**GFO-23-402**

**Geothermal Grant and Loan Program**

**Addendum 1**

**February 23, 2024**

Disclaimer: Added language appears in **bold underline** and deleted language appears in ~~[strikethrough and within square brackets.]~~

The purpose of this addendum is to make the following revisions to the Solicitation Manual:

Attachment 00 GFO-23-402 Solicitation Manual

1. Page 3, Section I.B. Key Words/Terms

| **Word/Term** | **Definition** |
| --- | --- |
| California Native American tribe | A Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004 (Pub. Resources Code, § 21073).  ~~[(“California Native American tribe” may be used interchangeably with “Unit of Indian Government”).]~~ |

1. Page 5, Section I.B. Key Words/Terms

| **Word/Term** | **Definition** |
| --- | --- |
| **Unit of Indian Government** | **A California Native American tribe or a subdivision, agency, department, county, parish, municipality, or other unit of the government thereof, and includes, but is not limited to, a tribal public utility district.** |

1. Page 7, Section I.D. Funding. 2. Match Funding Requirement.

Match funding is not required for local jurisdictions **under Phase One or Phase Two**. However, match funding is required in the amount of 100% of the requested grant funds for private entities **for Phase Two**. (see Scoring Criteria in Section IV.H.). For the definition of match funding see Section I.J.

1. Page 8, Section I.E. Key Activities Schedule,

| ACTIVITY | DATE | TIME[[1]](#footnote-2) |
| --- | --- | --- |
| Solicitation Release | February 6, 2024 |  |
| **Pre-Application Workshops** | **See Section F. below this table** |  |
| **Deadline for Written Questions[[2]](#footnote-3)** | ~~[March 8, 2024]~~  **March 29, 2024** | **5:00 p.m.** |
| Anticipated Distribution of Questions and Answers | Week of ~~[March 18, 2024]~~  **April 8, 2024** |  |
| **Deadline to Submit Technical Assistance Application** | ~~[April 12, 2024]~~  **May 3, 2024** | **11:59 p.m.** |
| Anticipated Notice of Technical Assistance Application Results **(NOTAR)** Posting Date | Week of ~~[May 6, 2024]~~  **June 3, 2024** |  |
| Anticipated CEC Business Meeting Date for Technical Assistance Awards | ~~[July 10, 2024]~~  **August 14, 2024** |  |
| **Deadline to Submit Full Applications** | **Expected 4th Quarter of 2024** | **11:59 p.m.** |
| Anticipated Notice of Proposed Award (NOPA) Posting Date | Expected ~~[4~~~~th~~ ~~Quarter of 2024]~~  **1st Quarter of 2025** |  |
| Anticipated CEC Business Meeting Date for Full Application Awards | Expected [~~1~~~~st~~ ~~Quarter of 2025]~~  **2nd Quarter of 2025** |  |
| Anticipated Agreement Start Date for Full Application Projects | Expected ~~[1~~~~st~~ ~~Quarter of 2025]~~  **2nd Quarter of 2025** |  |
| Anticipated Agreement End Date for Full Application Projects | Expected ~~[1~~~~st~~ ~~Quarter of 2028]~~  **2nd Quarter of 2028** |  |

1. Page 9, Section I.F. Notice of Pre-Application Workshops

**Sacramento Workshop:**

~~[February 16, 2024]~~

**March 5, 2024**

1:00 – 3:00 p.m.

