

NEW MEXICO MORTGAGE FINANCE AUTHORITY

REQUEST FOR PROPOSAL

NEW MEXICO ENERGY\$MART

PROGRAM YEAR

2019/2020



Expanding the view of affordable housing

January 23, 2019



Welcome and thank you for your interest in responding to MFA's NM Energy\$mart Request for Proposal (RFP). MFA is committed to choosing the best qualified Offerors and this information will provide the best opportunity to do so.

Part I – General information

The general information part of the RFP provides background Information about MFA, general proposal requirements and RFP standards.

Part II – Program-Specific Criteria

Part II of the RFP requires responses from the Offeror. It is designed to provide specific criteria such as program background; purpose of the RFP; RFP training; Questions and Answer information; performance agreement terms; timelines; minimum qualifications; geographic area to which the RFP would apply; evaluation criteria; program standards and compliance with federal requirements.

In an effort to provide clarification or answers to questions to this RFP, a Frequently Asked Questions link will be available on MFA's website after the RFP training. Please refer to the timeline noted in Part II for the training date.

TABLE OF CONTENTS

PART I: GENERAL INFORMATION

1	Background Information	1
1.1	Introduction	1
1.2	Purpose	1
2	General Proposal Requirements	1
2.1	Proposal Submission	1
2.2	Proposal Tenure	2
2.3	Proposal Format	2
2.4	Irregularities in Proposals	2
2.5	Evaluation of Proposals	2
2.6	Deficiency Correction Period	2
3	RFP Standards	3
3.1	Protest	3
3.2	RFP Revisions and Supplements	3
3.3	Incurred Expenses	4
3.4	Responsibility of Offerors	4
3.5	Cancellation of RFP or Rejection of Proposals	6
3.6	Award Notice	6
3.7	Proposal Confidentiality	6
3.8	Code of Conduct	6
3.9	Confidential Data	7

PART II: PROGRAM INFORMATION

4	Program Background	8
5	Purpose of RFP	8
6	RFP Training	10

7	RFP Q&A.....	10
8	Performance Agreement Term.....	10
9	Timeline	11
10	Minimum Qualifications and Requirements.....	11
11	Geographic area to which this RFP applies.....	14
12	Evaluation Criteria	16
13	Program Standards	22
14	Compliance with Other Federal Requirements	24
15	RFP Forms	25
	Exhibit A-1.....	36
	Exhibit A-2.....	37
	Exhibit B1.....	Error! Bookmark not defined.
	Exhibit B2.....	39

PART I: GENERAL INFORMATION

1 BACKGROUND INFORMATION

1.1 INTRODUCTION

New Mexico Mortgage Finance Authority (MFA) is a governmental instrumentality, separate and apart from the state, created by the Mortgage Finance Authority Act, N.M. Stat. Ann. Sections 58-18-1, et seq. (1978) for the purpose of financing affordable housing for low- and moderate-income New Mexico residents. MFA will endeavor to ensure, in every way possible, that small, women-owned business enterprises and/or labor surplus area firms (collectively Disadvantaged Business Enterprises [DBE]) shall have every opportunity to participate in submitting proposals and providing services. DBE businesses are encouraged to submit proposals. MFA will not discriminate against any business on grounds of race, color, religion, gender, national origin, age or disability. It is MFA's policy that suppliers of goods or services adhere to a policy of equal employment opportunity and demonstrate an affirmative effort to recruit, hire and promote regardless of race, color, religion, gender, national origin, age or disability.

1.2 PURPOSE

The purpose of this Request for Proposal (RFP) is to solicit proposals, in accordance with MFA's Procurement Policy, from qualified applicants, which by reason of their skill, knowledge, and experience are able to furnish services for MFA in connection with the program for which they are applying ("Offerors").

2 GENERAL PROPOSAL REQUIREMENTS

2.1 PROPOSAL SUBMISSION

All Offeror proposals must be received for review and evaluation by MFA by 4 p.m. Mountain Time on the deadline of the proposal outlined in Part II Section 9, Timeline of the RFP. Proposals shall be in sealed envelopes marked "Proposal to Offer Services and list the name of the program being applied for"

Submit proposals to:

Kelly Patterson
Administrative Assistant
Community Development Department
New Mexico Mortgage Finance Authority
344 Fourth Street, SW
Albuquerque, NM 87102

Proposals may be delivered by mail, other shipping service or by hand. **Facsimile or electronic transmissions will not be accepted.** Proposals received after the proposed due date outlined in the timeline will not be considered for funding.

2.2 PROPOSAL TENURE

All proposals shall include a statement that the proposal shall be valid until performance agreement award, but no more than 90 calendar days from the proposal due date.

2.3 PROPOSAL FORMAT

Proposals should be printed on standard 8 ½ x 11 paper, double-sided, with each copy fastened using paper clips or binder clips and **with tabs** identifying each minimum threshold item and evaluation criteria item. **Please do not spiral bind your proposals.** All proposals must be self-contained.

- ◆ Proposals and forms may be downloaded from MFA's website:
[www.housingnm.org/community_development/\(NMEnergy\\$mart\)](http://www.housingnm.org/community_development/(NMEnergy$mart))
- ◆ Offeror(s) must submit **one copy** of the most recent agency financial audit, FY2017 or FY2018, or a letter from MFA indicating that we have already received and approved your audit.
- ◆ Offeror(s) must submit an **original and four copies** of the proposal form and all required schedules and attachments, for a total of four proposal packages.
- ◆ Proposals must include the program-specific forms attached to this proposal package and all schedules and attachments pertaining thereto.
- ◆ MFA forms released with this proposal (proposals, budgets, certifications, schedules) must be used when provided by MFA. No substitutions will be accepted.

2.4 IRREGULARITIES IN PROPOSALS

MFA may waive technical irregularities in the form of proposal of any Offeror selected for award, which do not alter the price, quality or quantity of the services offered. Note especially that the date and time of proposal submission as indicated herein, in Part II Section 9, Timeline, cannot be waived under any circumstances.

2.5 EVALUATION OF PROPOSALS

Responses will be evaluated by an internal review committee of MFA staff using the scoring criteria as described in Part II Section 12, Evaluation Criteria. The review committee will present award recommendations to MFA management and MFA's Board. Final selection will be made by MFA's Board of Directors at the regularly scheduled monthly meeting.

MFA does not guarantee and is not obligated to make an award. Awards will be based on availability of funds, Offeror's demonstrated need, and Offeror's score on the scoring criteria and/or for any of the other reasons set forth herein.

2.6 DEFICIENCY CORRECTION PERIOD

Upon receipt of all timely submitted proposals, MFA staff members will review all proposals to verify that all are complete in accordance with the requirements of this RFP. Should any proposal be missing a threshold requirement in the RFP, it will be deemed incomplete. MFA will notify Offerors if any corrections are needed during the deficiency period. The deficiency correction period may not be used to increase the Offeror's score.

Items eligible for correction or submission during the deficiency correction period include missing or incomplete items required in the Minimum Qualifications and Requirements section of this proposal

MFA shall communicate proposal deficiencies to each Offeror's designated contact person within seven calendar days of the RFP proposal submission date via e-mail. Applicants shall have five business days after the date of the e-mail delivery notice to submit the required information. All items must be submitted no later than 4 p.m. Mountain Time on the due date. The response due date will be noted on the deficiency notice. If the information requested is not provided within the timeframe provided or is submitted, but remains deficient, the proposal will be rejected without any further review.

Upon expiration of the deficiency correction period, MFA will not accept Offeror's submission of any items still missing from the proposal.

3 RFP STANDARDS

3.1 PROTEST

Any Offeror who is aggrieved in connection with this RFP or the notification of preliminary selection to this RFP may protest to MFA. A protest must be based on an allegation of a failure to adhere to the evaluation process as designated in the RFP, including MFA's evaluation of proposals. The protest must be written and addressed to:

Community Development Department
Kelly Patterson, Administrative Assistant
New Mexico Mortgage Finance Authority
344 Fourth Street, SW
Albuquerque, NM 87102

The protest must be delivered to MFA within five calendar days after the preliminary notice of award. Upon the timely filing of a protest, the administrative assistant shall give notice of the protest to all Offerors who appear to have a substantial and reasonable prospect of being affected by the outcome of the protest. The Offerors receiving notice may file responses to the protest within seven calendar days of notice of protest. The protest process shall consist of review of all documentation and any testimony provided in support of the protest by the Contracted Services/Credit Committee of MFA's Board of Directors, which shall thereafter make a recommendation to the full Board of Directors regarding the disposition of the protest.

MFA's Board of Directors shall make a final determination regarding the disposition of the protest. Offerors or their representatives shall not communicate with MFA's Board of Directors or staff members regarding any proposal under consideration, except when specifically permitted to present testimony to the committee of the Board of Directors. A proposal will be deemed ineligible if the Offeror or any person or entity acting on behalf of the Offeror attempts to influence members of the Board of Directors or staff during any portion of the RFP review process or does not follow the prescribed proposal and protest process.

