**Act 129 Statewide Evaluator Request for Proposal**

**Questions and Answers from the Proposers’ Conference**

*Posted 11/23/15*

**Q. Section I-6 references contract negotiations with a winning Proposer. Should Proposers submit any requested exceptions to the proposed Terms and Conditions of the Draft Contract along with their initial bid?**

A. Yes.

**Q. Section II-5 (Personnel) asks for the names of all personnel. Can the proposal also include position categories (without named staff), particularly for junior staff and analysts? Some of the tasks are 4 to 5 years in the future, so there may be staff turnover or new staff hired at the junior staff level.**

A. Enough information should be provided to allow for a proper evaluation of the proposal. Key personnel should be named and resumes included with the bid. Other, less critical staff can be added as necessary with approval of the project officer. See also section I-30 for change in personnel notification.

**Q. Section I-20 (Copies of Previous Work) asks proposers to submit copies of previous work. Can proposers submit URL links and electronic copies rather than paper copies?**

A. Yes.

**Q. As part of the RFP response, does the PUC expect bidders to explain, in detail, the measures that will be taken to avoid any conflict of interest or appearance of impartiality that may arise as a consequence of this contract?**

A. Yes. Refer to RFP Section II-6 for additional information.

**Q. In Section III-9, does the statement "The evaluation firm will not enter into a contract, nor provide evaluation services to any Pennsylvania-based EDC for the remainder of Phase III" apply only to evaluation services or to all contracts with EDCs?**

A. The statement specifically precludes the provision of evaluation services to Pennsylvania EDCs. However, there may be other situations which create a conflict, which would be addressed on a case by case basis. This RFP provision is not meant to describe the only potential conflict of interest.

**Q. Do we need to report all contracts with PA-affiliated EDCs as part of the RFP response?**

A. Yes.

**Q. Regarding the proposal scoring method, what is the maximum number of points that a proposal could receive for the Technical score? Cost score? Small Diverse Business score?**

A. The maximum score by rating category are: 500 technical, 300 cost and 200 Small Diverse Business. Refer to RFP Section III-4 for more detail.

**Q. The RFP states on page 17 that “The Issuing Office has established the weight for the Cost criterion for this RFP as 30 % of the total points”. How will the Commission rank and score the cost proposal submitted by a proposer for this solicitation?**

A. The Department of General Serves has established a formula which awards 300 points to the lowest proposer bid and assigns each other cost proposal a proportionally lower score.

**Q. Page 14 of the Commission’s RFP states that, for each Task, Overhead Costs should be provided. The RFP states that “Overhead includes two major categories of cost: operations overhead and general and administrative overhead.” If the proposer’s fully-loaded hourly rates for consultants already include overhead costs, double-counting of costs will occur if overhead costs are provided again in a separate category. Thus is it permissible to just include overhead costs with fully-loaded hourly rates in order to avoid this double-counting of overhead costs?**

A. Yes.

**Q. The third bullet point on page 14 of the RFP lists a separate category for “Consultant Costs”. It appears that the total Direct Labor Costs in bullet #1 on page 14 already include consultant costs. In order to avoid double-counting of direct labor costs, can the TUS staff explain exactly what costs should be included in “Consultant Costs” that are not already included in the costs itemized in bullet numbers 1 and 2 on page 14 of the RFP?**

A. Consultant costs would be costs related to a temporary or one time use of a firm. For example, a firm that would provide expert advice on a focused topic such as an expert at forecasting future electric demand related to the Demand Response study.

**Q. Referring to page 14 of the RFP, can the TUS provide examples of the costs that should be reported under “Other Direct Costs”?**

A. This is meant to provide a reporting location in the proposal for any cost items not specifically identified in the other cost sections.

