

Energy Trust of Oregon Request for Proposals: Impact Evaluation of 2021-2022 New Buildings Program

RFP Issued: December 7, 2022

Intent to Bid and Questions Due: January 6, 2023

Proposals Due: January 20, 2023

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About Energy Trust

Energy Trust of Oregon is an independent nonprofit organization dedicated to delivering energy efficiency and renewable power benefits to 2 million utility customers. We are funded by and serve Oregon customers of Portland General Electric, Pacific Power, Cascade Natural Gas and Avista, and Oregon and Washington customers of NW Natural. A non-stakeholder board of directors guides our work with input from three advisory councils, and we are overseen by the Oregon Public Utility Commission. Since 2002, our technical services, cash incentives and energy solutions have helped participating customers save \$5.3 billion on their utility bills. The cumulative impact of our leadership has been a contributing factor in keeping our state's energy costs as low as possible, adding renewable power to the grid from small and medium-scale projects, and building a sustainable energy future. More information about Energy Trust's background, funding sources, strategic and action plans, policies and programs are available on our website at www.energytrust.org/about.

Some of Energy Trust's requirements in this RFP and in any subsequent negotiating and/or contracting phases are driven by governing law, the provisions of our grant agreement with the OPUC (the OPUC Grant Agreement) and our funding agreements with each utility.

Introduction

Energy Trust is seeking proposals for a contractor to perform an impact evaluation of its commercial new construction energy efficiency program, the New Buildings program (New Buildings), for energy savings achieved in 2021 and 2022.

New Buildings began in August 2003 and is implemented by a Program Management Contractor (PMC) on behalf of Energy Trust. The current PMC is CLEAResult. New Buildings serves new commercial construction, major renovations, tenant improvements, and building additions, including multifamily buildings. New Buildings helps customers design and build energy efficient buildings from early design to post-occupancy, utilizing a variety of services and incentives, including early design assistance, technical service incentives, technical review, installation incentives, and building commissioning incentives. In addition, the program provides regular industry trainings for developers and design and engineering firms, and it supports state efforts to update commercial energy codes. Since new, ASHRAE-based codes were adopted in 2019 and 2021, the program has had to adapt its approach to whole building projects, since the performance path of the new codes no longer provides a simple way to estimate project incremental costs given that there is no single way to minimally comply with code. As a result, the whole building program tracks have been operating under a cost-effectiveness exception to the total resource cost (TRC) test from the OPUC, since the TRC benefit-cost ratio can no longer be computed. However, the program has not yet processed a large volume of whole building projects that are subject to the new codes, due to the long lead times for new construction projects.

During the 2021 program year and 2022 year-to-date, 566 projects have been completed at 566 distinct sites, with reported annual energy savings of approximately 45 million kilowatt-hours and 560,000 therms (Table 1). The 2021 to 2022 year-to-date energy savings achievements follow the recent trend of declining program savings during the previous several years (Figure 1).

Table 1: Savings Achieved and Projects Completed in 2021 and 2022 Year-to-Date

Year	Sites	Projects	Reportable kWh Savings	Reportable Therm Savings
2021	357	357	30,430,584	351,107
2022	219	219	15,316,619	208,686
Total	576	576	45,747,203	559,793

Note: Number of projects and total savings may differ from official Energy Trust reports. Savings represent first-year, reported savings from each project.

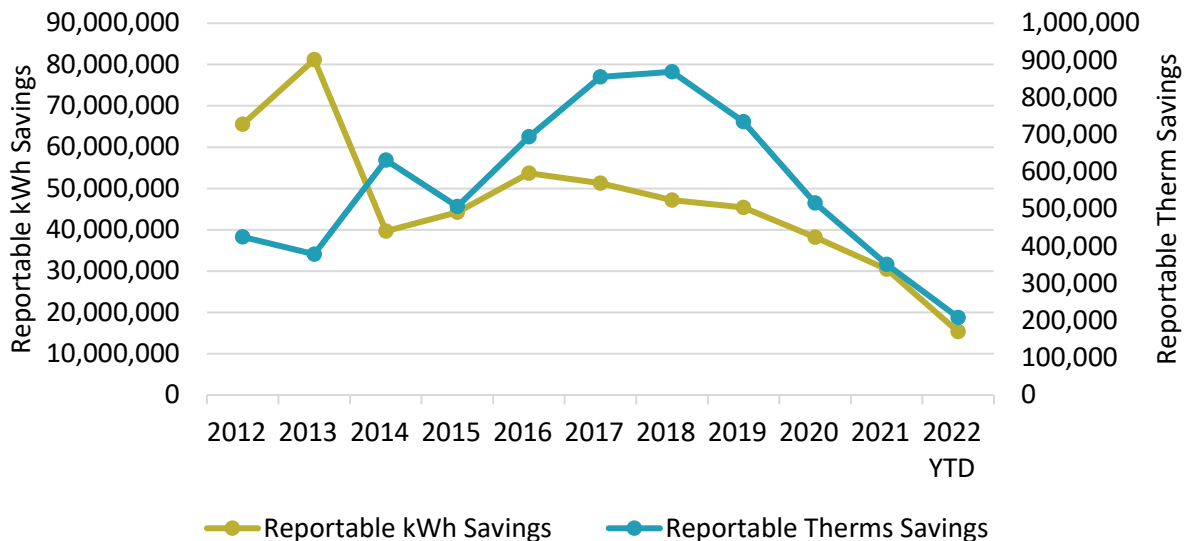


Figure 1: Savings Achieved by Program Year, 2012-2022 YTD

New Buildings has several tracks that use different approaches to help customers select energy efficiency measures and quantify energy savings and incentive amounts.

- The **data center** track focuses specifically on data center opportunities.
- The **market solutions** track streamlines participation by presenting customers with “Good”, “Better”, “Best”, and “Very Best” packages of measures specific to different building types. This track uses workbooks based on pre-modeled prototype buildings to calculate energy savings and incentives for multifamily buildings.. Other building types were included in the past, but in the 2021 and 2022 program years, 97% of market solutions projects were with multifamily buildings (remaining 3% were food service).

- The **system-based** track uses a combination of individually selected prescriptive and custom calculated measures to quantify savings and incentives for individual systems within a building.
- The **whole building** track employs custom building simulation models to quantify whole building and measure-level energy savings. This track is typically reserved for large or complex projects expected to achieve relatively high savings. Path to Net Zero (PTNZ) began as a pilot to push innovative designers and developers to try to achieve net zero energy use. These projects are now part of the whole building track but are unique because of their aggressive goals and use of on-site renewables.

There is some crossover of analysis methods between tracks, especially for standard equipment measures, which use prescriptive savings based on standard assumptions and calculations. The mix of 2021-2022 projects by program track, building type, measure category, and applicable building code is listed in the following tables.

Table 2: Savings and Projects Completed in 2021-2022 YTD, by Track

Program Track	Projects	Reportable kWh Savings	% of Total kWh Savings	Reportable Therm Savings	% of Total Therm Savings
Data Center	2	3,341,651	7%	0	0%
Market Solutions	93	13,373,187	29%	189,523	34%
Path To Net Zero*	11	4,992,844	11%	53,916	10%
System Based	454	20,754,630	45%	222,996	40%
Whole Building	16	3,284,890	7%	93,358	17%
Total	576	45,747,203	100%	559,793	100%

Note: Number of projects and total savings may differ from official Energy Trust reports. Savings represent first-year, reported savings from each project.