3.2 RFP REVISIONS AND SUPPLEMENTS

Should revisions or additional information be necessary to clarify any provision of this RFP, the revision or additional information will be provided to all offeror's via MFA's website.

3.3 INCURRED EXPENSES

MFA will not be responsible for any expenses incurred by an Offeror in responding to this RFP. All costs incurred by Offerors in the preparation, transmittal or presentation of any proposal or material submitted in response to this RFP will be borne solely by the Offeror.

3.4 RESPONSIBILITY OF OFFERORS

If an Offeror, who otherwise would have been awarded a contract, is found not to be a responsible Offeror, a determination setting forth the basis of the finding, shall be prepared and the Offeror shall be disqualified from receiving the award. A responsible Offeror means an Offeror who submits a proposal that conforms, in all material respects, to the requirements of this RFP and who has furnished, when required, information and data to prove that the Offeror's financial resources, production or service facilities, personnel, service reputation and experience are adequate to make satisfactory delivery of the services described in this RFP. The unreasonable failure of an Offeror to promptly supply information in connection with an inquiry with respect to responsibility is grounds for a determination that the Offeror is not a responsible Offeror.

In addition to the terms of the services to be performed, the contract between MFA and the successful Offeror (herein "Service Provider") shall include, but may not be limited to, terms substantially similar to the following.

Indemnity. Service Provider accepts full responsibility and liability for the Scope of Work and for the proper obligation and expenditure of Program Funds under this Agreement and shall defend, hold harmless and indemnify MFA and its funders against any and all claims or liabilities, including attorneys' fees and costs of litigation, arising out of Service Provider's performance of or failure to perform the Scope of Work or arising out of any Project developed under the Scope of Work or for which Program Funds have been expended.

Subcontracting Prohibited. The Service Provider shall not subcontract any portion of the services to be performed under this Agreement without the prior written approval of MFA. If approved by MFA, the Service Provider shall be solely responsible for the performance of any subcontractor under such subcontract(s). Use of a subcontractor shall not relieve Service Provider of any obligation under this Agreement for any reason, including but not limited to a subcontractor's bankruptcy, insolvency or other inability to perform the services required under any subcontract.

Required Records. The Service Provider will maintain adequate financial accounting, program and project records for no less than three years after the expiration date or termination date of the agreement, whichever is later.

Cost Reimbursements/Budget. Payment under cost reimbursable contract provisions shall be made upon MFA's receipt from the Service Provider of certified and documented invoices for actual expenditures allowable under the terms of this Agreement. Reimbursements will be made in accordance with the Budget.

Commercial General Liability Insurance. A commercial general liability insurance policy with combined limits of liability for bodily injury or property damage will be required with the limits below:

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

\$1,000,000	Per Occurrence
\$1,000,000	Policy Aggregate
\$1,000,000	Products Liability/Completed Operations (if applicable)
\$1,000,000	Personal and Advertising Injury
\$50,000	Damage to Rented Premises (if applicable)
\$5,000	Medical Payments
\$1,000,000	Builder's Risk Insurance (Applicable Construction Practices)
25% of Grant	Fidelity Bond or Employee Dishonesty Insurance

Said policy or policies of insurance must include coverage for all operations performed for MFA by the Service Provider and contractual liability coverage shall specifically insure and hold harmless provisions of this Agreement.

Privacy and Confidentiality. The Service Provider shall exert all reasonable effort to advise MFA at the time of delivery of data furnished under this Agreement, of all invasions of the right of privacy contained therein, and of all portions of such data copied from work not composed or produced in the performance of this Agreement and not licensed under this Agreement. Service Provider shall indemnify and hold MFA harmless from and against any loss, cost, liability, or expense arising out of the violation or alleged violation of any patent, copyright, trade secret or other property right of any third party.

Equal Opportunity Data. The Service Provider will maintain data relative to "Equal Opportunity" as related to Minority Business Enterprises ("MBE") and Women Business Enterprises ("WBE"). At a minimum, such data shall include the number and dollar value of MBE/WBE contracts and subcontracts awarded. This data is required to be reported annually in the format prescribed by MFA each year at a time to be determined by MFA in its sole discretion.

Termination at Will. The Agreement may be terminated by MFA with the consent of Service Provider or by Service Provider pursuant to the applicable provisions of 2 CFR 200.339. By such termination, neither party may nullify any obligation already incurred prior to the date of termination.

Independent Service Provider. The Service Provider, its agents and employees are independent contractors performing professional services for MFA and are not employees of MFA or the State of New Mexico. The Service Provider and its agents and employees, shall not accrue leave, retirement, insurance, bonding or any other benefits afforded to employees of MFA or the State of New Mexico.

Awards to Other Service Providers. The Service Provider shall not assign or transfer any rights, duties, obligations or interest in or to the proceeds of this Agreement without the prior written approval of MFA. If approved, any assignee will be subject to all terms, conditions and provision of this Agreement. No such approval by MFA of any assignment shall obligate MFA for payment of amounts in excess of the Program Funds. In accordance with 2 CFR 200.213, Service Provider shall not make any awards or permit any award (subcontract or contract) at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible to participate in Federal assistance programs under Executive Order 12549 and 12689, "Debarment and Suspension."

Amendment. The Agreement shall not be altered, changed or amended except by instrument in writing executed by the parties hereto.

Scope of Agreement. The Agreement incorporates all the agreements, covenants and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into this written Agreement. No prior agreement or understandings, verbal, or otherwise of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

Service Provider Shall Not Bind MFA. Service Provider shall not purport to bind MFA, its officers or employees nor the State of New Mexico to any obligation not expressly authorized herein unless MFA has expressly given Service Provider MFA to do so in writing.

The Agreement shall be governed by the laws of the State of New Mexico and by applicable Federal law. The Service Provider consents to the jurisdiction of the Courts of the State of New Mexico. If any term or provision of this Agreement shall be found to be illegal or unenforceable then, notwithstanding, this Agreement shall remain in full force and effect and such term or provision shall be deemed to have no effect.

3.5 CANCELLATION OF RFP OR REJECTION OF PROPOSALS

This RFP may be canceled and any and all proposals may be rejected when it is in the best interest of the state of New Mexico and/or MFA. In addition, MFA may reject any or all proposals which are not responsive. Offeror may also cancel their proposal at any time during the proposal process.

3.6 AWARD NOTICE

MFA shall provide written notice of the award to all Offerors within 10 business days of the date of the award. The award shall be contingent upon successful negotiations of a final contract between MFA and the Offeror whose proposal is accepted by MFA.

3.7 PROPOSAL CONFIDENTIALITY

Until the award is made and notice given to all Offerors, MFA will not disclose the contents of any proposal or discuss the contents of any proposal with an offeror or potential Offeror, so as to make the contents of any offer available to competing or potential Offerors.

3.8 CODE OF CONDUCT

No Board member or employee of MFA shall have any direct or indirect interest in any contract with the Offeror nor shall any contract exist between Offeror or its affiliate and any MFA Board member or employee that might give rise to a claim of conflict of interest. Any violation of this provision will render void any contract between MFA and the Offeror for which MFA determines that a conflict of interest exists as herein described, unless that contract is approved by the Board of Directors after full disclosure.

Offeror shall provide a statement disclosing any political contribution or gift valued in excess of \$250 (singularly or in the aggregate) made by Offeror or on Offeror's behalf to any elected official of the state of New Mexico currently serving or who has served on MFA's Board of Directors in the last three years.

Offeror shall warrant that it has no interest, direct or indirect, which would conflict in any manner or degree with the performance of services required under the contract entered into with MFA pursuant to this RFP. Offeror shall at all times conduct itself in a manner consistent with MFA's Code of Conduct and MFA's Anti-Harassment Policy. A copy of MFA's Code of Conduct and MFA's Anti-Harassment Policy is posted on MFA's website for review at <http://www.housingnm.org/rfp>. Upon request by MFA, Offeror shall disclose information MFA may reasonably request relating to conflicts or potential conflicts of interest.

3.9 CONFIDENTIAL DATA

Offerors may request, in writing, nondisclosure of confidential data. Such data shall accompany the proposal and shall be readily separable from the proposal to facilitate public inspection of non-confidential portions of the proposal. After award, all proposals and documents pertaining to the proposals will be open to the public. Confidential data is normally restricted to confidential financial information concerning the Offeror's organization and data that qualifies as trade secrets under the Uniform Trade Secrets Act, §57-3A-1 *et seq.* NMSA 1978.

