



**New Mexico  
Mortgage Finance Authority**

**NM Energy\$mart  
Request for Proposals  
Program Year 2012-2013**

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## **Section 1 Background & Program Information**

### **1.1 Introduction**

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

### **1.2 Background**

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

### **1.3 Purpose**

The purpose of this Request for Proposals (RFP) is issued pursuant to MFA's Procurement Policy to solicit proposals from qualified Offerors capable of providing Program Services within the 2012-2013 program year in accordance with 10 CFR 440, the NM Energy\$mart Standards, the NM Energy Smart Administrative Handbook and all applicable Generally Accepted Accounting Principles (GAAP). The cited references are available at <http://www.housingnm.org/nm-energysmart>.

MFA is the direct grantee for the U.S. Department of Energy (DOE) Weatherization Assistance Program (WAP) and will submit a grant application (State Plan) for New Mexico to DOE for program year (PY) 2012-2013 WAP funding. Funding will be made through a competitive process to eligible Offerors. Under the DOE WAP, the MFA's Request for Proposals (RFP) process is intended to procure weatherization service providers. MFA will enter into weatherization contracts for the program year 2012-2013 with the successful Offerors. These Offerors will serve specific NM Energy\$mart Service Territories as depicted on the Service Territory Map in the Application Document in Attachment C.

The estimated funding available for the 2012 Program Year is \$5.2 million. The estimated funding available for the PY 2012-2013 includes:

- ◆ DOE at \$1.3 million
- ◆ LIHEAP at \$1.6 million
- ◆ NM Gas at \$1.3 million
- ◆ PNM at \$1 million

The actual funds available may vary. A mock production schedule, included in the agreement indicates the approximate amount of funding for each service areas (Attachment B).

If other funds become available to MFA during the program year for activities similar to the work performed under the Program, this additional funding may, at the option of MFA, be offered to the successful Offerors hereunder without a new RFP. MFA retains sole discretion to make the judgment as to the need for additional RFPs. Satisfactory performance under the 2012 and prior program years will be a prerequisite for consideration of additional funding.

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

In the grant application to DOE, MFA will list those successful Offerors recommended as PY 2012-2013 WAP service providers. The public will have the opportunity to comment on the State Plan and the recommended Offerors at a Public Hearing to be held April 5, 2012. The State Plan will be available to any interested party on March 26, 2012. Following DOE approval of the State Plan, contracts will be executed with the successful Offerors.

## 1.4 Eligible Activities

This RFP allows Offerors to apply for up to three (3) types of programs. The programs are Standard NM Energy\$mart, Native American NM Energy\$mart, and Rehabilitation Blended NM Energy\$mart.

Offerors must indicate in the application which of the six service areas they are applying for. Award of program funds will be in accordance with the point criteria outlined in this RFP.

1.4.1 New Mexico Energy\$mart Program. Offers may apply for one or more of the six service areas as defined in the application. Estimated funding for each service area is contained in the application. (Attachment C – Map is attached)

**Native American NM Energy\$mart Pilot.** Offerors may apply for this program which consists of funding for 50 homes set-aside from the entire state allocation. The Offeror will weatherize units in any one or several Native American sovereign lands within New Mexico.

**Rehabilitation Blended NM Energy\$mart Pilot.** Offerors that are currently awarded HOME contracts may apply for this program which consists of 10 homes to be weatherized in conjunction with Offeror’s rehabilitation program. The funding for the units are set aside from the state’s allocation. The location of the homes may be anywhere the Offeror provides rehabilitation services within the state of New Mexico.

Eligible activities are detailed in the Administrative Program manual available at the MFA website: <http://www.housingnm.org/nm-energysmart>. The list below outlines only the allowable budget categories; please refer to the complete list in the manual.

Budget Categories:

1. Administration: Costs related to organization-wide administration.
2. Audit: 10 CFR 440.23 of the program regulations permits payment for an Offeror's annual fiscal audit out of program funds if the Offeror's funding exceeds \$500,000 in federal funding. Audits must be in accordance with OMB Circular A-133.
3. Liability Insurance: Allowable costs include liability insurance for WAP projects for personal injury and property damage. This category also includes professional liability and the cost of Pollution Occurrence Insurance.
4. Program Operations: Costs related to weatherization of a site-built home, mobile home or multifamily unit.
5. Leverage: Costs related to securing other funding sources or for partnering with other agencies, e.g., with rehabilitation agencies, to increase the amount of weatherization assistance obtained from non-Federal sources.
6. Health and Safety: Costs for eligible labor and materials, that mitigate energy-related health and safety hazards for the home. Health and Safety measures are outlined in the State Plan and the costs are excluded from the Savings to Investment Ratio calculation.
7. Training and Technical Assistance: Cost to train NM Energy\$mart staff to ensure effective implementation of NM Energy\$mart and to provide information concerning conservation practices to occupants of weatherized homes.

## 1.5 Proposal Submission

**All applications must be received by MFA no later than December 23, 2011, 4:00 PM, Mountain Time.** Proposals shall be in sealed envelopes marked "Proposal to Offer Services for the NM Energy\$mart Program." Submit proposals to:

New Mexico Mortgage Finance Authority  
Attn: Shannon Tilseth  
344 4<sup>th</sup> Street SW  
Albuquerque, NM 87102

Applications may be delivered by mail, other shipping service, or by hand. Facsimile or electronic transmissions will not be accepted.

## **1.6 Proposal Format**

Proposals should be printed double-sided, with each copy fastened using paper clips or binder clips and with tabs identifying each minimum threshold and evaluation criteria item. Offeror's submissions should follow the Application Format in Attachment A.