* As noted above, Path to Net Zero is a component of the Whole Building track.

Table 3: Savings and Projects Completed in 2021-2022 YTD, by Measure Category

Measure Category	Projects*	Reportable kWh savings	% of total kWh Savings	Reportable Therm savings	% of total Therm savings
Lighting	456	17,903,250	39%	0	0%
Other measure**	132	11,006,382	24%	85,611	15%
HVAC	79	6,063,223	13%	137,308	25%
Domestic hot water	144	52,770	0%	131,254	23%
Market Solutions Offering	26	2,161,723	5%	30,938	6%
Showerhead	69	842,043	2%	53,899	10%
Heat pump	28	2,326,611	5%	0	0%
Ventilation	65	2,225,280	5%	603	0%
Faucet aerator	90	521,462	1%	42,329	8%
Appliance	82	458,612	1%	37,299	7%

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Air sealing	55	1,422,316	3%	0	0%
Food equipment	75	174,861	0%	40,551	7%
Lighting controls	8	270,093	1%	0	0%
Server Closet Mini-split AC	61	211,950	0%	0	0%
Motors/Pumps	9	106,626	0%	0	0%
Total	576	45,747,203	100%	559,793	100%

Note: Number of projects and total savings may differ from official Energy Trust reports. Savings represent first-year, reported savings from each project.

* Projects counts do not sum to total as one project may contain many different types of measures.

** "Other measure" includes data center measures.

Table 4. Savings and Projects Completed in 2021-2022 YTD, by Building Type

Building Type	Projects	Reportable kWh Savings	% of Total kWh Savings	Reportable Therm Savings	% of Total Therm Savings
Multifamily*	127	15,274,519	33%	207,721	37%
K-12 School/Education	80	5,337,371	12%	168,913	30%
Office	81	5,680,609	12%	47,690	9%
College/University	15	3,595,967	8%	7,661	1%
Data Center	2	3,341,651	7%	0	0%
Parking Structure/Garage/Lot	8	2,942,962	6%	0	0%
Retail	47	1,366,711	3%	18,559	3%
Grocery/Convenience	8	1,299,386	3%	11,196	2%
Lodging/Hotel/Motel**	16	849,474	2%	25,982	5%
Warehousing and Storage	46	1,520,346	3%	2,296	0%
Hospital/Healthcare	28	1,328,461	3%	8,227	1%
Food Service	44	228,391	0%	36,253	6%
Manufacturing/Food Processing†	21	1,086,287	2%	5,269	1%
Arts, Entertainment and Recreation	16	986,491	2%	8,667	2%
Other	13	487,179	1%	845	0%
Car Dealership/Maintenance	8	186,051	0%	7,358	1%
Government/Municipal/Public Sector	16	235,347	1%	3,156	1%
Total	576	45,747,203	100%	559,793	100%

Note: Number of projects and total savings may differ from official Energy Trust reports. Savings represent first-year, reported savings from each project.

* Multifamily properties contained an average of 100 dwelling units.

** Lodging/hotel/motel projects contained an average of 93 rooms.

† New Buildings provides incentives for the construction of new industrial facilities for measures not related to production processes. Energy Trust's Production Efficiency program provides incentives for efficient production processes and equipment and maintains the relationships with industrial customers.

Table 7: Savings and Projects Completed in 2021-2022 YTD, by Building Code

Building Code	Projects	Reportable kWh savings	% of total kWh Savings	Reportable Therm savings	% of total Therm savings
2014	217	29,831,192	65%	348,279	62%
2019	330	15,746,004	34%	202,389	36%
2021	30	170,006	0%	9,124	2%
Total	576	45,747,203	100%	559,793	100%

Note: Number of projects and total savings may differ from official Energy Trust reports. Savings represent first-year, reported savings from each project.

Table 8: Savings and Projects Completed in 2021-2022 YTD, by Track and Building Code

Program Track	Building Code Year	Projects	Reportable kWh savings	% of total kWh Savings	Reportable Therm savings	% of total Therm savings
Data Center	2014	1	2,644,394	79%	0	N/A
	2019	1	697,257	21%	0	N/A
	Total	2	3,341,651	100%	0	N/A
Market Solutions	2014	63	9,689,669	72%	153,942	81%
	2019	30	3,683,519	28%	35,581	19%
	Total	93	13,373,187	100%	189,523	100%
Path To Net Zero*	2014	6	3,177,896	64%	46,658	87%
	2019	5	1,814,949	36%	7,258	13%
	Total	11	4,992,844	100%	53,916	100%
System Based	2014	136	11,222,780	54%	88,320	40%
	2019	288	9,361,844	45%	125,552	56%
	2021	30	170,006	1%	9,124	4%
	Total	454	20,754,630	100%	222,996	100%
Whole Building	2014	11	3,096,455	94%	59,359	64%
	2019	5	188,435	6%	33,999	36%
	Total	16	3,284,890	100%	93,358	100%

Note: Number of projects and total savings may differ from official Energy Trust reports. Savings represent first-year, reported savings from each project.

* As noted above, Path to Net Zero is a component of the Whole Building track.

More information about the design, budget, goals and accomplishments of New Buildings, as well as past impact evaluation reports, can be found on Energy Trust's website at: <https://www.energytrust.org/about/reports-financials>.^{1,2,3,4}

Research Objectives

Energy Trust performs process and impact evaluations of its major programs on a regular basis. Impact evaluations provide an important accountability role, to ensure that the energy savings that Energy Trust invests in and reports to its stakeholders are actually achieved. The evaluation results, specifically the savings realization rates, are incorporated into Energy Trust's Savings Realization Adjustment Factors (SRAFs)⁵ which are applied to Energy Trust savings claims for each fuel prior to reporting them.

The most recent New Buildings impact evaluation was completed in 2021 and covered the 2018-2019 program years. Due to budgetary constraints and relatively consistent program realization rates over several evaluation cycles, we did not evaluate the 2020 program year and do not expect to include it in this evaluation.

Energy Trust has a separate process for very large and complex commercial and industrial projects, including New Buildings projects. These projects are evaluated on an individual basis with their own evaluation plan due to their large savings, complexity of the projects, and the need to evaluate them on a different schedule than allowed by the program-wide impact evaluation. There are three to five large projects from 2021 and 2022 that will be evaluated through this separate process, although not all of them have been completed. Those that have been completed to date are included in the savings summaries provided above, representing about 13% of program electricity savings. An additional one to two projects may be completed by the end of 2022 with an expected 2 to 30 million kWh of electricity savings. These large projects either must be removed from the sample frame for the 2021-2022 program impact evaluation, or the results will need to be integrated into the program-wide evaluation results. This will largely depend on how well the timing of the large project evaluations aligns with this program evaluation.

