**GRANT FUNDING OPPORTUNITY**

**Local Government   
Building Decarbonization Challenge**



**GFO-23-403**

[California Energy Commission Solicitations](https://www.energy.ca.gov/funding-opportunities/solicitations)

https://www.energy.ca.gov/funding-opportunities/solicitations

State of California

California Energy Commission

**March 2024**

**TABLE OF CONTENTS**

[ATTACHMENTS 4](#_Toc161325552)

[I. INTRODUCTION 5](#_Toc161325553)

[A. Purpose of this Solicitation 5](#_Toc161325554)

[B. Background 5](#_Toc161325555)

[C. Key Activities and Dates 7](#_Toc161325556)

[D. How Award is Determined 7](#_Toc161325557)

[E. Availability of Funds 8](#_Toc161325558)

[F. Minimum and Maximum Award Amounts 8](#_Toc161325559)

[G. Maximum Numbers of Applications 8](#_Toc161325560)

[H. Pre-Application Workshop 8](#_Toc161325561)

[I. Participation through Zoom 9](#_Toc161325562)

[J. Questions 10](#_Toc161325563)

[K. Contact Information 10](#_Toc161325564)

[L. Reference Documents 11](#_Toc161325565)

[II. ELIGIBILITY REQUIREMENTS 12](#_Toc161325566)

[A. Applicant Requirements 12](#_Toc161325567)

[B. Priority Community and Population Requirements 13](#_Toc161325568)

[C. Project Requirements 14](#_Toc161325569)

[D. Allowable Project Costs 21](#_Toc161325570)

[E. Invoicing and Payment 22](#_Toc161325571)

[F. Match Funding Requirements 23](#_Toc161325572)

[G. Unallowable Costs 23](#_Toc161325573)

[H. Terms and Conditions 24](#_Toc161325574)

[III. APPLICATION FORMAT, REQUIRED DOCUMENTS, and DELIVERY 29](#_Toc161325575)

[A. Required Format for an Application 29](#_Toc161325576)

[B. Application Format 29](#_Toc161325577)

[C. Method for Delivery 29](#_Toc161325578)

[D. Application Content 30](#_Toc161325579)

[IV. EVALUATION PROCESS and CRITERIA 36](#_Toc161325580)

[A. Application Evaluation 36](#_Toc161325581)

[B. Notice of Proposed Awards 39](#_Toc161325582)

[C. Debriefings 39](#_Toc161325583)

[D. Scoring Scale 40](#_Toc161325584)

[E. Evaluation Criteria 42](#_Toc161325585)

[F. Tie Breakers 45](#_Toc161325586)

[V. Administration 46](#_Toc161325587)

[A. Definition of Key Words/Terms 46](#_Toc161325588)

[B. Cost of Developing Application 48](#_Toc161325589)

[C. Confidential Information 49](#_Toc161325590)

[D. Solicitation Cancellation and Amendments 49](#_Toc161325591)

[E. Errors 49](#_Toc161325592)

[F. Modifying or Withdrawing an Application 49](#_Toc161325593)

[G. Immaterial Defect 49](#_Toc161325594)

[H. Opportunity to Cure Administrative Errors 50](#_Toc161325595)

[I. Disposition of Applicant’s Documents 51](#_Toc161325596)

[J. Applicants’ Admonishment 52](#_Toc161325597)

[K. Agreement Requirements 52](#_Toc161325598)

[L. No Agreement Until Signed and Approved 52](#_Toc161325599)

[M. Executive Order N-6-22 – Russia Sanctions 53](#_Toc161325600)

# ATTACHMENTS

|  |  |
| --- | --- |
| **Attachment Number** | **attachment TITLE** |
| 1 | Application Form *(signature required)* |
| 2 | SOW Template |
| 3 | Schedule of Products and Due Dates |
| 4 | Budget Worksheet |
| 5 | CEQA Compliance Form |
| 6 | Applicant Declaration *(signature required)* |
| 7 | Draft Standard Terms and Conditions (Informational, no form required in the Application) |
| 8 | Draft EECBG Subaward Federal Terms and Conditions (Informational and subject to change, no form required in the Application) |

# INTRODUCTION

**NOTE ABOUT SIGNATURES**

The California Energy Commission (CEC) may have waived the requirement for a signature on application materials for this solicitation for submissions. If a notice regarding CEC’s waiver of the signature requirement appears on the [CEC solicitations website](https://www.energy.ca.gov/funding-opportunities/solicitations) located at (https://www.energy.ca.gov/funding-opportunities/solicitations), the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

Even if the requirement for signatures has been waived, Applicants are still expected to adhere to the requirements of this solicitation as if they had signed.

