

Utility Financing Program for Residential Energy Efficiency Improvements:



Request for Proposals

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Table of Contents

<u>SECTION I: INTRODUCTION</u>	
Introduction.....	1
Program Principles.....	2
Outcomes.....	2
Utility On-bill Financing Program Funding Opportunity	2
Eligible Entities.....	2
Eligible Activities.....	2
Program Requirements.....	4
Partnerships.....	4
Prohibited Use of Funds.....	5
Funding Allocation.....	5
<u>SECTION II: PROPOSALS</u>	
Project Narrative.....	5
Deadline.....	6
<u>SECTION III: REQUIREMENTS FOR APPROVED PROJECTS</u>	
Requirements for Approved Projects.....	7
Reports, Inspections, and Monitoring.....	7
Procurement.....	7
Timeliness Requirements.....	7
Section 1605, Buy American.....	8
Federal Wage Rate Requirements (Davis-Bacon Act)	8
Special Terms and Conditions.....	8
Payment.....	9
Method of Payment.....	9
Release of Grant Funds.....	9
Costs Incurred Prior to Contract Start Date.....	9
<u>APPENDICES</u>	
Appendix I: Required Reporting Metrics.....	10
Appendix II: Application Submission Information.....	11
Appendix III: Narrative Cover Template.....	13
Appendix IV: DUNS Number and Central Contractor Registry.....	14
Appendix V: Clarification on ‘Compensation of Top Five Officers’	15
Appendix VI: NEPA Requirements.....	16
Appendix VII: Evaluation Criteria.....	18
Appendix VIII: Process for Submitting Questions.....	19

SECTION I: INTRODUCTION

INTRODUCTION

On February 17, 2009, the American Recovery and Reinvestment Act of 2009 (ARRA) was enacted. As a result of this new law, the state of Georgia was allocated \$21,630,700 in economic stimulus funds for the Energy Efficiency & Conservation Block Grant Program (EECBG). This funding has been allocated to the Division of Energy Resources of the Georgia Environmental Facilities Authority (GEFA) from the U.S. Department of Energy (USDOE). Of the total amount, GEFA will distribute \$5,000,000 to interested gas and electric utilities for the purpose of establishing or expanding a residential financing program to promote energy efficiency.

GEFA is requesting proposals from gas and electrical utilities and utility distributors interested in utilizing EECBG funds to offer or expand financing programs for residential energy efficiency improvements. Eligible financing programs are limited to: on-bill loans, on-bill tariffs, and interest-rate buy-down programs.

Program Principles

USDOE developed core principles to guide entities during the program and project planning process. Applicants should encompass these principles, to the extent possible, in their EECBG proposal. Core principles include:

- Prioritize energy efficiency and conservation first as the cheapest, cleanest, and fastest ways to meet energy demand.
- To maximize benefits over the longest possible terms, entities should look for ways to link their energy efficiency efforts to long-term priorities (especially community economic development, community stabilization and poverty reduction efforts).
- Invest funds in programs and projects that create and/or retain jobs and stimulate the economy while meeting long term energy goals.
- Target programs and projects that will provide substantial, sustainable and measurable energy savings, job creation and economic stimulus effects.
- Give priority to programs and projects that leverage federal funds with other public and private resources, including coordinated efforts involving other Federal programs targeting community development funded through the Recovery Act such as the Community Development Block Grant program, HOME, and job training programs.
- To the extent possible, develop programs and strategies that will continue beyond the funding period.
- Ensure oversight, transparency, and accountability for all program activities.
- Enact policies that transform markets, increase investments, and support program goals.
- Develop comprehensive plans that benchmark current performance and set aggressive goals.

Additionally, GEFA has developed state principles to guide the program and project planning process. Applicants should encompass these principles, to the extent possible, in their EECBG proposal. Core principles include:

- Promoting energy efficiency and conservation education
- Supporting cost effective energy efficiency programs

- Encouraging private sector efforts
- Achieving state energy goals
- Coordination with Governor’s Energy Challenge and State Energy Strategy.