The methodology of this evaluation will need be adapted to the ongoing effects of the coronavirus pandemic, both to minimize risk to Energy Trust's customers and contractors and to determine what each building's long-term, typical operations will be. This may mean conducting site visits remotely, when feasible, relying on site contacts to provide

¹ 2018-2019 New Buildings Program Impact Evaluation can be found at: https://www.energytrust.org/wp-content/uploads/2021/10/2018-19-New-Buildings-Program-Evaluation_Final_wSR.pdf

² Energy Trust's 2021 Approved Annual Budget and Action Plan can be found at: https://www.energytrust.org/wp-content/uploads/2020/12/2021-Approved-Binder_WEB.pdf

³ Energy Trust's 2022 Approved Annual Budget and Action Plan can be found at: <https://www.energytrust.org/wp-content/uploads/2021/12/2022-Approved-Budget-Binder.pdf>

⁴ Energy Trust's 2021 Annual Report can be found at: <https://energytrust.org/wp-content/uploads/2022/04/2021-Annual-Report.pdf>

⁵ SRAFs (Savings Rate Adjustment Factors) are a combination of line loss adjustments and three-year rolling averages of the most recent program or track level evaluated realization rates for each fuel.

more information, using EMS and utility data whenever possible, and accepting a lower level of savings certainty in some cases. With many new buildings now minimally occupied, some data collection activities may not make sense, or may need to be delayed. We may postpone collection of building operational and usage data or make assumptions about typical building operations that are reflective of operations in the post-COVID-19 world.

The goals of the 2021-2022 impact evaluation are to:

- Develop reliable estimates of New Buildings program gas and electric savings and realization rates for the 2021 and 2022 program years, separately
 - Additionally, provide gas and electric realization rates by program track, building type, and measure category
 - Estimate the impact of the 2019 and 2021 ASHRAE-based Oregon energy codes on savings realization rates for whole building projects
 - This information will be used to develop program SRAFs for program savings projections, budget development, and reporting savings to stakeholders
- Develop estimates of electricity and gas utility system peak demand savings for the program overall for the 2021 and 2022 program years
 - Provide electricity and gas utility peak demand savings estimates by program track, building type, and measure category
- Provide feedback on whole building modeled savings calculations under the 2019 and 2021 ASHRAE-based Oregon energy codes
- Report important observations about New Buildings projects and make recommendations for specific changes that will help Energy Trust improve the accuracy of future *ex-ante* savings estimates, future engineering studies, and the results of future impact evaluations

This impact evaluation represents the first program years with projects completed under Oregon's new, ASHRAE-based energy codes, adopted in 2019 and updated in 2021. As seen in the tables above, projects subject to the new codes have been concentrated in the System Based track with relatively few projects subject to the new codes in the whole building tracks (Whole Building, PTNZ, and Market Solutions) to date. There will likely be nuances and issues in how savings are evaluated for projects that are subject to the new, ASHRAE-based codes, especially in the whole building tracks. ***These potential issues should be anticipated and explored in respondents' proposals.***

Tasks

It is anticipated that the selected evaluator will be required to undertake the following major tasks outlined below. *Respondents should address each task in their proposals*

and describe their approach. In addition, proposals should identify any challenges they foresee in implementing these tasks and recommend solutions.

Task 1. Conduct Study Kick-off

The selected evaluator is expected to work closely with PMC staff and Energy Trust program and evaluation staff throughout the evaluation project. The selected evaluator will have an opportunity to meet with Energy Trust and PMC staff at a kick-off meeting to establish points of contact with the program, discuss points of coordination, and present a proposed evaluation work plan and project schedule.

Prior to the kick-off meeting, Energy Trust evaluation staff will provide the evaluator with the program's technical guidelines, documentation, and project tracking data for the program years to be evaluated, which will serve as the sample frame. The evaluator should familiarize themselves with the program design, technical documents, and sample frame prior to the kick-off meeting to ensure a productive meeting. The evaluator will also provide Energy Trust with a proposed evaluation framework so that Energy Trust and PMC staff may review it in advance to help facilitate discussion during the meeting.

At the kick-off meeting, the selected evaluator will present the proposed evaluation framework, including sample design, research methodologies (including data collection and analysis), and report preparation. The evaluator will also discuss the project schedule, including a timeline of activities that require input from program staff, and protocols for contacting and communicating with participants. The kick-off meeting will allow the evaluator to obtain input on the proposed evaluation framework from Energy Trust and PMC staff, which will feed into the work plan described in Task 2. The evaluator will also use the kick-off meeting to establish points of contact with the program to support a successful evaluation.

Deliverables:

- Proposed evaluation plan
- Participation in a kick-off meeting

Task 2. Develop Work Plan and Coordinate with Program Staff

Energy Trust will provide the evaluator with completed project data for 2021 and 2022, along with other project documentation necessary to develop a sampling plan. Based on feedback received on the proposed evaluation framework at the kick-off meeting, and their review of program data and documents, the selected evaluator will develop a detailed final work plan, containing the following elements:

- Evaluation goals (outlined in the Research Objectives section)
- Sampling plan
- Evaluation methodologies
 - Determining level of rigor and scope of evaluation activities for each project (e.g. when to conduct an interview vs. collect data on site)
 - Data collection strategies

- Analysis methods
- EUI analysis
- Report preparation
- Communications plan
- Coordination points with PMC staff
- Schedule of tasks and deliverables

Many of these items will be addressed in the proposed evaluation framework described in Task 1 but will be formalized and approved in the work plan.

Sampling Plan

The sample should be comprised of projects representing a majority of program electric and gas savings. Stratified random sampling will be used to maximize the precision of the results and allow for analysis of specific components of the program. The sample frame will first be stratified into 6-10 major building type groups, consistent with prior program evaluations, then by applicable energy code (pre-2019 vs. 2019 and beyond code cycles). The projects in each group may be further stratified, as needed. Projects will then be randomly selected within each stratum, with the sampling probabilities weighted by the *ex-ante* energy savings of each project. This will ensure that larger projects with higher savings are more likely to be included in the sample. We would like to avoid sampling large projects with certainty, as this has caused issues in the past when certainty projects could not be recruited. Projects subject to the 2019 and beyond ASHRAE-based energy codes will be oversampled, particularly whole building projects. The oversample should be sufficient to support analysis of differences in savings realization rates and energy intensities between code cycles.

Proposals should describe the expected evaluation sampling plan. Proposals should specify estimated sample sizes for the evaluation that are sufficient to achieve the following targets:

- ***10% relative precision at a 90% confidence level for...***
 - ***Program-level electric savings and realization rates for each year***
 - ***Program-level gas savings and realization rate for each year***
- ***15% relative precision at a 90% confidence interval for...***
 - ***Track-level electric and gas savings and realization rates***
 - ***Building type-level electric and gas savings and realization rates***
 - ***Energy code cycle-level electric and gas savings and realization rates***

In addition, the sampling plan will include, at a minimum, a description of the stratification scheme, probability weighting, number of projects to be selected within each stratum, program areas that will be over- or under-sampled, and expected confidence and precision levels of results. A draft sampling plan will be provided in the evaluation work plan for Energy Trust evaluation staff to review and approve. The selected evaluator will incorporate feedback into the sampling plan, as needed.

Evaluation Methodologies

These activities are described in Tasks 4, 5, 6, and 7.

Report Preparation

These activities are described in Task 8.

