

**Notice of Funding Availability  
Weatherization Assistance Stimulus Program  
Funding for Targeted Buildings in Disadvantaged Communities  
Temporary Weatherization Subgrantees**

**Bid Number: 1593729  
Issued October 17, 2023.**

**New York State Division of Housing and Community Renewal**

**Office of Housing Preservation  
Hampton Plaza  
38-40 State Street  
Albany, NY 12207**

**Submission Deadline:  
December 8, 2023**

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# **BIL WEATHERIZATION TEMPORARY SUBGRANTEE NOFA OCTOBER 2023**

## **SECTION 1. FUNDING AVAILABILITY AND GENERAL REQUIREMENTS**

### **Introduction**

New York State has been allocated approximately \$289,000,000 from The Bipartisan Infrastructure Law (BIL) for the Weatherization Assistance Program (WAP.) The program will be administered for the State of New York by the New York State Division of Housing and Community Renewal (DHCR).

DHCR, after soliciting public input, obtained the approval of the U. S. Department of Energy of its BIL Weatherization Assistance Program Funding Plan (Plan) which sets forth the State's strategy for expeditiously utilizing the WAP funds to weatherize the homes of thousands of low-income New Yorkers and to facilitate the training of the new workers needed to undertake this work and expand the green energy work force.

DHCR will rely on its existing network of WAP subgrantees to administer most of the funds available and will provide substantial funding for training to increase the capacity of the existing subgrantee network to carry out the Plan.

Since BIL represents a dramatic increase in WAP funding with defined deadlines to spend the funds, DHCR is seeking temporary subgrantees to undertake special projects with BIL funds. Approximately \$40,000,000 will be made available to eligible applicants to serve as temporary subgrantees for the purpose of targeting multi-family portfolios that have significant need for energy assistance (for example: government assisted housing, public housing, housing for persons with special needs). Subgrantees will be encouraged to leverage other funds to undertake this activity. Existing subgrantees are also eligible to apply for this funding to expand their geographic regions or serve additional communities that are currently underserved. Establishing partnerships between existing subgrantees and other community-based organizations is a goal of this initiative.

### **1.1 New York State Goals**

The following Notice of Funding Availability (NOFA) was developed in conformance with the State of New York's goals for the use of Federal Bipartisan Infrastructure Law funds to ensure long-term public benefit and to optimize results. Goals include:

- Enhancing energy efficiency and reduction of carbon emissions in alignment with the State's Climate Leadership and Community Protection Act of 2019 (CLCPA)
- Ensuring Long-Term Public Benefit and Optimizing Results
- Ensuring Compliance with Equal Opportunity Laws
- Promoting Local Community-based Hiring
- Expand the green workforce

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- Providing energy efficiency services to [Disadvantaged Communities](#) (See [here](#))
- Providing Equal Opportunity for DBE's and MWBE's
- Encouraging Sound Labor Practices
- Engaging Community-Based Organizations
- Transparency to the market and customers

### **1.2 Schedule**

<b>NOFA Issued</b>	<b>October 17, 2023</b>
<b>Application Workshop/Bidder's Conference</b>	<b>November 14, 2023</b>
<b>Deadline to Submit Questions</b>	<b>November 28, 2023</b>
<b>Answers to be Posted on DHCR web site</b>	<b>December 6, 2023</b>
<b>Submission Deadline</b>	<b>December 8, 2023 (3:00 P.M. EST)</b>
<b>Announcement of Successful Applications</b>	<b>January 29, 2024</b>

### **1.3 Program Overview**

The Weatherization Program (the Program) is administered by DHCR through its Office of Housing Preservation. The Program provides energy conservation assistance on behalf of income-eligible individuals and families to improve the energy efficiency of their dwellings and to reduce their housing expenditures for fuel and electricity. Funds, up to an average of \$8,009 per dwelling unit, are provided to weatherize the dwelling units of homeowners and renters with high energy costs in relation to their household income. Priority for weatherization services is given to households with children, the elderly, persons with disabilities, as well as Home Energy Assistance Program (HEAP) recipients.

Program services are delivered through a statewide network of local service providers, referred to as Subgrantees. Subgrantees must follow sound internal management policies and provide skilled workmanship, high quality materials, and timely production of units. The performance of these subgrantees is evaluated on a continuing basis. Subgrantees include community action agencies, other community-based not-for-profit organizations, and local governmental agencies.

It is important to note that all laborers and mechanics employed by contractors and subcontractors on Weatherization Assistance Program projects funded by BIL shall comply with [BIL Wage Rate](#) provisions that state Multifamily buildings 5 units and above will comply with [Davis Bacon](#) and [Buy American](#) Provisions.

### **1.4 Funding Availability**

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Consistent with the [BIL State Plan](#) for BIL funds, \$40,000,000 of the overall BIL allocation has been reserved to aid targeted multifamily housing. DHCR is soliciting eligible entities to act as temporary subgrantees under the Program to meet the Bipartisan Infrastructure Law goals, develop capacity to assist certain types of housing for which funding was not previously sufficient, and ensure that needs are met throughout the State.

