provide general information about tax credit opportunities and incentive options, and then direct Customers to seek further advice from their tax advisor? Or is it both?*

And

In Section 3, Task 5, I seek clarification of the degree of "support" and "guidance" required. Is the level of support or guidance meant to rise to the level of legal, tax or accounting advice? Or is it expected that the "Offeror" is able to direct Customers to resources that can answer such questions?

Answer: The level of support in Task 5 is expected to be a basic level of financing options and ability to direct Customers to other resources without rising to the level of legal or accounting advice.

38. *Section 3, Task 5 Does ECMD have a medium in mind for customer access to incentives and financing, or are they open to suggestions from bidders? E.g. are you expecting website / platform for knowledge sharing & funding applications or other approach?*

Answer: ECMD is developing a "one-stop-shop" website with an existing contractor for all of ECMD's customer facing programs. ECMD expects that Solar for All content, generated by the winning bidder, will be on that website and is also open to suggestions from bidders for additional methods of providing information to customers.

39. *Section 3, Task 5 There is a statement that the successful offeror will work with the Financing Program Manager, can you confirm that the program manager role is not part of the scope and is/will be staffed by the State or through a future RFP?*

Answer: The Financing Program Manager will be selected through the upcoming financial services RFP.

40. *Section 3, Task 6 Can you clarify the responsibilities for Task 6? For example: in the event that the contract is awarded across multiple Offerors, is this responsibility intended to manage the consolidation of invoices across contractors executing this SOW? Is it referencing invoice management from the projects that the NCIF program funds? Or another invoice management?*

Answer: 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.

41. *Task 7 states "successful Offeror(s) shall also ensure projects follow federal and state requirements including Davis-Bacon Act and Build America, Buy America." This brings up the following questions: Are the underlying projects under this program subject to the Davis-Bacon Act and Build America, Buy America? For example, if an installer puts a 5 kw solar project on a home under this program is the solar installer required to pay local prevailing wage under DBA for anyone associated with that project, and any iron, steel, manufactured products, and construction materials in the project would have to be produced in the USA?*

Answer: Yes, all projects under this program will be required to meet Davis-Bacon (DBA) and Build America, Buy America (BABA) standards because any programs authorized by the Clean Air Act are required to comply with DBA and BABA.

42. *If the answer to the previous question is yes, who is liable under DBA and BABA if a contractor fails to meet the requirements under either act? Is it the installer, the program administrator who is hired under this RFP, or the State of NM?*

Answer: ECMD is awaiting detailed guidance from the EPA on compliance and reporting requirements under DBA and BABA for Solar for All. Contractors completing construction projects through this program will

be required to comply with DBA, and if ECMD or the program administrator determines a contractor is non-compliant, ECMD will inform the EPA to determine next steps.

43. If the answer to the previous question is the program administrator, does the program administrator hired under this RFP then face the fines and imprisonment under the acts if a solar installer under the program fails to meet DBA or BABA requirements under a given project?

Answer: ECMD is awaiting detailed guidance from the EPA on compliance and reporting requirements under DBA and BABA for Solar for All. Contractors completing construction projects through this program will be required to comply with DBA, and if ECMD or the program administrator determines a contractor is non-compliant, ECMD will inform the EPA to determine next steps.

44. In general, what is the expectation of what the program administrator would be required to do to verify compliance with these Acts. For example, most state labor departments collect certified transcripts of payroll to meet state prevailing wage laws, but do not review every transcript to ensure it is correct unless some outside complaint or other action causes them to investigate them for a particular company on a particular project. If the administrator was required to review every collected certified transcript of payroll and ensure that every employee on each transcript was classified correctly, the cost would be several orders of magnitude higher than simply collecting them, requiring several full-time employees dedicated to nothing but this. Similar differences in cost are associated with the level of review required under BABA, especially if an on-site BABA inspection of all material at each step of the project was required for every project under the program.

Answer: ECMD is awaiting detailed guidance from the EPA on compliance and reporting requirements under DBA and BABA for Solar for All. EPA has said that, "The cost associated with ensuring [Davis-Bacon Related Acts) DBA compliance is an allowable cost for recipients and subrecipients under Greenhouse Gas Reduction Fund (GGRF) and may be allocable as a direct cost to GGRF. Allowable direct costs include, but are not limited to, the procurement of a payroll reporting and compliance management software product to document and report DBRA compliance for all construction projects assisted under the award.

45. Presumably there will be commitments that project developers will make that provide them access to adders related to community solar subscribers, i.e. committing to a certain percentage of subscribers that meet an income, location, or other specific requirement. Will this contract require the tracking of actual subscribers to projects to ensure project developers meet the obligations they agreed to, and will these obligations only be verified at project energization or will they need to be tracked for several years afterward?

Answer: The contract will require ensuring that beneficiaries of projects funded through Solar for All are eligible for the program. ECMD is awaiting further guidance from EPA on how long after energization verification will be required.

46. *What is meant by “concierge services”? Is the intent to have the Offeror assist project developers with program compliance, or is the intent to have the Offeror effectively teach/train project developers in how to develop solar projects (e.g. “developing a project timeline with the facility owner” on p.4 and “the successful Offeror shall train the asset owners on how to operate and maintain their solar and ESS assets” on p. 5 in Task 8)? Or is it both?*

Answer: The intent of the concierge services is to ensure that projects are meeting program compliance, and high-quality customer service to program participants. This shall include assisting customers in understanding the process as they participate in the program and helping customers find a project developer/contractor for example.

