



PALM BEACH COUNTY

**ENERGY EFFICIENCY CONSERVATION
COMPETITIVE GRANT PROGRAM**

FOR LOCAL GOVERNMENTAL ORGANIZATIONS

**THIS PROGRAM HAS BEEN FUNDED THROUGH A COUNTY APPLICATION TO
THE DEPARTMENT OF ENERGY'S ENERGY EFFICIENCY AND CONSERVATION
BLOCK GROUP PROGRAM 2009**

Energy Efficiency Conservation (EEC) Competitive Grant Program Schedule

November 3, 2009	EEC Competitive Grant Program presented to BCC for approval
November 4, 2009	Advertise Notice of Funding Available (30 days) for EEC Competitive Grant Program Application and Criteria available on website, www.pbcgov.com/edo
December 1, 2009	9:00 am EEC Competitive Grant Program Workshop at Cooperative Extension Services, Exhibit Hall A, 559 N. Military Trail, WPB (off Golf Street behind Driver's License Bldg)
December 4, 2009	Opening of EEC Competitive Grant Program for five (5) Weeks
January 8, 2010	Deadline 5:00 pm for EEC Competitive Grant Program application submittal to the Economic Development Office.
January 12 - 15, 2010	Review process for EEC Competitive Grant Program applicants by Grant Review Committee made up of representatives from County Departments.
February 2, 2010	EEC Competitive Grant Program applicant recommendation presented to The Overall Economic Development Program (OEDP) Committee.
February 23, 2010	Recommendations for EEC Competitive Grant Program presented to the BCC for approval.
	All required information for subgrantees forwarded to Dept. of Energy for approval.
March 12, 2010	EEC Competitive Grant Program Agreements forwarded to approved applicants.
April 9, 2010	Contracts to be received from approved applicants for the EEC Competitive Grant Program.
May 18, 2010	EEC Competitive Grant Program Agreements to be presented to the BCC for approval.
August 30, 2012	Period of Performance Ends For EEC Competitive Grant Program

Overview

The American Reinvestment and Recovery Act of 2009, Public Law 111-5, appropriated funding for the Department of Energy (DOE) to issue/award formula-based grants to states, U.S. territories, units of local government, and Indian tribes under the Energy Efficiency and Conservation Block Grant (EECBG) Program. On September 8, 2009, Palm Beach County (PBC) received a formula-based award totaling \$6,587,600 to implement numerous project activities. Of these funds, \$850,000 was secured for a PBC Energy Efficiency Conservation Competitive Grant Program to provide an opportunity, on a competitive basis, for the implementation of eligible projects by governmental organizations that were not allocated EECBG funds. All projects will be subject to the EECBG guidelines. The program will focus on retrofitting existing public facilities to improve energy efficiency, reduce energy consumption and create energy savings by completing efficiency improvements within the building and other sectors. The purpose of this program is to assist eligible entities in reducing fossil fuel emissions, improving energy efficiency, increasing environmental sustainability and maximizing benefits to the public.

Eligible Activities

The funds in this program are to be used for the list of eligible activities below. The list of activities should be used as a guide to the intent of the program to result in maximum energy efficiency improvements, fossil-fuel emission reductions, economic benefits and total energy use reduction.

1. **Energy Efficiency Retrofits:** Grants may be used by entities for the purpose of retrofitting existing facilities to improve energy efficiency.
2. **Energy Distribution:** Entities may implement distributed energy resource technologies that significantly increase energy efficiency, including:
 - A) District heating and cooling systems
 - B) Combined heat and power systems
 - C) Cogeneration systems
 - D) Energy Storage systems
 - E) Absorption chillers
 - F) Desiccant humidifiers
 - G) Micro turbines
 - H) Ground source heat pumps
3. **Renewable Energy Technologies on Government Buildings:** Entities may use grant funds to develop, implement, and install on or in any government building of the eligible entity onsite renewable energy technology that generates electricity from renewable resources, including solar energy; wind energy; fuel cells; and biomass.