**Q. The Non Collusion Affidavit requires each firm that is participating in a joint proposal or teaming agreement to state that “The price(s) and amount of this bid have been arrived at independently and without consultation, communication or agreement with any other contractor, proposer or potential proposer.” Can the TUS confirm that it is okay for firms that are on the same team to discuss the development of the Team’s cost proposal, understanding that team members cannot speak about prices with firms that are not part of a Proposer’s Team?**

A. That is correct.

**Q. Section III-8 of the RFP for Act 129 Statewide Evaluator (RFP 2015-3) outlines potential conflicts of interest that could arise from vendors providing services both as conservation service providers and in their capacity as the SWE. We are seeking clarification as to whether this conflicts policy would apply to analytics software vendors whose technology may be used by a prime contractor to perform potential study analysis as the SWE, but who do not have an active role in making decisions under the scope of the potential study. Please confirm whether such software vendors who provide technology, but do not influence the outcomes of the analysis conducted with that technology, are exempt from the conflicts of interest. Would such vendors be eligible to provide their technology both to the SWE and to EDCs for the purposes of meeting Act 129 goals?**

A. It is difficult to provide a definitive answer with the general information provided, however, if the software vendor is a member of the SWE team and the software described is used to track, measure, verify or evaluate energy savings obtained by EDCs, than it is likely to create a conflict as the SWE would be evaluating and auditing the validity of such tracking, measuring, verifying and evaluation.

If the software vendor is not related to the SWE team in any way, then there does not appear to be a conflict.

**Q. How will a Small Diverse Business be scored if it is in the active process of applying for BSBO verification as such a business?**

A. In order to be scored as a Small Diverse Business, the verification must be completed prior to the submission of the proposal on December 11, 2105.

**Q. Please provide links to any "processes, manuals, and studies adopted during Phase II to audit and verify the accuracy of the results..." (RFP, bottom of page 25) which are not available through the Commission's "Act 129 Statewide Evaluator" or "Energy Efficiency and Conservation (EE&C) Program" webpages.**

A. All readily accessible information is on the Public Utility Commission website.

**Q. Does the Commission have any preferred timeline for the recommendations by the SWE for providing potential improvements to each EDC's programs and measures (i.e., early in Phase III, on-going, or in preparation for Phase IV)? This refers to the second bullet on p. 26.**

A. The SWE is expected to formulate an audit plan or evaluation framework prior to the commencement of phase III. Refer to RFP Section IV-3 for more detail. Advice should be provided to commission staff in the audit plan and on an ongoing basis throughout the phase.

**Q. In Table 2, Statewide Studies section, is the reference to conducting "...baseline studies to support EE Market Potential Study" the same baseline study work referred to in the 7th bullet on page 26 (i.e., to support the Phase IV market potential study)?**

A. Yes.

**Q. In Table 2, EDC Plan Review section, is the SWE review of the filed EDC EE&C plans focused on the EDCs' Phase III plans or those that will be prepared in response to a Phase IV order later in the project?**

A. The SWE is expected to assist commission staff in the review of any EDC EE&C phase III proposed plan changes and the review of Act 129 Phase IV initial plan filings.

**Q. Are the EDCs eligible to earn performance incentives based on their claimed savings? If so, please provide links to any Commission Orders that relate to this issue and to the most recent EDC filings seeking recovery of such incentives.**

A. No.

**The following 6 questions relate to the design, implementation and maintenance of statewide database of program defined in section, IV-6.DATA MANAGEMENT AND COMMISSION REPORTS**

**Q. Is there a system (database, spreadsheet, Access file, etc.) in existence now that is being used to aggregate program and portfolio energy and demand savings? If so, please provide any documentation that explains the system and how it operates.**

1. The current SWE compiles data from each individual EDC and stores it on the secure Sharepoint site. The information on the Sharepoint site is secure and cannot be shared as part of this RFP.

**Q. Please elaborate on the following desired reporting capabilities:**

**1. How are the users of the database expected to interface with the database?**

1. The EDCs supply data to the SWE as directed by the SWE and the commission to ensure the accuracy of the EDCs’ compliance submissions. The information is stored on the secure Sharepoint website.

**2. Is it required to have online reporting capabilities? An example of such as system would be** [**http://eestats.cpuc.ca.gov/**](http://eestats.cpuc.ca.gov/) **or** [**http://eestats.cpuc.ca.gov/Views/EEDataPortal.aspx**](http://eestats.cpuc.ca.gov/Views/EEDataPortal.aspx)

1. There is no public website which contains database information for energy efficiency or demand response savings.

**3. What is the expected update frequency for data reporting?**

1. Data is reported to the Commission as outlined in RFP Section IV-6.

**Q. Has the PUC given the EDCs guidance on what data needs to be collected in a program tracking database?**

1. The Commission and the SWE provide ongoing guidance and specific guidance through the evaluation framework or audit plan. Please refer to RFP Sections IV-3 and IV-4.

