



Weatherization
Works

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**Delaware Weatherization Assistance Program
Answers to Questions Submitted on the Local Weatherization Provider Request for Proposals
June 20, 2012**

The following questions include those posed by attendees at the Mandatory Pre-Bid meeting held on June 12, 2012 and those submitted by prospective bidders prior to 4:30 p.m. on Friday, June 15, 2012 as required under the RFP.

1. Is this proposal open to New Jersey (out-of-state) nonprofit agencies?

There is no provision that explicitly prohibits the use of an out-of-state Local Weatherization Provider (Subgrantee), however it would be a very unusual circumstance. If an out-of-state Local Provider were to be chosen, they would have to have a strong presence in the geographic area they propose to serve. The Evaluation Criteria (found in the RFP on page 22, Section D. Criteria and Scoring) provides for 25% of the score to be based on the provider "being an established social service agency in the State or geographic area covered in the proposal that provides services to low income Delawareans." An additional 15% of the scoring criteria are also awarded for "3. Experience with providing energy and/or weatherization services to Delawareans."

Therefore, since 40% of the scoring criteria is based on the presence of the Local Provider already serving Delawareans and having a presence in the State, it is expected that the successful Respondent(s) will already have offices in the State, be easily accessible by the residents of the State, and have a history of serving low-income Delawareans.

2. Do proposals have to be received at the DNREC Weatherization office by the due date of July 10, 2012 or do they need to be postmarked and stamped by that date?

In the RFP please see page 17, Section IV. Proposal Contents, Subsection H: "Delivery of Proposals," which states, "Proposals must be received... no later than 4:30 p.m. Eastern Daylight Time on July 9, 2012." Therefore, the proposal itself must be physically received at the DNREC Weatherization Assistance Program offices by the date and time specified. A postmark of that date does not fulfill this requirement.

3. On page 10, Section II. Scope of Work, Subsection D. Detailed Requirements, Number 3. Case Work, 4th bullet point: “Negotiate and administer landlord part pay agreements.” Can or will landlords pay part of the Weatherization costs?

Please refer to the Weatherization Program Manual which is available on the Weatherization Assistance Program’s homepage at the following URL:

<http://www.dnrec.delaware.gov/energy/services/Documents/Weatherization%20Assistance%20Program/Delaware%20WAP%20Manual%20-%20PJC%2010-24-11.pdf>. Within this document you will find reference to the circumstances under which a landlord may pay costs associated with weatherization of their property on page 2-8 in sections: 2.2.9.1 Landlord Agreement and section 2.2.9.2 Landlord Contribution. Reference is also made to landlord contributions on page 4-5, section 4.2.2 Program Income.

4. On page 3, Section I. Introduction, Subsection B. Competitive Sealed Proposal: Can you elaborate on the last part of the paragraph on page 3, that “price is not the determining factor?” If price is not the determining factor, then what is?

In the RFP, page 22, Section V. Proposal Evaluation Procedures, Subsection D: Criteria and Scoring, there is a detailed table describing the Evaluation Criteria that will be used to select the successful Respondent(s) to this RFP. Please note that the fifth (5th) criteria is “Cost for providing services,” which is valued at only 10% of the scoring for a submitted proposal.

5. On page 11, Section II. Scope of Work, Subsection D. Detailed Requirements, Number 5, in the 3rd bullet point, can you clarify the review of subcontractor’s pay?

Please see the Weatherization Assistance Program Manual (available at

<http://www.dnrec.delaware.gov/energy/services/Documents/Weatherization%20Assistance%20Program/Delaware%20WAP%20Manual%20-%20PJC%2010-24-11.pdf>), page 2-14 and 2-15, section 2.4.6 Final Review, which details the responsibility of the Local Weatherization Provider(s) to complete a final review of all weatherization cases completed, including their quality, compliance and accuracy on all levels, and the submitted invoice for payment.

Reference to additional review of the final subcontractor invoice for payment can also be found in the WAP Manual on page 3-120 and 3-121, section 3.11 Final Inspection Procedures, which details the duties of the final inspectors to ensure that the submitted invoices for payment were correct and complete.

Further description of the duties of the Local Weatherization Providers to review invoices submitted by the subcontractors can be found in the WAP Manual on page 4-23, section

4.4.1.2 Supporting Documentation – Completed (Weatherized) Units, in subsection A. Contractor Invoices.

A detailed description of the contents required in a subcontractor invoice may also be found in the WAP Manual on page 4-25, section 4.4.3 Subcontractor Invoices.

Additionally, in the WAP Manual on page 6-8, section 6.1.2 Subgrantee Monitoring, in the second paragraph, there is a description of the responsibilities of the Local Weatherization Provider's (Subgrantee) to review all subcontractor bills and back-up documentation.