Sections 4-9 and Attachments

47. *Is the Offeror's price a factor in evaluation of this RFP?*

Answer: No, 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.

48. *Section 4 - Proposal Contents E & I The proposal contents section mentions up to three written narratives of past relevant projects (section E), as well as three references (section I). If the Offeror is bidding on multiple tasks, can they highlight up to three relevant projects per task? Or is the limit of three applicable to the full RFP response?*

Answer: The limit is three written narratives total.

49. *In one place in the RFP it states we are required to receive 3 business references (proposal contents, bottom of page 7) and in another spot it says 2 (the actual reference document in attachments). Please clarify.*

Answer: Two business references is sufficient. Additionally, the completed reference forms shall be returned to Trevor Leuzinger by July 26th, to match the due date for proposals in Amendment 1.

50. *Is it safe to assume the references should align with the three case studies?*

Answer: The references do not necessarily need to align with the narratives of past relevant projects. Only two references are required.

51. *Section 7 We note that the expected duration of the contract is no longer than four years, including amendments. Does the ECMD have expected deliverable dates or anticipated duration across tasks 1 - 10?*

Answer: Task 2, Program Planning will occur during the planning year of the program, which will run until May 2025. The other tasks will primarily occur during and throughout the implementation of the program, with specific deliverable dates to be determined with the selected Offeror(s).

52. *The sample Professional Services Agreement in Attachment 4 lists three compensation options, Work Product, Lump Sum, and Time and Materials. Which option will this contract be awarded under?*

Answer: ECMD anticipates making this contract under the Work Product contract option.

53. *Given that the due date was updated to July 29, 2024, will the due date for the Attachment 3 Reference Questionnaires also change to July 29? I did not see that in the Amendment document.*

Answer: The amended due date is July 26th, 2024, at 5:00 p.m. MDT. The Attachment 3 Reference Questionnaires are also now due on July 26th, 2024.

54. *Is there a preferred page limit or word count for the narrative?*

Answer: There is no page limit or word count for the narrative. Note there is a limit of three narratives of past performance. ECMD's email system limits attachments to 50MB. If your submission is larger than that size, you may send it in multiple parts and note that fact in each portion of the submission.

55. *Can a vendor bid on parts of a task, or does it need to be the entire task*

Answer: A vendor may bid on only portions of a task.

56. *Have there been any amendments, including Q&As published for this RFP? If so, how can we obtain a copy?*

Answer: Amendments and Q&As can be found here:
<https://www.emnrd.nm.gov/ecmd/about-us/requests-for-proposals-applications/>

57. *Can you verify that the evaluation criteria listed in section 5 of the RFP will independently be applied 10 times, once to each task without relation to any other tasks, and that the best vendor for each task will be selected based on those evaluation criteria for that task only?*

Answer: Yes, each task will be evaluated separately.

58. *How much of the \$15.5M available for program administration will go toward this RFP and how much toward the financial services and other RFPs?*

Answer: ECMD does not yet know exactly what the distribution will be, ECMD is revising the budget and program work plan based on EPA guidance. 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).

59. *Would you prefer bidders put together teams to meet multiple tasks, or for each bidder to individually bid on the task that they would perform?*

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

60. *Regarding Attachment 3 Reference Questionnaire. Is it possible for ECMD to refer to the reference questionnaires from other recently submitted proposals?*

Answer: ECMD will not accept recently submitted Reference Questionnaires. Please ensure that your references submit a new Reference Questionnaire for this RFP.

61. *Please confirm that the deadline to receive the client reference questionnaire (attachment 3) has also been extended to 7/26?*

Answer: Yes, the deadline for the Reference Questionnaire has also been extended to 7/26.

62. *Should submissions have one single budget, or a budget for each task that is included in the application?*

Answer: Submissions shall have a budget for each individual task that is included in the submission.

63. *If an Offeror already has a partner or subcontractor before being awarded a contract, is that compliant with 2 C.F.R. 200?*

Answer: Regardless of when a partner or subcontractor is selected, they would need to be competitively procured to comply with 2 C.F.R. 200.

64. *Please confirm there are no certifications requirements for key personnel. Please also confirm that the Professional Seal/Certificate Number is optional.*

Answer: Correct, there are no specific certification requirements, and the Professional Seal/Certificate Number is not required if it is not applicable.

65. *Given the pre-bid conference stating that ECMD anticipates multiple awards for each task, would you consider adjusting pricing requirements such that a vendor can submit a rate card instead of a per-deliverable fixed cost?*

Answer: ECMD requests a deliverables-based budget for each Task an Offeror includes in their proposal and may include additional budget information such as a rate card. ECMD does not necessarily anticipate multiple awards for each task but will evaluate proposals based on the evaluation criteria in order to select the best Offerors for the implementation of the program.

66. *Would a bid proposal that explicitly describes a Task being carried out by the prime (the organization that submitted the bid and one or several partner organizations, then have to go through a competitive procurement process to hire the partner organization(s)?*

Answer: Regardless of when a partner or subcontractor is selected, they would need to be competitively procured to comply with 2 C.F.R. 200.

67. *In the webinar, you encouraged organizations to NOT partner, and to apply to individual tasks. There are numerous tasks where it seems that a partnership with several organizations working together would be able to perform the task better than a single organization. Will a bid be evaluated at a disadvantage if it includes a task being carried out by a prime and partners? If so, can you explain why this would be the case, as it seems an unusual criteria for RFP bid replies.*

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.

Second and Final Batch of Questions

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.