## Purpose of this Solicitation

This is a competitive grant solicitation. The CEC announces the availability of up to $4,070,070 to provide grants to local governments, which will be awarded for eligible project activities including the following:

* Community building decarbonization planning.
* Municipal building decarbonization planning.
* Advancing municipal operations to support building decarbonization.
* Developing local codes, ordinances, and voluntary decarbonization measures.
* Building decarbonization related workforce development activities.

Grant awards will prioritize rural, low-income, and disadvantaged communities. This solicitation can be referred to as the Local Government Building Decarbonization Challenge (LGBDC).

## Background

The Warren-Alquist State Energy Resources Conservation and Development Act, Public Resources Code (PRC) section 25000 et seq., established the CEC as California’s primary energy policy and planning agency. The LGBDC has been designed, in part, to advance a portion of the strategies identified in the *2021 California Building Decarbonization Assessment* [[1]](#footnote-2), which was developed in response to Assembly Bill 3232 (Friedman, Chapter 373, Statutes of 2018) and advances the policy recommendations contained in the *2021 Integrated Energy Policy Report (IEPR), Volume I: Building Decarbonization* [[2]](#footnote-3).

In addition, the LGBDC aligns with and advances the requirements of a history of climate and energy legislation including The 100 Percent Clean Energy Act of 2018[[3]](#footnote-4), Senate Bill 100 (de León, Chapter 312, Statutes of 2018); Senate Bill 32 (Pavley, Chapter 249, Statutes of 2016); Senate Bill 350 (de León, Chapter 547, Statutes of 2015); and Assembly Bill 32 (Nunez, Chapter 488, Statutes of 2006).

Local governments play a critical role in helping California (State) meet its energy and climate goals, as they have a unique connection with their constituents and authority over local building and land use decisions. Many local governments have developed long term plans to address energy and climate issues. In fact, 42 percent of local governments in the State have a climate, energy, or sustainability plan to address greenhouse gas (GHG) emissions. These action plans propose individual solutions to match the community’s values and engage and mobilize the public.

The United States Department of Energy’s (DOE) Energy Efficiency and Conservation Block Grant (EECBG) program was originally created by the Federal Energy Independence and Security Act of 2007 and expanded under the American Recovery and Reinvestment Act of 2009 (ARRA). New funding was allocated to the program in 2021 under the Infrastructure Investment and Jobs Act (IIJA) with the broad goals to reduce carbon emissions and energy use, improve energy efficiency, and increase community investment and local workforce development. IIJA funding made available in 2021 under the EECBG (2021 EECBG) allocated funds directly to state and certain local jurisdictions that met program criteria, with approximately $4.5 million allocated to the State. Of the funds allocated to the State, $4,070,070 are available for the LGBDC.

## Key Activities and Dates

Key activities including dates and times for this solicitation are presented below. An addendum will be released if the dates change for the asterisked (\*) activities. Times listed are Pacific Standard Time or Pacific Daylight Time, whichever is being observed.

| **ACTIVITY** | **ACTION DATE** | **TIME** |
| --- | --- | --- |
| Solicitation Release | March 15, 2024 | N/A |
| Pre-Application Workshop\* | March 22, 2024 | 1:30 p.m. |
| **Deadline for Written Questions**\* | April 2, 2024 | **5:00 p.m.** |
| Anticipated Distribution of Questions/Answers | April 23, 2024 | N/A |
| **Deadline to Submit Applications\*** | May 20, 2024 | **11:59 p.m.** |
| Anticipated Posting of Notice of Proposed Award (NOPA) | June 7, 2024 | N/A |
| Anticipated CEC Business Meeting | August 14, 2024 | N/A |
| Anticipated Agreement Start Date | September 1, 2024 | N/A |
| Agreement End Date | June 30, 2027 | N/A |

**Time is of the essence –** Start dates for agreements funded by this solicitation must be within 180 days of the award of 2021 EECBG funds to California. This may be as early as September 2024, which means that the CEC must approve agreements at a business meeting and fully execute and sign agreements prior to that time.