Communications Plan

The communications plan component of the work plan will detail how customer communications will be handled and coordinated between the selected evaluator, Energy Trust program and evaluation staff, and PMC staff. The goal is to make the evaluation run efficiently, ensure convenience to participants and preserve the relationship between participants and the program. Due to the close, continuous nature of relationships between the program and participants, care must be taken in requesting time and information from customers; program staff input from the kick-off meeting will be used to formulate a communications plan. Specifically, the selected evaluator will work with PMC staff to make the initial contact with participants as part of the recruitment process.

For large projects and key customers, participant recruitment and communication will be handled with additional sensitivity, including closer coordination and direct interface with PMC staff. The selected evaluator must consider that large commercial customers with complex projects often take much longer to arrange site visits (in-person and remote) with and fulfill data requests. The selected evaluator will provide a draft communications plan to Energy Trust and PMC staff to review and discuss. The selected evaluator will incorporate staff feedback into the final plan, as needed.

Proposals should describe a general approach to customer communications, recruiting, and coordination.

Coordination Points with PMC Staff

The work plan will identify major coordination points with Energy Trust and PMC staff and build in review periods for each work product. These coordination points are the:

- Work plan
- List of sampled sites (Task 3)
- Data collection tool and facility operator interview guide (Task 3)
- Site-specific evaluation plans (Task 3)
- Site-specific analysis results (Task 6)
- Review of draft report (Task 8)

Follow-up meetings may be necessary to discuss certain topics in-depth. Review of major work products and possible follow-up meetings may require significant work and communication on the part of both the evaluator and PMC staff.

Schedule of Tasks and Deliverables

In the work plan's schedule, the selected evaluator will set reasonable timelines for review of each work product and include timelines for each deliverable. The selected

evaluator will schedule the project so that recruiting and data collection occur in two waves, with 2021 projects being evaluated first and 2022 projects being evaluated later in the schedule. Projects that may take longer to achieve full occupancy or typical operations will be evaluated as late in the schedule as possible. Energy Trust expects the selected evaluator to manage all aspects of the evaluation to meet the approved schedule.

Proposals should include a draft schedule based on the overall timeline for the project that accounts for the need to avoid analyzing periods of atypical operation or low occupancy.

A draft evaluation work plan will be presented to Energy Trust evaluation staff for review and approval. The selected evaluator will provide a final work plan addressing any feedback from the Energy Trust evaluation staff.

Deliverable:

- Draft and final work plan

Task 3. Draw Sample, Develop Site-Specific Evaluation Plans and Data Collection Tools

Once the sampling plan and work plan are finalized, the selected evaluator will draw the sample and provide a list of sampled sites to Energy Trust and PMC staff to review and discuss. Based on feedback received from staff, some sites may need to be removed and replaced in the sample. It will be necessary to identify any industrial sites in the sample and coordinate with the Production Efficiency program on any planned customer contact or site visits related to those projects. Energy Trust evaluation staff will provide the selected evaluator with detailed project files for each selected project, documenting the building details, savings methodology, and incentives provided. For projects with prescriptive measures, Energy Trust will provide the relevant measure approval documents (MADs) describing the qualification criteria and assumptions built in to the savings estimates.

In addition, Energy Trust will identify any sites that overlap with its large/complex New Buildings project evaluation process. This process diverts a small number of projects each year to receive their own standalone impact evaluations with much earlier engagement with customers and closer coordination of evaluation activities. These projects may be removed from the sample frame, or their results may be integrated into this impact evaluation, depending on the timing. There was one such project in 2021, accounting for about 2.7 million kWh in reported savings, and there will be two to four large projects that will be completed in 2022, representing anywhere between 3 and 30 million kWh in savings. The projects completed to date are included in the program savings totals and tables presented above.

The selected evaluator will develop a general data collection tool and facility operator interview guide to use during site visits (in-person or remote). These tools should cover the types of measures and end uses observed in the sites selected for

evaluation. The drafts will be provided to Energy Trust and PMC staff for review before being finalized and used in the field. The selected evaluator will incorporate any staff feedback into the final tool and interview guide.

For the sample of selected sites, the evaluator will prepare site-specific evaluation plans that detail the level of rigor, type of information to be collected, and the methods of data collection (e.g., facility operator interview, on-site or remote inspection, equipment metering, Energy Management System (EMS) trend data, email request to participant, etc.). It is anticipated that these plans will be more complex for whole building projects, projects with measures based on custom engineering analysis, and projects with very high savings. Path to Net Zero projects should include collection and analysis of energy production data in addition to evaluating the performance of the energy efficiency measures. Site-specific evaluation plans should adhere to standard industry guidelines, such as IPMVP and Uniform Methods Project. The plans must account for disrupted building operations, lower than expected occupancy, and potentially unusable periods of data.

The site-specific plans will be less complex for market solutions projects, system-based projects with deemed or calculated savings measures, and projects with low savings. The evaluator will provide site-specific evaluation plans to Energy Trust and PMC staff for review for the five largest projects in the sample and a representative sample of ten smaller projects. The selected evaluator will incorporate staff feedback into the final site-specific evaluation plans.

Proposals should describe respondent's process for developing site-specific evaluation plans and data collection tools, including criteria used to determine the level of rigor and data collection methods used.

Deliverables:

- Draft and final list of sampled sites
- Draft and final data collection and facility operator interview guide(s)
- Draft and final site-specific evaluation plans

Task 4. Review Whole Building Project Savings Calculations

Prior to beginning data collection activities, the selected evaluator will conduct a technical review of the methodology employed by the program to determine gas and electricity savings for whole building projects subject to the 2019 and 2021 ASHRAE-based energy codes. This will involve a review of the program's Technical Guidelines and Energy Modeling Summary Workbook, which will be provided to the selected evaluator by Energy Trust. In addition, a random sample of three whole building projects subject to the 2019 and 2021 energy codes will be selected for review, so that the selected evaluator can better understand how the methodology is applied and what its impacts are. The goal of this review is to determine if the methods the program is using (based on the ASHRAE Appendix G energy modeling guidelines) to create baseline energy usage estimates and compute energy savings are appropriate. The selected evaluator will consider methods used by other commercial new construction programs and whether the New Buildings program's methodology accurately

characterizes baseline energy usage and energy savings attributable to program supported measures. The selected evaluator will identify areas for improvement or preferred methods for computing whole building project energy savings using energy modeling techniques under ASHRAE-based codes. The selected evaluator will prepare a brief memo describing the methods currently used by the program, any recommended improvements or changes, and the likely impacts of these changes on whole building project energy savings and realization rates. This memo will be provided to the Evaluation Project Manager as early in the project timeline as feasible.

Proposals should describe respondent's experience with whole building models and performance based ASHRAE energy codes, what respondent will be looking for in their technical review, and how they will assess whether the program guidelines are following best practices for developing accurate energy savings estimates.