6. On page 11, Section II. Scope of Work, Subsection D. Detailed Requirements, Number 8, Training and Technical Assistance, referring to the first sentence on training “As part of its effort to improve the quality of weatherization services, DNREC will devise the program including a comprehensive set of training requirements that will apply to the Respondent and its subcontractors.” Is this pre-established or determined post-award?

The basic Training and Technical Assistance (T&TA) for the Weatherization Program will be determined by DNREC and the WAP and is discussed in the WAP Manual on page 1-14, section 1.3.8 Training and Technical Assistance. However, Local Weatherization Providers (Subgrantees) are also encouraged to propose additional training opportunities as the need arises or the opportunity becomes available. This is touched upon in the WAP Manual on page 4-1, section 4.1.2 Plan and Budget in the 6th bullet point. There is reference as well to the method by which T&TA funds are allocated and how the Local Provider may propose additional T&TA opportunities in the WAP Manual on page 4-12, section 4.3.4 Training and Technical Assistance (T&TA) Expenditures.

7. On page 13, Section III. Submission of Proposal, Subsection H. Proposal Expiration Date: are bidders required to specify the date or dates that their proposed prices are valid?

As detailed on page 13, Section III. Submission of Proposal, Subsection H. Proposal Expiration Date of the RFP document, any prices or costs for services detailed in a submitted proposal will remain valid until August 31, 2012. The State reserves the right to request an extension if needed.

8. On page 3, Section I. Introduction, Subsection C. Contract Requirements it states: “a lead administrative entity must be designated in the response to the RFP. This lead administrative entity will receive the contract and will be responsible and remain fully liable for the work done by the supporting firms or organizations.” Does the lead administrative entity need to be present at the Pre-Bid Meeting or could a partner satisfy the Pre-Bid requirements for qualified Respondents? Will the Pre-Bid sign in sheet for Respondent attendees be made available for potential partnering discussions? Is there anything

preventing a contractor from partnering with a nonprofit to submit a bid for this RFP? If the nonprofit partner is not in attendance at the Mandatory Pre-Bid Meeting, but the for-profit partner is, can a bid still be submitted for this RFP?

There are no provisions in the RFP that would explicitly prohibit a contractor, or any other organization, from partnering with a nonprofit to submit a proposal under this RFP. Partnership scenarios are addressed in the RFP on pages 3-4, of Section I. Introduction, Subsection C. Contract Requirements. The language on partnership can be found in the first full paragraph of this section on page 4. However, it must be understood that a nonprofit partner must be the lead administrative entity under any partnership scenario. Partnering is also discussed on page 4, Section I. Introduction, Subsection D. Multiple Source Award, and in Section II. Scope of Work, Subsection C. Statement of Need on pages 7 and 8 of the RFP.

As stated in the RFP on page 23, Section VI. Mandatory Pre-Bid Meeting, "All Respondents who wish to bid on this Request for Proposals MUST be present, on time, at the Mandatory Pre-Bid Meeting. No proposals will be accepted from Respondents who either did not attend the Mandatory Pre-Bid Meeting or who are more than fifteen (15) minutes late." Therefore, if the nonprofit entity that would serve as the primary Respondent to this RFP was not in attendance, no proposal will be accepted from them. If an organization wishing to partner with an eligible entity was in attendance, but they do not have the authority to enter into a contract on behalf of the nonprofit or are not themselves classified as a Community Action Agency or other private or public nonprofit entity as required in this RFP, a proposal will not be accepted from them.

Any organization that was present at the Pre-Bid Meeting on June 12, 2012 and meets the standard of being a Community Action Agency or other private or public nonprofit entity may submit a proposal under this RFP.

Upon request for a listing of those agencies and their representatives that were present at the Pre-Bid Meeting on June 12, 2012, the State of Delaware's Designated Contact will make available the names and contact information for the meeting participants.

9. Page 30, Section VII. Definitions & General Provisions, Subsection B. General Provisions, Number 18. State of Delaware Business License: if you're a nonprofit organization, do you need a State of Delaware Business License?

The language in the RFP on page 30, Section VII. Definitions and General Provisions, Subsection 18. State of Delaware Business License is the standard language for an RFP posted by the State of Delaware. Since the entity that will enter into a contract with the DNREC Weatherization Assistance Program must be either a Community Action Agency or

other private or public nonprofit entity, the appropriate laws governing the licensure for a nonprofit in the State must be adhered to by any successful Respondent. Those regulations can be found online at the website for the State of Delaware, Department of Finance, Division of Revenue at http://revenue.delaware.gov/services/Business_Tax/Non_Profit.shtml. The regulations governing the licensure of a nonprofit in the State read as follows:

“NON-PROFIT CORPORATIONS

Any corporation granted an exemption by the IRS as a non-profit organization under Section 501(c) is exempt from Delaware Corporate Income Tax.