## How Award is Determined

Applicants passing administrative and technical screening will compete based on evaluation criteria and will be scored and ranked based on those criteria. Unless the CEC exercises any of its other rights regarding this solicitation (e.g., to cancel the solicitation or reduce funding), applications obtaining at least the minimum passing score will be recommended for funding in ranked order until all funds available under this solicitation are exhausted.

If the funds available under this solicitation are insufficient to fully fund a grant application, the CEC reserves the right to recommend partially funding that application. In this event, the proposed Applicant/Subrecipient and Commission Agreement Manager (CAM) shall meet and attempt to reach an agreement on a reduced scope of work commensurate with the level of available funding.

## Availability of Funds

A total of $4,070,070 is available for awards under this solicitation.

* Up to $2,713,380 of this amount is available for Funding Group 1, which includes jurisdictions that were not eligible for a direct 2021 EECBG allocation.
* Up to $1,356,690 of this amount is available for Funding Group 2, which includes all California local jurisdictions.[[4]](#footnote-5)

The CEC, at its sole discretion, reserves the right to increase or decrease the amount of funds available under this solicitation, or shift funds between funding groups as permissible under 2021 EECBG requirements.

The CEC also reserves the right to identify and add alternate sources of funds that align with the goals and objectives of this solicitation.

## Minimum and Maximum Award Amounts

The minimum award amount is $250,000. The maximum award amount is $400,000.

## Maximum Numbers of Applications

Applicants may only participate in or submit one (1) application under this solicitation. However, that single application may propose multiple project activities, but they must adhere to the requirements discussed in Section II.C of this solicitation manual.

## Pre-Application Workshop

There will be one (1) Pre-Application Workshop. Participation in this meeting is optional but encouraged. The Pre-Application Workshop will be held remotely through Zoom at the date, time, and location listed below.

**Date:** March 22, 2024

**Time:** 1:30 p.m. – 3:30 p.m. (Pacific Daylight Time)

**Remote Access Only via Zoom**

To confirm the date and time, please contact the Commission Agreement Officer (CAO) listed in Section I.K of this solicitation manual or refer to the [CEC's solicitations website](https://www.energy.ca.gov/funding-opportunities/solicitations) at (https://www.energy.ca.gov/funding-opportunities/solicitations).

## Participation through Zoom

Zoom is the CEC's online meeting service. When attending remotely, presentations will appear on your computer/laptop/mobile device screen, and audio may be heard via the device or telephone. Please be aware that the Zoom meeting will be recorded and posted to the CEC website.

**Zoom Instructions:**

To join the Pre-Application Workshop, go to the [Zoom Meeting Link](https://energy.zoom.us/webinar/register/WN_gFQaiAlcRMSsx_ZKUcjy6g), which is located at (https://energy.zoom.us/webinar/register/WN\_gFQaiAlcRMSsx\_ZKUcjy6g). **Participants must register to attend. After registering, you will receive a confirmation email containing information about joining the webinar.** You may also access the workshop by going to the [Zoom website](https://zoom.us/join), which is located at (https://zoom.us/join) and enter the unique meeting ID and password below.

**Meeting ID:** 841 0415 0462

**Meeting Password:** 867326

**Topic:** Pre-Application Workshop for GFO-23-403 – Local Government

Building Decarbonization Challenge

**Telephone Access Only:**

Call (888) 475-4499 or (877) 853-5257(toll-free). When prompted, enter the unique meeting ID number above. International callers may select from the [Zoom International Dial-In Number List](https://energy.zoom.us/u/abEf4RINDr) located at (https://energy.zoom.us/u/abEf4RINDr). To comment, dial \*9 to “raise your hand” and \*6 to mute/unmute your phone line.

**Access by Mobile Device:**

Download the application from the [Zoom Download Center](https://energy.zoom.us/download), which is available at (https://energy.zoom.us/download).