If a citizen of this state requests disclosure of data for which a request for confidentiality is made, MFA shall examine the request for confidentiality and make a written determination that specifies which portions of the proposal should be disclosed and will provide the Offeror with written notice of that determination. Unless the Offeror protests within 10 calendar days of the notice, the proposal will be so disclosed.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

PART II: PROGRAM-SPECIFIC CRITERIA

4 PROGRAM BACKGROUND

MFA operates the NM EnergySmart Program “NME\$ Program”, a Weatherization Assistance Program “WAP” funded by the U.S. Department of Energy “DOE” and other funding sources through which service providers weatherize homes for income-eligible homeowners, renters and multifamily development owners. The mission of the WAP program is to reduce energy costs for low-income families, particularly for the elderly, people with disabilities and young children, by improving the energy efficiency of their homes while ensuring their health and safety. The Program uses the most advanced technologies and testing protocols available in the housing industry. In addition to the comfort, health benefits and energy savings for the household, the energy conservation resulting from the efforts of state and local agencies helps our country reduce its dependence on foreign oil and our carbon footprint.

5 PURPOSE OF RFP

The purpose of this Request for Proposals “RFP” is issued pursuant to MFA’s Procurement Policy to solicit proposals from qualified Offerors capable of providing program services in the 2019-2020 program year in accordance with 10 CFR 440, the NM EnergySmart Standards, the NM Energy Smart Administrative Handbook and all applicable Generally Accepted Accounting Principles “GAAP”. The cited references are available at <http://www.housingnm.org/nm-energysmart>

MFA is the direct grantee for the U.S. Department of Energy “DOE” Weatherization Assistance Program “WAP” and will submit a grant application (State Plan) for New Mexico to the DOE for program year “PY” 2019-2020 WAP funding which can be located for review at <http://www.housingnm.org/nm-energysmart>

Funding will be made through a competitive process to eligible Offerors. Under the DOE WAP, MFA’s RFP process is intended to procure for an additional weatherization service provider. MFA will enter into a weatherization contract for the PY 2019-2020 with the successful Offeror. Offeror will serve a specific NM EnergySmart service territory as depicted on the service territory maps in Exhibits A1 and A2 in Section 15 Forms.

2019/2020 RFP (NM EnergySmart Service Territory Options) *Please select ONE of the following options only		
Geographical Area Option	Budget	Units
Southern Territory	\$206,042.05	28
Northern Territory	\$212,588.04	29
Multifamily Statewide Territory	\$622,277.89	100

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]



Please refer to Section 11 – “Geographic Area to which this RFP applies”, which also provides a table that details the approximate amount of funding for the Southern, Northern and Multifamily areas based on estimated funding available from DOE and LIHEAP only.

The Multifamily option will require the successful offeror to complete four single family units in a County to be determined at a later date by MFA. Funding for these single family units will depend on the County selected by MFA.

Please refer to Section 12 – “Evaluation Criteria”, which also provides detailed requirements for the multifamily option.

NM EnergySmart Program funding for 2019-2020 PY is estimated at \$6,061,102. Sources include:

Funding Source	Amount
DOE	\$2,125,643
LIHEAP	\$2,351,250
NM GAS	\$1,298,734
PNM	\$206,225
CDBG	\$34,250
CO-OP FUNDING	\$35,000
CCLI	\$10,000
Total	\$6,061,102

Utility funding is based on service territory by each utility company and therefore is not included in these allocations in this RFP at this time. Upon selection of a successful Offeror, additional utility funding may be added to the total award in addition to the DOE and LIHEAP funding in either the Southern or Northern Territory options to use as leveraging funding.

It is important to note that all successful Service Providers may receive funding for training as well as access to vehicles and equipment necessary to perform weatherization services per the requirement set by the DOE. The funding used for these purposes is not subtracted from the program funding outlined in Exhibits B1 and B2 in Section 15 Forms.

As funding becomes available to MFA during the contract period for activities similar to the work performed under the Program, additional funding may, at the option of MFA, be offered to the successful Offeror without a new RFP. MFA retains sole discretion to make the judgment as to the need for additional RFPs. Satisfactory performance will be a prerequisite for consideration of additional funding.

Offerors may not obligate funds, incur expenses, or otherwise implement program services prior to execution of a contract with MFA. Funding is anticipated to be available for future program years at similar levels, but is subject to change. Funding is not guaranteed to any given Offeror in any given amount.

In addition, the intent of this RFP is to expand service providers for the NM EnergySmart Program from two to three agencies. MFA will provide state-of-the-art training and associated funding in the approximate amount of \$170,204 to the new Offeror for the use of training if necessary. The Training Plan is attached as Exhibits B1 and B2 in Section 15 Forms. This will enable agencies that need training, time and money to begin obtaining the proper training and certifications in order to provide energy efficiency upgrades in multifamily homes at the level in which DOE requires.

DOE requirements can be viewed at the following link:

http://www.waptac.org/data/files/Website_docs/Government/Guidance/2014/WPN-15-4.pdf.

Assessors and Inspectors	Amount
Tuition Cost	\$87,200
Average Cost for 2 people in Wages, Per Diem and Associated Travel	\$29,104
Installers and Technicians	Amount
Tuition Cost	\$39,100
Average Cost for 2 people in Wages, Per Diem and Associated Travel	\$14,800
TOTAL	\$170,204

6 RFP TRAINING

All interested Offerors must attend a mandatory RFP training in order to apply. The training is scheduled for January 31, 2019 from 2:00pm to 5:00pm in MFA's board room located at 344 4th Street SW, Albuquerque, NM 87102. The date is posted on MFA's website and is also located in Section 9, Timeline of this proposal. Pre-registration is required. To register, visit <http://housingnm.org/>. After the RFP training, questions will only be answered through MFA's formal RFP Q & A process detailed in Section 7 of this RFP.

7 RFP Q&A

Questions pertaining to this RFP and application must be submitted via MFA's website at <http://www.housingnm.org/rfp> under "Current RFP's". Select the NM EnergySmart RFP. Select "Services FAQs" link NM EnergySmart RFP. The FAQ will open on January 24, 2019 and will close February 15, 2019. To submit your questions, scroll down to the "Ask a question" section, enter your name, email address, and type your question in the "Question" box, enter 2 words in the CAPTCHA box and click "Send my question". MFA will make every attempt to answer questions within 2 business days.

8 PERFORMANCE AGREEMENT TERM

Successful Offerors will enter into a one year contract with an option of four, one year renewals with MFA for services to be performed. The term of the one year contract, is scheduled to begin on July 1, 2019 and end on June 30, 2020. The contract is subject to annual consideration for renewal for up to four additional annual renewals. Therefore, upon funding availability, there is a possibility than an agency can hold a contract from July 1, 2019 through June 30, 2024.

In order to qualify for renewal in each subsequent year, all Offerors will be required to perform at a satisfactory level, established by MFA. If the criteria is met, all Offerors will be eligible to apply for renewal to receive funding for a second year and the service territories will adjust to allow the Offeror providing weatherization for all Southern, Northern, or Multifamily units, to receive funding available for the 2019/2020 PY.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

9 TIMELINE

Activity	Date
MFA Published RFP	1/24/2019
RFP FAQ's on Website	1/24/2019 through 2/15/2019
RFP Training	1/31/2019
Deadline for receipt of RFP	2/25/2019
Deficiency Correction Period begins	2/26/2019
Deficiency Correction Period ends	3/5/2019
Preliminary Award Notice sent to offerors	3/26/2019
Protest Period begins	3/27/2019
Protest Period ends	4/4/2019
Present Award Recommendations to MFA Board of Directors	4/17/2019
Final Notification of Awards upon MFA Board Approval	4/18/2019
Final award letters are sent to selected Service Provider(s)	4/18/2019

10 MINIMUM QUALIFICATIONS AND REQUIREMENT

Offerors must meet the basic eligibility criteria specified in the “Minimum Qualifications and Requirements” section of this RFP. In addition, responses to the RFP must meet the criterial listed below. Criteria must be met by all Offerors to be considered for funding. Waivers to “Minimum Threshold Criteria” and “Proposal Requirements” may be approved by MFA’s Policy Committee. All MFA forms released with this application under Section 15 “RFP Forms” must be used. No substitutions will be accepted. Applications and forms may be obtained from MFA’s website at: [www.housingnm.org/community_development/NMEnergy\\$mart](http://www.housingnm.org/community_development/NMEnergy$mart)

The following criteria must be met by Offerors to be considered for selection to provide services for the NM Energy\$mart Program:

- Offeror must submit application form specifying the service territory for which they are applying. (Form provided in Section 15 “RFP Forms”).
- Offeror must submit proof of status as a non-profit or other public entity (e.g., unit of local government).
- Offeror must be a non-profit agency or Community Action Agency (CAA) and must submit proof of their non-profit status.
- Offeror must submit proof of current registration as a charitable organization with the New Mexico Attorney General’s Office, covering the fiscal year ending in 2017 or proof of exemption therefrom. Information can be submitted online and verification obtained via <https://secure.nmag.gov/coros/>. Verification should be in the form of the first page of the “NM Charitable Organization Registration Statement.”
- Provide proof of GB-02 license held in the name of the offeror for Single Family homes.