## **1.7 RFP Questions and Answers**

Questions pertaining to this RFP and application must be submitted via the MFA website at <http://www.housingnm.org/faq>. The questions will be checked on a daily basis. The FAQ will open the day after the RFP training and will close two (2) business days before the RFP due date. Refer to Timeline below for dates. To submit your questions, scroll down to the "Ask a question" section, pick the category "NM Energy\$mart RFP", type your question in the "Question" box, type in the two (2) words in the CAPTCHA box and click on "Send my question". MFA will make every attempt to answer questions within two (2) business days after the questions have been posted. The questions and answers will be posted to the MFA website.

## **1.8 Performance Agreement Term**

The successful Offeror will enter into a contract with the MFA for services to be performed. The term of the contract is scheduled to begin on July 1, 2012 and end on June 30, 2013. Dates are based on availability of funds for release from each funding source. In some cases, the Program Year for utility funding may vary.

At the discretion of the MFA Board, the contract is subject to annual consideration for renewal, for up to three years, contingent upon:

- ◆ Funding availability
- ◆ Offeror's performance
- ◆ Offeror's good standing with MFA
- ◆ Offeror is on schedule to expend all funds
- ◆ Offeror has cleared all findings or is working toward clearing findings in a manner agreed to by MFA
- ◆ Offeror's acquisition of proper tools and equipment necessary to perform the scope of work
- ◆ Offeror's attendance in required NM Energy\$mart Training Academy trainings
- ◆ Offeror's participation in required NM Energy\$mart Program meetings
- ◆ Offeror's quality of work meets or exceeds NM Energy\$mart Technical Standards

The renewal option is in the sole discretion of the MFA.

The MFA may choose to issue an RFP during the renewal period to solicit applications for new programs and/or to procure for existing programs to provide services.

In the event that during the contract term an awardee of this RFP is deemed not qualified to administer the Program due to contractual non-compliance, the MFA may negotiate with another Program awardee without issuing another RFP, and/or may issue an RFP for the area that is being served by the non-qualified agency. The MFA may also issue an RFP during the contract term for any new areas to be served based on the availability of additional funds.

## 1.9 Timeline for Offeror Selection

The following is the anticipated schedule for recommended Offeror selection:

<b>Date</b>	<b>Activity</b>
11/17/2011	RFP Released
11/29/2011	RFP Training
11/30/2011	RFP FAQ on website opens
12/21/2011	RFP FAQ closes
12/23/2011	Deadline for receipt of proposals by MFA
01/02/2011	Deadline for receipt of corrections by MFA, if any
01/27/2012	Preliminary release of awards to respondents
02/11/2012	15 Calendar Day Protest Period
03/21/2012	Award Recommendations to MFA Board
03/22/2012	Notification of Initial Awards upon DOE approval of State Plan

## 1.10 Training

RFP training will be offered November 29, 2011, from 9:00AM until 12:00PM in the MFA Boardroom and via webinar. This training is optional; however, pre-registration is required. To register, visit [www.housingnm.org/calendar](http://www.housingnm.org/calendar).

## Section 2 Minimum Qualifications and Requirements

### 2.1 Minimum Threshold Criteria

Offerors must meet each of the following criteria. If applicant is missing any minimum threshold items, they must provide the item by the end of the deficiency correction period in order to be considered for funding. These criteria must be met by all Offerors to be considered for funding.

1. Offeror must submit proof of Community Action Agency, non-profit or public entity.
2. Offeror must submit proof of current registration as a charitable organization with the New Mexico Attorney General's Office, covering the fiscal year ending in 2009 or 2010 or proof of exemption therefrom. Information can be submitted online and verification obtained via <https://secure.nmag.gov/coros/>. Verification should be in the form of the first page of the "NM Charitable Organization Registration Statement"
3. If not a unit of local government, Offeror must submit a Letter of Recommendation from a unit of local government from areas where the Offeror has performed services. A Letter of Recommendation should be in the form of a letter supporting the Offeror's application, dated no more than 180 days prior to the application date, signed by a local government official authorized to sign such a letter of the city, town, village or tribe in which the program activity will take place. For activities that will take place in unincorporated areas, the county is the unit of local government. The letter must specifically endorse the project/activity proposed in the application.
4. Agencies which received Program funds must provide an independent CPA's auditor's report (Audit) conducted in accordance with Government Auditing Standards (GAS). The

GAS Audit will include an independent auditor's report on the following: 1) financial statements; and 2) Internal Control over financial reporting and compliance. Offeror will submit the most recent audit available; only the most recent of FY 2010 or FY 2011 will be accepted. If Offeror receives \$500,000 in federal funds a Single Audit is required pursuant to OMB Circular A-133. The following types of Audit findings may disqualify Offeror from funding:

- a. Repeat and unresolved audit findings.
  - b. If Offeror has received greater than \$500,000 in federal funding source and the single audit did not meet the requirements of the OMB Circular A-133. For Single Audit, no proof of Federal audit clearinghouse submission (FORM SF-SAC) and, if Governmental entity, proof is not included of current audit submission to the Office of the New Mexico State Auditor.
  - c. If referenced in audit as a separate communication, no submission of Management Response letter.
5. For agencies that did not receive NM EnergySmart funds in PY 2011-2012, the agency must provide either an audit to the above standards or an independent CPA's review of financial statements.
  6. Active GB 02 or GB 98 license.
  7. EPA RRP Certification for field staff and/or Certified Firm status.
  8. Offeror must be in "good standing" as of the date this RFP is issued. In order to be in good standing, Offeror must not have a "suspended," "debarred" or HUD's Limited Denial of Participation status conferred upon it by MFA and/or other funding sources. Offeror must provide a print screen from <https://www.epls.gov/> and [https://www5.hud.gov/ecpcis/main/ECPCIS\\_List.jsp](https://www5.hud.gov/ecpcis/main/ECPCIS_List.jsp) as proof of compliance within 30 days of the application date.
  9. Offeror must submit application as directed in 2.3 Proposal Requirements.