Deliverable:

- Memo on whole building savings calculation methods

Task 5. Conduct Data Collection Activities

Once the list of sampled sites and site-specific evaluation plans are finalized (Task 3), PMC staff will provide an introduction to the appropriate participant contact for each sampled project, according to the communications plan developed in Task 2. The selected evaluator will then recruit the sampled participants and perform primary data collection activities in accordance with the site-specific evaluation plans. Site visits (in-person or virtual), facility operator interviews, and other data collection activities will be coordinated with customers to minimize disruption to site personnel and ensure the safety of the customer's and evaluator's staff. The selected evaluator will follow the communications plan throughout the process. Recruiting and data collection should be conducted in two waves, with 2021 projects evaluated first and 2022 projects evaluated later in the project schedule. As noted above, data collection activities at some sites may need to be delayed to obtain typical operations and energy usage data from a time period where buildings are operating normally and are fully occupied, to properly assess energy savings.

Data collection may include a range of activities to verify the correct equipment was installed and reduce uncertainty in the energy savings reported. This may include collection of nameplate information, equipment operations, as-built conditions, building schedules, occupancy trends, and energy usage data, depending on the complexity of the project. In every case, data collection activities should be designed to collect the information necessary to confirm or recalculate energy savings.

For all site visits (in-person or virtual), the selected evaluator will physically or virtually inspect and verify the installation of incented measures and equipment. This includes verifying that equipment is operating correctly, meets program requirements, and recording model numbers, equipment efficiencies, capacities, fuel used, and other pertinent information. For measures with deemed or calculated savings, verification of

installation, operation, equipment specifications, and any calculation inputs may be all that is required to evaluate the energy savings. Complex projects and measures with very high savings, large uncertainty in their assumptions, or custom engineering analyses will necessitate more detailed data collection and analysis. In some cases, this will include obtaining utility meter energy usage data, EMS trend data, or conducting spot metering and short-term equipment metering. Not every sampled site will require a site visit, and many site visits may be conducted virtually, depending on the planned activities.

For sites with savings based on building simulation modeling, the selected evaluator must collect enough building characteristics and operations data to perform a rigorous, calibrated, building simulation model in accordance with ASHRAE guidelines. The calibrated as-built simulation model will then be compared to a model assuming code baseline building construction and operating conditions. For projects under the 2019 and 2021 Oregon energy code, the process is different in that an ASHRAE 90.1 Appendix G model is created, with modified building performance factors applied to determine the code baseline energy use. Energy Trust will provide the original simulation models and energy usage data from utility bills for applicable sites.⁶ Other data, such as trend data from an EMS or AMI energy usage data, may be obtained directly from the participant by the selected evaluator.

Facility operator interviews should be conducted for all sampled sites, and may be sufficient for some projects, especially when accompanied by photos or site data obtained from the customer contact. Facility operators will be interviewed to provide necessary information about building operations and installed equipment. For sites receiving site visits (in-person or remote), it is expected that interviews will be done as part of that process, but, if necessary, additional interviews will be performed. The content and complexity of the interviews will be scaled according to the savings and complexity of the project.

Data collected from customer sites and interviews will be used to estimate gross kWh and therm savings for each measure and project, as described in Task 6.

Proposals should specify the estimated number of site visits (in-person and virtual) that the budget can accommodate, along with the estimated number of projects to be evaluated using other means. Proposals should also describe respondent's approach to virtual site visits, what is entailed, and when they can be used in a place of in-person site visits. Proposals should specify the estimated number of site visits with equipment metering that the budget can accommodate and describe the logistics of installing and retrieving metering equipment. Lastly, proposals should describe how respondents plan to adapt

⁶ In order to receive energy usage data, the selected evaluation firm and all employees handling energy usage data must sign Energy Trust's Utility Customer Information Confidentiality Agreements (see Appendix B for language of these agreements).

data collection methods in cases where buildings appear to not be fully occupied, fully loaded, or operating in a typical or consistent manner.

Deliverable:

- Chapter in final report documenting the data collection methods

Task 6. Impact Analysis

The selected evaluator will analyze the data collected in Task 5 to develop:

- Estimates of total program electric savings, electricity peak demand savings, gas savings, and gas peak demand savings for program years 2021 and 2022 with a breakdown by building type, measure category, and program track
- Estimates of program electric and gas savings realization rates for program years 2021 and 2022, with a breakdown by building type, measure category, program track, and code cycle

To estimate program-level energy savings and realization rates, measure-level and site-level evaluated savings will be aggregated through a savings-weighted expansion, based on the sample stratification scheme. Energy Trust will provide utility peak period definitions and load coincidence factors (at the measure category level) to estimate electricity and gas peak demand savings. Load shape information for each fuel and measure category will also be available from Energy Trust's catalog of load shapes or from the RTF.

It is expected that site-level energy savings will be estimated through one or more of the following techniques:

- Verification
- Engineering calculations
- Analysis of metering, billing, and/or EMS data
- Calibrated building simulation models

Verification: The selected evaluator will physically (or virtually) verify installed equipment during site visits (on-site or remote) and collect basic equipment information. The selected evaluator will compare this information to program records to determine if there are any discrepancies; if equipment meets program requirements; if installed quantities, capacities, efficiency ratings, and fuel types are recorded correctly; and, if measures are operating as intended.

Engineering calculations: The evaluator will review the engineering calculations and input parameters that were used to estimate savings. Input parameters that were derived from on-site or virtual data collection, EMS data, and interviews will be used to re-estimate savings and compare them with the *ex-ante* savings estimates.

Analysis of metering, billing, and/or EMS data: Short-term metering of equipment, available EMS data, or utility billing data, might provide the evaluator greater insight into the operation of the building, its equipment and schedules, setpoints and operating parameters, and actual energy loads. This will allow for a more accurate

assessment of energy savings, especially for more complex measures and projects. Custom engineering calculations may be used to re-estimate savings and compare them with the *ex-ante* savings estimates.

Simulation models: The evaluator will review the building energy simulation models that were run and developed by the PMC or program allies. The evaluator will calibrate the simulation models to actual utility billing data using the as-built and as-operated information collected on-site (or virtually) and from interviews, EMS data, and short-term metering. The calibrated simulation models will be run and measure-level and whole building savings will be estimated. Calibrated energy savings will be compared to the *ex-ante* savings estimates and calibrated energy use intensity metrics will be compared to the program models.

The evaluator will provide site-specific analysis results to Energy Trust and PMC staff to review for the 20 largest projects in the sample (only those utilizing custom engineering analysis or whole building simulation modeling). The analysis results should include site-specific evaluated savings and realization rates, as well as a description of parameters that were adjusted and the rationale. The evaluator will incorporate staff feedback into the final results as needed.

Proposals should describe respondent's approach to estimating measure- and project-level energy savings and realization rates for the different analysis types and how these values will be aggregated to the desired levels. Proposals should also describe how electricity and gas peak demand savings will be estimated.

Deliverables:

- Draft site-specific analysis results for the 20 largest projects
- Chapter(s) in final report on the analysis methods and findings, including electricity demand savings

Task 7. Energy Use Intensity Analysis and Benchmarking

The selected evaluator will complete an energy use intensity analysis of each project in the sample and report aggregate results by major building type, system type, and other features of interest. This energy intensity analysis will examine both electricity and gas usage, normalized per square foot of building area, to examine the efficacy and overall efficiency of participant buildings. Buildings located in Energy Trust's gas-only service territory will be excluded because we cannot access electricity consumption data in these areas, unless data can be obtained directly from the customer. The resulting energy intensities are useful for benchmarking against past New Buildings evaluations where we completed similar exercises (this was not done in the most recent impact evaluation) and comparing between applicable energy code cycles.