### **1.5 Applicant Eligibility**

This solicitation is being completed in conformance with the requirements outlined in Section 440 of the Weatherization Assistance Program Final Rule, as published by DOE on February 1, 2002. As outlined in Section 3.2, temporary subgrantees will be selected based upon their qualifications, ability to manage all responsibilities of a subgrantee, and their ability to leverage other financial resources to complete energy efficiency measures. Designation of temporary subgrantees will be valid only while BIL funds are available to New York State. Each temporary subgrantee must:

- A. be a not-for-profit and legally incorporated organization, community action agency, or a unit of local government, or the designated representative of an Indian tribal organization.
- B. if a not-for-profit organization, meet the charities registration requirements of the State of New York.
- C. be in legal and financial compliance with requirements and regulations established under State and federal law.
- D. provide a list of the current board of directors or governing body, bylaws, and other documents concerning the structure and operation of the organization.
- E. provide proof that the organization has been responsive to the energy or human service needs of the community that it has served, or that the organization has the potential to provide such services in an efficient and responsible manner.
- F. demonstrate special expertise for providing energy conservation programs including management capability, technical skills, and outreach capabilities.
- G. show experience in housing and construction management-oriented programs.
- H. submit a detailed budget and narrative work plan showing how the project will be carried out. The budget should list all personnel, including volunteer and paid staff, who will be associated with the program. The work plan will detail how the project will be implemented. Potential weatherization subgrantees must also show a production and expenditure plan, specifying whether subgrantee crews, subcontractors, or a combination of the two will be used. New subgrantees will be expected to meet or exceed the work plan goals they propose.

### **1.6 Role of Subgrantee**

Under contract with DHCR, subgrantees perform several services in compliance with DOE WAP regulations and defined in the DHCR WAP State Plan, including:

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- a) outreach and identification of appropriate properties and income eligibility verification of residents.
- b) evaluation of the energy efficiency of dwelling units proposed to be weatherized.
- c) installation of cost-effective energy-saving measures and supervision of workers and subcontractors.
- d) identification and mitigation of related health and safety concerns.
- e) maintenance of client and program files; and,
- f) preparation of regular management and fiscal progress reports; and other actions necessary to ensure compliance with State and Federal Program rules.
- g) Fuel usage and utility bill collection
- h) Ability to leverage additional federal funds external to DOE, owner contributions, additional NYS HCR funds such as HOME, or other resources available not limited to applicable rebates and incentives.
- i) Provide required reporting documents to DHCR
- j) Identification and outreach to areas with limited weatherization services
- k) Ability to engage with First Nations and Disadvantaged Communities

DHCR has the responsibility for overall monitoring and oversight and provides an ongoing training program to improve services.

### **1.7 Administrative Fees and Advances**

DHCR provides administrative funding to subgrantees. The administrative rate for subgrantees will be no more than 7.5% of the BIL allocation.

Administrative funding can be used by subgrantees to cover costs that are necessary for the organization to operate. Typical expenditures found in this category are wages and fringe benefits for executive, accounting, and administrative personnel working on the program. Other typical administration cost category expenditures are the payroll processing costs, costs to administer health insurance programs, data processing costs, and other indirect costs such as bank service fees. As with the other weatherization cost categories, those costs applied to administration must be actual and allowable under the DOE Uniform Administrative Requirements (2 CFR Part 200).

Any contracts awarded under this procurement may provide advance payments not to exceed 15% of the total allocation and will be paid following final approval of the contract from the Office of State Comptroller and in accordance with Weatherization program policies and procedures.

### **1.8 Leverage and Efficiency**

As stated in Section 1.5, DHCR is seeking to add temporary subgrantees to increase the State's overall capacity to expend BIL funds in a timely manner to provide weatherization services

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through a targeted strategy. In addition to the goal of adding capacity, DHCR is also seeking opportunities to streamline delivery of weatherization services to similar types of buildings, or buildings that have been financed with the same lender or program, by providing coordinated services to those buildings using temporary subgrantees (which are existing or new) who would specialize in that type of building or program. Proposals that achieve these goals through the creation of partnerships between subgrantees and other entities such as lenders, government agencies and community-based organizations are encouraged.

### **1.9 Targeted Building Portfolios**

Across the State, there are several individual portfolios of housing occupied by low-income households that have significant needs for energy assistance and are subsidized by or were developed with funding from the local, State or federal government. To help reduce the energy burden of the very-low-income residents of these properties, and to preserve affordability in these supported units, proposals that target funds to one or more portfolios are encouraged. Applicants seeking funding under this NOFA must provide a Statement of Approach (Section 4.3) that defines the targeted portfolio and describes how the applicant is uniquely suited to aid this type of building.