**Q. Is there a document or diagram outlining how data flows from an EDC to the Commission?**

1. RFP Sections IV-3 and IV-4 and IV-6 describe data flow from EDC to SWE to the Commission.

**Q. Is there a protocol in place with the EDCs that discusses what data need to be collected and how they are to be reported? If one is available, please provide the protocol.**

1. This is established by the SWE in the evaluation framework or revised audit plan. Please refer to RFP Section-IV-3.

**Q. Do all of the EDCs currently have a database that tracks all of the program information necessary to inform a statewide database?**

1. Yes.

**The following 3 questions refer to Act 129 SWE RFP 2015 – 3, Table 2 section on Databases (P. 28). The primary tracking databases are the responsibility of the EDC for design, implementation and maintenance of project and program data.  The Contractor, then, is responsible for doing Q/C reviews of the EDC program tracking databases, and for Statewide Data Management and Quality Control (Design, implementation and maintenance of statewide database of programs portfolio, EDC and statewide energy and demand savings and cost-effectiveness reporting) and for maintain a Sharepoint site for maintenance and exchange of confidential data and information with EDCs.**

**Q1. Is it correct that while the Contractor will be responsible for Q/C reviews of the EDC program tracking databases, this is simply a responsibility to find and flag problems while the responsibility to improve, upgrade, or fix or repair EDC program tracking databases will remain with the EDCs?**

A. Yes. However, while an EDC is correcting an issue, it will be the responsibility of the contractor to provide the Commission with a reasonable estimate of energy efficiency savings data.

**Q2. For Statewide Data Management and Quality Control, is it correct that this responsibility of the Contractor applies to the data provided by the EDCs?**

A. Yes.

**Q3. Does the Contractor have any responsibility to learn the internal EDC data tracking systems or may the Contractor simply begin work from the point of the outputs of the EDC data tracking systems?**

A. The contractor must verify that the EDC data tracking systems are valid programs and that they are being used correctly by EDCs and CSPs. The contractor should not assume that data provided by an EDC is valid.

**Q. In the same Table but in the section for Statewide Studies (P. 27), there are Contractor site visits and statewide site metering studies. Are these site visits and metering studies to be on an “as needed” basis, depending on if and in which parts the PA TRM comes under question?**

A. The site visits and metering studies should be conducted as needed to validate the TRM, whether or not a specific section comes into question.

**Q. May site visits sometimes be conducted on a “due diligence” basis rather than on the basis of random sample designs?**

A. The question is not clear, however, sampling should be conducted with a 90/10 confidence level in mind. For example, please refer to RFP Section IV-7, page 34 regarding sampling for the energy efficiency baseline studies.

**Q. If random sample designs are required for a set of site visits or a metering study, what is the criterion for statistical confidence and precision.**

A. The question is not clear, however, sampling should be conducted with a 90/10 confidence level in mind. For example, please refer to RFP Section IV-7, page 34 regarding sampling for the energy efficiency baseline studies.

**Q. Can there be situations in which other statistical criteria are set for special cases?**

A. Yes.

**Q. Is it permissible to bid on all of the RFP?  Or is it permissible to bid on part (Statewide Studies, Audit and Assess EDC Phase III Programs and Results, Databases, Primary Data Collection and Impact Analysis, EDC Plan Review, Reporting, Best Practices and Other).**

A. A bid should demonstrate the ability to complete all tasks described in the work statement. Please refer to RFP Part IV – Work Statement.

**Q. Within Statewide Studies is it possible to bid on some of the studies but not all of them?**

A. No. A bid should demonstrate the ability to complete all tasks described in the work statement. Please refer to RFP Part IV – Work Statement.

**Q. We are interested in licensing software to a bidder on the SWE RFP. Our only concern is the COI language included in the RFP. We would like to license software to a SWE bidder, but we need to weigh that decision against being prevented from licensing similar, or even different, software products to an EDC, or IOU outside of PA that is operated by the corporate parent of a PA EDC. We are not serving the SWE in a consultative role or in a service that is invested in the results of a program. Our business is licensing software.**

A. If the software vendor is a member of the SWE team and the software described is used to track, measure, verify or evaluate energy savings obtained by EDCs, than it is likely to create a conflict as the SWE would be evaluating and auditing the validity of such tracking, measuring, verifying and evaluation. Since, the scenario described does not have the vendor in a dual role of SWE and provider of software, there does not appear to be a conflict as described.