## **2.2 Additional Minimum Criteria**

In addition to meeting the above applicable criteria Offerors applying for the Native American NM EnergySmart Pilot must have an agreement with sovereign lands to provide weatherization services and/or Offerors applying for the Rehabilitation Blended Service NM EnergySmart Pilot must have MFA HOME-funded rehabilitation contracts and experience.

## **2.3 Proposal Requirements**

Offerors must meet the basic eligibility criteria specified in the "Minimum Qualifications and Requirements" section of this RFP. In addition, Responses to the RFP must meet the requirements enumerated below.

1. Offerors must report any and all funds received from other federal, state, local or tribal government funding sources as evidenced by the most current monitoring letter from said entities that Offerors are in good standing with their programs.
2. Offerors must not have repeat or unresolved financial audit findings as determined by MFA or by other funding agencies where HOME program funds are involved.
3. Offerors must describe any material, current or pending litigation, administrative proceedings or investigations that could impact the reputation or financial viability of the firm.

## **2.4 Additional Proposal Requirements**

Applications and forms may be downloaded from the MFA website: [www.housingnm.org](http://www.housingnm.org).

1. Offeror(s) must submit one (1) copy of the agency financial audit.
2. In addition, the Offeror must provide one (1) original and six (6) copies of the application form and all required schedules and attachments.
3. MFA forms released with this application (applications, budgets, certifications, schedules) must be used when provided by MFA. No substitutions will be accepted.
4. All applications must arrive together in the format specified above.

MFA does not guarantee and is not obligated to award the Offeror's requested service territories. MFA may elect to make an award of a different territory than what is being requested by Offeror based on availability of funds, Offeror's requested service territory, Offeror's score on the scoring criteria and/or for any of the other reasons set forth herein.

The performance agreements between MFA and successful Offerors shall be for firm, fixed amounts. All payments by MFA shall be made on an actual reimbursement basis.

## **2.5 Evaluation of Proposals**

Responses will be evaluated by an Internal Review Committee of MFA staff using the Evaluation Criteria. Award recommendations will be reviewed by MFA management and by an MFA Board Committee. Final selection will be made by the MFA Board of Directors.

## **2.6 Deficiency Correction Period**

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

MFA shall communicate proposal deficiencies to each Offeror's designated contact person within ten (10) business days of the RFP Proposal Submission date, via e-mail and U.S. Mail, and shall document all communication efforts. Applicants will have five (5) business days after

the date of the e-mail delivery notice to submit the required information. All items must be submitted no later than 4:00 PM Mountain Time on the fifth business day following notification of deficiencies. The response due date will be noted on the deficiency notice. If the information requested is not provided within the specified timeframe or is submitted but remains deficient, the Application will be rejected without any further review.

Items eligible for correction or submission during the Deficiency Correction Period include missing or incomplete items required in the Minimum Threshold section (2.1) of this application. Upon the expiration of the Deficiency Correction Period, MFA will not accept Offeror’s submission of any items still missing from the application.

### Section 3 Evaluation Criteria

The MFA will award performance agreements to the Offerors whose proposals score the highest with respect to the evaluation criteria and that are most advantageous to the MFA. Proposals will be evaluated on Offeror’s documentation of meeting the following criteria: complying with threshold requirements, demonstration of organizational capacity, project readiness, financial resources and fiscal management and experience as defined in this RFP. NM Energy\$mart Program will be scored on a scale from 1 to 100 based on the criteria listed below. Offerors must score a minimum of 60 points to be considered for funding. The Native American NM Energy\$mart will be scored with same scoring criteria and adding the additional points as indicated for this category. The Rehabilitation Blended NM Energy\$mart Program Rehabilitation will be scored with same scoring criteria and adding the additional points as indicated for this category. A serious deficiency in any one criterion may be grounds for rejection regardless of overall score. Final award decisions will be made by the MFA Board of Directors. MFA staff reserves the discretion to assign portions of service territories to various Offerors in making award recommendation to the Board of Directors.

#### 3.1 Scoring by Criteria

Criteria	Maximum Score
Capacity	12
Program/Project Readiness	24
Finance	25
Interview	10
Program Specific	29
Total Maximum Points	100

3.1.1 Capacity	12 Possible Points
Staff Experience of management personnel—outline the experience of Offeror’s staff with Federal Grant-funded programs	
Executive Director – 5 or more years’ experience	2
Program Manager – 3 or more years’ experience	2
Fiscal Manager – 3 or more years’ experience	2
Field Operations Experience (List staff, with years of experience in terms of)	

Project or program management in energy efficiency – 1-2 years of experience	1
3 or more years of experience	2
Project or program management in DOE WAP – 1-2 years of experience	1
3 or more years of experience	2
Project or program management in HOME Rehabilitation – 1-2 years of experience	1
3 or more years of experience	2

<b>3.1.2 Program/Project Readiness</b>	<b>24 Possible Points</b>
Existing Certifications – Points will be awarded for field staff certifications in the following categories:  Building Analyst Envelope Residential Building Envelope Whole House Air Leakage Control Installer Residential Building Envelope Whole House Air Leakage Control Crew Chief Manufactured Housing Heating Air Conditioning and Heat Pump Multifamily	1 point maximum per certification.  (An individual's certifications can be applied to only 1 certification, i.e. if Weatherization Joe has Building Analyst and Multifamily, the Offeror will only be able to receive one point for his certifications.)
Tools & Equipment Plan—provide a list of tools for each job category.  Auditor Crew HVAC Outreach Intake Administrative personnel Fiscal staff Inventory control	1 1 1 1 1 1 1 1
Training Plan—provide a plan describing how new and existing staff will obtain training, certifications and continuing education.  Auditor Crew HVAC Outreach Intake Administrative personnel Fiscal staff Inventory control	1 1 1 1 1 1 1 1