Outcomes

The EECBG Program is a crosscutting program. There are many possible outcomes that could result from successfully implementing programs, projects and activities at the state and local level. These desired outcomes help clarify the broad purposes stated in the legislation and can assist implementation, including overall development and administration of state and local programs. They can be used to help evaluate potential programs and projects, as well as understand the factors that affect the success of different activities, programs and projects. Desired outcomes of the EECBG Program, as outlined by USDOE include:

- Increased energy efficiency, reduced energy consumption and reduced energy costs through efficiency improvements in the building sector and other appropriate sectors;
- New jobs and increased productivity to spur economic growth and community development;
- Accelerated deployment of market-ready distributed renewable energy technologies, including wind, solar, geothermal, hydropower, biomass and hydrogen technologies;
- Improved air quality and related environmental and health indicators associated with the reduction of fossil fuel emissions;
- Improved coordination of energy-related policies and programs across jurisdictional levels of governance and with other local and community level programs in order to maximize the impact of this program on long-term local priorities;
- Increased security, resilience, and reliability of energy generation and transmission infrastructure;
- Leveraging of the resources of federal, state and local governments, utilities and utility regulators, private sector and non-profit organizations to maximize the resulting energy, economic and environmental benefits; and
- Widespread use of innovative financial mechanisms that transform markets.

UTILITY FINANCING PROGRAM FOR RESIDENTIAL ENERGY EFFICIENCY IMPROVEMENTS PROGRAM FUNDING OPPORTUNITY

Eligible Entities

Gas and electric utilities, distributors, joint action agencies and utility-cooperatives in Georgia are eligible to apply for grant funding to establish or expand on-bill financing program for residential energy efficiency improvements. For the purpose of this program, utility will be used to refer all eligible entities, as outlined above.

Utility cooperatives may submit an application on behalf of their member utilities. An application submitted by a cooperative should reflect the members that are interested in participating in the opportunity for on-bill financing programs and explain how funds will be coordinated across multiple jurisdictions.

Eligible Financing Programs

Utilities may use EECBG funds to start or expand a financing program for residential energy efficiency improvements. The utility may choose the financing program that works best for them from the three options below.

On-Bill loan

EECBG funds will provide seed funding for the establishment of revolving loan fund operated by the utility. The utility will provide upfront capital in the form of loans for eligible residential energy efficiency improvements. The loan re-payments will appear on the utility bill as an additional line item.

The loan maximum per customer will be limited to \$5,000. This loan will count as debt for the residential customer and will be tied to the individual, rather than to the meter or to the property. During the initial funds expenditure, the interest rate charged to the customer will be 0%. However, the utility will be able to charge their customers a small percentage or flat fee to cover administrative costs and to establish a loan loss reserve fund.

The utility may not issue the homeowner cash or check for the value of the loan. Instead, the utility shall arrange to pay the contractor hired by the resident directly for services rendered, at an amount not to exceed \$5,000. The amount paid to the contractor by the utility will be paid back by the homeowner to the utility.

In the proposal to GEFA, the utility must outline the amount of fees to be charged to the residential customer to cover administrative expenses and / or the establishment of a loan loss reserve.

On-Bill Tariff

EECBG funds will provide seed funding for the establishment of a tariff program operated by the utility. The utility will provide upfront capital for eligible residential energy efficiency improvements. The utility will charge the customer an additional monthly tariff to re-cover the costs of the capital.

Under the tariff program, the financing between the utility and the residential customer would not be treated as debt, so the credit rating may or may not be a factor. The utility could determine eligibility on the basis of utility payment history. Eligibility would be determined by the utility. Additionally, the tariff would be tied to the meter, rather than to the individual, thus making this financing available for renters.

The maximum funds provided per residential customer would be limited to \$5,000. During the lifetime of EECBG expenditures, utilities would not be able to earn any profit through the tariff structure; however they will be able to charge their customers a small percentage or flat fee to cover administrative costs and to establish a tariff loss reserve fund. In the proposal to GEFA, the utility must outline the amount of fees to be charged to the residential customer to cover administrative expenses and / or the establishment of a tariff loss reserve.