Targeted portfolio types may include but are not limited to:

- A. Low-income housing tax credit projects (ref. Section 42 of US Code)
- B. USDA Section 515 projects
- C. Supportive or Special Needs projects (may include but not limited to projects created by or assisted with resources from NYS Office of Mental Retardation and Developmental Disabilities, NYS Office of Mental Health or NYS Homeless Housing Assistance Corporation).
- D. HUD-assisted projects
- E. Public Housing projects, including state-supervised public housing
- F. Mitchell Lama projects
- G. [Properties within a disadvantaged community census tract](#)
- H. Properties within First Nations and tribal lands

Targeted portfolios may be limited to a particular geographic area, such as a DAC or an underserved county. Please refer to [Attachment D, the map](#). The applicant should describe in the Statement of Approach any geographic or location considerations, especially those relevant to defining the specific portfolio for which assistance is proposed. Also, to the extent that an applicant's expertise is relevant to the selection of a particular portfolio, the Statement of Approach should describe that expertise and explain the partner's role in the project.

### **1.10 Eligible Weatherization Activities**

DHCR allows subgrantees to install any measures permitted by DOE WAP federal regulations. The work done in each unit is determined by a DOE-approved energy audit. Generally, this work consists of air sealing, insulation, heating system repairs, window or heating system replacement, electric base load reduction, and work items that mitigate energy-related health and safety concerns. Other than health and safety measures, only those measures with a savings-to-

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investment ratio of 1.0 or greater can be installed by subgrantees. In other words, the cost of installing each energy conservation measure in a building must not exceed the savings that can be expected during the normal life of the installed measure. Eligible temporary subgrantees must be able to use approved DOE energy auditing software.

DHCR also encourages use of renewable energy systems, alternative energy sources, and other “green” practices in its housing and energy programs. Installation of renewables will only be permitted when consistent with DOE guidance and justified by a savings-to-investment ratio of 1.0 or higher, or by other allowable considerations. Any materials used must meet the specifications listed in 10 CFR 440, Appendix A, or otherwise be approved by DOE for use in the program. DHCR also encourages subgrantees to consider innovative measures, such as small-scale solar, geothermal, heat pumps, and district energy systems. Eligible activities are listed in these links under the annual [Draft 2023 WAP State Plan](#) and [BIL State Plan](#).

### **1.11 Population to Be Served**

Income eligibility for the Program is set at [60% of the State’s median income](#). This threshold has been selected by New York in accordance with federal HEAP regulations (Public Law 97-35, Sec. 2605 (b) (2) (B) and 10 CFR Part 440.22(a)(3)). **Note that this income limitation is different than that used in many affordable housing programs.** Subgrantees should be prepared to address conflicts arising from these separate limits.

Subgrantees are required to give priority for service to households with elderly persons, households with children under 18 years of age, households containing persons with disabilities or medical problems that weatherization services can assist, and HEAP recipients with extremely high energy use or certain other high needs. Subgrantees should consider the extent to which the targeted portfolio addresses one or more of these populations.

Subgrantees may only invest Program funds in rental buildings containing five or more units after they have established that 66% or more of the dwelling units in the building are occupied by eligible households. In rental projects where the energy audit indicates that significant energy savings can be expected to result from Program assistance, at least 50% of the dwelling units must be occupied by eligible households. Certain other eligibility requirements may also apply to multifamily buildings.

Temporary subgrantees who can demonstrate service in an underserved area, DAC census tract, First Nation properties, and/or an [extreme heat census tract](#) will receive prioritization.

### **1.12 Deliverables**

Applicants responding to this NOFA agree to complete all proposed work in accordance with applicable program rules and regulations. Expenditures and unit production that are proposed in the attached Production Schedule (Exhibit 2) must be met within 18 months of the contract start date.

The [Policy and Procedures Manual](#) (PPM) very specifically outlines the administrative and field deliverables associated with the Program. All subgrantees, existing and those selected as temporary subgrantees, agree to implement this Program in accordance with the governing rules and regulations. DHCR staff conducts regular monitoring of both field and administrative practices. Failure to meet program requirements or deliverables outlined in the resulting contract



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may be considered a contract default and could result in termination of the contract and other penalties.

### **1.13 Respondents to this Notice of Funding Availability**

Applicants may be new to the Program or existing subgrantees under the Program. Two or more entities may choose to partner in applying to this NOFA. In this “team” approach, there must be a “prime” respondent who submits the NOFA on behalf of the team and assumes all responsibility for program compliance; this includes working with subcontractors.

Subcontractors can be private or for-profit companies and are required to adhere to all program rules and regulations. The management structure and organizational relationship in this team approach must be clearly defined in the Statement of Approach narrative (Attachment C). Each applicant, whether using a team approach or applying as a sole subgrantee, must demonstrate compliance with all rules associated with the program and show the capacity to successfully complete all functions normally associated with WAP work.

A – Temporary Subgrantees: Applications will be accepted from entities that wish to be designated as temporary subgrantees to provide weatherization services consistent with the requirements of this NOFA. Any temporary subgrantee selected from this solicitation will continue in the Program only so long as they are in compliance with all rules and regulations associated with the Program and only through the expenditure of the BIL funds. Temporary subgrantees will be required to remain in good standing and comply with all applicable program rules, including all production and expenditure requirements.