<b>3.1.3 Finance</b>	<b>25 Possible Points</b>
<p>External Audit– a maximum of 8 points will be awarded based on the results of offeror’s independent audit for their most recent completed fiscal year, however audit must not be for a fiscal year ending earlier than 2010. Audit materials must include management’s response to any findings and corrective action that provides the action taken to clear the finding and current status of finding.</p> <p>0 Findings Findings have been cleared Unresolved Findings</p>	<p>8 4 0</p>
<p>Frequency of Findings: Federal Funds</p> <p>Provide the results of external monitoring pursuant to contracts paid with federal funds for their most recent completed program year. The applicable Program Year for NM Energy\$mart is July 1, 2010 through June 30, 2011. Offeror must supply monitoring responses to include responses to any findings. Agency should also provide proof that findings have been cleared.</p> <p>0 Findings Findings have been cleared Unresolved Findings</p>	<p>8 4 0</p>
<p>Internal Fiscal Controls – Two points will be awarded for a sound organizational system of internal controls in fiscal management documented in the organization’s policy &amp; procedures manual approved by the Offeror’s board of directors.</p>	<p>2</p>
<p>Fiscal Oversight – Two points will be awarded for proof of bylaws requirement for a board of director’s oversight committee.</p>	<p>2</p>
<p>Reports &amp; Invoicing – Submitted reports and invoicing on time and correctly for activity contract from July 1 of 2010 through June 30, 2011</p> <p>0 late, incorrect and/or incomplete reports or invoices 1 late, incorrect and/or incomplete reports or invoices 2 late, incorrect and/or incomplete reports or invoices 3 or more late, incorrect and/or incomplete reports or invoices</p> <p>Offerors must provide letters of certification from funding sources during the performance period. NM Energy\$mart providers will be verified through the online reporting system and other documentation.</p>	<p>5 3 1 0</p>
<b>3.1.4 Interview</b>	<b>10 Possible Points</b>
<p>10 Questions, 1 point per question</p> <p>Each Offeror will receive a phone interview with the MFA Internal Review Committee. Ten questions will be asked and the response to each question will be worth one point for a total maximum of 10 possible points.</p>	<p>10</p>

3.1.5 Program Specific	29 Possible Points
<ol style="list-style-type: none"> <li>1. Executive Summary (Less than 2 pages)               <ol style="list-style-type: none"> <li>a. Provide a snapshot of your agency explaining who you are, what you do and why. (1)</li> </ol> </li> <li>2. Business Description and Vision (less than 4 pages)               <ol style="list-style-type: none"> <li>a. Mission Statement, i.e. the purpose of the agency (1)</li> <li>b. Explanation of how NM Energy\$mart fits into the agency mission (2)</li> <li>c. Company Vision outlining the company’s planned growth, including energy efficiency related work (2)</li> </ol> </li> <li>3. Description of Proposed Service Territory (less than 4 pages)               <ol style="list-style-type: none"> <li>a. History of activity within the proposed service territory (1)</li> <li>b. Partners and potential partners (1)</li> <li>c. Outreach Plan. Describe the Offeror’s plan for generating applications for the Program. (2)</li> </ol> </li> <li>4. Description of Services (less than 10 pages)               <ol style="list-style-type: none"> <li>a. Operational Format. Describe the proposed operational structure, including field staff by job type and the work flow between the different staff groups. (3)</li> <li>b. Production assessment. Describe the area to be served by the Offeror. The production plan should be broken down by county, month. (2)</li> <li>c. Quality Assurance Plan. (3)</li> <li>d. Blended Services Pilot.*</li> <li>e. Native American Pilot *</li> </ol> </li> <li>5. Organization and Management (provide a description of the organization and management structure of your agency in less than 2 pages. Resumes and certifications do not count toward the page count)               <ol style="list-style-type: none"> <li>a. Approved Board Resolution in support of proposal (1)</li> <li>b. Organizational Chart (1)</li> <li>c. Resumes for Executive Director, Program Manager, Fiscal Manager**</li> <li>d. Resumes of Field Staff**</li> <li>e. Building Performance Institute (BPI) Certifications of Field Staff**</li> </ol> </li> <li>6. Financial Management               <ol style="list-style-type: none"> <li>a. Provide a proposed budget for the Offeror’s NM Energy\$mart program support costs, including costs for financial audit and liability insurance. (2)</li> <li>b. Provide a proposed cost allocation plan. (2)</li> <li>c. Provide the policy for the Offeror’s system of internal controls for fiscal management documented in policy &amp; procedures manual approved by the Offeror’s board of directors.**</li> <li>d. Provide Offeror’s bylaws that requirement for a board of director’s fiscal oversight.**</li> </ol> </li> <li>7. References               <ol style="list-style-type: none"> <li>a. Provide up to four (4) References from completed projects (4)</li> <li>b. List all projects from the past 5 years. Provide the total cost of the project and indicate all sources of the funds for each project. (1)</li> </ol> </li> </ol>	<p>Maximum of 29 points. Points are listed at the end of each item (#).</p> <p>Highlighted items with an * are optional additional programs.</p> <p>Highlighted items with an ** are items that should be included in the Program Plan, but are scored elsewhere.</p>

### 3.2 Pilot Scoring

Three rounds of scoring will take place; one for each type of program offered through this RFP. The first round will compare all the above criteria to determine which Offerors will serve specific NM Energy\$mart Service Territories. Next, MFA will score the Offerors who applied for each of the pilot programs. The subsequent scoring rounds will add the points earned by the Offeror in the pilot program category to their standard NM Energy\$mart score. The NM Energy\$mart Tribal Pilot and the NM Energy\$mart Blended Service Pilot are subject to pilot scoring.