The evaluator will compare the performance results to previous New Buildings evaluations to help understand the performance of program buildings over time. One objective of this task is to determine which system and equipment types tend to

perform best in the field and whether building performance is improving over time, and between code cycles, within specific building type categories. This will require aligning the building type definitions with past studies to be more comparable. Obtaining accurate project square footage information and energy usage data that represents meters that serve the specific facility or spaces being analyzed can be challenging in some circumstances and must be planned for.

Once complete, the evaluator will also provide Energy Trust with an identified dataset of energy intensities for all buildings analyzed, along with the building type, system and equipment types, and other important building characteristics.

Proposals should describe respondent's approach to obtaining square footage and energy usage data that accurately represent the project and how the energy intensity analysis will be conducted.

Deliverables:

- Dataset of building energy use intensities
- Chapter in final report on the energy intensity analysis methods and findings

Task 8. Reporting

The selected evaluator will be required to provide Energy Trust with a final evaluation report, not to exceed 45 pages, summarizing the evaluation activities and findings. The draft report will be reviewed and commented on by Energy Trust staff, PMC staff, third-party reviewers, and other parties deemed appropriate by Energy Trust. Based upon these comments, the selected evaluator shall make revisions and deliver to Energy Trust a final version of the report. Achieving an acceptable final report may take more than one iteration between the evaluator and Energy Trust. Where applicable, data, phone conversations, non-confidential sources, publications, and other media used in the report must be referenced and cited. It is anticipated that any respondents or sources can be promised confidentiality in terms of attribution of responses. Findings and conclusions shall be based on the information collected by the selected evaluator and referenced in the reports.

Evaluation reports must include, at a minimum, executive summary, methodology, findings, and conclusions and recommendations sections. The use of tables and graphs is recommended for material that does not lend itself well to narrative form, as well as for important findings.

Beyond reliable program, measure category, building type, and program track level savings estimates and realization rates, the evaluation report should include the selected evaluator's observations from the field and recommendations to more accurately forecast energy savings. Specifically, Energy Trust is interested in having the selected evaluator answer the following questions in the final evaluation report:

- Are there any specific aspects of the energy simulation models, engineering calculations, analytic approaches, or baselines used in the energy savings analyses that may be of concern to Energy Trust or need to be updated?
- Are there any obvious errors in the assumptions used in the energy savings analyses reviewed?
- Were any analytical or accounting errors made either in the original savings estimates or during the savings verification process?
- What factors resulted in large variances in *ex-ante* vs evaluated savings (assumptions too conservative, incorrect hours of operation, etc.)?
- What building types and measure categories had large variances in *ex-ante* vs evaluated savings and what were the causes?

In addition to the impact evaluation report, the selected evaluator will provide Energy Trust with brief site reports containing site-specific results for the 20 largest evaluated sites in the sample. These site reports should contain a description of the measures analyzed, *ex-ante* savings, evaluated savings, realization rates, and descriptions of on-site (or virtual) findings, and any adjustments made to inputs and assumptions. For whole building simulation projects, a list of the parameters that were adjusted, the specific changes that were made, and the rationale for adjusting them will be included. All whole building project site reports should be accompanied by the calibrated modeling files that were used to evaluate savings. These site reports may be provided back to the participants or their design teams to help improve simulation modeling and energy savings estimation for future projects.

The selected evaluator will also provide an interim memo, not to exceed five pages, of findings from the 2021 program year, once those become available. This memo will briefly summarize the 2021 evaluation sample, methods, and results and provide early information about the 2021 program year prior to the evaluation being completed.

Lastly, the selected evaluator will create and deliver a 30-minute presentation of the evaluation findings at a public evaluation webinar hosted by Energy Trust's evaluation team. These public webinars provide an opportunity for Energy Trust staff and stakeholders, and other industry professionals, to see the results of Energy Trust's evaluation and research projects. The webinars also help to disseminate evaluation findings and lessons learned and make Energy Trust's programs more transparent.

Proposals should describe how respondent will present results in the report and what findings they will focus on.

Deliverables:

- Site reports for 20 largest evaluated projects
- Calibrated modeling files for whole building projects
- Interim memo
- Draft and final full evaluation report
- Presentation of findings at public webinar

Task 9. Project Management

The selected evaluator will manage all aspects of this evaluation project to ensure that it remains on-schedule and below the contract budget cap. Project management will also include hosting regular check-in meetings with Energy Trust staff during the fielding process for the impact evaluation. The selected evaluator will provide near-real-time tracking and dispositions for site recruiting, site visits and data collection, and site-level analysis to Energy Trust during evaluation fielding process. They will proactively advise on ways to maximize study quality and response prior to, during, and post data collection.

The selected evaluator will be required to submit monthly status reports presenting the following:

1. Dispositions for site recruiting, site visits and data collection activities, and site-level analyses
2. Compliance with supplier diversity requirements (see Proposal Requirements), including current and total amounts invoiced to date for COBID-certified firms relative to total contract spending
3. A summary of activities and accomplishments during the previous month
4. Current month's activities and plans
5. Variances in schedule and budget, including any necessary explanations
6. If applicable, any issues or concerns to be addressed, with proposed solutions

These reports are due by the 10th of every month and must accompany the invoice, starting with the first month after work begins.

Deliverables:

- Regular check-in meetings with notes supplied afterward
- Frequent study updates during fielding
- Monthly status reports

Schedule Assumptions

Energy Trust anticipates kicking off this project in early February 2023. The draft interim memo will be delivered to Energy Trust by September 1, 2023 and the full draft report will be delivered by March 1, 2024. A final report will be delivered within two weeks of having received all comments and edits on the submitted draft. These schedule assumptions may be reassessed once the project begins.

Budget Assumptions

It is anticipated that the budget for the scope described in this RFP will be approximately \$400,000; however, Energy Trust reserves the right to revise its budget assumptions at any time.

Proposal Requirements

Proposals must be clear, complete, and concise. Pages must be numbered, sections must be clearly titled, and fonts must not be smaller than 11 point. Respondent's proposal must contain each of the elements listed below. Failure to include any required elements may result in the rejection of respondent's proposal. Please note the **26-page limit** for the proposal content. This page limit does not include the supplemental information requested—the work product example, resumés, insurance coverage information, conflict of interest disclosure, and representations page. These items should be included in attached appendices.