- Provide proof of MHD-02 or MHD-03 license for work on mobile homes (not applicable for Multi Family homes).
- If Offeror has been a Service Provider of MFA and received funding from MFA in the past, they must be in “good standing” with MFA as of the date this RFP. In order to be in good standing Offeror must have no unresolved findings from prior MFA monitoring.
- Offeror must not have a “suspended,” “debarred” or HUD’s “Limited Denial of Participation” status conferred upon it by MFA and/or other state or federal funding sources. Offeror must provide a print screen from <https://www.epls.gov/> and https://www5.hud.gov/ecpcis/main/ECPCIS_List.jsp as proof of compliance within 30 days of the application date.
- Offerors must describe any material, current or pending litigation, administrative proceedings or investigations that could impact the reputation or financial viability of the firm. (Form provided in Section 15 “RFP Forms”).
- Offeror must certify that all information provided in the RFP response is true and correct and that the individual signing has the authority to bind the Offeror to the Assurances (Form provided in Section 15 “RFP forms”).
- Independent Audits (Most current or 2017). Service Providers not subject to the audit requirements of 2 CFR 200 must obtain independent yellow book audits prepared by a third party CPA in accordance with Generally Accepted Government Auditing Standards (GAGAS) covering financial and compliance audits. Agencies must provide either an independent CPA’s auditors report (Audit) or audited financial statements conducted in accordance with Government Auditing Standards (GAS). The GAS Audit or audited financial statements will include the following:
 - ✓ An independent auditors report of financial statements;
 - ✓ An independent auditors report of internal control over financial reporting and compliance;
 - ✓ Auditor’s management letter if appropriate and the Offeror’s response to any audit or audited financial statement findings.
- If Offeror received Federal funding equal to or over the amount of \$750,000 in the fiscal year ending in 2017, a Single Audit is required pursuant to 2 CFR 200.500.250 Subpart F. The following types of audit or audited financial findings may disqualify Offeror from funding:
 - ✓ Repeat and unresolved audit findings, as determined by MFA.
 - ✓ If Offeror has received greater than \$750,000 in the fiscal year ending in 2016 and the single audit did not meet the requirements of the 2 CFR 200 Subpart F
 - ✓ For Single Audit, no proof of federal audit clearinghouse submission (FORM SF-SAC).
 - ✓ If governmental entity, proof is not included of current audit submission to the Office of the New Mexico State Auditor.
 - ✓ If referenced in audit as a separate communication, no submission of management response letter and management response to concerns noted in the management letter.
 - ✓ If any findings, no submission of management response to findings.
- For offerors that did not receive funding from MFA in PY 2017/2018, an audit to the aforementioned standards or an independent CPA’s review of financial statements must be provided.



Proof of current Commercial General Liability Insurance policy with combined limits of liability for bodily injury and property damage will be required as listed in the table below:

\$1,000,000	Per Occurrence
\$1,000,000	Policy Aggregate
\$1,000,000	Products Liability/Completed Operations (if applicable)
\$1,000,000	Personal and Advertising Injury
\$50,000	Damage to Rented Premises (if applicable)
\$5,000	Medical Payments
\$1,000,000	Builder's Risk Insurance (Applicable Construction Practices)
25% of Grant	Fidelity Bond or Employee Dishonesty Insurance

- Beginning on July 2019, the successful offeror will be required to provide Proof of Insurance Coverage in the limits outlined above with MFA listed as additional insured.

In addition to the items listed above, the following items are **ONLY** applicable to Multifamily Offerors:

- Provide proof of GB-98 held in the name of the offeror for multifamily homes.
- Ensure that multifamily weatherization work performed will not increase the rent on current low income residents for a period of at least three years;
- Ensure that multifamily weatherization work performed will not increase the value of the rental to an undue or excessive amount;
- Ensure that multifamily weatherization work performed will benefit the resident and not just the owner of the property;
- Successful offeror must have the capacity to provide weatherization work to four single family units in the first year of this RFP. The successful offeror to complete four single family units in a county to be determined at a later date by MFA within the first year of the contract. Funding for these single family units will depend on the county selected by MFA.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

11 GEOGRAPHIC AREA TO WHICH THIS RFP APPLIES

Geographic Areas

The NM Energy\$mart program is a state-wide program covering 33 counties. Program funding for the 2019-2020 PY is estimated to be \$6,061,102.

Two maps are included in this RFP and are attached as Exhibits A1 and A2 in Section 15 Forms. The Service Territory Maps specify the statewide territory options applicable only to this RFP. Offerors may select only **ONE** option from the three options listed on Page 8, Section 5 of this RFP and again in the table below. MFA will only fund **ONE** Service Provider from the three options offered below.

2019/2020 RFP (NM Energy\$mart Service Territory Options) *Please select ONE of the following options only		
Geographical Area Option	Budget	Units
Southern Territory	\$206,042.05	28
Northern Territory	\$212,588.04	29
Multifamily Statewide Territory	\$622,277.89	100

Current NM Energy\$mart Service Providers are not eligible to apply for this RFP due to the efforts of MFA to obtain a third service provider for the program. However, if a third successful Offeror does not qualify and is not selected, the statewide territory options will revert back to the existing territories currently covered by our existing service providers in order to cover counties as needed to ensure full state coverage and to meet the Department of Energy (DOE) requirements.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

PY 2018/2019 Territory and Funding Options

LEGEND	
Territory Option 1	Southern Option
Territory Option 2	Northern Option
Multifamily Option 3	Multifamily Option

Southern Territory Funding Option 1				
DOE	TOTAL	LIHEAP	TOTAL	Grand Total DOE and LIHEAP
Total DOE Funds (Southern Option 1)	\$ 69,305.05	Total LIHEAP Funds (Southern Option 1)	\$136,737.00	\$ 206,042.05
Total DOE Units (Southern Option 1)	9	Total LIHEAP Units (Southern Option 1)	19	28

Northern Territory Funding Option 2				
DOE	TOTAL	LIHEAP	TOTAL	Grand Total DOE and LIHEAP
Total DOE Funds (Northern Option 2)	\$ 71,377.04	Total LIHEAP Funds (Northern Option 2)	\$141,211.00	\$ 212,588.04
Total DOE Units (Northern Option 2)	10	Total LIHEAP Units (Northern Option 2)	19	29

Multifamily Statewide Territory Funding Option 3				
DOE	TOTAL	LIHEAP	TOTAL	Grand Total DOE and LIHEAP
Total DOE Funds (Multifamily)	\$ 287,224.75	Total LIHEAP Funds (Multifamily)	\$335,053.14	\$ 622,277.89
Total DOE Units (Multifamily)	38	Total LIHEAP Units (Multifamily)	62	100

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

12 EVALUATION CRITERIA

Criteria	Maximum Score
Submission of complete application	5
Organization Capacity	30
Weatherization Program Management Experience	20
Finance	20
Energy Efficiency/Construction Single Family Experience	60
<i>(*not eligible for these points if applying for the multifamily option)</i>	
Energy Efficiency/Construction Multifamily Experience	60
<i>(*not eligible for these points if applying for the single family option)</i>	
NM EnergySmart Single Family Program Implementation Plan	35
<i>(*not eligible for these points if applying for the multifamily option)</i>	
NM EnergySmart Multifamily Program Implementation Plan	35
<i>(*not eligible for these points if applying for the single family option)</i>	
Total Maximum Points	170
In the event of a tie, an MFA scoring panel will conduct a telephone interview with each offeror to further discuss the agency's capacity, to administer the weatherization program. The MFA scoring panel will then make their decision on a successful offeror.	
Organization Capacity – 30 Possible Points	
Experience of management personnel – outline the experience of Offeror's management staff with federal grant-funded program. Provide an organizational chart and the administrative and financial management capacity form provided in Section 15 "RFP Forms". Provide resumes for each of the key positions listed below.	
Provide list of Board of Directors (Form provided in Section 15 "RFP Forms") (1 point)	
Executive Director/Owner experience	
Less than 2 years (1 point)	
2 to 5 or more years (3 points)	
5 or more years (5 points)	
Fiscal Manager experience	
Less than 2 years (1 point)	
2 to 5 or more years (3 points)	
5 or more years (5 points)	

Program/Construction Manager experience

Less than 2 years (1 point)

2 to 5 or more years (3points)

5 or more years **(5 points)**

Administrative staff responsible for reporting, invoicing, intake and outreach

Less than 2 years with Offeror Agency (1 point)

2 to or more years with Offeror Agency **(4 points)**

Field Operations experience

List staff, with years of experience in terms of:

Project or program management in general construction:

Less than 2 years (1 point)

2 or more years **(5 points)**

Weatherization Program Management Experience – 20 Possible Points

Experience of Weatherization Program Management personnel – outline the experience of Offeror’s Weatherization management staff with federal grant-funded program. Provide an organizational chart and the administrative and financial management capacity form provided in Section 15 “RFP Forms”. Provide resumes for each of the key positions listed below.