Interest-rate buy down

In this model, a utility would partner with a private entity to offer unsecured loans for residential energy efficiency financing. The private firm would provide the loan for an eligible residential energy efficiency improvement. EECBG funds would be used to buy-down the interest rate and make the rate more appealing to interested homeowners. The maximum amount spent by the utility per customer loan may not exceed \$750 for a third-party loan of \$7,500. The \$750 would be used to buy down the interest rate received by the residential customer to 7.99%

Eligible Financing Programs

Each utility or utility-cooperative may determine which activities and appliances are eligible for funding through their on-bill financing program. Utilities should limit their activities to the following categories:

- Purchase and installation of select ENERGY STAR qualified appliances, heating and cooling devices, water heaters, and / or home envelope products;
- Weatherization services, including weather-stripping and caulking, duct insulation and leak sealing, and /or wall, attic, and floor insulation;
- Whole house energy programs, such as Home Performance with Energy Star; or
- Other activities as approved by GEFA.

Utilities may offer funding to multi-family dwellings and apartments. However, this inclusion should be noted in the proposal along with their plan for coordinating this effort.

Program Requirements

The Utility Financing Program for Residential Energy Efficiency Improvements program proposal must meet the following criteria:

- Maximum loan / tariff amount must not exceed \$5,000;
- Loans and tariffs should be zero-interest for the duration of ARRA-reporting period which is from the date of the contract through March 31, 2012;
- Financing funds must be limited to residential energy efficiency improvements;
- Utility must establish loan-loss reserve fund to cover any potential defaults (on-bill tariff/loan only);
- Utilities may charge reasonable service fees to establish a loan-loss reserve and / or to expand the program;
- Repayments must be invested into the residential financing program to be made available for future financing;
- Loans / tariffs must be re-paid within five (5) years (or shorter, at discretion of utility);
- Utilities must make their program available to all qualified contractors in the service area; and
- Funds will be distributed by utilities on a “first come-first served” basis, subject to eligibility requirements, including sufficient credit, minimum estimated energy savings, and ineligibility for other funding sources, such as the Weatherization Assistance Program.

In the event that any utility discontinues its financing program, any funds remaining in the program must be used to make grants for residential energy efficiency (at the approval of GEFA) or be returned to GEFA.

PARTNERSHIPS

Some utilities and utility cooperatives may service the same geographic areas. In these instances, GEFA requests that the utilities coordinate their efforts to avoid overlap of services to the extent possible. Please include in your proposal any plans for coordinating efforts around shared service areas, if applicable.

Cities and counties in Georgia may be eligible for additional EECEBG funds from USDOE or GEFA. Any partnerships between cities or counties receiving, or apply for, additional EECEBG funds should be noted in the proposal and the partnership efforts related to on-bill financing should be clearly explained, if applicable.

CONTRACTOR SELECTION

The utility may not hire a contractor to perform residential energy efficiency improvements. The utility must issue a “Request for Information” to identify qualified contractors who may participate in this program. The list of qualified contractors should be made publically available to interested residential program participants. The resident must hire the contractor to perform work on the home. The utility may not hire the contractor and may give preferential treatment to a particular contractor.

PROHIBITED USE OF FUNDS

The financing program, as funded by USDOE may not show a ‘loss.’ Therefore, each utility must establish a mechanism to cover defaults out of non-USDOE funding.

EECEBG funds cannot be used for administrative purposes.

Per USDOE, there is a prohibition on use of funds for gambling establishments, aquariums, zoos, golf courses or swimming pools.

FUNDING ALLOCATION

Utilities will be allocated funds based on the number of potential customers served and the feasibility of the proposed on-bill financing program. The maximum funding available for on-bill financing is \$5,000,000. There is no minimum award amount per applicant. GEFA expects to make between one and six awards.

SECTION II: PROPOSALS

Interested gas and electric utilities should submit a proposal outlining the financing program they seek to offer customers.