**Technical Support:**

* For assistance with problems or questions about joining or attending the meeting, please call Zoom Technical Support at (888) 799-9666 ext. 2, or you may contact the CEC Public Advisor’s Office via email at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov) or via telephone at (916) 957-7910.
* To determine whether your computer is compatible, visit the [Zoom System Requirements](https://support.zoom.com/hc/en/article?id=zm_kb&sysparm_article=KB0060748) page available at (https://support.zoom.us/hc/en-us/articles/201362023-System-requirements-for-Windows-macOS-and-Linux).
* If you have a disability and require assistance to participate, please contact Erica Rodriguez via email at [erica.rodriguez@energy.ca.gov](mailto:erica.rodriguez@energy.ca.gov) or via telephone (916) 764-5705 at least five (5) days in advance of the Pre-Application Workshop.

## Questions

During the solicitation process, direct questions to the CAO listed in Section I.K below.

Applicants may ask questions at the Pre-Application Workshop and may submit written questions via email to the CAO. However, **all technical questions must be received by the deadline indicated in the Key Activities and Dates table** located in Section I.C of this solicitation manual.

The questions and answers will be posted on the [CEC's solicitations website](https://www.energy.ca.gov/funding-opportunities/solicitations) at (https://www.energy.ca.gov/funding-opportunities/solicitations).

Questions received after the deadline may be answered at the CEC's discretion. Non-technical questions (e.g., questions concerning application format requirements or attachment instructions) may be submitted to the CAO at any time prior to 5:00 p.m. of the application deadline date.

Any verbal communication with a CEC employee concerning this solicitation is not binding on the State and shall in no way alter a specification, term, or condition of the solicitation. All communication must be directed in writing to the CAO assigned to this solicitation.

## Contact Information

Marissa Sutton, Commission Agreement Officer

California Energy Commission

715 P Street, MS-18

Sacramento, California 95814

Telephone: (916) 237-2515

Email: [marissa.sutton@energy.ca.gov](mailto:marissa.sutton@energy.ca.gov)

## Reference Documents

Applicants responding to this solicitation may want to familiarize themselves with the following documents:

* *[California Building Decarbonization Assessment](https://efiling.energy.ca.gov/GetDocument.aspx?tn=239311)*, available for download at (https://efiling.energy.ca.gov/GetDocument.aspx?tn=239311).
* [*Final 2021 Integrated Energy Policy Report, Volume I - Building Decarbonization*](https://efiling.energy.ca.gov/GetDocument.aspx?tn=241599), available for download at (https://efiling.energy.ca.gov/GetDocument.aspx?tn=241599).
* [*2021 SB 100 Joint Agency Report, Achieving 100 Percent Clean Electricity in California: An Initial Assessment*](https://www.energy.ca.gov/publications/2021/2021-sb-100-joint-agency-report-achieving-100-percent-clean-electricity), available at (https://www.energy.ca.gov/publications/2021/2021-sb-100-joint-agency-report-achieving-100-percent-clean-electricity).
* [CEC Building and Home Energy Resource Hub, Local Government Representative Energy Resources](https://www.energy.ca.gov/programs-and-topics/topics/building-decarbonization/building-and-home-energy-resource-hub/local), available at (https://www.energy.ca.gov/programs-and-topics/topics/building-decarbonization/building-and-home-energy-resource-hub/local).

# 

# ELIGIBILITY REQUIREMENTS

## Applicant Requirements

This is an open solicitation for California local government entities, which include the following:

* City governments and their departments.
* County governments and their departments.
* Organizations recognized as city or county governments such as joint power authorities and councils of governments.

A group of jurisdictions/agencies applying as a consortium, must identify a single jurisdiction or agency to serve as the primary Applicant. Commitment letters from each jurisdiction planning to participate must be submitted with the application.

Applicants may only participate in or submit one (1) application under this solicitation. However, that single application may propose multiple project activities.

Applicants must submit certification that they have authority to apply on behalf of their jurisdiction and that they are the sole entity applying on its behalf.

Applicants/Subrecipients are responsible for ensuring that all obligations under an agreement are met.

Note that individual funding groups have different eligibility requirements. Evidence of eligibility for the funding category must be submitted with the application.

1. **Funding Group 1**

Local jurisdictions that were not eligible for a direct 2021 EECBG allocation from DOE are eligible to apply for funds from the first category totaling $2,713,380, referred to throughout this solicitation manual as Funding Group 1.

1. **Funding Group 2**

All California local jurisdictions are eligible to apply for funds from the remaining category totaling $1,356,690, referred to throughout this solicitation manual at Funding Group 2.