Eligible Applicants

This opportunity will be open to Palm Beach County's municipalities that did not receive an EECBG formula-based grant through the U.S. Department of Energy. Other eligible applicants include Palm Beach County based community redevelopment agencies within cities that did not receive a formula-based award, the PBC School District and other PBC governmental organizations.

Period of Performance

Each entity is required to use the funds in a cost-effective manner that is of maximum benefit to the population of that entity and in a manner that will yield continuous benefits over time in terms of energy and emission reductions. The period of performance for these grants will end August 30, 2012. In keeping with the agenda of the Recovery Act, and support the goal of immediate investment in the economy, the County must obligate these funds by March 6, 2011.

Project Requirements

A minimum request of \$50,000 up to \$200,000 is available for a single project activity. Applicants must provide a minimum 50% match for their project. This \$1:\$1 match to the programs funds can be made up of cash, other grants, loans, service fees, energy savings (using an Energy Performance Contractor (ESCOs) to provide services in which payments will be based on energy savings) or any other funding sources that are in place. Other matching opportunities may be discussed. All matching funds must be in place at the time of application submission or the determination of using an ESCO for your project activity.

Project Implementation Requirements

Projects activities must adhere to the EECBG Program guidelines including FAR 31.201-3, environmental forms, Davis Bacon Wages Act and the Buy America Act. (Please see page 10)

For purposes of job creation and/or retention, an estimated one (1) job will be created and/or retained per \$92,000 spent of the total project cost.

Program funds must be expended by August 30, 2012.

Application Process

Five (5) copies and one (1) original must be submitted on or before January 8, 2009, no later than 5:00 pm. The applications will be reviewed by a Grant Review Committee made up of representatives from the Economic Development Office, Office of

Community Revitalization, Parks & Recreation and other County Departments. Recommendations will be presented to the Overall Economic Development Program (OEDP) Committee (February 2, 2010) and then to the Board of County Commissioners (February 23, 2010) for approval. This information will be submitted to the Dept. of Energy (by March 6, 2010) for final review and approval. Upon receipt of approval by the Dept. of Energy, agreements will be forwarded to the approved applicants to be signed and returned to the Economic Development Office (April 9, 2010) to be presented to the Board of County Commissioners (May 18, 2010) for approval.

Method of Payment

All payment requests will be based upon reimbursement. A letter must be received requesting payment with required completed exhibit(s) in the contract, a copy of the invoice and a canceled check or other documented method of payment.

Program Application

Applicants must obtain a DUNS number. The DUNS website is http://dnb.com/US/duns_update/. Applicants will be required to register with the Central Contractor Registration (CCR) when accessing this website.

Project Activity Sheet

A description of the project activity must be limited to the space provided on the project activity sheet. If necessary, one additional page may be added. Only one application will be allowed per local governmental organization.

Site Location

An aerial map must be attached identifying the site and address of the project.

Budget Justification

- An Excel spreadsheet must provide itemized costs of the project and include all funding sources.
- Justification of project costs must be attached which may be in the form of an engineer's quote, vendor's quote, catalogue documentation, etc.
- Justification of funding sources must also be attached.

Program Criteria

The Palm Beach County Economic Development Office (EDO) is the point of contact for this Program and will work to ensure that special consideration will be given to projects that promote and enhance the objectives of the American Recovery and Reinvestment

Act, especially job creation, preservation and economic recovery, in an expeditious manner. The EDO will also ensure that grantees adhere to the special terms and conditions that apply to projects funded by the Act relating to:

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

Expected Outcomes and Benefits of the Program

- Jobs created and/or retained
- Energy saved
- Renewable energy capacity
- GHG emissions reduced
- Funds leveraged

Assurances

The following assurances must be on letterhead.

1. The duly authorized official or highest elected official of the local governmental organization must certify the name and contact information for the entity authorized to receive funds and implement the project.
2. Project proposals shall provide written assurance that all laborers and mechanics on projects funded directly by or assisted in whole or in part by and through funding appropriated by this Act are paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by subchapter IV of Chapter 31 of title 40, United State Code (Davis-Bacon Act).