1. Proposal Content

Qualifications:

Proposals should provide an overview of the lead firm and any subcontractors. We encourage respondents to create a team of firms with specialized expertise to fill different project roles. Potential subcontractor roles include but are not limited to sample design and sampling, recruiting assistance, review of project files, site visits and data collection, quality control of results, and analysis tasks. Proposals should describe the respondent team's qualifications and experience doing similar work and identify specific aspects of the study where the respondent team's experience will be particularly relevant or important. **Not to exceed 4 pages.**

Staffing and subcontracting plan:

Describe the project team structure, role of each key team member, subcontractor roles, COBID numbers for COBID certified subcontractors (see *Supplier diversity requirements section below*) and the management plan. **Not to exceed 2 pages.**

Technical proposal:

Provide a detailed technical proposal describing respondent's proposed approach to the study overall and to the specific tasks identified in the "Tasks" section above. Respondents should focus on the bolded proposal instructions in the Tasks section and refrain from simply repeating the study tasks. **Not to exceed 12 pages.**

Supplier diversity requirements:

Proposals should indicate if respondent's firm or subcontractors are certified with the Certification Office for Business Inclusion and Diversity (COBID) of Oregon as one or more of the following: Minority Business Enterprise, Women Business Enterprise, or Service-Disabled Veteran Business Enterprise.

It is required that a minimum of 20% of the value of any resulting contract be directed towards COBID certified firms. This should be reflected in the staffing and subcontracting plan and budget proposal. **Please describe how this requirement will be met. Not to exceed 1 page.**

Schedule:

Provide a schedule of major activities and deliverables listed in the Tasks section above, with approximate dates. The schedule should assume that a project kick-off meeting will be scheduled within two weeks of awarding the contract and that a draft report will be delivered by March 1, 2024. **Not to exceed 1 page.**

Budget:

Provide a detailed budget proposal, based on the proposed methods and staffing plan. Should be bid as a time-and-materials, “not-to-exceed” budget cap type contract. Proposals should describe the underlying budget assumptions and any drivers of cost that can be modified without compromising the integrity of the evaluation. Budgets should include at least two scenarios: an ideal (high) and a pared down (low) option, based on different assumptions about the number of projects evaluated, number of site visits, level of precision in the results, rigor of the methods, intensity of recruiting and follow-up, or depth of analysis. Proposals should summarize the high and low budget scenarios in tables, breaking out the estimated hours and costs by task and by staff member.

Please use the budget template provided below. Key staff and subcontractors should be identified by name, with billing rates for each. **Not to exceed 3 pages.**

Budget template:

Staff Name	Firm	Hourly Rate	Hours Per Task			Total Hours	Total Cost
			Task 1	Task 2	Task...		
Staff Member 1							
Staff Member 2							
Staff Member...							
Subcontractor 1							
Subcontractor...							
Total Hours Per Task							
Direct Costs							
Total Cost Per Task							

Diversity, equity, and inclusion experience:

Proposals should describe respondent’s efforts and experiences in integrating diversity, equity, and inclusion into their business operations, both internally and externally. Energy Trust seeks to contract with organizations that share its commitment to building a diverse, equitable, and inclusive workplace and business environment, and that apply a diversity and equity perspective to their work. Respondents must provide responses to each of the questions in **Appendix B. Not to exceed 2 pages.**

Data security and confidentiality:

Proposals should provide a brief description of respondent's approach to data security and confidentiality. Please describe how respondent will ensure that customer information and data collected throughout the evaluation are kept secure and confidential during fielding, data transfers, storage, and analysis. **Not to exceed 1 page.**

2. Work Product Example

Proposals should include **one past report** that showcases the respondent team's work on a similar project, as well as their analysis, data presentation, and reporting capabilities. If needed, the names of people and organizations may be redacted from the report to allow sharing it. The work product example should be included as an appendix to the proposal. **No page limit, but please keep materials to a minimum.**

3. Resumés

Proposals should include resumés of all key team members, from the lead firm and any subcontractors who will be performing work. These should be included in an appendix to the proposal. **No page limit.**

4. Insurance Coverage Information

Energy Trust requires its contractors to maintain, at a minimum, workers compensation insurance, adequate commercial general liability insurance coverage, and automobile liability insurance. Cyber liability coverage may also be required. Provide a description of the insurance coverage provided by respondent for performing the impact evaluation work, including:

- Whether such coverage is on a "comprehensive" or "commercial" form
- Whether such coverage is on a "claims made" or "occurrence" basis
- All endorsements excluding coverage of any nature, if any
- All limits, including aggregate limits and the current remaining coverage amounts under those limits
- Effective date

This information should be provided in an appendix to the proposal. **No page limit.**

5. Conflict of Interest Disclosure

Respondent must disclose any direct or indirect, actual, or potential conflicts of interest respondent or its subcontractors may have with Energy Trust in its proposal. A "direct or indirect conflict" is defined as any situation in which an individual or a member of their family or close business or personal acquaintance, is employed by Energy Trust or the OPUC, or may be reasonably construed to have a direct or indirect personal or financial interest in any business affairs of Energy Trust, whether because of a proposed or actual contract or transaction to which Energy Trust may be a party or may be interested or is under consideration, or whether such conflict is purely conceptual, because of similarity of business interests or affairs.

Respondent's disclosure must specifically address any existing contracts between Energy Trust and the respondent, its staff, or any of its proposed subcontractors. If a potential conflict of interest is identified by the respondent, then the respondent should propose strategies to mitigate the conflict. If no conflict is identified by respondent, the respondent will explicitly provide such a statement in their RFP response. The determination of whether a conflict of interest exists is left to the sole discretion of Energy Trust. This information should be provided in an appendix to the proposal. **No page limit.**

6. Representations and Signatures Page

Respondent's proposal must contain the signature of a duly authorized officer or agent of the respondent company submitting the proposal. Respondent's duly authorized officer or agent shall sign **Appendix A** certifying to the representations stated on **Appendix A**. The signed page should be provided as an appendix to the proposal.

Proposal Selection Criteria

Proposals will be judged on the criteria listed below. As noted above, failure to meet the proposal requirements may result in the rejection of a proposal without scoring.

- Technical proposal
- Staffing plan and qualifications of proposed team
- Proposed budget
- Work product example
- Diversity, equity, and inclusion responses
- Data security and confidentiality

RFP Schedule & Administration

RFP Schedule

- **December 7, 2022** RFP issued
- **January 6, 2023** **Intent to bid due**
- **January 6, 2023** Questions/request for additional information due
- **January 10, 2023** Clarifications/question responses posted to website
- **January 20, 2023** **Proposals due**

Requests for Additional Information and Proposal Submission

Any questions and/or requests for clarification regarding this RFP, as well as stating intent to bid on the project, must be submitted via email to the contact named below by **January 6, 2022**. Responses to questions and requests for additional information will be posted on Energy Trust's website no later than **January 10, 2022**. Energy Trust cannot accommodate individual phone, mail, or fax inquiries about the RFP. All questions must be submitted via email.

Stating intent to bid does not obligate a respondent to submit a proposal. Only electronically submitted proposals (in PDF form) will be accepted; faxed or print

proposals will not. A signed letter of transmittal (cover letter) is required and should be scanned and submitted along with the proposal. All proposals must be received by 5 PM Pacific Time on **January 20, 2023**. Energy Trust will not be obligated to consider information received outside this time interval for the purposes of this RFP.

Please submit proposal to:

Dan Rubado
Sr. Project Manager – Evaluation & Engineering
Energy Trust of Oregon
Email: dan.rubado@energytrust.org

Revisions to RFP

If it becomes necessary to revise any part of this RFP, an addendum will be issued by Energy Trust and will be posted on the website. Respondent should contact Energy Trust if they find any inconsistencies or ambiguities to the RFP. Clarification given by Energy Trust may become an addendum to the RFP.