All local governments that were eligible for allocations under the 2021 EECBG program are identified on the DOE website in the [IIJA EECBG Program Eligible Applicants](https://www.energy.gov/sites/default/files/2023-01/IIJA%20%2840552%29%20EECBG%20Program_Attachment%201a.%20_Local%20Govt.%20Allocations_FINAL.pdf) document available at (https://www.energy.gov/sites/default/files/2023-01/IIJA%20%2840552%29%20EECBG%20Program\_Attachment%201a.%20\_Local%20Govt.%20Allocations\_FINAL.pdf).

## Priority Community and Population Requirements

### Federal Requirements and Priority Populations

In addition to the requirements that 60 percent of funds be awarded to jurisdictions that were not eligible for a direct 2021 EECBG allocation, the LGBDC is subject to the requirements of the Federal Justice40 Initiative (Justice40), which directs 40 percent of the overall benefits of certain federal investments – including investments in clean energy and energy efficiency, clean transit, affordable and sustainable housing, training and workforce development, the remediation and reduction of legacy pollution, and the development of clean water infrastructure – to flow to disadvantaged communities (DACs). On July 20, 2021, the Office of Management and Budget (OMB) released [Interim Implementation Guidance for the Justice40 Initiative, M-21-28 (OMB interim guidance)](https://www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf) available at (https://www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf), which has guided work on Justice40 along with relevant statutory authorities.

OMB’s interim implementation guidance defines a *community* as either: (1) **Geographic:** a group of individuals living in geographic proximity (such as census tract), or (2) **Common condition:** a geographically dispersed set of individuals (such as migrant workers or Native Americans), where either type of group experiences common conditions.

For the “geographic” definition of community, pursuant to the interim implementation guidance and [OMB guidance M-23-09](https://www.whitehouse.gov/wp-content/uploads/2023/01/M-23-09_Signed_CEQ_CPO.pdf), available at (https://www.whitehouse.gov/wp-content/uploads/2023/01/M-23-09\_Signed\_CEQ\_CPO.pdf), DOE recognizes as disadvantaged those census tracts identified by the [White House Climate and Economic Justice Screening Tool (CEJST)](https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5), which is available at (https://screeningtool.geoplatform.gov/).

The LGBDC is funded with 2021 EECBG monies and must also comply with the requirements of Justice40 including:

1. Identifying the Justice40 benefits of the program.
2. Determining how the program distributes benefits.
3. Calculating and reporting on reaching the 40-percent goal Justice40.

Subrecipients will be required to provide information to support the CEC’s Justice40 reporting to the DOE.

Applicants must indicate the census tracts identified as priority populations on the Application Form (Attachment 1). Subrecipients will be required to report on the benefits to priority populations resulting from their funded projects. During the scoring of applications, preference points will be awarded for projects located in and benefiting priority populations as indicated in Section IV.E of this solicitation manual.

### California Priority Populations

In addition, the State and CEC are committed to ensuring that economically disadvantaged and underserved communities have the ability to participate in and benefit from CEC programs. In California, DACs are defined as communities disproportionately burdened by multiple sources of pollution and with population characteristics that make them more sensitive to pollution. DACs are designated by the California Environmental Protection Agency (CalEPA)[[5]](#footnote-6) per Senate Bill 535. Low-income communities are defined by Assembly Bill 1550 (Gomez, Chapter 369, Statutes of 2016).

To identify DACs and/or low-income communities, Applicants should use the [California Air Resources Board (CARB) California Climate Investments Priority Populations 2023 CalEnviroScreen 4.0 map](https://webmaps.arb.ca.gov/PriorityPopulations/) available at (https://webmaps.arb.ca.gov/PriorityPopulations/).

## Project Requirements

The LGBDC is funded by a 2021 EECBG allocation to California, and is subject to applicable federal timing, expenditure, and reporting requirements. All project activities must:

* Be located and conducted within California.
* Benefit the jurisdiction applying for the grant and any other jurisdictions identified in the Application.

Applicants can submit one (1) application for one (1) or more of the project activities identified as items 1–5 on the following six (6) pages.

Funding information is available in Section I.E of this solicitation manual. Applicants must indicate the requested funding amount within the pre-determined minimum and maximum levels identified.