The applicant should submit a formal proposal as well as an application form. The application form will be provided by GEFA and is accessible at <http://www.gefa.org//Index.aspx?page=492>. A template of the application form can be found on Appendix II. The formal proposal should be a project narrative, not to exceed five pages (not including the cover page). Applications must be submitted electronically via e-mail. All applications should be submitted to the contact listed on the GEFA Request for Proposals cover page.

Project Narrative

The proposal should address the following areas:

Financing Program

- Financing program to offer residential customers: on-bill loan, on-bill tariff, or interest-rate buy-down.

Customers

- Number of customers eligible for on-bill financing program;
- Process for determining eligibility; and
- Proposed outreach efforts for attracting customers.

Activities

- Eligible activities for financing, as determined by utility; and
- Energy savings (estimates).

Partnerships

- Description of partnerships with cities and counties, if applicable;
- Plan for coordinating with other utilities regarding service areas overlap

Financing

- Plan for covering losses in the event of defaults;
- Amount of service fee charged to customers, if applicable;
- Maximum loan amount; and
- Term for repayment (not to exceed five years).

Program Operation

- A description of the process a residential customer would follow to secure financing to implement energy efficiency improvements, including the role of the residential customer, the contractor, the utility and any third-party partners.

Deadline

All applications **must be submitted electronically to andrea@gefa.ga.gov by March 17, 2010 at 4:30 p.m. EST.** Applications that fail to meet this deadline will not be considered – no exceptions.

SECTION III: REQUIREMENTS FOR APPROVED PROJECTS

USDOE has established guidelines for the use of ARRA Energy Efficiency & Conservation Block Grant program funds. In accordance with these guidelines, the results achieved with this program will be assessed using the following performance metrics:

- Jobs created
- Energy saved
- Renewable energy capacity installed and generated (annually)
- Greenhouse Gas emissions reduced
- Energy cost savings
- Funds leveraged

REQUIREMENTS FOR APPROVED PROJECTS

Reports, Inspections & Monitoring

Applicant must permit GEFA and/or any agent of GEFA including but not limited to the U.S. Department of Energy, the Governor's Office of Planning and Budget, and the U.S. General Accounting Office to inspect the physical location of a project at any time during the project period. Inspections will be conducted during regular business hours.

President Obama has committed to transparency and accountability in the use of funds provided through ARRA. Activities carried out and results achieved with ARRA funds will be tracked carefully, reported clearly and quantifiably.

In an effort to meet this requirement, Governor Sonny Perdue ordered the creation of a state Web site to help track the use of Georgia stimulus funds. This site will provide the citizens of Georgia access to clear and concise information about the federal stimulus initiative. Project information will be posted on

<http://stimulusaccountability.ga.gov/02/gov/stimulus/home/0,2804,134245182,00.html>

Applicants will be responsible for submitting financial reports and project status reports to GEFA. Reports will be due on a quarterly and annual basis and after completion of the project, and all reports must meet the reporting requirements set forth under ARRA. Other reporting may also be required depending on the project activity, and such requirements will be clearly articulated in any agreements between GEFA and the awardees before work is to begin. Recipients of funding appropriated by the Recovery Act shall comply with requirements of applicable federal, state and local laws, regulations, USDOE policy and guidance.

Procurement

Procurement of project contracts, project services, materials, and equipment in GEFA financed projects must be public, open, and competitive, as defined by both state law and the procurement requirements of GEFA funding contracts. Funded projects must meet the requirements of both state law and GEFA funding contracts.

Timeliness Requirements

Projects selected for funding through this program must begin implementation within 60 days of receiving an award from GEFA. Contract length may vary by project depending on the scope of work and timetable. All EECBG recipients are expected to **expend one hundred percent (100%) of all funds prior to March 31, 2012.**

GEFA reserves the right to terminate an EECBG contract at any time if the recipient fails to adhere to the contract timetable. In the event that an applicant appears unable to spend the funds within the given time period, GEFA will make every attempt to work with the applicant to find a solution and the applicant will be given a minimum of 60 days notice that the contract may be terminated. **For long-term financing programs and other projects designed to generate revenue and/or provide continuing benefits beyond this date, the full award must be used at least once before March 31, 2012.**

Section 1605, Buy American

Under Section 1605 of the ARRA, no funds appropriated by the Act may be used for a public buildings/works project unless “all iron, steel and manufactured goods used are produced in the U.S.”

