TO: NAT13001-WAPLOCAL Pre-Bid Meeting Attendees

FROM: Bill Fasano, Delaware Weatherization Assistance Program

DATE: December 12, 2013

RE: Submitted Questions and Responses

Please find attached the written questions submitted regarding State of Delaware Local Weatherization Provider Request for Proposals (NAT13001-WAPLOCAL). All questions were submitted in writing prior to the established deadline of December 6, 2013, and are listed in no particular order. Answers to these questions are designated below each numbered question.

As a reminder, the deadline for submitting a response to this Request for Proposals is January 10, 2014, by 4:00 PM EST. Public opening of submitted, sealed proposals is scheduled for January 13, 2013, at 10:00 AM EST. The notification of award will occur within ninety (90) days of the opening of proposals.

As indicated in the Request for Proposals document, direct contact with State of Delaware employees other than the State of Delaware Designated Contact regarding this RFP is expressly prohibited without prior consent. Respondents directly contacting State of Delaware employees risk elimination of their proposal from further consideration. Exceptions exist only for organizations currently doing business in the State who require contact in the normal course of doing that business.

2013 Delaware WAP Local Agency Provider Solicitation

Submitted Question and Responses

1. In Section I. F., should the June 15, 2012 deadline be corrected?

Answer: Yes, that is a typo. The correct date is December 6, 2013.

2. If the respondent elects to self-perform shell installation work as part of the weatherization process, what requirements will need to be included in the proposal response to this RFP for consideration by the State?

Answer: Respondents that would like to perform weatherization installation work without the use of contracted weatherization installers must provide sufficient documentation regarding efficacy of the approach, human resources, processes, procedures, policies, equipment management, inventory controls, budgeting, and other associated tasks and resources in order to substantiate their ability to manage and perform the work as required by the contract in accordance with State and Federal regulations and policies.

3. Are there any proposal requirements for font preference, type size, and page limitations as defined in Proposal Content (Section IV, Pg. 15)?

Answer: No. However, proposals should be of sufficient length and format to address all requirements set forth in the solicitation document while allowing for readability and effective communication of information.

4. The statement "proposal shall remain valid until at least March 1, 2014" need to be specified in the Cover Letter.

Answer: The statement is valid and applicable as written.

5. Clarification is required between the statement here [Section III, Sub-Section B.] and the statement made in Section VII. Definitions & General Provisions Sub-Section 49. Subcontracts (pg. 38).

Answer: Subgrantees are not allowed to subcontract any portion of the role of subgrantee to another CAA or non-profit. Subgrantees may engage in contracts with external weatherization installers for performing weatherization work and installing prescribed weatherization or health/safety measures in homes, as described in section 49 of the solicitation.

6. In Section VII. Definitions & General Provisions, Sub-section A. Definitions, clarification is required for terms used throughout the RFP but not specified in this section including DNREC, Supplier, Contractor, Local Provider, Family and Department. Definition and use of terms should be consistent between the RFP and the Appendix A Contract for Services.

Answer: The solicitation is valid and applicable as written. The Appendix is illustrative of the type and content of any contract between DNREC and the successful respondent, and is an older version of the contract. Care will be taken to standardize definitions in the contract that is eventually negotiated with the successful respondent.

7. Can an escalation rate (less than or equal to CPI-U) be included in Program Year 2 and 3 for labor and material or is this a fixed price over the initial three-year contract period?

Answer: The fixed prices for weatherization labor and material charges are established and enforced by the Grantee and may be changed or updated from time to time in response to a request from the Subgrantee or as deemed necessary and appropriate by the Grantee; however, any and all changes to the price list are made at the sole discretion of the Grantee. Changes in grantee staff salaries or material/equipment charges that are not specified in the contract are not permitted, but such changes may be negotiated and incorporated into a revised contract at the time of contract renewal. Any and all changes, updates, and revisions to this contract must be approved by the Grantee.