Application Checklist

- Letter of Assurances
- Project Activity Worksheet
- Aerial Map of Site Location
- Excel Spreadsheet of Itemized Project Costs showing Funding Sources/Uses
- Justification of Costs with Quotes Provided.
- Justification of Funding Sources
- Environmental Questionnaire (NEPA, Historic Preservation, and Waste Stream)
- Five (5) copies and one (1) original required.

Application Scoring

- Number of Jobs created and/or retained Up to 25 Points
- Overall Energy Reduction and Savings Up to 25 Points
- Total Funds Leveraged Up to 25 Points
- Maximum Benefit to Public Up to 25 Points

ADDITIONAL INFORMATION ON REQUIREMENTS

FAR 31.201-3

Applicants are not subject to the federal bidding requirements, but must have supporting documentation that the costs are reasonable according to the **FAR 31.201-3** below. If the Department of Energy Contracting Officer challenges the reasonableness of a cost, the burden is on the recipient to establish that the cost is reasonable.

31.201-3 Determining reasonableness.

(a) A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person in the conduct of competitive business. Reasonableness of specific costs must be examined with particular care in connection with firms or their separate divisions that may not be subject to effective competitive restraints. No presumption of reasonableness shall be attached to the incurrence of costs by a contractor. If an initial review of the facts results in a challenge of a specific cost by the contracting officer or the contracting officer's representative, the burden of proof shall be upon the contractor to establish that such cost is reasonable.

(b) What is reasonable depends upon a variety of considerations and circumstances, including—

(1) Whether it is the type of cost generally recognized as ordinary and necessary for the conduct of the contractor's business or the contract performance;

(2) Generally accepted sound business practices, arm's-length bargaining, and Federal and State laws and regulations;

(3) The contractor's responsibilities to the Government, other customers, the owners of the business, employees, and the public at large; and

(4) Any significant deviations from the contractor's established practices.

NEPA - Environmental Requirements

All projects must be reviewed under the National Environmental Policy Act (NEPA) of 1969 – 42 U.S.C. Section 4321 et seq. (*Separate Attachment*). If you move forward with activities that are not authorized for Federal funding by the Department of Energy (DOE) Contracting Officer in advance of the final NEPA decision, you are doing so at risk of not receiving Federal funding and such costs may not be recognized as allowable cost share. All applicants must submit an environmental evaluation report/evaluation notification form addressing NEPA issues prior to the Dept. of Energy initiating the NEPA process. Applicants must fill out the attached NETL 451.1-EECBG Form, addressing the Historic Preservation and the Waste Stream Clause below.

Applicant's contractor will be required to fill out an EF-1 Form found at the bottom of the webpage, <https://www.eere-pmc.energy.gov/NEPA.asp>.

Historic Preservation

All projects involving buildings built after 1959 are required to provide documentation from the PBC Property Appraiser's website to be excluded from the following Historic Preservation Clause.

Prior to the expenditure of Federal funds to alter any structure or site, the Recipient is required to comply with the requirements of Section 106 of the National Historic Preservation Act (NHPA), consistent with DOE's 2009 letter of delegation of authority regarding the NHPA. Section 106 applies to historic properties that are listed in or eligible for listing in the National Register of Historic Places. In order to fulfill the requirements of Section 106, the Recipient must contact the State Historic Preservation Officer (SHPO), and, if applicable, the Tribal Historic Preservation Officer (THPO), to coordinate the Section 106 review outlined in 36 CFR Part 800. SHPO contact information is available at the following link: <http://www.ncshpo.org/find/index.htm>. THPO contact information is available at the

following link: <http://www.nathpo.org/map.html> . Section 110(k) of the NHPA applies to DOE funded activities. Recipients shall avoid taking any action that results in an adverse effect to historic properties pending compliance with Section 106.

Recipients should be aware that the DOE Contracting Officer will consider the recipient in compliance with Section 106 of the NHPA only after the Recipient has submitted adequate background documentation to the SHPO/THPO for its review, and the SHPO/THPO has provided written concurrence to the Recipient that it does not object to its Section 106 finding or determination. Recipient shall provide a copy of this concurrence to the Contracting Officer.

Waste Stream

All project activities must adhere to the Solid Waste Authority of Palm Beach County's Integrated Solid Waste Management Plan to be approved by the Dept. of Energy which addresses the following Waste Stream Clause for all applicants.