For example, Offeror X receives a NM Energy\$mart score of 75 points. The Offerors also apply for the Blended and Native American Pilots receiving 8 points in the Blended Pilot and 5 points in the Native American Pilot. In this case, the Offeror will have a score of 75 for the NM Energy\$mart Program, 83 for the Blended Pilot and 80 for the Native American Pilot.

Native American NM Energy\$mart	
Signed Memorandum of Understanding with proposed sovereign lands to be served.	1 point per MOU provided above the one (1) required from minimum threshold
Offeror currently provides energy efficiency or rehabilitation services on sovereign lands	5

Blended Service NM Energy\$mart	
Offeror proposes to blend MFA HOME-funded Rehab projects with NM Energy\$mart weatherization units	1 point per proposed blended unit. Up to 10 points available.

Scoring for NM Energy\$mart Program, Native American NM Energy\$mart and Blended Service NM Energy\$mart Pilots	Total Score
Standard NM Energy\$mart	
Native American NM Energy\$mart	
Blended Service Nm Energy\$mart	
Total Points	

### Section 4 Program Standards

Both Technical and Administrative program standards are available at [www.housingnm.org/nm-energysmart](http://www.housingnm.org/nm-energysmart).

## **4.1 Subcontractors**

Use of subcontractors must be clearly explained in the proposal and the method of selection and quality assurance monitoring must be noted. The Offeror will be wholly responsible for the entire performance whether or not subcontractors are used. MFA must provide prior approval, in writing, of any subcontractors.

## **Section 5 Additional RFP Standards**

### **5.1 Protest**

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

Shannon Tilseth, Administrative Assistant  
New Mexico Mortgage Finance Authority  
344 4<sup>th</sup> Street, SW  
Albuquerque, NM 87102

The protest must be delivered to the MFA within fifteen (15) calendar days after the notice of award. Upon the timely filing of a protest, the Administrative Assistant shall give notice of the protest to all Offerors who appear to have a substantial and reasonable prospect of being affected by the outcome of the protest. The Offerors receiving notice may file responses to the protest within seven (7) calendar days of notice of protest. The protest process shall consist of review of all documentation and any testimony provided in support of the protest by the Contracted Services Committee of MFA's Board of Directors, which shall thereafter make a recommendation to the full Board of Directors regarding the disposition of the protest.

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

### **5.2 RFP Revisions and Supplements**

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

### **5.3 Incurred Expenses**

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

### **5.4 Cancellation of Requests for Proposals or Rejection of Proposals**

The MFA may cancel this RFP at any time for any reason and may reject any or all proposals which are not responsive. In addition, Offeror may also cancel their proposal at any time during the RFP application process.

### **5.5 Evaluation of Proposals**

Responses will be evaluated by an Internal Review Committee of MFA staff using the Evaluation Criteria. Award recommendations will be reviewed by MFA management and by an MFA Board Committee. Final selection will be made by the MFA Board of Directors.

### **5.6 Award Notice**

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

### **5.7 Proposal Confidentiality**

Except in response to inquiries as part of the evaluation process until the award is made and notice given to all Offerors, no employee, agent, or representative of an Offeror shall make available or discuss its proposal with any officer, member, employee, agent, or representative of the MFA.

Until the award is made and notice given to all Offerors, the MFA will not disclose or discuss the contents of any proposal with an Offeror or potential Offeror.

### **5.8 Responsibility of Offerors**

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

## 5.9 Code of Conduct

No Board member or employee of the MFA shall have any direct or indirect interest in any contract with the Offeror nor shall any contract exist between Offeror or its affiliate with Board members or staff that would give rise to any claim of conflict of interest. Any violation of this provision will render the contract void, unless it is approved by the Board of Directors after full disclosure.

Offeror shall warrant that it has no interest, direct or indirect, which would conflict in any manner or degree with the performance of services required under this contract. Offeror shall at all times conduct itself in a manner consistent with the MFA Code of Conduct. A copy of the MFA Code of Conduct is enclosed for your reference. Upon request by the MFA, Offeror shall disclose information relating to conflicts or potential conflicts of interest.

## 5.10 Other Federal Requirements

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

- ◆ 10 CFR 440
- ◆ 24 CFR 84.21 "Standards for Financial Management Systems"
- ◆ Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d et seq. and 24 CFR Part 1)
- ◆ Fair Housing Act (42 USC 3601 et seq.)
- ◆ Equal Opportunity in Housing (Executive Order 11063, as amended by Executive Order 12892 and 24 CFR Part 107)
- ◆ Age Discrimination Act of 1975, as amended (42 USC 6101 et seq.)
- ◆ Americans with Disabilities Act (42 USC 12101 et seq.)
- ◆ Equal Employment Opportunity, Executive Order 11246, as amended, (24 CFR Part 570, Subpart J)
- ◆ Fair Labor Standards Act of 1938, as amended (29 USC 201 et seq.)
- ◆ Contract Work Hours and Safety Standards Act, as amended (40 USC 3701 et seq.)
- ◆ Davis Bacon and Related Acts (40 USC 3141-3148)
- ◆ Anti-Kickback Act of 1986 (41 USC §51-58)
- ◆ Section 3 of the Housing and Urban Development Act of 1968 (12 USC 1701u)
- ◆ Minority/Women's Business Enterprises, Executive Orders 11625, 12432 and 12138
- ◆ Section 504 of the Rehabilitation Act of 1973 as amended (29 USC 794)
- ◆ Lead Based Paint Poisoning Act (42 U.S.C. § 4822 and 24 CFR Part 35)
- ◆ OMB Circular A-102, 24 CFR 570.307(1), (Executive Order 11625)
- ◆ Environmental Reviews (24 CFR Part 92.352)
- ◆ National Environmental Policy Act (NEPA) of 1968, (24 CFR Parts 50 and 58)
- ◆ Property Inspections (Housing Quality Standards of 24 CFR Part 982.401)
- ◆ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended by 42 USC 4601, and the regulations at 49 CFR Part 24, Subpart B
- ◆ Debarment & Suspension (Executive Order 12549, 51 Fed. Reg. 6370)
- ◆ Affirmative Marketing (24 CFR Part 92.351)
- ◆ The Uniform Administrative & Program Requirements (24 CFR Part 92.357 and Executive Order 12372) as applicable