8. In Section VII, Sub-Item C. references "school district," which appears out of context. Please explain.

Answer: The section is valid and applicable as written. Section VII contains provisions applicable to all state contracts and are included here as part of the standard state RFP. The contract the successful respondent has with DNREC will contain special provisions as defined in the RFP that will remove the reference to school districts.

9. In Section VII. Definitions, Sub-section B. General Provisions, Item 33 Personnel Equipment Services, Sub-Item B states under State and local law what specific qualifications authorize a Subcontractor or Respondent to perform Shell Installation Services.

Answer: There is no question apparent in this request. The section is valid and applicable as written.

10. Explain the proposal requirement to identify subcontractors for equipment and/or services by completing Attachment 7 – OMWBE Certification.

Answer: The reference to attachment 7 in this portion of the RFP is a typographical error. Section VII (33)(C) should read: *"(c) None of the equipment and/or services covered by this contract shall be subcontracted without the prior written approval of the State."*

11. The solicitation indicates that subcontracting is allowable under the Contract but in Section II Item Q it says the no subcontracting is allowed. I interpret this to mean an agency cannot subcontract the program management but can subcontract the actual weatherization. Is this correct?

Answer: Yes, that is correct. Subgrantees are not allowed to subcontract any portion of the role of subgrantee to another CAA, nonprofit, or other entity. Subgrantees may engage in contracts with external weatherization installers for performing weatherization work and installing prescribed weatherization or health/safety measures in homes, as described in section 49 of the solicitation.

12. Section VII. Definitions, Sub-section B. General Provisions Item 49 Subcontracts, see Section III. Submission, Sub-Section Q. Subcontracts and provide clarification.

Answer: See the answer to question 11 above.

13. In Section VII. Definitions, Sub-section C. Award & Execution of Contract, Item 3 Award of Contract specifies within 90 days from opening proposal which could extend the existing Amendment 4 contract award beyond the March 31, 2013 contract completion date. Should this award time period be modified?

Answer: This section is valid and applicable as written. Any current contracts may be adjusted, as necessary, to accommodate the 90 day provision.

14. In Section VII. Definitions, Sub-section C. Award & Execution of Contract, Item 4 Execution of the Contract does not specify a "Transition Plan" from the existing Amendment 4 contract period and the current Local Weatherization Providers. Please elaborate.

Answer: Any current contracts may be adjusted as necessary to accommodate any needed transition period. Further, the 20 day period in this section of the RFP may be amended by DNREC as needed.

15. Section 1. Item F. Is written "All questions with regard to the interpretation of this solicitation, drawings, or specifications, or any other aspect of this RFP must be received in writing by June 15, 2012." I assume this is the December 6, 2013 date specified in Item E?

Answer: Yes, the correct date is December 6, 2013.

16. Is a partnership between two agencies allowed as long as all administrative tasks are performed at only one agency?

Answer: Subgrantees are not allowed to subcontract any portion of the role of subgrantee to another CAA or non-profit. Subgrantees may engage in contracts with external weatherization installers for performing weatherization work and installing prescribed weatherization or health/safety measures in homes, as described in section 49 of the solicitation.

17. Appendix A. Item 8. You have set the H&S budget at 10% of the operations budget as set in the budget attachment. We know from experience that the H&S budget is significantly more than 10 % if we are required to meet ASHRAE 62.2 and perform furnace work. Is meeting the ASHRAE requirement no longer part of the program or is the H&S budget of 10% the operating budget a typo?

Answer: Yes, the 10% figure cited in the RFP is a typo. The correct amount is 14.9%.

18. In the Statement of Need, regulation 40 CFR 440 is cited as the regulation requiring that the principal grantee must contract with a CAA or other public or nonprofit entity to provide services to weatherization clients. However, 40 CFR 440 seems to be an incorrect citation, as it applies to ore mining. Can you clarify this, and if incorrect, provide the correct citation?

Answer: The correct citation is 10 CFR 440.

19. The RFP favors minority and women-owned businesses. How can that apply to nonprofits that don't have "owners"? Can we cite our clientele?