Exceptions are allowed for cases:

- Where the head of the federal agency concerned determines adherence would be “inconsistent with the public interest”,
- Where iron/steel/manufactures are not produced in the U.S. in sufficient and available quantities, or
- inclusion of U.S. products would increase overall project cost by 25%

Notice of a waiver of the ARRA Buy American requirements must be noticed and justified in the Federal Register.

Federal Wage Rate Requirements (Davis-Bacon Act)

The ARRA requires payment of federal prevailing wages. Specifically, Davis-Bacon Act wage rules apply to all assistance agreements made in whole or in part with ARRA funds. Information on the current wages for Georgia can be found on the Davis Bacon Wage Determinations website at <http://www.gpo.gov/davisbacon>.

SPECIAL TERMS & CONDITIONS

Be advised that special terms and conditions may apply to projects funded by the Act relating to:

- Reporting, tracking and segregation of incurred costs;
- Reporting on job creation and preservation;
- Publication of information on the Internet;
- Access to records by Inspectors General and the Government Accountability Office, GEFA or GEFA auditors;
- Prohibition on use of funds for gambling establishments, aquariums, zoos, golf courses or swimming pools;
- Ensuring that iron, steel and manufactured goods are produced in the United States;
- Ensuring wage rates are comparable to those prevailing on projects of a similar character;
- Protecting whistleblowers and requiring prompt referral of evidence of a false claim to an appropriate inspector general; and
- Certification and Registration.

These special terms and conditions will be based on provisions included in Titles XV and XVI of the Act. These Special Provisions are located at http://management.energy.gov/business_doe/business_forms.htm. The Office of Management

and Budget (OMB) has issued Initial Implementing Guidance for the Recovery Act. See [M-09-10, Initial Implementing Guidance for the American Recovery and Reinvestment Act of 2009](#). OMB will be issuing additional guidance concerning the Act in the near future. Applicants should consult the USDOE website, <http://www.energy.gov>, the OMB website <http://www.whitehouse.gov/omb/> and the Recovery website, <http://www.recovery.gov> regularly to keep abreast of guidance and information as it evolves.

Recipients of funding appropriated by the Act shall comply with requirements of applicable Federal, State, Tribal and local laws, regulations, USDOE policy and guidance, and instructions in this announcement, unless relief has been granted by USDOE. Recipients shall flow down the requirements of applicable Federal, State, Tribal and local laws, regulations USDOE policy and guidance, and instructions in this announcement to sub-recipients at any tier to the extent necessary to ensure the recipient's compliance with the requirements.

Be advised that Recovery Act funds can be used in conjunction with other funding as necessary to complete projects, but tracking and reporting must be separate to meet the reporting requirements of the Recovery Act and related OMB Guidance. Applicants for projects funded by sources other than the Recovery Act should plan to keep separate records for Recovery Act funds and to ensure those records comply with the requirements of the Act. Funding provided through the Recovery Act that is supplemental to an existing grant is one-time funding.

For additional information on required reporting metrics, please refer to Appendix I.

PAYMENT

Method of Payment

The method of payment will be on a cost reimbursement basis. Grant recipients will submit a reimbursement/drawdown form (provided by GEFA) as necessary, but not to exceed one reimbursement request per month. Reimbursement requests must be accompanied with copies of all appropriate documentation of allowable expenses incurred. All reimbursements will be provided to grant recipients via electronic funds transfer.

Release of grant funds

GEFA will monitor the project and endorse payments in accordance with observed progress. Payments will be conditional on compliance with grant agreement requirements and applicable project approvals issued by GEFA.