Hybrid

Remote Access via Zoom

See Attendance Instructions

and

California Energy Commission

Rosenfeld Hearing Room

1st floor

1516 Ninth Street~~[,]~~

Sacramento, CA 95814

**\*Imperial County Workshop**

**March 8, 2024**

**10:00 a.m. – 12:00 p.m.**

**In Person**

**County Administration Center**

**Board Chambers**

**940 W. Main Street Suite 211**

**El Centro, CA 92243**

**\*California Native American tribes Workshop**

**March 19, 2024**

**1:00 – 3:00 p.m.**

**Virtual Webinar**

**Remote Access via Zoom**

**(email invitations will be sent)**

**\*Lake County Workshop**

**March 22, 2024**

**2:00 p.m. – 4:00 p.m.**

**In Person**

**Lower Lake Town Hall**

**16195 Main St.**

**Lower Lake, CA 95457**

~~[\*CEC is planning to conduct a virtual workshop with California Native American Tribes. The date and time for this workshop will be announced later via email and workshop notice. CEC is also planning to conduct workshops focused on Imperial and Lake Counties. The dates and details for both workshops will be announced later via email and workshop notice(s). The workshop notices will be placed on the GFO-23-402 Geothermal Grant and Loan Program solicitation webpage at:~~ [~~https://www.energy.ca.gov/funding-opportunities/solicitations~~](https://www.energy.ca.gov/funding-opportunities/solicitations)~~.]~~

**If you expect to attend a workshop, you are encouraged to** [**RSVP**](https://forms.office.com/g/mi4QM99h5y) **at https://forms.office.com/g/mi4QM99h5y. RSVP is not required to attend a workshop.**

1. Page 16, Section II. A. Eligibility.

This solicitation is open to (i) private entities, defined as any individual or organization engaged in the exploration and development of geothermal energy for profit, per PRC Section 3809, and (ii) local jurisdictions, defined as any unit of Indian government, any city, county, or district, including, but not limited to, a regional planning agency and a public utility district, or any combination thereof formed for the joint exercise of any power, with the exception of public utility districts which generate for sale more than 50 megawatts gross of electricity, per PRC Section 3807. **For purposes of this solicitation, a unit of Indian government is defined as A California Native American tribe or a subdivision, agency, department, county, parish, municipality, or other unit of the government thereof, and includes, but is not limited to, a tribal public utility district.**

1. Page 16, Section II. B. Terms and Conditions.

Each grant agreement resulting from this solicitation will include terms and conditions that set forth the recipient’s rights and responsibilities. ~~[By signing the Application Form (Attachment 1), each applicant agrees to enter into an agreement with the CEC to conduct the proposed project according to the terms and conditions that correspond to its organization, without negotiation: (1) University of California and California State University terms and conditions; (2) U.S. Department of Energy terms and conditions; (3) Special Terms and Conditions for California Native American tribes with Sovereign Immunity in addition to the standard terms and conditions; or (4) standard terms and conditions.]~~ **All applicants shall conduct the proposed project according to the standard terms and conditions, except the following: (1) University of California and California State University; and (2) U.S. Department of Energy. In addition, for Phase 2 Full Application awards, federally recognized California Native American tribes and other Units of Indian Government with sovereign immunity shall conduct the proposed project according to the Special Terms and Conditions for federally recognized California Native American tribes in addition to the standard terms and conditions. The Special Terms and Conditions for federally recognized California Native American tribes do not apply to Phase One Technical Assistance awards.**

All terms and conditions **for the Geothermal Grant and Loan Program** are located under “RREDI Funding Information” at <https://www.energy.ca.gov/funding-opportunities/funding-resources>. Please refer to the applicable terms and conditions. Failure to agree to the terms and conditions by**,** ~~[taking actions]~~ such as failing to sign the Application Form **(Attachment 1)** or indicating that acceptance is based on modification of the terms will result in **rejection** of the application. Applicants **must** **read** the terms and conditions carefully.The CEC reserves the right to modify the terms and conditionsprior to executing grant agreements.

If a **federally recognized** California Native American tribe or **other** Unit of Indian Government ~~[(Tribe)]~~ with sovereign immunity is listed as a proposed awardee in the NOPA, CEC staff must receive the following before bringing the proposed award to a CEC Business Meeting:

* 1. A resolution or other authorizing document by the governing body of the **Unit of Indian Government** ~~[Tribe]~~ authorizing the **entity** ~~[Tribe]~~ to enter into the proposed agreement, including accepting the Special Terms and Conditions for California Native American ~~[T]~~**t**ribes with Sovereign Immunity.
  2. A limited waiver of sovereign immunity in the form and manner required by tribal law; and
  3. A resolution or other authorizing document delegating authority to execute the agreement to an appropriate individual.