Answer: All State RFP's make accommodations for minority and women-owned businesses, "… *if applicable."* (see Section IV(J)(7)). Under this RFP, respondents are limited to "…a Community Action Agency or other government, public or non-profit entity…", so the accommodations for minority and women-owned businesses are not applicable in this instance, as these type entities are not considered Minority, Women and/or Veteran Business Enterprises because of their non-profit status.

20. In order to submit proposal do we have to be a CAA or nonprofit the time of proposal date or can we can get registered as such at the time of contract?

Answer: According to the federal regulations that govern the administration of the program (10 CFR 440), the subgrantee must be "a CAA or other public or nonprofit entity." Your proposal should demonstrate that you either qualify under this section or provide sufficient documentation and other evidence to demonstrate that you will be qualified under this section during the entirety of the performance period of the contract.

21. Are there written program guidelines/procedures for the WAP available online? Are current forms, procedures, manuals, guidelines, price lists, materials, etc. included online for the WAP program?

Answer: Federal and State regulations and policies governing the Delaware Weatherization Assistance Program, as well as the current State Program Manual, are available online at: http://www.dnrec.delaware.gov/energy/services/otherservices/Pages/WAP-HomeF.aspx. Program policy updates and price lists for authorized material and labor charges are updated on an ongoing basis and thus are not available online; however, copies of these material are available upon request.

22. Is there a maximum amount or limit on admin fees that can be charged to the program?

Answer: Federal regulations limit Subgrantee administration costs at 5% of the total grant award. However, costs to run the program, in staff salaries, supplies and materials directly attributable to and used by the weatherization program are not "Subgrantee administration" expenses as defined by the federal Department of Energy, but are instead considered "program operations" expenses and are not subject to the 5% administrative cap. There is no limit placed on the amount of program operations funds that can be used to administer the program; however, per-unit "program operations" expenditures are capped by the Department of Energy.

23. Can the agency awarded the Delaware WAP have sub recipients? Is this a federal requirement?

Answer: See the answer to question 16 above.

24. What is the definition of a subcontractor? (Page 13 of the RFP states that subcontracting is not permitted under this RFP, however, the RFP refers to subcontractors throughout the RFP).

Answer: See the answer to question 11 above.

25. The RFP requires a minimum of three business references. What does "work performed" mean, particularly for a State Agency?

Answer: "Work performed" refers to the functions or activities performed by the respondent on behalf of, or in fulfilment of a contract with, the cited organization.

26. There are $3 million/year in WAP funds are available and approximately 400 houses/year are projected for completion annually, giving an average of $7,500/house in funding. Does admin funding come out of this $7,500/ per house?

Answer: Weatherization-related costs are categorized as "Program Operations" expenditures and do not include expenditures for administration costs, which are categorized separately with regard to the budgeting and reporting of Grantee and Subgrantee expenditures.

27. How long would the WAP Provider have to get new contractors certified? How long does certification/training take? Where are the classes located?

Answer: The Grantee will work closely with the selected Subgrantee to ensure that contractors are engaged and trained/certified in a timely and effective manner. Some required certifications must be obtained at the sole expense of the contractor; however, eligible program-specific training is provided by both the Subgrantee and Grantee though the use of "Training and Technical Assistance" funds that are included in the federal grant award. The Grantee intends to coordinate with the selected Subgrantee to ensure that training and certification, especially that which requires out-of-state travel, is organized and completed in a timely and cost-effective manner.

28. Are the inspection fees and energy audit fees considered admin or weatherization costs?

Answer: Like the costs of actual weatherization work, the costs for energy audits and inspections are categorized as "Program Operations" expenditures and are separate from administration costs.

29. Could the WAP Provider partner with similar organizations to reach the maximum number of eligible residents in the most effective and efficient manner?

Answer: See the answer to question 16 above.

30. Does the WAP require any matching funds by the sub grantee?

Answer: No, all funds required for the execution of the responsibilities indicated in the RFP are provided by the Grantee.

31. Does DNREC take any State Admin fees from the $3 million in funds available?

Answer: Federal regulations provide for the use of a specified portion of the federal grant award for "Grantee Administration" costs.