B – Existing Subgrantees: Any existing subgrantee under the Program that is applying for funds to assist a targeted portfolio will continue to be subject to the production requirements of their regular allocation for Weatherization funding and will be required to meet all requirement associated with this solicitation. Compliance with all production requirements will be evaluated in making determinations about the award of incentive funding. Any existing subgrantee must have a strong track record of completed projected units and not have been subject to a corrective action plan within the last 5 years.

In instances where the subgrantee or any of its team members have ownership or financial interest in the buildings to be weatherized under the Program, the subgrantee must disclose their interest to the DHCR Regional office prior to commencement of work.

### **1.14 Application Workshop**

An application workshop will be held online. All potential applicants are strongly encouraged to attend. The meeting will be conducted as a video conference and broadcast simultaneously in DHCR’s Buffalo, Syracuse and New York City office, and Capitol District Office. See the appendices to this NOFA for locations. The purpose of this meeting is to answer all questions potential applicants have and provide guidance on program planning and implementation. All questions and answers will be posted to the internet website at [Weatherization Assistance Program | Homes and Community Renewal \(ny.gov\)](#) after the workshop.

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## **SECTION 2. APPLICATION SUBMISSION AND COMMUNICATION WITH DHCR**

### **2.1 Application Submission**

Applicants are encouraged to submit proposals to DHCR by electronic mail, using the forms provided for this purpose that are attached to this solicitation. Other required materials may also be attached to an electronic mail message. Electronic submissions should be addressed to:

[Weatherization@hcr.ny.gov](mailto:Weatherization@hcr.ny.gov)

The subject line should read “BIL Temporary Subgrantee NOFA”.

Applicants that choose to submit using paper copies must provide five (5) copies of all materials, and address the submission to:

NYS Division of Housing and Community Renewal  
Weatherization Assistance Program  
Attention: Proposal Submission Screening  
Hampton Plaza, 9<sup>th</sup> Floor  
38-40 State Street  
Albany, New York 12207

DHCR must receive applications by 3:00 p.m. EST on December 8, 2023. Applications received after this time will not be considered. No faxed or hand-delivered copies will be accepted. DHCR is not responsible for applications that are not delivered or cannot be viewed due to technical reasons. Applicants are encouraged to submit early to allow time for verification of receipt.

DHCR expects to notify applicants of the status of their application by January 29, 2024. The successful applicant(s) will receive notification of intent to award at this time. Applicants will be provided with instructions on contract preparation after the award is announced.

### **2.2 Communication and Inquiries**

Applicants with questions on this Notice of Funding Availability, on the application process, or on any related program matter are encouraged to contact the appropriate DHCR regional office until the submission deadline. Regional office contact information is located at the end of this NOFA. Applicants are encouraged to submit questions in writing, to aid in the development of uniform answers that can be made available to any potential applicant. Time will be allowed at the application workshop for applicant questions.

This NOFA is subject to DHCR’s Procurement Lobbying Provisions. Pursuant to State Finance Law §§139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between DHCR and an applicant during the procurement process. An applicant is restricted from making contacts from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract (the restricted period) by DHCR and, if applicable, Office of the State Comptroller, to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j (3) (a). Designated staff, listed below, as of the date hereof, is identified on the following page of this solicitation. DHCR employees are also required to obtain certain information when contacted

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during the restricted period and decide of the responsibility of the applicant pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four (4) year period; the applicant is debarred from obtaining governmental procurement contracts. Further information about these requirements can be found on the Office of General Services' [website](#).

After the deadline for submission, oral communication regarding the NOFA with any DHCR staff is not permitted. Following submission, applicants have the option to submit questions in writing to DHCR, provided those questions are received by DHCR by 5:00 P.M., November 28th, 2023. DHCR will post replies on its web site, [Weatherization Assistance Program | Homes and Community Renewal \(ny.gov\)](#), by December 6, 2023.

### **2.3 Cost of Application**

All costs of preparing and submitting applications in response to this solicitation are the sole responsibility of the applicant. DHCR shall not incur any costs resulting in the preparation and delivery of an application. DHCR will not return any submitted applications. DHCR accepts no responsibility for faulty correspondence or application submissions that are not delivered.

### **2.4 Selection Guidelines**

Applicants will be evaluated in accordance with the criteria outlined in Sections 3 and 4. Applications will be scored on a 100-point system and ranked accordingly. Awards will be made to applicants who are deemed responsive and responsible. DHCR may conduct discussions with respondents for the purpose of promoting understanding of the requirements and the respondent's application to clarify requirements. DHCR reserves the right to negotiate adjustments in services and fund at less than the requested amount. Changes to applications, if permitted, will be requested by DHCR in writing from respondents.

### **2.5 WAP Policies and Procedures Manual**

To ensure that all applicants have a clear understanding the rules, responsibilities and requirements of being a subgrantee under the Program, applicants are required to carefully review the WAP Policies and Procedures Manual (PPM) that can be found on the DHCR web site [Weatherization Assistance Program | Homes and Community Renewal \(ny.gov\)](#) It is required that each applicant seeking to be a temporary subgrantee under this solicitation, attest to (see Attachment B in Section 4) their review and understanding the PPM and must confirm that if selected they will administer the Program in compliance with all rules and regulations of the Program.