Prior to the expenditure of Federal funds to dispose of sanitary or hazardous waste, the Recipient is required to provide documentation demonstrating that it has prepared a disposal plan for sanitary or hazardous waste generated by the proposed activities. Sanitary or hazardous waste includes, but is not limited to, old light bulbs, lead ballasts, piping, roofing material, discarded equipment, debris, asbestos, etc.

The DOE shall consider compliance with this clause complete only after the Recipient has submitted adequate documentation for its review, and DOE has provided written approval to the Recipient of its proposed plan to dispose of its sanitary or hazardous waste.

State Energy Service Contractors

There is a qualified vendor list for the State's Energy Service Companies or ESCOs on the website,

http://dms.myflorida.com/business_operations/real_estate_development_management/facilities_management/energy_initiatives

Additional pertinent information in using these federal funds.

31564 Federal Register / Vol. 74, No. 125 / Wednesday, July 1, 2009 / Rules and Regulations

9.108 Prohibition on contracting with inverted domestic corporations.

9.108–1 Definition. *Inverted domestic corporation*, as used in this section, means a foreign incorporated entity which is treated as an inverted domestic corporation under 6 U.S.C. 395(b), *i.e.*, a corporation that used to be incorporated in the United States, or used to be a partnership in the United States, but now is incorporated in a foreign

country, or is a subsidiary whose parent corporation is incorporated in a foreign country, that meets the criteria specified in 6 U.S.C. 395(b), applied in accordance with the rules and definitions of 6 U.S.C. 395(c). Other terms used to describe such companies include "expatriate corporations," and "tax haven contractors."

For additional information contact:

PALM BEACH COUNTY ECONOMIC DEVELOPMENT OFFICE
301 N. Olive Avenue, 10th Floor, West Palm Beach, FL 33401
P.O. Box 1989, West Palm Beach, FL 33402-1989
(561) 355-3624
Fax: (561) 355-6017

Attn: Pamela Nolan, Economic Development Specialist
pnolan@co.palm-beach.fl.us
(561) 355-6835
Fax: (561) 355-6017

www.pbcgov.com/edo

Metrics

The results of the funding provided for the projects will be assessed according to the metrics below. The key metrics will vary by project type. The minimum information to be reported by the entity, by project activity type, is written below.

Building Retrofits

- Number of buildings retrofitted, by sector
- Square footage of buildings retrofitted, by sector

Building Energy Audits

- Number of audits performed, by sector
- Floor space audited, by sector
- Auditor's projection of energy savings, by sector

Energy Efficiency Rating and Labeling

- Types of energy-consuming devices for which energy-efficiency rating and labeling systems were endorsed by the grantee

Government, School, Institutional Procurement

- Number of units purchased, by type (e.g., office equip., HVAC equip., exit signs)

Industrial Process Efficiency (kWh equivalents)

- Reduction in natural gas consumption (mmcf)
- Reduction in fuel oil consumption (gallons)
- Reduction in electricity consumption (MWh)

Renewable Energy Market Development

- Number and size of solar energy systems installed
- Number and size of wind energy systems installed
- Number and size of other renewable energy systems installed

Short-term Outcomes (Supplemental guidance will be provided on how to calculate these outcomes to ensure consistent approaches that results can be aggregated at a regional, State and national level):

Energy Savings (kWh equivalents)

- Annual reduction in natural gas consumption (mmcf) by sector and end-use

category

- Annual reduction in electricity consumption (MWh) by sector and end-use category
- Annual reduction in electricity demand (MW) by sector and end-use category
- Annual reduction in fuel oil consumption (gallons) by sector and end-use category
- Annual reduction in propane consumption (gallons) by sector and end-use category
- Annual reduction in gasoline and diesel fuel consumption (gallons) by sector and end-use category

Job Creation/Retention

- Number
- Type
- Duration

Renewable Energy Capacity and Generation

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

Emissions Reductions (tons) (CO2 equivalents)

- Methane
- Carbon
- Sulfur dioxide
- Nitrogen oxide
- Carbon monoxide