Participation in HUD Programs by Faith-Based Organizations (24 CFR Parts 92, 570, 572, 574, 576, 582, 583, and 585)

- ◆ OMB Circular A-122 Cost Principles for Non-Profit Organizations or Circular OMB A-87 Cost Principles for State, Local and Indian Tribal Governments.

## 5.11 Confidential Data

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

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

## 5.12 Mortgage Finance Authority Roster

### ***Board Members***

Chair – Dennis Burt – CEO, Burt & Company CPA's LLC  
Vice Chair – Angel Reyes – President, Centinel Bank  
Treasurer – James Lewis – State Treasurer  
Member – Gary King – Attorney General, State of New Mexico  
Member – Sharron Welsh – Executive Director, The Housing Trust  
Member – John Sanchez – Lieutenant Governor, State of New Mexico

### ***Management***

Jay Czar, Executive Director  
Joseph Montoya, Deputy Director of Programs  
Gina Hickman, Deputy Director of Finance and Administration  
Jan Garcia, Human Resources Director

### ***Staff***

AFShin Seysan	Elizabeth Nocella	Marcus Sproll
Al Radicioni	Erin Quinn	Michael Furze
Andrew Rael	Eunice Duran	Natalie Zamora
Angel Candelaria	Felipe Rael	Nicole Sanchez-Howell
Anita Racicot	Francina Martinez	Pat Rogers
Barbara Tashkandy	Gina Bell	Patrick Ortiz
Blanca Vasquez	Graciela Meneses	Patty Balderrama
Carmela Arellano	Jacqueline Boudreaux	Rebecca Sanchez
Carol Salazar	Jan Garcia	Robert Taylor
Catherine Hummel	Jeannette Marquez	Rose Baca-Quesada
Christina Gerwin	Judy Amador	Sandra Marez
Cynthia Marquez	Karen Anderson	Shannon Tilseth

Dan Foster  
Dan Puccetti  
Dana Gohr  
Daniel Gaillour  
Debbie Davis  
Desarey Maldonado  
Doris Clark

Kathleen Keeler  
Kathy Griego  
Laura Thompson  
Laurie Linden  
Leann Holt  
Linda Bridge  
Lisa Romero

Stacy Huggins  
Stacy Vernon  
Suzette Chavez  
Teresa Chiarolanza  
Teri Baca  
Theresa Garcia  
Yvonne Segovia

## Section 6 Certifications

\_\_\_\_\_ (“Offeror”) is submitting a proposal to the Mortgage Finance Authority (“MFA”) to be a sub grantee under the NM EnergySmart Program.

Offeror certifies that:

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

It understands that MFA will monitor its performance and compliance.

It is in good standing with all its funding sources.

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

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

It has a current registration with the N.M. Attorney General’s Registry of Charitable Organizations, if applicable.

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

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

\_\_\_\_\_  
Signature of Authorized Official  
on behalf of Offeror

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

## Section 7 Attachments

### Attachment A 2012 NM Energy\$mart RFP Application

Mortgage Finance Authority  
344 Fourth Street SW  
Albuquerque, New Mexico 87102

**Entity Type:**     Non-Profit     Public     Unit of Government     Tribal

1.	Organization	
2.	Application Date	
3.	Tax ID	
4.	Address	
5.	Contact Person	
6.	Title	
7.	Telephone	
8.	E-Mail	
9.	Web Page	

Please mark an "X" next to the Service Areas you are applying for:

Area 1	The counties of San Juan, McKinley, Cibola (Acoma Pueblo, Laguna Pueblo, Zuni Pueblo) Rio Arriba (Jicarilla Apache, San Juan Pueblo) Santa Fe County (Nambe Pueblo, Pojoaque Pueblo, San Ildefonso Pueblo, Santa Clara Pueblo, Tesuque Pueblo) Los Alamos county
Area 2	The counties of Colfax, Union, Mora, Harding, San Miguel, Guadalupe, Quay, Taos (Picuris Pueblo, Taos Pueblo)
Area 3	The counties of Bernalillo, Sandoval (Cochiti, Jemez, San Felipe, Sandia Santa Ana, Santo Domingo, Zia) Torrance, Valencia, (Isleta Pueblo) Lincoln, Socorro
Area 4	The Counties of Catron, Grant, Luna Hidalgo
Area 5	The Counties of Dona Ana, Sierra, Otero (Mescalero Apache)
Area 6	The Counties of Chaves, Eddy, Lea, Roosevelt, De Baca, Curry

Please mark an "X" next to either of the Pilot Programs you are applying for:

Native American Energy\$mart Pilot	This pilot consists of 50 homes, set-aside from the entire state allocation, to be weatherized in any one or several Native American Sovereign land within New Mexico.
Rehabilitation Blended New Mexico Energy\$mart Pilot	This pilot consists of 10 homes to be weatherized in conjunction with an Offeror's rehabilitation program. The location of the homes may be anywhere the Offeror provides rehabilitation services within the state of New Mexico.