## **SECTION 3. APPLICATION FORMAT, EVALUATION AND SELECTION CRITERIA**

### **3.1 Application Format**

Applicants should prepare their submissions by addressing each item outlined in Section 4 in the order that it appears and to use the same number in the response. Elaborate and expensive presentations are not required and will not contribute to a more positive evaluation of the application. However, be sure to provide all the information requested. Meeting all

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requirements of this solicitation is entirely the responsibility of the applicant. DHCR is under no obligation to review incomplete applications.

### **3.2 Selection Criteria**

Applications will be evaluated in their entirety and on the ability of the applicant to deliver comprehensive services under the Program. Each Exhibit and Attachment set forth in Section 4 will be evaluated against the rating criteria for each requirement. The maximum score possible under the NOFA is 100 points.

Each application will include an examination of whether the response addresses all the components of Section 4 of the NOFA in their submission. If the application is not complete it will be disqualified, and no further review or evaluation will take place. Applications that are complete will be evaluated based on the following criteria:

- A. **Statement of Approach:** applicants will be evaluated on the appropriateness of the approach and the geography of the area served. A maximum of 2 temporary subgrantees will be awarded per eligible county. This will include an evaluation of areas served and identified in Attachment D map. Disadvantaged communities and areas with a lower concentration of weatherized homes will be prioritized for this funding. This will include an evaluation of each component included in Attachment C by the applicant for achieving the overall goals of the Program and the priorities outlined in the NOFA. (40 Points)
- B. **Statement of Organizational Experience and Key Personnel:** applicants will be evaluated on the relevant experience of the organization and staff as outlined in Attachments D and Gas well as any partners proposed for the team. (20 Points)
- C. **Statement of Qualifications/Quality Assurance, Financial and Information Technology Capacity:** determination of whether the organization has the capacity to complete the proposed work plan in a cost-effective, efficient manner within the time constraints of BIL as evidenced by Attachments E, F, and H. (15 Points)
- D. **Reasonableness of proposed scope and Budget/Leverage:** applicants will be evaluated on the proposed number of units to be completed by the applicant in relation to the goals of the NOFA, the Program, and BIL. Applicants will also be evaluated on the amount of leveraged financial resources they bring to the WAP assisted projects. Such leveraged resources can be in the form of equity, non-WAP grant funds, loans, and other financial resources that assist with the weatherization and preservation of low-income units as evidenced by Exhibit 2 and Attachment I. (25 Points)

During the evaluation process, each item in Section 4 will be assessed according to the criteria listed above. No more than 3 temporary subgrantees will be selected per region, only those with the highest scores achieving all criteria will be considered. Applicants will be evaluated as to whether they meet the threshold requirements for each measure. Only applications that meet each of the threshold requirements will be considered for an award under this NOFA.

**SECTION 4. APPLICATION SUBMISSION**

Each applicant must submit information from each of the following sections. Any application which is submitted that fails to respond to any of the items will be rejected and disqualified from the review process. Answers should be labeled and ordered to correspond to the order as shown below. Each applicant should submit a detailed budget and statement of approach showing how the project will be carried out, including an outreach strategy. The budget should list all personnel, including volunteer and paid staff, who will be associated with the program. The statement of approach will detail how the project will be implemented. Potential weatherization subgrantees must also show a production and expenditure plan, specifying whether subgrantee crews, subcontractors, or a combination of the two will be used. New subgrantees will be expected to meet or exceed the work plan goals they propose.

**Required Exhibits:**

- Exhibit 1 – Proposal Summary
- Exhibit 2 – Budget/Production Schedule/Statement of Approach
- Exhibit 3 – Vendor Responsibility Questionnaire

**Required Attachments:**

- Attachment A - Applicant Registration Form (for new applicants only)
- Attachment B – Recognition and Compliance Confirmation
- Attachment C - Statement of Approach
- Attachment D - Statement of Organizational Experience
- Attachment E - Statement of Qualifications/Quality Assurance
- Attachment F - Evidence of Financial Management Capacity
- Attachment G - Key Personnel
- Attachment H - Information Technology Management
- Attachment I – Supplemental Budget Information (use Exhibit 2 as the budget form)
- Attachment J – Map identifying geographic need and area served.

**4.1 Proposal Summary (Exhibit 1)/Applicant Registration Form (Attachment A)**

Each applicant must complete Exhibit 1, which provides a summary of the applicant’s proposal. Applicants that have not previously applied to DHCR for funding for any program must fully complete and submit an Applicant Registration Form, labeled “Attachment A.” All other applicants must include their six-digit Applicant ID number were indicated on the proposal summary. If the applicant is unsure of their Applicant ID number, contact the DHCR regional office for assistance. These items are threshold items. They are not rated, but if an applicant does not complete or submit them the proposal will not be considered for funding.