Additionally, Non-Profit Corporations are exempt from obtaining a Delaware business license and paying the accompanying gross receipts tax on the sales of most goods and services. (Some services such as leasing tangible personal property or providing accommodations are taxable regardless of the entity providing such services.)

Non-profits Corporations in Delaware are required 1) to register with The Division of Revenue and withhold Delaware State income taxes on employees performing services within Delaware, 2) to register with the Delaware Department of Labor and 3) if the non-profits activities are conducted in Delaware, to file a copy of [Federal Form 990 PF](#) with the Delaware Attorney General.

Non-profit organizations include, but are not limited to:

- 1. fraternal beneficiary societies,*
- 2. orders or associations, cemetery corporations and corporations organized or trusts created for religious, charitable, scientific or educational purposes or for the prevention of cruelty to children or animals, home owner associations,*
- 3. business leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, as well as clubs organized and operated exclusively for pleasure, recreation and other non-profit purposes.*

The net profit of these organizations cannot benefit any private stockholder or member.”

10. Page 11, Section II. Scope of Work, Subsection D. Detailed Requirements, Number 6. Reporting, 5th bullet point: For reporting requirements, how do you calculate Davis Bacon with regards to nonprofits? Will Davis Bacon be required and does it apply to nonprofits just like it does the for-profit contractors?

This RFP does include language stating that any successful Respondent will be responsible for maintaining and reporting on any Davis Bacon Act requirements. This section remains in the current the RFP because at this time there is a Davis Bacon component to all Weatherization Assistance contracts. It is believed that the requirement to pay Davis Bacon wages will end with the discontinuation of the use of ARRA funding at the end of September 2012. There is not expected to be a requirement for Davis Bacon wages or reporting after September 30, 2012. However, this may change depending on the funding sources of the Weatherization Assistance Program.

With regard to the question of how Davis Bacon applies to nonprofits, it must be understood that only those workers who perform work that falls under the classification of a "laborer" or "mechanic" must be paid Davis Bacon wages. Most of the workers in the nonprofit entity will not be performing labor or mechanic duties, rather they will be responsible for the administrative duties carried out under the WAP and therefore not subject to Davis Bacon prevailing wages.

11. Is there a standard pay rate for contractors? If so, what is it?

Contractors are paid using a standard Price List (available online at <http://www.dnrec.delaware.gov/energy/services/Documents/Weatherization%20Assistance%20Program/Delaware%20WAP%20Price%20list%2012-8-11%20Final.pdf>), for the majority of work they complete in a home. The Price List reflects what the contracting company is paid for the work, as opposed to the Davis Bacon wage the workers are paid by the contracting company. For additional information on the Price List please see the WAP Manual, page 1-18, section 1.5.4 Price List and NID Items.

12. How are eligible households prioritized for service?

Since weatherization services are generally requested by more eligible households than the program can assist at any given time, a waiting list has been established of eligible households. DNREC has devised a system by which eligible households are weighted for their placement on the waiting list. A detailed description of this process is available in the WAP Manual on pages 2-1 and 2-2 in section 2.1.3 Waiting List Priorities.

13. Does the Weatherization program use the state's Citrix system for data collection? If not, what database does it use?

The DNREC Weatherization Assistance Program uses a weatherization software system called Hancock (http://www.hancocksoftware.com/hancock_energy_products/states-and-agencies/). We are in the midst of transitioning from paper files to Hancock's online system. Heavy reliance on MS Excel is also anticipated. Local Weatherization Providers will be trained in the system prior to commencing contract operations.

14. How long does an average energy audit take?

The length may vary from 2 hours to more than 5 hours depending on the home, and includes the time necessary to prepare reports, work orders, or otherwise enter the audit reports into the Hancock database.

15. How long does an average quality assurance review take?

Quality Assurance Reviews (also called Final Inspections) may take between 1 to 3 hours, again depending on the home, including necessary paperwork.

16. On page 7, Section II. Scope of Work, Subsection C. Statement of Need: Are there any provisions in this RFP or Subcontractor selection for Small Business Set Aside such as Service Disabled, Veteran Owned, Woman Owned or 8(a) certifications?

This RFP does require any eligible Respondent to provide proof, if applicable, of its most recent Office of Minority and Women Business Enterprise (MBWE) Certification Application in Attachment 7, on page 51 of the RFP. Additionally, it is expected that any contract signed between DNREC and the selected Respondent(s) will include a section on Minority and Women Business Enterprises. The draft language on this topic can be found in the RFP, on page 62, in Appendix A "Draft DNREC/Local Provider Contract." The draft contract states:

"L. MBWE

1. CONTRACTOR shall make efforts to utilize small businesses, minority-owned firms, and women's business enterprises, to the fullest extent possible.