Costs incurred prior to contract start date

Project costs incurred by an approved applicant before entering into contract with GEFA, including any feasibility studies, financial analysis or other preparation costs are not eligible for reimbursement.

Appendix I: Required Reporting Metrics

REPORTING METRICS

If a project receives ARRA EECBG funding, grant recipients will be required to track and report quarterly the following metrics where applicable, which include but are not limited to the following:

Energy Savings (kWh equivalents)

- Annual reduction in natural gas consumption (mmcf) by sector and end-use category
- Annual reduction in electricity consumption (MWh) by sector and end-use category
- Annual reduction in electricity demand (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

Job Creation/Retention

- Number
- Type (direct only)
- Duration

Renewable Energy Capacity and Generation

- Amount of wind-powered electric generating capacity installed (MW)
- Amount of electricity generated from wind systems (MWh)
- Amount of photovoltaic generating capacity installed (MW)
- Amount of electricity generated from photovoltaic 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

Appendix II: Application Submission Information

To participate in the ARRA EECBG Utility Financing Program for Residential Energy Efficiency Improvements request for proposal, **all proposals must be submitted to GEFA no later than March 17, 2010 by 4:30 p.m. EST.** Applications that fail to meet this deadline will not be considered – no exceptions. ***Applications must be submitted electronically.***

In addition to the proposal, applicants will need to submit an application form. The information that will be requested of applicants is listed below to allow applicants to prepare.

<u>Information Requested</u>	<u>Additional Information</u>
APPLICANT INFORMATION	
Confirmation that applicant has registered with Central Contractor Registry (yes/no)	Accessible here http://www.bpn.gov/ccr/ See Annex IV for instruction to obtain this.
DUNS Number	Accessible here http://fedgov.dnb.com/webform See Annex IV for instruction to obtain this.
Name of Organization	Applicant – Utility or Utility Cooperative
Street Address	
Suite	
City	
State	
Zip	
Congressional District	
Recipient Type	Choices limited to the answers provided below (please select only one). Not all entities listed below are eligible to apply for funding through this opportunity. For details, please see list of “eligible entities” in guidelines. A. State Government B. County Government. C. City or Township Government. D. Special District Government. E. Regional Organization. G. Independent School District. H. Public/State Controlled Institution of Higher Education. I. Indian/Native American Tribal Government (Federally Recognized). J. Indian/Native American Tribal Government (Other than Federally Recognized). K. Indian/Native American Tribally Designated Organization.

	<p>L. Public/Indian Housing Authority. M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education). N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education). O. Private Institution of Higher Education. P. Individual Q. For-Profit Organization (Other than Small Business). R. Small Business. S. Hispanic-serving Institution. T. Historically Black Colleges and Universities (HBCUs). U. Tribally Controlled Colleges and Universities (TCCUs). V. Alaska Native and Native Hawaiian Serving Institutions. W. Non-domestic (non-US) Entity. X. Other.</p>
Officer Names	Top five most highly compensated officers in organization (See Appendix III for more details)
Total Officer Compensation	Individual Compensation of top five most highly compensated officers in organization (See Appendix V for more details)
PROJECT CONTACT	
Name	
Title	
Phone	
E-mail	
Organization	
PROJECT INFORMATION	
Project Title	
Project Summary (500 words)	A short summary of proposal, including activities covered through proposed on-bill financing program.
EECBG Funding Requested	

Appendix III: NARRATIVE COVER TEMPLATE

**The narrative cover page does not count towards the five page maximum of the proposal narrative.*

Project Name

Organization name

Grant Funding Requested: \$xxxxxx

Funding Source: **Utility Financing Program for Residential Energy Efficiency Improvements**

Project contact name

E-mail address

Phone number

Mailing Address

Appendix IV: OBTAINING A DUNS NUMBER AND REGISTERING WITH THE CENTRAL CONTRACTOR REGISTRY

As a part of ARRA, all recipients must obtain a DUNS Number and register with the Central Contractor Registry in order to receive funding. Please see instructions below for obtaining this information.