Executive Director/Owner Weatherization experience

Less than 2 years (1 point)

2 to 5 or more years (3 points)

5 or more years **(4 points)**

Fiscal Manager Weatherization experience

Less than 2years (1 point)

2 to 5 or more years (3 points)

5 or more years **(4 points)**

Program/Construction Manager Weatherization experience

Less than 2 years (1 point)

2 to 5 or more years (3points)

5 or more years **(4 points)**

Administrative staff responsible for Weatherization reporting, invoicing, intake and outreach

Less than 2 years with Offeror Agency (1 point)

2 to or more years with Offeror Agency **(4 points)**

Field Operations Weatherization experience

List staff, with years of experience in terms of:

Project or program management in general construction:

Less than 2 years (1 point)

2 or more years **(4 points)**

Finance – 20 Possible Points

External Audit – a maximum of 20 points will be awarded based on the results of Offeror’s independent audit or audited financial statements for their most recent completed fiscal year not ending earlier than 2018.

Audit materials must include management’s response to any findings and corrective action to clear the finding or provide details on the current status of a finding.

0 Current Findings **(4 points)**

Previous Years Findings cleared (3 points)

Unresolved Findings (0 points)

Financial Management (up to 16 points)

- Provide agency budget assumptions for the Offeror’s NM Energy\$mart Program. Form provide provided in Section 15 “RFP Forms” **(4 points)**
- Provide agency’s cost allocation plan **(4 points)**
- Provide the policy for the Offeror’s system of internal controls for fiscal management as documented in a policies and procedures manual approved by the Offeror’s board of directors/owner **(4 points)**
- Offeror’s by-laws requiring Board of Director’s/Owners fiscal oversight **(4 points)**

Energy Efficiency/Construction *Single Family* Experience – 60 Possible Points

Provide a summary of no more than two pages detailing the experience and performance in construction for energy efficiency upgrades and/or housing renovation activities in Single Family homes. **(5 points)**

Provide organizational chart and resumes of field staff that would be directly doing the work on the homes. In addition, complete the Field Experience and Capacity form provide provided in Section 15 “RFP Forms”.

25 years of combined experience in Single Family homes **(5 points)**

15 to 24 years of combined experience in Single Family homes (4 points)

Less than 15 years of combined experience in Single Family homes (3 points)

Provide a list of names and addresses of homes that Offeror has provided rehabilitation, energy efficiency upgrades, and/or new green construction services in Single Family homes. **(5 points)**

Experience running DOE WAP in the past 5 years in Single Family homes. **(5 points)**

Field Certifications **(40 points)**

Not all of the certifications listed below are required at the time of application for this RFP. If the offeror currently has any of the certifications listed below, they will be eligible for the points for each certification listed.

*The certifications noted with an *asterisk will be required once the NM Energy\$mart program provided training has been completed at the NM Energy\$mart Training Academy.*

Lead Based Paint Certifications

- *Lead Inspector Certification **(2 points)**
- *Lead Renovator Certification **(2 points)**
- Lead Abatement Supervisor Certification **(4 points)**

Infrared Thermographer Certification **(1 point)**

Asbestos related certifications **(1 point)**

*OSHA 30 **(2 points)**

Building Performance Institute Certifications

- Building Analyst single or multifamily **(1 point)**
- Envelope Professional **(1 point)**
- *Crew Leader **(2 points)**
- *Energy Auditor **(2 points)**
- Healthy Home Evaluator **(1 point)**
- AC and Heat Pump **(1 point)**
- Air Leakage Control Installer **(1 point)**
- Heating Professional **(1 point)**
- Infiltration and Duct Leakage **(1 point)**
- Manufactured Housing **(1 point)**
- *Retrofit Installer Technician **(2 points)**
- *Quality Control Inspector single or multifamily **(4 points)**

NM Licensing

MHD-03 Mobile Home Contractor License **(2 points)**

EE-98- Electrical Contractor License **(2 points)**

MM-98- Mechanical Residential or Commercial License **(4 points)** or

- MM-01- Plumbing License **(1 point)**
- MM-02- Natural Gas Fitting License **(1 point)**
- MM-03- Heat, Vent, and Air Conditioning License **(1 point)**
- MM-04- Heat, Cooling, and Process Pipe License **(1 point)**

Energy Efficiency/Construction Multifamily Experience – 60 Possible Points

Provide a summary of no more than two pages detailing the experience and performance in construction for energy efficiency upgrades and/or housing renovation activities in Multifamily projects. **(5 points)**

Provide organizational chart and resumes of field staff that would be directly doing the work on the homes. In addition, complete the Field Experience and Capacity form provide provided in Section 15 “RFP Forms”.

25 years of combined experience in Multifamily projects **(5 points)**

15 to 24 years of combined experience in Multifamily projects **(4 points)**

Less than 15 years of combined experience in Multifamily projects **(3 points)**

Provide a list of names and addresses of homes that Offeror has provided rehabilitation, energy efficiency upgrades, and/or new green construction services in Multifamily projects. **(5 points)**

Experience running DOE WAP in the past 5 years in Multifamily projects. **(5 points)**

Field Certifications **(40 points)**

Not all of the certifications listed below are required at the time of application for this RFP. If the offeror currently has any of the certifications listed below, they will be eligible for the points for each certification listed.

*The certifications noted with an *asterisk will be required once the NM EnergySmart program provided training has been completed at the NM EnergySmart Training Academy.*

Lead Based Paint Certifications

- *Lead Inspector Certification **(2 points)**
- *Lead Renovator Certification **(2 points)**
- Lead Abatement Supervisor Certification **(4 points)**

Infrared Thermographer Certification **(1 point)**

Asbestos related certifications **(1 point)**

*OSHA 30 **(2 points)**

Building Performance Institute Certifications

- Building Analyst single or multifamily **(1 point)**
- Envelope Professional **(1 point)**
- *Crew Leader **(2 points)**
- *Energy Auditor **(2 points)**
- Healthy Home Evaluator **(1 point)**
- AC and Heat Pump **(1 point)**
- Air Leakage Control Installer **(1 point)**
- Heating Professional **(1 point)**
- Infiltration and Duct Leakage **(1 point)**
- Manufactured Housing **(1 point)**
- *Retrofit Installer Technician **(2 points)**
- *Quality Control Inspector single or multifamily **(4 points)**

NM Licensing

MHD-03 Mobile Home Contractor License **(2 points)**

EE-98- Electrical Contractor License **(2 points)**

MM-98- Mechanical Residential or Commercial License **(4 points)** or

- MM-01- Plumbing License **(1 point)**
- MM-02- Natural Gas Fitting License **(1 point)**
- MM-03- Heat, Vent, and Air Conditioning License **(1 point)**
- MM-04- Heat, Cooling, and Process Pipe License **(1 point)**

NM Energy\$mart *Single Family* Program Implementation Plan – 35 Possible Points

Provide an executive summary of the agency detailing their mission and how this mission is applicable to a Single Family Weatherization Program (up to 2 pages) **(5 points)**

Provide an overview of the offerors vision for the NM Energy\$mart Single Family program (up to 1 page) **(5 points)**

Provide a step by step Single Family program implementation plan that includes the items below (up to 4 pages)

- The offerors experience in administering low-income programs for Single Family homes. **(5 points)**
- Outreach/marketing plan for the NM Energy\$mart Single Family Program. **(5 points)**
- The offerors capacity to administer an effective and timely Single Family weatherization program. This should detail the agency's implementation plan that includes a schedule of training and unit completions throughout the year. Provide detailed examples of the agency's process for client intake and management of Single Family waitlists. **(10 points)**
- Quality assurance process/plan that thoroughly describes how Offeror will ensure the highest level of service for Single Family homes. **(5 points)**

(Note: Use of subcontractors must be clearly explained in the proposal and quality assurance monitoring must be detailed. The Offeror will be wholly responsible for the entire performance. DOE Standard Work Specifications are required whether using or not using subcontractors)

NM Energy\$mart *Multifamily* Program Implementation Plan – 35 Possible Points

Provide an executive summary of the agency detailing their mission and how this mission is applicable to a Multifamily Weatherization Program (up to 2 pages) **(5 points)**

Provide an overview of the offerors vision for the NM Energy\$mart Multifamily program (up to 1 page) **(5 points)**

Provide a step by step Single Family program implementation plan that includes the items below (up to 4 pages)

- The offerors experience in administering low-income programs for Multifamily **(5 points)**
- Outreach/marketing plan for obtaining multifamily properties/projects for the NM Energy\$mart Multifamily Program **(5 points)**
- The offerors capacity to administer a timely and effective multifamily weatherization program. This should detail the agency's implementation plan that includes a schedule of training and unit completions throughout the year. Provide detailed examples of the agency's process for securing multifamily properties/projects and implementing the weatherization work performed throughout the year for the specified projects. **(10 points)**
- Quality assurance process/plan that thoroughly describes how Offeror will ensure the highest level of service for multifamily projects. **(5 points)**

(Note: Use of subcontractors must be clearly explained in the proposal and quality assurance monitoring must be detailed. The Offeror will be wholly responsible for the entire performance. DOE Standard Work Specifications are required whether using or not using subcontractors)

13 PROGRAM STANDARDS

The DOE, WAP reduces heating and cooling costs for low-income families who fall under the DOE income guidelines of 200 percent of the poverty income level, particularly for the elderly, people with disabilities, and children, by improving the energy efficiency of their homes while ensuring their health and safety. Households receiving SSI or TANF automatically qualify for the NM EnergySmart Program. The NM EnergySmart Program weatherizes single family homes, mobile homes, and multifamily structures for income qualified households. The program is governed through federal code 10 CFR 440. Details of the rules and regulations can be accessed in the link below:

<https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr;sid=23fe3d3cfcc461955f6c730af864c7c7;rgn=div5;view=text;node=10%3A3.0.1.4.24;idno=10;cc=ecfr>

The program is a unit-based program that requires agencies to weatherize a specific number of homes in their assigned territory. The number of homes is based on a formula that details how many homes must be weatherized in each specific county and pueblo. The year-end per unit average must not exceed \$6,000. Each home/unit must have an energy audit performed using the DOE approved National Energy Audit Tool (NEAT), and/or Mobile Home Energy Audit (MHEA).