**4.2 Recognition and Compliance Confirmation (Attachment B) and Vendor Responsibility Questionnaire (Exhibit 3)**

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An authorized individual of the applicant must provide a statement, labeled “Attachment B – Recognition and Compliance Confirmation,” confirming their review and understanding of the PPM, and must confirm that if selected they will administer the Program in compliance with all rules and regulations of the Program. Also, all submissions must include the Vendor Responsibility Questionnaire (Exhibit 3). These are threshold items that must be submitted with the proposal. It is not rated, but if an applicant does not provide a signed compliance statement the proposal will not be considered for funding.

### 4.3 Statement of Approach (Attachment C) – (30 points)

Provide a narrative that describes how the organization plans to provide services to meet the needs of the various components of the Program. The applicant should address all components and seek to demonstrate their competency to deliver all services efficiently and effectively. The Statement of Approach must be labeled “Attachment C.”

The maximum points attainable for this section will be based on the following rating scale:

<u>Rating</u>	<u>Criteria</u>	<u>Percentage of Points Assigned</u>
Excellent	Fully developed approach that serves multiple underserved geographies	100%
Good	Fully developed approach that serves underserved geographies with vague details.	75%
Average	Fully developed, with three vague, weak or missing items in an underserved geography	50%
Poor	Fully developed in an already served geography without enhanced need	25%
Very Poor	No discernable or unworkable approach, and/or has four vague, weak or missing items	0%
Incomplete	Did not respond to section	0%

The following items must be addressed in the narrative:

- Identify the targeted building portfolio type (s) that your organization will serve.
- Describe the proposed geographic territory proposed to be served by your organization and identify if it is in a Disadvantaged Community as defined by the CLCPA. [Disadvantaged Communities Criteria - New York's Climate Leadership & Community Protection Act \(ny.gov\)](#)
- Identify if the building portfolio is within a First Nation and describe the outreach plan or agreement in place for service.
- Identify if the building portfolio is within a [Heat Vulnerable census tract](#)
- Indicate the projected numbers of buildings and units to be weatherized under the Program. Be sure the information is consistent with information provided on Exhibit 2, “Weatherization Assistance Program Proposed Budget and Production Schedule.”
- Indicate the decarbonization impact of your proposed projects.
- Describe how your organization proposes to coordinate with any other subgrantees in the same service area.
- List your methods for delivering each component of the weatherization process as required in the WAP Policies and Procedures Manual. Include intake and income eligibility determinations of residents, building analysis/audit, work scope development, financial analysis/feasibility/securing owner contributions, fiscal/procurement/production

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data entry and other administrative functions, inspections/quality control, and reporting/evaluation.

- Describe your agency’s standards of financial accountability, audit submission practices and internal controls.
- Identify the type of energy audit that will be used and whether audits will be conducted by the applicant or by a subcontractor.
- Describe how weatherization projects will be identified and prioritized.
- Describe your workforce plan – use of in-house employees, subcontractors or a combination of both. Provide current staff plan.
- Provide a training plan that describes how new and existing staff will be trained.
- Discuss how weatherization activities will be coordinated with other existing programs administered by the applicant (if that is the case); Include a complete listing of all other programs that WAP will be coordinated with and address the potential impact these programs could have on each other regarding staff time, scheduling and production.
- Provide a schedule that includes training, ramp up, first weatherization services completed, and full production. It is expected that temporary subgrantees selected under this solicitation will be under contract by March 1, 2024, and must complete all production and reporting by March 30, 2025. Be sure the information is consistent with information provided on Exhibit 2, “Weatherization Assistance Program Proposed Budget and Production Schedule.”
- If a team approach is proposed in which the applicant 1) is partnering with another organization to provide services, and/or 2) will be using contract services from an organization or individual, the following information is required:
  - List of potential contractors or partners and services that they will provide.
  - Description of method for ensuring contractors or partners meets all requirements.
  - A statement of the contractor’s profile, qualifications, and experience with similar contracts.
  - Description of the method for assuring quality assurance of contractors or partners.

### 4.4 Statement of Organizational Experience (Attachment D) – (20 points)

Provide a brief narrative that outlines the technical, managerial, and financial capabilities of the applicant. This narrative must be labeled “Attachment D - Statement of Organizational Experience.”

The maximum points attainable for this section will be based on the following rating scale:

<u>Rating</u>	<u>Criteria</u>	<u>Percentage of Points Assigned</u>
Excellent	Clearly demonstrates expertise in all areas	100%
Good	Demonstrates expertise/experience in at least seven of the areas, and has plan for others	75%

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Average	Demonstrates expertise/experience in at least six of the areas, and has plan for others	50%
Poor	Demonstrates expertise/experience in at least five of the areas, and has plan for others	25%
Very Poor	Demonstrates expertise/experience in four or less areas	0%
Incomplete	Did not respond to section	0%

Each of the following areas below must be addressed, and relevant experiences over the last three years must be included:

- Related programs or services provided by the applicant.
- Management and delivery structure of the programs or services provided.
- Client complaint resolution policy and procedures.
- Experience providing services to low-income populations.
- Referral and outreach mechanisms used to reach eligible populations.
- Experience providing programs or services in which applicant participated in the performance of energy efficiency activities (including number of units) including audits and building shell improvements.
- Experience with use of consumer education components including reviewing utility bills, knowledge of gas and electric consumption and usage.
- Experience with lead-based paint hazard control or lead-safe work.
- Providing services that include the need to complete in-home visits.
- Experience with prevailing wage compliance, including monitoring and reporting.