### Community Building Decarbonization Planning

**Purpose**: California’s buildings produce a quarter of the State’s GHG emissions, making homes and businesses a major contributor to climate change. Taking a variety of actions to reduce GHG emissions is known as decarbonization. There are many steps building owners and renters, builders, and local governments can take to cost-effectively decarbonize buildings. Community and regional governments can support building decarbonization through a suite of programs and educational efforts known as Community Building Decarbonization Plans. These plans are intended to encourage adoption of energy efficiency, building decarbonization, and advanced building performance measures in new and existing homes and commercial buildings.

A Community Building Decarbonization Plan should align with and complement any existing community climate action plan or energy plan, identify specific goals and milestones to achieve over the next decade, and consider a 2045 building decarbonization goal. When developing a building decarbonization plan, the Applicant should identify pathways to reduce energy use, energy waste, and building-related emissions in residential and commercial buildings. Plans should maintain or improve cost effectiveness of energy use, and consider the following:

* Needs of specific populations including low-income and health sensitive groups and those dependent on energy for health needs.
* Environmental and public health impacts and benefits.
* Other non-energy benefits associated with improved efficiency and decarbonization measures.
* Future energy needs related to local buildings.

These plans can also consider opportunities to reduce emissions from embodied carbon, which refers to the lifecycle GHG emissions of building materials resulting from the extraction, manufacturing, transportation, installation, maintenance, and disposal of goods. This is also a growing area of interest for State and local policy.

**Resources and References:**

* + - [Integrated Climate Adaptation and Resiliency Program (ICARP)](https://opr.ca.gov/climate/icarp/), available at (https://opr.ca.gov/climate/icarp/).
    - [California Climate Adaptation Strategy](https://www.climateresilience.ca.gov/), available at (https://www.climateresilience.ca.gov/).
    - [Local Government Actions for Climate Change](https://ww2.arb.ca.gov/our-work/programs/local-actions-climate-change/local-government-actions-climate-change), available at (https://ww2.arb.ca.gov/our-work/programs/local-actions-climate-change/local-government-actions-climate-change).
    - [*Guide to Community Energy Strategic Planning*](https://www.energy.gov/sites/prod/files/2014/05/f15/cesp_guide.pdf) from the DOE provides a step-by-step process for creating a robust strategic energy plan for government and community that can help save money and create local jobs. If your community does not have an existing plan, this guide provides a model process for developing one and is available at (https://www.energy.gov/sites/prod/files/2014/05/f15/cesp\_guide.pdf).
    - [Setting Carbon Goals and Tracking Progress](https://betterbuildingssolutioncenter.energy.gov/carbon-hub/goals-tracking), available at (https://betterbuildingssolutioncenter.energy.gov/carbon-hub/goals-tracking).

**Example Project(s):**

* + - [San Bernardino County, *Regional Greenhouse Gas Reduction Plan (2021)*](https://www.gosbcta.com/plan/regional-greenhouse-gas-reduction-plan/), available at (https://www.gosbcta.com/plan/regional-greenhouse-gas-reduction-plan/).
    - [City of Santa Barbara, *Zero Net Energy Roadmap and Implementation Plan*](https://www.energy.ca.gov/sites/default/files/2022-02/City_of_Santa_Barbara_ADA.pdf), available at (https://www.energy.ca.gov/sites/default/files/2022-02/City\_of\_Santa\_Barbara\_ADA.pdf).
    - [City of Santa Barbara, *Zero Net Energy Report*](https://sustainability.santabarbaraca.gov/zero-net-energy/), available at (https://sustainability.santabarbaraca.gov/zero-net-energy/).
    - [Case Study, *Planning for a Resilient Future Energy Action Plans for the Cities of Ventura, Moorpark, and Thousand Oaks*](https://www.energy.ca.gov/sites/default/files/2021-12/Ventura_County_Regional_Energy_Alliance_ADA.pdf), available at (https://www.energy.ca.gov/sites/default/files/2021-12/Ventura\_County\_Regional\_Energy\_Alliance\_ADA.pdf).

### Municipal Building Decarbonization Planning

**Purpose**: Local governments can lead by example in energy and climate planning and action. As large building owners and tenants, local agencies and leaders can develop a Municipal Building Decarbonization Plan. These plans integrate energy efficiency and building decarbonization measures in buildings owned and operated by the jurisdiction and its agencies.