Withdrawal and Modification of Proposals

Respondents may withdraw their proposal and submit a revised proposal prior to the response deadline. After the response deadline, respondent-initiated changes will not be accepted. Respondents may withdraw their proposal from consideration at any time.

Proposal Evaluation and Notification for Negotiations

Energy Trust will review the proposals as received and may initiate negotiations with the leading respondent(s).

RFP Governing Provisions

All submitted proposals are subject to the following additional provisions.

Right to Accept or Reject Proposals, Multiple Awards

Energy Trust reserves the right to make multiple awards, reject any and all proposals and to waive any nonconformity in proposals received, to accept or reject any or all of the items in the proposal, and award the contract in whole or in part as it is deemed in Energy Trust's best interest. Energy Trust may also choose to negotiate any of the details of proposals prior to contracting.

Confidentiality

Respondents shall clearly identify only those portions of their proposals that they do not want revealed to third parties and label such portions as "Confidential Information". Except as required under law or for regulatory purposes Energy Trust will maintain confidentiality of such information. Energy Trust will not accept proposals or other documents that are marked to indicate the entire document is the confidential or

proprietary information of the sender or that restricted handling is required. Normal business practices will be observed in handling proposal materials.

Ownership and Return of Proposals

All materials submitted in response to this RFP shall become the property of Energy Trust and shall not be returned to the respondent.

No Verbal Addendums

No verbal agreement or conversation made or had at any time with any officer, agent, or employee of Energy Trust, nor any oral representation by such party shall add to, detract from, affect or modify the terms of the RFP, unless specifically included in a written addendum issued by Energy Trust.

Proposal Costs

Each proposal prepared in response to this RFP will be prepared at the sole cost and expense of the respondent and with the express understanding that there will be no claims whatsoever for reimbursement from Energy Trust.

Waiver of Claims

Respondent waives any right it may have to bring any claim, whether in damages or equity, against Energy Trust or its officers, directors, employees, or agents, with respect to any matter arising out of any process associated with this RFP.

Energy Trust Rights Reserved

Energy Trust reserves the right, in its sole discretion, to reject any or all proposals in whole or in part, to waive any minor irregularities or informalities in a proposal, and to enter into any agreement deemed to be in its best interests. In addition to any other enumerated reserved rights and/or options as stated in this RFP, Energy Trust may in its sole discretion do any one or more of the following:

- Determine which proposals are eligible for consideration for this RFP.
- Disqualify proposals that do not meet the requirements of this RFP, in the sole determination of Energy Trust.
- Negotiate with any respondent to amend any proposal.
- Select and negotiate and/or enter into agreements with respondent(s) who, in Energy Trust's sole judgment, are most responsive to the RFP and whose proposals best satisfy the interests of Energy Trust, in its sole discretion, and not necessarily on the basis of price alone or any other single factor.
- Issue additional subsequent solicitations for proposals, including withdrawing this RFP at any time and/or issuing a new RFP that would supersede and replace this one.
- Vary any timetable or schedule, add or change any provisions discussed herein.
- Conduct any briefing session or further RFP process on any terms and conditions.
- Suspend or modify the RFP process at any time.

- Enter into relationships with more than one respondent.

Resulting Contract(s)

The selected respondent will be required to execute a written contract(s) with Energy Trust to perform the evaluation work. No award will be considered a commitment, and no obligations or legal relations shall exist between Energy Trust and the selected respondent until a final and binding contract has been executed by and between Energy Trust and the contractor. Time is of the essence with regard to this program evaluation work, and prolonged contract negotiations will not be undertaken. In general, Energy Trust strongly prefers contracts that are consistent with Energy Trust's standard terms and conditions; negotiations for such contracts can generally be completed quickly. In some cases, a few terms and conditions may need to be substituted or waived, in accordance with contract negotiations. Any party involved in these contract discussions can terminate negotiations at any time and for any reason. If it appears that contract negotiations are not proceeding in a timely manner, Energy Trust may opt to terminate the discussions and select another respondent.

The selected respondent will be required to sign Energy Trust's Utility Customer Information (UCI) confidentiality agreements to gain access to customers' energy consumption data. There is a contractor version of the UCI confidentiality agreement, which can be found here, for reference:

https://energytrust.org/wp-content/uploads/2021/10/LGL_FM0205C.pdf.

There is also an individual version of the UCI confidentiality agreement, which can be found here, for reference:

https://energytrust.org/wp-content/uploads/2021/10/LGL_FM0205I.pdf.

Appendix A: Representations and Signature page

I, the undersigned declare that;

1. I am an authorized agent of the respondent and have authority to submit this proposal on behalf of the respondent.
2. The information provided in this proposal is true and correct to the best of my knowledge.
3. I have read this Request for Proposals in its entirety and agree unconditionally to all of its conditions and requirements.
4. The respondent has not directly or indirectly induced or solicited any other respondent to submit a false or sham proposal.
5. The respondent has not solicited or induced any other person, firm, or corporation to refrain from proposing.
6. The respondent has not sought by collusion to obtain for itself any advantage over any other respondent or Energy Trust.
7. The respondent's proposal is genuine; not made in the interest of, or on behalf of, any undisclosed person, firm, or corporation; and is not submitted in conformity with an agreement of rules of any group, association, organization, or corporation.
8. I understand and accept that the approval or rejection of respondent's request is within the sole discretion of Energy Trust and that there is no legal commitment until all due diligence has been performed and a properly authorized contract has been duly and properly executed.
9. I authorize the representatives of Energy Trust to investigate the business financial credit history of respondent, its affiliates, and all associated partners, principals and management and authorize the release of all said information.
10. I agree that I will report immediately in writing to Energy Trust any changes to the information contained herein at any time while I am under consideration for funding.

The information contained in this proposal and any part thereof, including its exhibits, schedules, and other documents and instruments delivered or to be delivered to Energy Trust is true, accurate, and complete. This proposal includes all information necessary to ensure that the statements therein do not in whole or in part mislead Energy Trust as to any material fact.

Date: _____

Authorized Signature: _____

Name and Title: _____
(please print)

Appendix B: Diversity, Equity and Inclusion Experience

DEI hiring practices and policies

1. Is respondent's firm required to submit equal opportunity employment (EEO) reports? (For companies of 100 staff members or more, the Equal Employment Opportunity Commission requires regular filings of form EEO-1.)
 - a. If so, provide a copy of respondent's most recent EEO-1 report.
 - b. If not, please provide a summary of staff from respondent's firm who would be performing work on this project, using a table format and employment data categories aligning with EEO-1 reporting – see [this sample form](#), specifically, the table in section D.
2. Provide specific examples of activities, projects, or plans developed by respondent that demonstrate how respondent promoted DEI within respondent's company in the areas of (1) recruitment, hiring, retention and promotion, (2) training and professional development, and (3) respondent's company strategy.

DEI planning, evaluation, and research experience

3. Provide specific examples of how respondent has ensured cultural competence⁷ in research or work similar in nature to the work described in this RFP.

⁷ The American Evaluation Association's [Public Statement on Cultural Competence in Evaluation](#) provides a detailed explanation of cultural competence in evaluation.