Delay in award. Any delay in the ~~[Tribe’s]~~ ability to provide such documentation may result in delayed award of the grant agreement.

1. Page 24, Section III.D. Full Application Phase Two – Content, 10) Application Declaration (Attachment 10)

This form requests the applicant that is not a California Native American Tribe to declare that they: are not delinquent on taxes nor suspended by the California Franchise Tax Board; have not filed for bankruptcy and are not currently filing for bankruptcy; are registered to do business in California and their registration with the State of California is in good standing; are not being sued by any public agency or entity; are in compliance with the terms of all settlement agreements, if any, entered into with the CEC or another public agency or entity; are in compliance with all judgments, if any, issued against the Applicant in any matter to which the CEC or another public agency or entity is a party; are complying with any demand letter made on the Applicant by the CEC or another public agency or entity; and are not in active litigation with the CEC regarding the Applicant’s actions under a current or past contract, grant, or loan with the CEC. ~~[If the applicant is a Federally recognized or non-Federally recognized]~~ California Native American ~~[T]~~**t**ribe, ~~[the a]~~**A**pplicant**s who are a California Native American tribe or Unit of Indian Government** will be expected to make some, but not all, of the above mentioned declarations, as described in Attachment 10. The declaration must be signed under penalty of perjury by an authorized representative of the applicant’s organization.

1. Page 27, Section IV. A. Application Evaluation, 2) Full Application – Phase Two, b) Full Application Scoring.

**A minimum score of 70.0 ~~[points]~~ percent** is required for **each scoring criterion, excluding the match funds criterion, for** the application to be eligible for funding.

1. Page 27, Section IV. B. Ranking, Notice of Proposed Award, and Agreement Development, 1. Notice of Technical Assistance application Results,

The results of the Technical Assistance Application review will be provided to all Applicants in the Notice of Technical Assistance Application Results **(NOTAR)**. **The results of the Full Application review will be provided to all Applicants in the Notice of Proposed Awards (NOPA).** The CEC will publish the NOTAR **and NOPA** on the CEC’s website **and will send the NOTAR and NOPA** [~~of~~] **to** all parties that submitted a Technical Assistance Application **or Full Application**.

Technical Assistance Application submitted materials and results **and Full Application submitted materials** are publicly available after publication of the NOPA (discussed further below in Section IV.B.2), but otherwise the application evaluation process from receipt of applications to posting of the NOPA is confidential. All submitted Technical Assistance Application documents **and Full Application documents** will become publicly available records after the NOPA is posted or if the solicitation is cancelled.

1. Page 27, Section IV. B. Ranking, Notice of Proposed Award, and Agreement Development, 2. Ranking and Notice of Proposed Award

CEC staff will post a **NOTAR and** NOPA that **each** include~~[s]~~: (1) the total proposed funding amount; (2) the rank order of applicants; and (3) the amount of each proposed award. The CEC will post the NOPA on its website to all entities that submitted an application. Proposed awards must be approved by the CEC at a business meeting.

1. Page 35, Section IV.H. Full Application Phase Two – Scoring

Proposals that pass ALL Screening Criteria and are not rejected as described in Section IV.C. will be evaluated based on the Scoring Criteria on the next page and the Scoring Scale below Each criterion has an assigned number of possible points and is divided into multiple sub-criteria. The sub-criteria are not equally weighted. The Project Narrative (Attachment 3) must respond to each sub-criterion, unless otherwise indicated. **Only full applications with a score of 70 percent or higher in each Evaluation Criterion, excluding the Match Funds Criterion, will be eligible to receive a full application award.**

1. Pacific Standard Time or Pacific Daylight Time, whichever is being observed. [↑](#footnote-ref-2)
2. This deadline does not apply to non-technical questions (e.g., questions concerning application format requirements or attachment instructions) or to questions that address an ambiguity, conflict, discrepancy, omission, or other error in the solicitation. Such questions may be submitted to the Commission Agreement Officer listed in Section G at any time prior to the application deadline. Please see Section G for additional information. [↑](#footnote-ref-3)