For multifamily structures an audit using the Targeted Retrofit Energy Auditing Tool (TREAT) software or NEAT must be performed. A separate source of funding for training is provided by the DOE to ensure the accuracy of audits and the quality of work that is performed in the homes. Upon completion of the audit and weatherization on a home/unit a certified final inspector is responsible for ensuring that the assessment and work done, meet the DOE standards.

In addition to the technical aspect of the program, a service provider must have the capability of providing, at a minimum, the scope of work for the programmatic/administration activities listed below:

- Sound and solid fiscal resources
- Budget approved by MFA for program funds
- A production schedule of the units required to be weatherized
- Ability to provide outreach to target income group to be served
- Staff capable of completing applicant intake procedures
- Adequate field capacity to meet production goals

There are several program standards for the NM EnergySmart Program. All information can be obtained in the documents listed below:

- DOE Weatherization Federal Regulations: 10 CFR 440: <https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr;sid=23fe3d3cfcc461955f6c730af864c7c7;rgn=div5;view=text;node=10%3A3.0.1.4.24;idno=10;cc=ecfr>
- WAP Program Notices: <http://www.waptac.org/Rules-0024amp;-Guidance/Program-Guidance.aspx>
- New Mexico State Plan for DOE weatherization: http://www.housingnm.org/assets/content/CommunityDev/EnergySmart/Master_File.2017.pdf

- MFA's Administrative Program Manual:
http://www.housingnm.org/assets/content/CommunityDev/EnergySmart/2018_AdminProgramandFieldManual_WAP.pdf

Technical standards and specifications for the program are found in the NM EnergySmart Technical Standards, and the Standard Work Specifications.

- NREL Standard Work Specifications (SWS): <https://sws.nrel.gov/>
- NM Energy Smart Technical Standards:
http://www.housingnm.org/assets/content/CommunityDev/EnergySmart/Technical_Standards_2017.pdf

Offerors are expected to be familiar with the compliance codes below:

- IRC: <http://www.constructionbook.com/2015-icc-international-residential-code-irc-one-two-family-dwellings-3100l15/2015-international-residential-code/?EPC=886Y>
- ASHRAE 62.2-2016: https://www.techstreet.com/standards/ashrae-62-2-2016?product_id=1912839
- ANSI Uniform Mechanical Code:
http://iapmomembership.org/index.php?page=shop.product_details&flypage=flypage_iapmo.tpl&product_id=156&category_id=25&option=com_virtuemart&Itemid=3&vmcchk=1&Itemid=3
- BPI Technical Standards: http://www.bpi.org/standards_approved.aspx
- NFPA: <http://www.nfpa.org/>

Please note that the use of subcontractors must be clearly explained in the proposal and quality assurance monitoring must be noted. The Offeror will be fully responsible for the entire performance, which will be required to follow the NREL's Standard Work Specifications whether or not subcontractors are used.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

14 COMPLIANCE WITH OTHER FEDERAL REQUIREMENTS

Offerors must comply with all applicable federal, state and local codes, statutes, laws and regulations which include, but are not limited to:

- 10 CFR 440
- Standards for Financial and Program Management (2 CFR 200.300-200.309)
- Cost Principles (2 CFR 200 Subpart E)
- Financial Internal Controls (2 CFR 200.303)
- Protected Personally Identifiable Information (2 CFR 200.82)
- Personally identifiable information (2 CFR 200. 82)
- Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d, et seq. and 24 CFR Part 1)
- Fair Housing Act (42 USC 3601 et seq.)
- Equal Opportunity in Housing (Executive Order 11063, as amended by Executive Order 12892 and 24 CFR Part 107)
- Age Discrimination Act of 1975, as amended (42 USC 6101 et. seq.)
- American with Disabilities Act (42 USC 12101 et seq.)
- Equal Employment Opportunity, Executive Order 11246, as amended (24 CFR 570.607)
- Fair Labor Standards Act of 1938, as amended (29 USC 201, et seq.)
- Contract Work Hours and Safety Standards Act, as amended (40 USC 3701 et seq.)
- Anti-Kickback Act of 1986 (41 USC 8701-8707)
- Section 3 of the Housing and Urban Development Act of 1968 (12 USC 1701u)
- Minority/Women's Business Enterprises, Executive Orders 11625, 12138 and 12432
- Section 504 of the Rehabilitation Act of 1973 as amended (29 USC 794)
- Lead-Based Paint Poisoning Act (42 USC §4822 and 24 CFR Part 35)
- Environmental Reviews (24 CFR Part 92.352)
- National Environmental Policy Act (NEPA) of 1968 (24 CFR Parts 50 and 58)
- Property Inspections (Housing Quality Standards) (24 CFR Part 982.401)
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended by 42 USC 4601 and the regulations at 49 CFR Part 24, Subpart C
- Debarment & Suspension (Executive Order 12549, 51 Fed. Reg. 6370)
- Affirmative Outreach (24 CFR 576.407)
- Participation in HUD programs by Faith-Based Organizations (24 CFR 5.109)

Should any federal regulations be changed during and/or after the release of the RFP, MFA will update those regulations (citations) promptly. An addendum to those changes, if applicable, will be provided to offerors.

NM Energy\$mart Request for Proposals FORMS Program Year 2019-2020

As outlined in section 2.3 Proposal Format

- Proposals and forms may be obtained from MFA's website:
[www.housingnm.org/community_development/NMEnergy\\$mart](http://www.housingnm.org/community_development/NMEnergy$mart)
- Proposals must include the program-specific forms attached to this proposal package and all schedules and attachments pertaining thereto.
- MFA forms released with this proposal must be used when provided by MFA. No substitutions will be accepted.

List of Forms:

- ☐ Submission Checklist (Page 26)
- ☐ Application/General Information (Page 27)
- ☐ Current Board Members (Page 28)
- ☐ Administrative and Financial Management Capacity (Page 29)
- ☐ Field Experience and Capacity (Page 29)
- ☐ Offeror Reputation Certification (Page 30)
- ☐ Offeror Certification (Page 31)
- ☐ Campaign Contribution Disclosure Form (Page 32)
- ☐ Agency Budget Assumptions (Page 34)
- ☐ Disclosure of Contributions by Prospective Offeror (Page 35)

List of Exhibits:

- ☐ Exhibit A1 – 2019/2020 Southern Option Territory Map (Page 36)
- ☐ Exhibit A2 – 2019/2020 Northern Option Territory Map (Page 37)
- ☐ Exhibit B1 - Training Plan (Assessors and Inspectors) (Page 38)
- ☐ Exhibit B2 - Training Plan (Installers and Technicians) (Page 39)



SUBMISSION CHECKLIST NM Energy\$mart PROGRAM PROPOSAL

AGENCY: _____

By initialing on this list, Offeror is certifying that you have enclosed the following items as defined in this RFP. Items should be attached in the order listed.