2. CONTRACTOR shall ensure that information on upcoming contract bid opportunities is made available to small businesses, minority-owned firms and women's business enterprises.

3. CONTRACTOR shall consider whether small businesses, minority-owned firms and women's business enterprises are a part of a bid when choosing a subcontractor."

As always, the WAP encourages diversity within the Weatherization Program and the use of small and/or local Delaware businesses.

17. On page 9, Section II. Scope of Work, Subsection D. Detailed Requirements, in the second paragraph it states: "Organizations are encouraged to present an ideal model scenario for how this work is to be accomplished." Are Respondents encouraged to submit creative cost effective methodologies for the delivery of weatherization services not specified in the RFP that could save money or improve the service delivery process?

Yes. Respondents are encouraged to submit proposals using new and creative programmatic tools that could serve to improve and build upon the successes and betterment of the Weatherization Assistance Program. The Delaware WAP encourages the use of best practices at all levels in carrying out the statewide program, providing all Federal and State WAP rules are followed. (Please see www.waptac.org and the State Weatherization Assistance Program website). The Evaluation Criteria for proposals also provides for additional positive scoring for Respondents who include "Innovative or alternative approaches to providing services," which accounts for 5% of the proposal scoring matrix (the matrix can be found on page 22 of the RFP). Additionally, while the cost for providing services is not the primary determinant in this RFP, an additional 10% of the scoring matrix is dedicated to rewarding effective and cost savings measures offered in a received proposal.

With the use of a Price List for the majority of work done by contractors, significant flexibility in cost effective program design rests instead in the bidder's organizational structure, their staffing plans and work process flow. Effective use of technical and administrative staff is critical. (A link to the current Price List is provided in the answer to question #11 on page 6 of this document).

18. Page 11, Section II. Scope of Work, Subsection D. Detailed Requirements, Number 7. Quality Assurance, it states: "The Respondent will be responsible for making necessary adjustments to the local program in order to achieve best practices performance in response to the monitoring reports resulting from state program quality assurance reviews." Is this a general statement or a specific reference to some published standard for best practices within the industry?

The statement in this section of the RFP refers to the obligation of the Local Provider(s) to respond to monitoring findings and concerns expressed by DNREC or the Department of Energy (DOE) throughout the program and term of the contract.

19. Page 13, Section III. Submission of Proposal, Subsection D. Concise Proposals: Are there any specific guidelines for font size, page limit, size of overall document?

There are no specific rules with regard to such details as font size or margins, however, some guidelines for submission of the proposal can be found in the RFP. Overall, the RFP

encourages the use of simple, concise and relevant information. If a detail is not specified, Respondents are requested to please keep in mind the request for simple, concise proposals. References to the format of the proposal can be found in the following sections:

Section III. Submission of Proposal:

Subsection B. Proposal Response, page 12

Subsection D. Concise Proposals, page 13

Subsection N. Economy of Preparation, page 14

Section IV. Proposal Contents:

Subsection D. Description of Services and Qualifications, page 15

20. On page 14, Section III. Submission of Proposal, Subsection L. Addenda to the RFP: Does the Respondent need to acknowledge in the proposal the number of each addendum to the RFP?

The "Addenda" referred to in Section L. of the RFP are items that may or may not become apparent after the release of the RFP. To date, there have been no addenda issued to this RFP.

21. Do partnerships between Respondents need to be evidenced by any formal partnership agreement?

Yes. Written, formal, initial partnership agreements are required at the time of bid submittal, and must be signed by officers or entities of the partners authorized to enter into such partnerships. DNREC reserves the right to review the agreements and require amendments or clarifications prior to contract execution.

22. As opposed to the historic schedule of the Weatherization Assistance Program, which used to run in line with the State fiscal year of April 1 through March 31, will the WAP now be running on a schedule related to the Federal fiscal year of October 1 through September 30? Or, will it at some time return to an April 1 through March 31 fiscal year?

The Delaware Weatherization Assistance Program has traditionally run on an April 1 through March 31 "program year." However, this RFP includes an anticipated contract start date that is predicated on the expiration of the ARRA funds, or October 1, 2012. This schedule is not related to any Federal or State fiscal year. Rather, the Delaware WAP operates on a program year without linkage to a specific fiscal calendar. This RFP will result in a three (3) year contract term for the selected Respondent(s) that may at some time be extended back to the April 1 through March 31 program year, or otherwise adjusted to meet the needs of the program over the long term.