Obtaining a DUNS Number:

- Dun & Bradstreet (D&B) provides a D-U-N-S Number, a unique nine digit identification number, for each physical location of your business. D-U-N-S Number assignment is FREE for all businesses required to register with the US Federal government for contracts or grants. Once you receive this number, please be sure to file it appropriately as you will need it to register with the Central Contractor Registry (below) and to apply for funding through the Energy Efficiency & Conservation Block Grant Program.
- To request your D-U-N-S Number via the Web, please visit the following URL: <http://fedgov.dnb.com/webform>.
- For technical difficulties, contact govt@dnb.com

Registering with the Central Contractor Registry:

- Central Contractor Registration (CCR) is the primary registrant database for the U.S. Federal Government. CCR collects, validates, stores and disseminates data in support of agency acquisition missions. To learn more about CCR Policy and Background, please visit: <https://www.bpn.gov/ccr/CCRPOL.aspx>.
- To register, visit the following link: <http://www.bpn.gov/ccr/>
- Download the User Account Guide from the Central Contractor Registry for instructions on creating or modifying a CCR account
 - <http://www.bpn.gov/ccr/doc/UserAccount.pdf>
- From the CCR home page, select “Start New Registration” or “Update or Renew Registration” from the left hand column. Follow instructions from the User Account Guide to complete application process.
- Once you have completed this you will receive an e-mail confirming that your organization has been registered successfully. Please save that e-mail as you will need to upload into the application for the Energy Efficiency & Conservation Block Grant Program.

Appendix V: CLARIFICATION ON ‘COMPENSATION OF TOP FIVE OFFICERS’

As a requirement under ARRA 1512 reporting, GEFA is required to report on the compensation of the top five most highly compensated officers. The language describing this requirement is below. This is taken from page 20 of the federal reporting data model for ARRA funds, which can be found by clicking the link here (<http://www.recovery.gov/sites/default/files/FedRptgDataModel.doc>). For this purpose of this program, applicants to GEFA will be considered “sub-recipients” in this document, while GEFA is considered the “recipient”.

Names of each of the five most highly compensated officers of the sub recipient for the calendar year in which the award is awarded if—

(i) In the sub recipient’s preceding fiscal year, the sub recipient received—

(A) 80 percent or more of its annual gross revenues from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; and

(B) \$25,000,000 or more in annual gross revenues from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; and

(ii) The public does not have access to information about the compensation of the senior executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986.”

Appendix VI: NEPA Requirements

In order to qualify for funding through EECBG, project proposals must receive categorical exclusion under the National Environmental Policy Act (NEPA) review.

To expedite the NEPA review process, USDOE has provided criteria and conditions that will assist with gaining categorical exclusion from NEPA review.

These criteria and conditions are listed below. Proposals must meet these criteria and conditions to be eligible for funding under EECBG. Selecting activities that meet these criteria and conditions does not automatically guarantee funding under EECBG. Furthermore, there may be unforeseen circumstances that make it inappropriate to apply a categorical exclusion to a Project(s) that meets all the Part I and Part II requirements.

GEFA has provided assurance that it shall *only* award sub-grants under 'Utility On-Bill Financing Grants' for Projects that fall within the categories in Part I below and, moreover, are consistent with the limitations prescribed therein.

Part I – Bounded Categories

1. Establishment of financial incentive programs for energy efficiency improvements.

Part II - Integral Element Requirements and Other Conditions

GEFA shall award sub-grants only for Projects that would not:

- (1) Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, including requirements of DOE and/or Executive Orders;
- (2) Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators);
- (3) Disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; or
- (4) Adversely affect environmentally sensitive resources. Environmentally sensitive resources include, but are not limited to:
 - (i) Property (e.g., sites, buildings, structures, objects) of historic, archeological, or architectural significance designated by Federal, state, or local governments or property eligible for listing on the National Register of Historic Places;
 - (ii) Federally-listed threatened or endangered species or their habitat (including critical habitat), Federally- proposed or candidate species or their habitat, or state-listed endangered or threatened species or their habitat;

- (iii) Wetlands regulated under the Clean Water Act (33 U.S.C. 1344) and floodplains;
- (iv) Areas having a special designation such as Federally- and state-designated wilderness areas, national parks, national natural landmarks, wild and scenic rivers, state and Federal wildlife refuges, and marine sanctuaries;
- (v) Prime agricultural lands;
- (vi) Special sources of water (such as sole-source aquifers, wellhead protection areas, and other water sources that are vital in a region); and
- (vii) Tundra, coral reefs, or rain forests.