*****Submit 1 original and 4 copies of the application package with all items below*****

MINIMUM QUALIFICATIONS AND REQUIREMENTS - Please provide the following:

Forms provided in Part 2 – Program Specific Criteria, Section 15 “RFP Forms”

Allowable Deficiency Correction items

Initial	Item Required	Page No.
	Proposal submitted as outlined in Part 1- General Information, Section 2 “General Proposal Requirements”	1
	<input type="checkbox"/> Application form Offeror must specify the territory for which they are applying	25
	<input type="checkbox"/> Provide proof of GB-02 license held in the name of the offeror for Single Family homes	11
	<input type="checkbox"/> Provide proof of MHD-02 or MHD-03 license for work on mobile homes (not applicable for Multi Family homes)	11
	<input type="checkbox"/> Provide proof of GB-98 held in the name of the offeror for Multi Family homes	11
	<input type="checkbox"/> Proof of status as a non-profit or other public entity (e.g., unit of local government)	11
	<input type="checkbox"/> Proof of current registration as a charitable organization with the New Mexico Attorney General’s office	11
	<input type="checkbox"/> Offeror must be in “good standing” with MFA as of the date this RFP. In order to be in good standards Offeror must have no unresolved findings from MFA monitoring’s	12
	<input type="checkbox"/> Proof that Offeror has not been “suspended,” “debarred” or HUD’s Limited Denial of Participation	12
	<input type="checkbox"/> Describe any material, current or pending litigation, administrative proceedings or investigations that could impact the reputation or financial viability of the firm. <input type="checkbox"/> Offeror Reputation Certification form <input type="checkbox"/> Offerors certification form	11,28,29
	<input type="checkbox"/> Copy of agency’s most current independent audit or audited financial statements	12
	<input type="checkbox"/> Proof of insurance coverage	13

Other Requests for Information (Please provide the following)

Initial	Item Required	Page No.
	<input type="checkbox"/> Board of Director list	18,26
	<input type="checkbox"/> Resumes of key staff	16,17,29
	<input type="checkbox"/> Organization chart of field staff, administrative staff, and financial staff	16,17,29
	<input type="checkbox"/> Copy of all field staff certifications	18,19,20
	<input type="checkbox"/> Agency Budget Assumption	18,32
	<input type="checkbox"/> Cost Allocation Plan	18
	<input type="checkbox"/> Internal Controls for Fiscal Management	18
	<input type="checkbox"/> By-laws (Fiscal Oversight)	18
	<input type="checkbox"/> Description of construction services experience (up to 2 pages)	18-21
	<input type="checkbox"/> Executive Summary/Mission Statement (up to 2 pages)	18-21
	<input type="checkbox"/> Company vision (up to 1 page)	18-21
	<input type="checkbox"/> Implementation plan for the NM Energy\$mart program (up to 4 pages)	18-21
	<input type="checkbox"/> Names and addresses of homes offeror has provided similar services as outlined in this RFP. This may include, but is not limited to home rehabilitation, energy efficiency upgrades or new green construction	18-21



Application / General Information

Date of Application:

Agency Name _____

Entity Type

- ☐ Nonprofit
☐ Local Unit of Government
☐ Tribal Government
☐ CAA

* For Profit Agencies are NOT Eligible

Federal Tax ID Number _____ DUNS Number _____

Contact Person _____ Title _____

Telephone Number _____ Ext. _____ Fax Number _____

E-Mail Address _____

Mailing Address _____

City _____ NM _____ Zip _____

Signature of Authorized Official on behalf of Offeror

Date

Printed Name

Title

Current Board Members

Name	
Home Address	
Employer	
Position on Board	
Area of Expertise/Qualification	
Years on Board	
Term Expire Date	
Name	
Home Address	
Employer	
Position on Board	
Area of Expertise/Qualification	
Years on Board	
Term Expire Date	
Name	
Home Address	
Employer	
Position on Board	
Area of Expertise/Qualification	
Years on Board	
Term Expire Date	
Name	
Home Address	
Employer	
Position on Board	
Area of Expertise/Qualification	
Years on Board	
Term Expire Date	
Name	
Home Address	
Employer	
Position on Board	
Area of Expertise/Qualification	
Years on Board	
Term Expire Date	

Administrative and Financial Management Capacity

Program/Staff Name	Title	Years of Experience	Capacity/Role/Services Offered

Field Experience and Capacity

Names and years of experience for individuals that will be doing the work on the homes	Years of Experience



Offeror Reputation Certification

Offeror Name

Offeror must describe any material, current or pending litigation, administrative proceedings or investigations that could impact the reputation or financial viability of the firm.

No _____ (There is no material, current or pending litigation, administrative proceedings or investigation that could impact the reputation or financial viability of the firm.

Yes _____ (explain)

Signature of Authorized Official on behalf of Offeror

Date

Printed Name

Title

OFFEROR CERTIFICATION

("Offeror") is submitting a proposal to MFA to be a service provider under the NM EnergySmart Program.

Offeror certifies that:

It will abide by all applicable federal and state of New Mexico laws and all applicable statutory, regulatory, and judicially created rules and guidelines.

It understands that MFA will monitor its performance and compliance.

It is in good standing with all its funding sources.

It complies with Equal Employment Law and complies fully with all government regulations regarding nondiscriminatory employment practices.

It understands and represents that any contract it enters into with MFA will be binding in all respects.

It has a current registration with the New Mexico Attorney General's Registry of Charitable Organizations, if applicable.

This proposal shall be valid until contract award or 90 calendar days from the proposal due date, whichever is longer.

I HEREBY CERTIFY THAT ALL INFORMATION PROVIDED IN THE PROPOSAL IS TRUE AND CORRECT, AND THAT I HAVE THE AUTHORITY TO BIND THE OFFEROR TO THE ASSURANCES, AS WITNESSED BY MY SIGNATURE BELOW.

Signature of Authorized Official on behalf of Offeror

Date

Printed Name

Title

Campaign Contribution Disclosure Form

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor seeking to enter into a contract with any state agency or local public body for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

This form must be included in the Request for Proposal and must be filed by any prospective contractor whether or not they, their family members, or their representatives has made any contribution subject to disclosure.

The following definitions apply:

"Applicable public official" means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

"Campaign Contribution" means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to statewide or local office. "Campaign Contribution" includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

"Family member" means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor.

"Pendency of the procurement process" means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

"Prospective contractor" means a person or business that is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person or business qualifies for a sole source or a small purchase contract.

"Representative of a prospective contractor" means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

Name(s) of Applicable Public Official(s) if any: _____

(Completed by State Agency or Local Public Body)

Agency Budget Assumptions

Provide budget assumptions for the offerors agency and their anticipated costs of implementation for the NM Energy\$mart Program if applicable to your agencies staff structure. These assumptions should be based on your cost allocation plan and on the funding available for the area you are applying for.

Position	Number of employees in each position below	Existing budget of each person in each position below	Proposed NM Energy\$mart budget
Executive Director			
Deputy Director			
Fiscal			
Program Manager			
Outreach Specialist			
Intake Manager			
Receptionist/Intake			
License Holder Name			
HVAC Technician			
Energy Auditor/Inspector			
Crew Supervisor			
Crew Members			
Total			

Provide a list of sub-contractors you will use in your Program. Example: plumbing, insulation, windows, etc.

Agency	Contractor Type
	HVAC, Insulation, Window
	Electricians

Note: Training is provided from a different source of funding managed by MFA. The training funding pays for the costs of the courses, provided by the Santa Fe Community College, wages for staff in attendance and per diem. Therefore, training costs should not be included in the field staff proposed budget.

Provide an estimated cost breakdown of your 2017/2018 program year insurance costs. Estimate must be detailed in the categories below:

Insurance Costs	Existing Budget	Proposed NM Energy\$mart budget
Contractual Commercial General Liability Insurance		
Worker's Compensation		
Pollution Control		
Auto Insurance		
Other Insurance Costs		

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE OFFEROR

Contribution Made By: _____

Relation to Prospective Contractor: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(Attach extra pages if necessary)

Signature

Date

Printed Name

Title

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLAR (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature

Date

Printed Name

Title

EXHIBIT A1 - 2019/2020 SOUTHERN OPTION TERRITORY MAP

PY 2019/2020 Proposed Option 1 (Southern Option) Territory Map

NM Tribes and Pueblos:

Sandoval

Cochiti 1
Jemez 1
Sandia 2
San Felipe 4
Santa Ana 1
Santo Domingo 1
Zia 4

Santa Fe

San Ildefonso 6
Santa Clara 7
Nambe 2
Pojoaque 6
Tesuque 5

Valencia

Isleta 5

Taos

Picuris 7
Taos 7

Navajo Nation 29

Rio Arriba

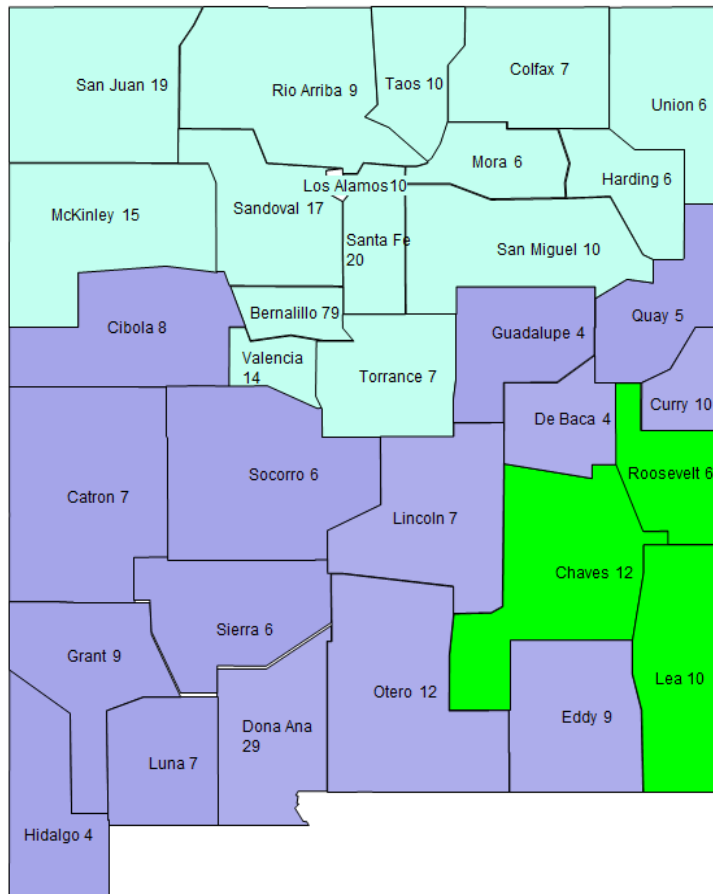
Jicarilla Apache 2
Ohkay Owingeh 6

Otero

Mescalero 4

Cibola

Acoma 7
Laguna 2
Zuni 2



LEGEND	
Territory 1	CNMHC
Territory 2	SRHCDC
Territory 3	Southern Option
Territory 4	Northern Option