**Resources and References:**

* [Building and Home Energy Resource Hub](https://www.energy.ca.gov/programs-and-topics/topics/building-decarbonization/building-and-home-energy-resource-hub), available at (https://www.energy.ca.gov/programs-and-topics/topics/building-decarbonization/building-and-home-energy-resource-hub).

**Example Project(s):**

* [San Luis Obispo, *EnergyWise Plan Energy Section Update including Zero Net Energy Neighborhood Feasibility, Design, and Implementation Study*](https://www.energy.ca.gov/sites/default/files/2021-12/San%20Luis%20Obispo_ADA.pdf), available at (https://www.energy.ca.gov/sites/default/files/2021-12/San%20Luis%20Obispo\_ADA.pdf).

### Advancing Municipal Operations to Support Building Decarbonization

**Purpose**: Local government operations support consumer and business actions in agencies and operational areas such as permitting, planning, inspections, and code compliance activities. Municipal operations may benefit from updates that allow jurisdiction staff to be more responsive to requests, provide more timely approvals and assistance, and minimize public and individual costs and timing involved in these processes. Additionally, as technologies and building designs advance, local jurisdiction staff can benefit from training and education to stay current on the designs and proposals presented to jurisdiction departments for approval.

**Resources and References:**

* [Integrated Climate Adaptation and Resiliency Program (ICARP)](https://opr.ca.gov/climate/icarp/), available at (https://opr.ca.gov/climate/icarp/).
* [Local Government Representative Energy Resources](https://www.energy.ca.gov/programs-and-topics/topics/building-decarbonization/building-and-home-energy-resource-hub/local), available at (https://www.energy.ca.gov/programs-and-topics/topics/building-decarbonization/building-and-home-energy-resource-hub/local).
* [Building Energy Benchmarking Program](https://www.energy.ca.gov/programs-and-topics/programs/building-energy-benchmarking-program), available at (https://www.energy.ca.gov/programs-and-topics/programs/building-energy-benchmarking-program).

**Example Project(s):**

* [*City of Galt Climate Action Plan, Transportation Corridor Management Plan, and Master Plan*](https://www.energy.ca.gov/sites/default/files/2022-04/City_of_Galt_Local_Government_Challenge_ADA.pdf), available at (https://www.energy.ca.gov/sites/default/files/2022-04/City\_of\_Galt\_Local\_Government\_Challenge\_ADA.pdf).
* [*Marin Climate and Energy Partnership/Resilient Neighborhoods Grassroots Climate Action Case Study*](https://www.energy.ca.gov/sites/default/files/2021-12/Marin_General_Services_Authority_ADA.pdf), available at (https://www.energy.ca.gov/sites/default/files/2021-12/Marin\_General\_Services\_Authority\_ADA.pdf).
* [*Marin Clean Energy Building Energy Optimization: Software for Distributed Energy Resource Program & Procurement Planning*](https://www.energy.ca.gov/sites/default/files/2021-12/Marin_Clean_Energy_ADA.pdf), available at (https://www.energy.ca.gov/sites/default/files/2021-12/Marin\_Clean\_Energy\_ADA.pdf).

### Codes, Ordinances, and Voluntary Measures

**Purpose**: Local governments can adopt local codes or ordinances that are more stringent than the State’s Energy Code to advance building decarbonization, applying both to new construction or additions and alterations of existing buildings. Such local codes and ordinances can also introduce voluntary building standards, encourage action to measure and improve building performance locally, and address developing policy ideas such as those related to embodied carbon. Advanced mandatory requirements used in conjunction with voluntary local guidelines often provide early adoption and market development leading to broad, cost-effective adoption of decarbonization technologies and strategies, as well as provide opportunity for local economic growth and workforce development. Proposed projects on this topic should be specific about the model codes being researched, considered, or proposed and the timeline for completing activities including adoption of new codes, ordinances, and measures. Strong proposals will include plans to leverage available federal and State incentives and funding sources to maximize cost-benefit considerations and GHG reduction benefits to the local community during measure deployment.