Waste Stream Conditions

GEFA shall obtain a waste management plan addressing waste generated by a proposed Project prior to awarding a sub-grant for that Project. This waste management plan will describe the Sub-recipient's plan to dispose of any sanitary or hazardous waste (e.g., construction and demolition debris, old light bulbs, lead paint, lead ballasts, piping, roofing material, discarded equipment, debris, and asbestos) generated as a result of the proposed Project. GEFA shall make the waste management plan and related documentation available to DOE on DOE's request (for example, during a post-award audit). Projects include shall ensure through specific contract terms that the Sub-recipient complies with all Federal, state and local regulations for waste disposal.

NHPA Conditions

Prior to awarding a sub-grant for a Project, GEFA and the Sub-recipient shall comply with Section 106 of the National Historic Preservation Act (NHPA). If applicable, the Sub-recipient must contact the State Historic Preservation Officer (SHPO), and the Tribal Historic Preservation Officer (THPO). GEFA shall retain sufficient documentation, from the Sub-recipient or other sources, to demonstrate that the Sub-recipient has received required approval(s) from the SHPO or THPO for the Project. GEFA shall deem compliance with Section 106 of the NHPA complete only after it has this documentation. GEFA shall make this documentation available to DOE on DOE's request (for example, during a post-award audit).

Cumulative Impacts, Connected Actions and Extraordinary Circumstances

DOE's CXs are not absolute. CXs do not apply to Projects that involve "extraordinary circumstances," connected actions, or cumulative impacts that may have significant environmental impacts. *See* 10 C.F.R. § 1021.410(b). If DOE grants a CX based on descriptions in the State's RFP for EECBG grants, DOE will base its decision on the lack of such "extraordinary circumstances" and significant impacts. GEFA shall review section 1021.410 and must immediately contact DOE if it identifies a Project that may involve "extraordinary circumstances," cumulative impacts or connected actions that could have significant environmental impacts. Typically, DOE will either subject the sub-grant for the Project to NEPA review or the State will elect not to proceed with awarding the sub-grant.

Appendix VII: Evaluation Criteria

The proposal should address the following areas:

Financing Program (5 points)

- Financing program to offer residential customers: on-bill loan, on-bill tariff, or interest-rate buy-down.

Customers (15 points)

- Number of customers eligible for on-bill financing program;
- Process for determining eligibility; and
- Proposed outreach efforts for attracting customers.

Activities (20 points)

- Eligible activities for financing, as determined by utility; and
- Energy savings (estimates).

Partnerships (10 points)

- Description of partnerships with cities and counties, if applicable;
- Plan for coordinating with other utilities regarding service areas overlap

Financing (15 points)

- Plan for covering losses in the event of defaults;
- Amount of service fee charged to customers, if applicable;
- Maximum loan amount; and
- Term for repayment (not to exceed five years).

Program Operation (35 points)

- A description of the process a residential customer would follow to secure financing to implement energy efficiency improvements, including the role of the residential customer, the contractor, the utility and any third-party partners.

Evaluation Total (100)

Appendix VIII: Process for Submitting Questions

Submittal:

Please send your questions regarding the Utility Financing Program for Residential Energy Efficiency Improvements to andrea@gefa.ga.gov. All questions should be submitted via email by COB Wednesday, March 10th, 2010.

GEFA will publish all questions with related answers by Friday March 12, 2010 on GEFA's Website. The provided link will take you to the document.

<http://www.gefa.org/Index.aspx?page=492>