EXHIBIT A2 - 2019/2020 NORTHERN OPTION TERRITORY MAP

PY 2019/2020 Proposed Option 2 (Northern Option) Territory Map

NM Tribes and Pueblos:

Cibola

Acoma 7
Laguna 2
Zuni 2

Sandoval

Cochiti 1
Jemez 1
Sandia 2
San Felipe 4
Santa Ana 1
Santo Domingo 1
Zia 4

Santa Fe

San Ildefonso 6
Santa Clara 7
Nambe 2
Pojoaque 6
Tesuque 5

Valencia

Isleta 5

Taos

Picuris 7
Taos 7

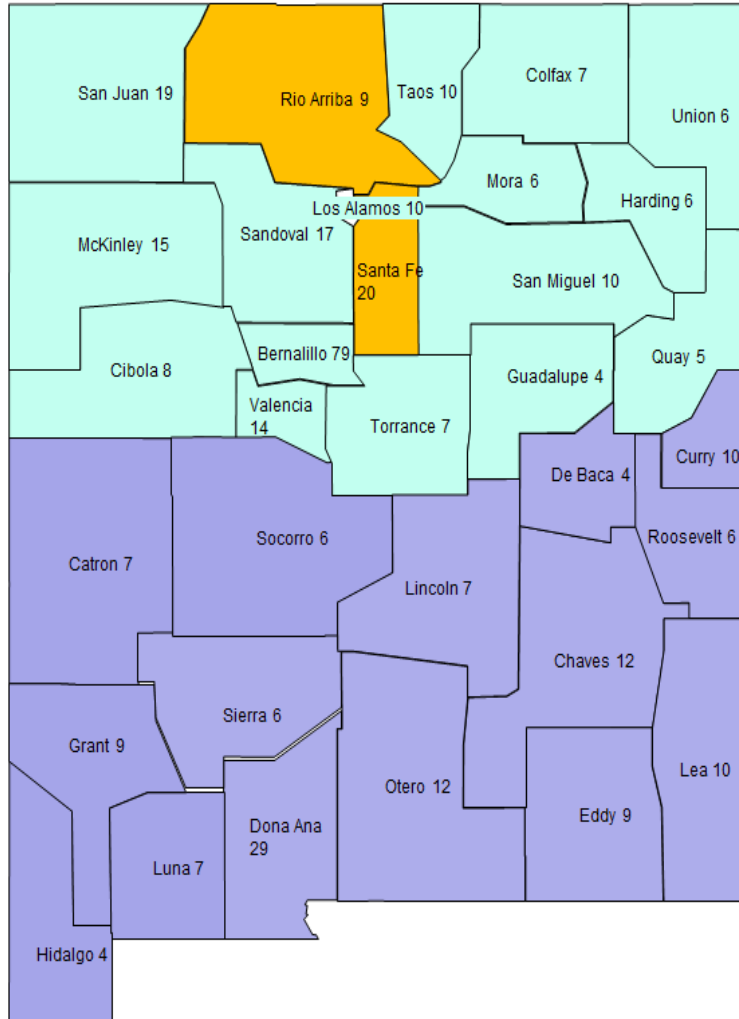
Navajo Nation 29

Rio Arriba

Jicarilla Apache 2
Ohkay Owingeh 6

Otero

Mescalero 4



LEGEND	
Territory 1	CNMHC
Territory 2	SRHCDC
Territory 3	Southern Option
Territory 4	Northern Option

EXHIBIT B1

Preliminary Training Plan (Assessors and Inspectors)

Week	Training Ride-Alongs	Course	Tuition Cost	Number of Days	Average cost 1 person in wages and per diem and associated travel. 2 people used for grand total	Units
Week 1		Basic Building Science	\$ 200.00	2	\$ 576.00	
Week 2		*OSHA 30	\$ 8,000.00	4	\$ 2,752.00	
Week 3		*Energy Auditor				
Week 3		Building Analyst (BPI)	\$ 8,000.00	4	\$ 2,752.00	
Week 4	\$ 2,000.00	Weatherization Assistant: NEAT and MHEA	\$ 6,000.00	2	\$ 576.00	
Week 5	\$ 2,000.00	Lead Safe				
Week 5	\$ 2,000.00	Weatherization, RRP	\$ 6,000.00	2	\$ 576.00	1
Week 6	\$ 2,000.00	Basic Pressure				
Week 6	\$ 2,000.00	Diagnostics	\$ 6,000.00	2	\$ 576.00	
Week 7	\$ 2,000.00	ASHRAE 62.2	\$ 3,000.00	1	\$ 288.00	1
Week 8	\$ 2,000.00	Advanced Pressure				
Week 8	\$ 2,000.00	Diagnostics (Start unit)	\$ 6,000.00	2	\$ 576.00	
Week 9	\$ 2,000.00					1
Week 10	\$ 2,000.00	Basic Combustion Testing	\$ 6,000.00	2	\$ 576.00	
Week 11	\$ 2,000.00	**NASCSP Fall Conference 1				
Week 11	\$ 2,000.00	person(Management)	\$ 1,000.00	4	\$ 3,000.00	1
Week 12	\$ 2,000.00	Intermediate Combustion				
Week 12	\$ 2,000.00	Testing	\$ 6,000.00	2	\$ 576.00	
Week 13	\$ 2,000.00					1
Week 14	\$ 2,000.00	Advanced Combustion				
Week 14	\$ 2,000.00	Analysis	\$ 6,000.00	2	\$ 576.00	
Week 15	\$ 2,000.00					1
Week 16	\$ 2,000.00	Materials and Doc	\$ 6,000.00	2	\$ 576.00	
Week 17						
Week 18		Weatherization Assistant: Advanced	\$ 6,000.00	2	\$ 576.00	1
***Week 19-52	\$ 26,000.00					
Grand Total	\$ 116,304.00	Totals	\$ 74,200.00	33	\$ 14,552.00	29

* Classes held at the SFCC include per diem.

** Conference costs include travel to out of state location

*** One unit completed per week and ride alongs scheduled as needed

EXHIBIT B2
**Preliminary Training Plan
(Installers and Technicians)**

Week	Training Ride-Alongs	Course	Tuition Cost	Number of Days	Average cost 1 person in wages and per diem and associated travel. 2 people used for grand total	Units
Week 1		RIT Online (per person)	\$ 100.00	1	\$ 200.00	
Week 2		*OSHA 30		4	\$ 2,400.00	
Week 3						
Week 4	\$ 2,000.00	Lead Safe				
Week 5	\$ 2,000.00	Weatherization, RRP		2	\$ 400.00	1
Week 6	\$ 2,000.00	Basic Pressure Diagnostics		2	\$ 400.00	
Week 7	\$ 2,000.00	ASHRAE 62.2		1	\$ 200.00	1
Week 8	\$ 2,000.00	Air and Duct Sealing	\$ 6,000.00	2	\$ 400.00	
Week 9	\$ 2,000.00					1
Week 10	\$ 2,000.00	Basic Combustion Testing		2	\$ 400.00	
Week 11	\$ 2,000.00					1
Week 12	\$ 2,000.00	Insulation 1	\$ 6,000.00	2	\$ 400.00	
Week 13	\$ 2,000.00					1
Week 14	\$ 2,000.00	Insulation 2	\$ 6,000.00	2	\$ 400.00	
Week 15	\$ 2,000.00					1
Week 16	\$ 2,000.00	Materials and Doc		2	\$ 400.00	
Week 17						
Week 18		*Crew Leader	\$ 8,000.00	3	\$ 1,800.00	1
***Week 19-52	\$ 26,000.00					
Grand Total	\$ 53,900.00		\$ 26,100.00	23	\$ 7,400.00	29

* Classes held at the SFCC include per diem.

** Conference costs include travel to out of state location

*** One unit completed per week and ride alongs scheduled as needed