**APPLICATION SUBMISSION CHECKLIST FOR EXISTING AND NEW AGENCIES  
APPLYING TO BE A NM ENERGY\$MART SERVICE PROVIDER**

(All items listed below must be in the package in the order listed)

	Offeror has submitted (1) one original and (6) six copies of the RFP response	Page 7 (Additional Proposal Requirements)
	Timely submission to proper contact	Page 3 (Proposal Submission)
	Proof of 501c(3) or status as a Government Agency	Page 5 (Minimum Threshold Criteria)
	Proof of current registration as a charitable organization	Page 5 (Minimum Threshold Criteria)
	Letter(s) of recommendation from a unit of local government from areas where the Offeror has performed services	Page 5 (Minimum Threshold Criteria)
	CPA's Audit Report or CPA's Review of Financial Statements	Page 5 (Minimum Threshold Criteria) Page 10 (Scoring by Criteria – Finance)
	Copy of active GB02 or GB 98 License	Page 5 (Minimum Threshold Criteria)
	Copy of EPA Lead Renovator RRP Certification	Page 5 (Minimum Threshold Criteria)
	Proof of Non-Debarment	Page 5 (Minimum Threshold Criteria)
	Resumes of Offeror's key staff formatted to highlight federal grant funding experience. <ul style="list-style-type: none"> <li>• Executive Director</li> <li>• Program Manager</li> <li>• Fiscal Manager</li> </ul>	Page 8 (Scoring by Criteria – Capacity)
	Documentation outlining the experience of Field Operations staff <ul style="list-style-type: none"> <li>• Project or program management in energy efficiency</li> <li>• Project or program manager in DOE WAP</li> <li>• Project or program management in HOME rehabilitation</li> </ul>	Page 8 (Scoring by Criteria – Capacity)
	Existing Certifications <ul style="list-style-type: none"> <li>• Building Analyst</li> <li>• Envelope</li> <li>• Residential Building Envelope Whole House Air Leakage Control Installer</li> <li>• Residential Building Envelope Whole House Air Leakage Control Crew Chief</li> <li>• Manufacturer Housing</li> <li>• Heating</li> <li>• Air Conditioning and Heat Pump</li> <li>• Multifamily</li> </ul>	Page 9 (Scoring by Criteria – Program/ Project Readiness)
	Tool & Equipment Plan <ul style="list-style-type: none"> <li>• Auditor</li> <li>• Crew</li> <li>• HVAC</li> <li>• Outreach</li> </ul>	Page 9 (Scoring by Criteria – Program/ Project Readiness)

	<ul style="list-style-type: none"> <li>• Intake</li> <li>• Administrative personnel</li> <li>• Fiscal Staff</li> <li>• Inventory Control</li> </ul>	
	Training Plan <ul style="list-style-type: none"> <li>• Auditor</li> <li>• Crew</li> <li>• HVAC</li> <li>• Outreach</li> <li>• Intake</li> <li>• Administrative personnel</li> <li>• Fiscal staff</li> <li>• Inventory Control</li> </ul>	Page 9 (Scoring by Criteria - Program/Project Readiness)
	Proof of Frequency of Findings: Federal Funds	Page 10 (Scoring by Criteria - Finance)
	Proof of Approved Internal Fiscal Controls	Page 10 (Scoring by Criteria - Finance)
	Offeror's Fiscal Oversight Bylaws	Page 10 (Scoring by Criteria - Finance)
	Proof of Timeliness of Reports and Invoicing	Page 10 (Scoring by Criteria - Finance)
	Executive Summary	Page 11 (Scoring by Criteria – Program Specific)
	Business Description and Vision	Page 11 (Scoring by Criteria – Program Specific)
	Description of Proposed Service Territory	Page 11 (Scoring by Criteria – Program Specific)
	Description of Services	Page 11 (Scoring by Criteria – Program Specific)
	Organization and Management	Page 11 (Scoring by Criteria – Program Specific)
	Financial Management	Page 11 (Scoring by Criteria – Program Specific)
	References	Page 11 (Scoring by Criteria – Program Specific)
	Signed Copies of MOU's with proposed sovereign lands to be services	Page 12 (Pilot Scoring – Native American NM Energy\$mart)
	Proof of Work Performed on Energy Efficiency or Rehabilitation Services on Sovereign Lands	Page 12 (Pilot Scoring – Native American NM Energy\$mart)
	Proof of Rehab Units under contract with MFA	Page 12 (Pilot Scoring – Blended Service NM Energy\$mart)

Agency Name

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Attachment B**  
**Estimated Funding and Production by County**

<b>Region 1</b>		
San Juan County	\$247,000	38
McKinley County	\$234,000	36
Cibola County	\$65,000	10
Acoma Pueblo	\$32,500	5
Laguna Pueblo	\$52,000	8
Zuni Pueblo	\$45,500	7
Rio Arriba County	\$162,500	25
Jicarilla Apache	\$19,500	3
San Juan Pueblo	\$78,000	12
Santa Fe County	\$299,741	47
Nambe Pueblo	\$19,500	3
Pojoaque Pueblo	\$32,500	5
San Ildefonso Pueblo	\$19,500	3
Santa Clara Pueblo	\$84,500	13
Tesuque Pueblo	\$19,500	3
Los Alamos County	\$6,500	1
	<b>\$1,417,741</b>	<b>219</b>

<b>Region 2</b>		
Colfax County	\$13,000	2
Union County	\$13,000	2
Mora County	\$13,000	2
Harding County	\$0	0
San Miguel County	\$136,500	21
Guadalupe County	\$6,500	1
Quay County	\$19,500	3
Taos County	\$84,500	13
Picuris Pueblo	\$19,500	3
Taos Pueblo	\$78,000	12
	<b>\$383,500</b>	<b>59</b>