### 4.5 Statement of Qualifications/Quality Assurance (Attachment E) – (5 points)

Provide a brief narrative describing the applicant’s qualifications and experience to ensure quality assurance in implementing the Program as a temporary subgrantee under this solicitation (if selected). This narrative must be labeled “Attachment E - Statement of Qualifications/Quality Assurance.”

The maximum points attainable for this section will be based on the following rating scale:

<u>Rating</u>	<u>Criteria</u>	<u>Percentage of Points Assigned</u>
Excellent	Well-designed QA plan that addresses all issues	100%
Good	Good design, but does QA plan do not adequately address one issue	80%
Average	QA plan was submitted, but two issues were not adequately addressed	40%
Poor	QA plan was submitted, but three issues were not adequately addressed	20%
Very Poor	QA plan was submitted, but four or more issues were not adequately addressed	0%
Incomplete	Did not respond to section	0%

Applicants should respond to each of the following points using their relevant experience, if an applicant has no relevant experience, they should so state and respond with a plan on how they would approach each item.



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- Indicate the number of site visits to be conducted annually by organizational staff, other than an auditor or an installer of materials, for the purpose of assessing quality workmanship completed.
- Outline the means through which quality issues will be tracked and addressed.
- Provide a thorough explanation of how the agency will ensure quality assurance and seek customer feedback for services provided by both internal staff and subcontractors used by the applicant.
- Include a flow chart for the process of paperwork (audits, work orders, invoicing/requisitions) through the organization that also identifies points in the process where quality assessments are being performed and by whom.
- Provide a description of how the information from both internal and State quality assessments will be disseminated to the auditor or field staff.
- Provide a list of QCI certified staff and a plan to obtain certification for any additional staff.

### 4.6 Financial Capacity (Attachment F) – (5 points)

Submit evidence of financial management capacity to provide Program services outlined in the Statement of Approach. Information submitted in response to the requirements of this section must be labeled “Attachment F - Evidence of Financial Management Capacity.”

The maximum points attainable for this section will be based on the following rating scale:

<u>Rating</u>	<u>Criteria</u>	<u>Percentage of Points Assigned</u>
Excellent	All information provided and clearly stated – organization appears strong with no financial issues	100%
Good	One item was missing or was inadequate, but organization appears strong with no financial issues	80%
Average	All information was provided and clearly stated, but at least one issue of concern was disclosed	40%
Poor	Two items were missing, or inadequate and organizational strength is unclear	20%
Very Poor	Three items were missing or inadequate, and organizational strength appears weak	0%
Incomplete	Did not respond to section	0%

Response must address each of the following items:

- Description of accounting practices, internal controls, preparation and communication with all necessary personnel for reports/billings; please state whether Generally Accepted Accounting Principles are used. Also, please include a description of all financial software used.
- Copy of the most recent audited financial statements, by division or program, certified by a certified public accountant, including balance sheet and income statement, dated within 12 months of filing.
- Provide a reference from a financial institution including name of financial institution, name of individual, address, and telephone number.

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- An assurance that no legal or administrative proceedings are pending and that no proceedings have been concluded adverse to the respondent within the last five years which relate to procurement or performance to any public or private grants, agreements and/or contracts. If no assurance is provided, a list of all such proceedings pending or those concluded adverse to the respondent within the last five years must be attached.
- Assurance that the organization is not in arrears for federal, state or local taxes of any type; that it does not owe any monies to the state for the administration or enforcement of any environmental laws of the state; that it does not owe any other monies to the state that are past due, whether the amounts owed are being contested in a court of law or not; and that there are no outstanding liens, levies, lawsuits or investigations pending of any type. If such acknowledgement cannot be provided, a detailed explanation must be provided.

### 4.7 Key Personnel (Attachment G) – (5 points)

Provide evidence that the applicant has qualified staff or a plan to put in place necessary staff to perform all aspects of the Program. The applicant must submit on behalf of all contractors that it has plans to include on its team. This material must be labeled “Attachment G - Key Personnel.” The maximum points attainable for this section will be based on the following rating scale:

<u>Rating</u>	<u>Criteria</u>	<u>Percentage of Points Assigned</u>
Excellent	Existing and experienced staff with capacity to provide all services	100%
Good	Plan which demonstrates ability to provide for all necessary staff to provide all services	80%
Average	Existing and experienced staff with limited capacity (50% availability) to provide for all services, but has Plan to address most all services	40%
Poor	Existing and experienced staff with limited capacity (50%), but no Plan to address all services	20%
Very Poor	Demonstrates less than 50% of required expertise/experience	0%
Incomplete	Did not respond to section	0%

Response must include all the following information:

- List all key personnel that will develop, operate and oversee the Program. For each person, list:
  - Experience, including number of years, in energy management, in a fee for service environment, electric and gas reduction, energy auditing experience, or energy education.
  - Number of years working in the Program or similar programs including the names of the programs.
  - Educational background including any professional licenses held.
  - Certification held by key staff in energy audits, building science, lead safe work, and QCI.
  - Current responsibilities by program and percentage of time committed.
  - List of relevant training attended.