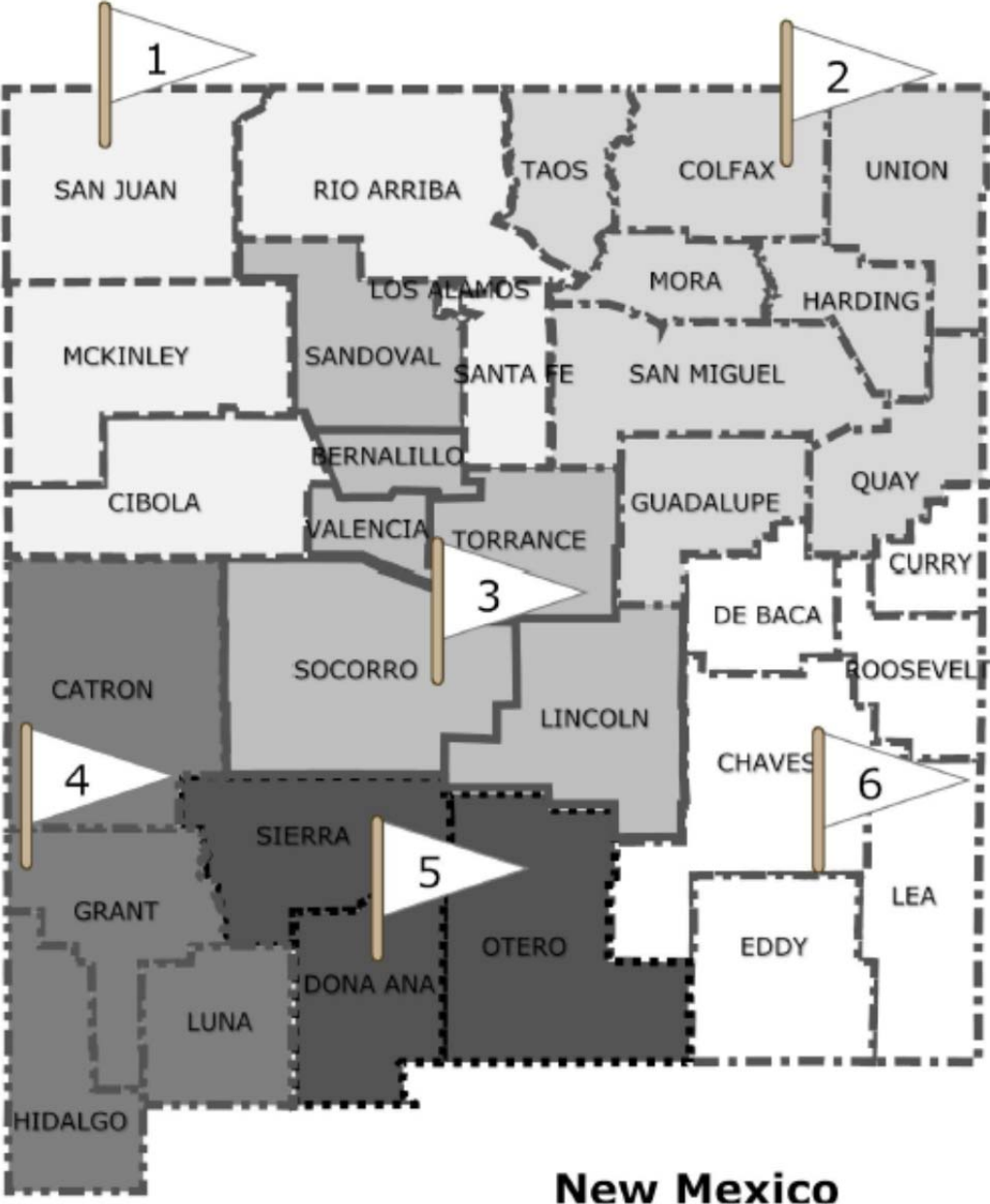
<b>Region 4</b>		
Catron County	\$6,500	1
Grant County	\$71,500	11
Luna County	\$71,500	11
Hidalgo County	\$19,500	3
	<b>\$169,000</b>	<b>26</b>

<b>Region 3</b>		
Bernalillo County	\$1,013,469	157
Sandoval County	\$156,000	24
Cochiti Pueblo	\$32,500	5
Jemez Pueblo	\$13,000	2
San Felipe Pueblo	\$39,000	6
Sandia Pueblo	\$58,500	9
Santa Ana Pueblo	\$0	0
Santo Domingo Pueblo	\$39,000	6
Zia Pueblo	\$6,500	1
Torrance County	\$26,000	4
Valencia County	\$136,500	21
Isleta Pueblo	\$13,000	2
Lincoln County	\$45,500	7
Socorro County	\$19,500	3
	<b>\$1,598,469</b>	<b>247</b>

<b>Region 5</b>		
Dona Ana County	\$199,370	31
Sierra County	\$32,500	5
Otero County	\$100,420	16
Mescalero Apache	\$6,500	1
	<b>\$338,790</b>	<b>53</b>

<b>Region 6</b>		
Chaves County	\$84,500	13
Eddy County	\$52,000	8
Lea County	\$58,500	9
Roosevelt County	\$32,500	5
DeBaca County	\$0	0
Curry County	\$65,000	10
	<b>\$292,500</b>	<b>45</b>

**Attachment C  
Service Territory Maps**



## Attachment D Map Estimating Production by County (Pueblo)

This map estimates the number of homes to be weatherized by county X as well as the number of homes to be weatherized in a Pueblo that may be located in a county (X). For example, in Rio Arriba an Offorer could expect to receive funding weatherize 25 homes in the county and 15 homes in a pueblo located in the county for a total of 40 homes.