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- Attach resumes of key staff.

### 4.8 Information Technology Management (Attachment H) – (5 points)

All subgrantees must use the web-based database Subgrantee Reporting System to track program production. The database for this System will be provided by DHCR to all applicants selected as temporary subgrantees. Information submitted in response to the requirements of this section must be labeled “Attachment H - Information Technology Management.”

The maximum points attainable for this section will be based on the following rating scale:

<u>Rating</u>	<u>Criteria</u>	<u>Percentage of Points Assigned</u>
Excellent	Full IT capacity with experienced staff or contracted support	100%
Good	Plan to retain full IT capacity with experienced staff or contracted support	80%
Average	Existing IT capacity which does not address staffing or existing staffing without IT capacity	40%
Very Poor	No demonstrated IT capacity and inexperienced staff with no Plan to address need	0%
Incomplete	Did not respond to section	0%

To show that the subgrantee is ready to use this system, provide the following:

- Identify the individual responsible for the computer/network system and their experience managing such systems. Please include resumes or bios for all key personnel.
- Provide a declaration that the applicant’s computer system is compatible with the Program requirements outlined in the PPM.

### 4.9 Budget/Leverage (Exhibit 2 and Attachment I) – (30 points)

Applicants must show a detailed program budget that corresponds to the information provided in Section 4.5, Statement of Approach. Use Exhibit 2 for the budget and label any supplemental narratives “Attachment I – Supplemental Budget Information.”

The maximum points attainable for this section will be based on the following rating scale:

<u>Rating</u>	<u>Criteria</u>	<u>Percentage of Points Assigned</u>
Excellent	All budget and supporting documentation are provided, budget reflects conformance to the PPM, and evidence leverage of more than two to one. WAP funds to other funding sources	100%
Good	All budget and supporting documentation are provided, budget reflects conformance to the PPM, and evidence leverage of at least two to one of WAP. funds to other funding sources	75%
Average	All Budget and supporting documentation are provided and budget reflects conformance to the PPM, and evidence leverage of at least one to one of WAP. funds to other funding sources	50%
Poor	Budget and supporting documentation are provided, but less than 20% of total cost is budgeted for materials, and only leverage documented is from in-kind support	25%
Very Poor	Budget and/or supporting documentation is not complete or shows significant deviation from customary pricing standards	0%
Incomplete	Did not respond to section	0%

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This information must include:

- A listing of all personnel, including volunteer and paid staff, who will be associated with the Program.
- Cost allocation plan for any space, supplies, or equipment that will be shared with other programs.
- List of all in-kind support that will be utilized.
- List all administrative costs to be charged to the Program (please see the WAP PPM for a discussion of allowable expenses).
- List any financial resources that your organization has available to leverage WAP funded activities in the buildings proposed to be completed under this NOFA. Examples of leveraged resources may include other grant sources, tax credit equity, owner contributions, or in-kind activities. Evidence of any stated financial sources of leverage should be documented.
- List all financial resources that your organization will seek to obtain to leverage WAP funded activities to achieve electrification in the buildings proposed.
- Provide empirical examples of leveraging in previous portfolios.

### **SECTION 5 – REQUIRED CONTRACT MATERIALS**

The following are not required as part of a proposal submission but will be required from successful applicants before a contract is offered. Copies of these materials are available on DHCR’s website at <http://nysdhcr.gov/General/Procurement>. You may also contact a DHCR regional office for copies of any of these materials.

#### **Standard Clauses for NYS Contracts**

- **Non-Collusive Bidding Certification**
- **Non-Discrimination in Employment in Northern Ireland**
- **Procurement Lobbying Provisions and Forms**
- **Consultant Services Forms**

#### **Minority and Women-Owned Business Requirements**

#### **Davis Bacon Requirements**

#### **Worker’s Compensation Insurance Requirements**

#### **Bipartisan Infrastructure Law Job Posting Requirements (Rider A)**

#### **Bipartisan Infrastructure Law Protection of Whistle Blowers**

#### **Buy American (only for projects involving public buildings)**

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DHCR web site: [www.hcr.ny.gov](http://www.hcr.ny.gov)

Questions should be directed to the following designated staff: [elaine.mahoney@hcr.ny.gov](mailto:elaine.mahoney@hcr.ny.gov) and [jonathan.biber@hcr.ny.gov](mailto:jonathan.biber@hcr.ny.gov)