**Resources and References:**

* [Local Government Representative Energy Resources](https://www.energy.ca.gov/programs-and-topics/topics/building-decarbonization/building-and-home-energy-resource-hub/local), available at   
  (https://www.energy.ca.gov/programs-and-topics/topics/building-decarbonization/building-and-home-energy-resource-hub/local).
* [How to Adopt a Reach Code](https://www.bayren.org/energy-policies-reach-codes/how-adopt-reach-code), available at   
  (https://www.bayren.org/energy-policies-reach-codes/how-adopt-reach-code).
* [California Energy Codes & Standards Support (Investor Owned Utility Funded)](https://localenergycodes.com/), available at (https://localenergycodes.com/).
* [What is Embodied Carbon? (United States Environmental Protection Agency)](https://www.epa.gov/greenerproducts/what-embodied-carbon), available at (https://www.epa.gov/greenerproducts/what-embodied-carbon).
* [Embodied Carbon – Tools & Resources (United States Environmental Protection Agency)](https://www.epa.gov/greenerproducts/tools-resources), available at (https://www.epa.gov/greenerproducts/tools-resources).

**Example Project(s):**

* [Local Ordinances Exceeding the 2022 Energy Code](https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency-0), available at (https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency-0).
* [Local Ordinances Exceeding the Energy Code (2019)](https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency-3), available at (https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency-3).

### Workforce Development

**Purpose**: Local workforce development planning coordinates and supports access to workforce and training services for a community. The transition to clean, zero-emission energy sources and adoption of low-emission building designs, materials, and technologies has created the need for a well-trained workforce and, in many cases, the labor markets in demand are currently experiencing a decline in workforce. This creates not just an opportunity but a critical need to attract new workers into high demand trades, to train them in current technologies and designs, and prepare them to adapt over time to new developments in their fields. Communities are well-positioned to individually, and through partnerships, support their local citizens and businesses through career technical education programs that lead to high-road jobs and career opportunities. Proposed projects should identify known needs, or the methods a jurisdiction plans to undertake to identify specific community needs and opportunities, as well as the specific strategies and partnerships envisioned or already planned to provide local workforce development.

**Resources and References:**

* [California Community Colleges, Strong Workforce Program (SWP)](https://www.cccco.edu/About-Us/Chancellors-Office/Divisions/Workforce-and-Economic-Development/Strong-Workforce-Program), available at   
  (https://www.cccco.edu/About-Us/Chancellors-Office/Divisions/Workforce-and-Economic-Development/Strong-Workforce-Program).
* [California Workforce Development Board Programs & Resources](https://cwdb.ca.gov/), available at  
  (https://cwdb.ca.gov/).
* [California Workforce Development Board Approved 2021 Regional and Local Plans](https://cwdb.ca.gov/2021-regional-and-local-plans-cwdb-officially-approved/), available at (https://cwdb.ca.gov/2021-regional-and-local-plans-cwdb-officially-approved/).
* [*Putting California on the High Road: A Jobs and Climate Action Plan for 2030*](https://laborcenter.berkeley.edu/wp-content/uploads/2020/09/Putting-California-on-the-High-Road.pdf), available at (https://laborcenter.berkeley.edu/wp-content/uploads/2020/09/Putting-California-on-the-High-Road.pdf).

**Example Project(s):**

* [Silicon Valley Workforce Investment Network, *work2future Local Plan 2021-2024*](https://oewd.org/sites/default/files/Workforce/work2future%20LOCAL%20PLAN%202021-24%20-%20with%20CEO%20signature_mm_0.pdf),   
  available at (https://oewd.org/sites/default/files/Workforce/work2future%20LOCAL%20PLAN%202021-24%20-%20with%20CEO%20signature\_mm\_0.pdf).
* [Northern Rural Training and Employment Consortium (NoRTEC), *WIOA Local Plan* *2021-2024*](https://www.ncen.org/images/documents/Regional%20and%20Local%20Plan/NoRTEC-Local-Plan-Final.pdf), available at (https://www.ncen.org/images/documents/Regional%20and%20Local%20Plan/NoRTEC-Local-Plan-Final.pdf).

## Allowable Project Costs

The list below provides allowable costs, which must be related directly to the awarded LGBDC project. Applicants must ensure that costs proposed in the Budget Worksheet (Attachment 4) are allowable costs. See Draft Standard Terms and Conditions (Attachment 7) and Draft EECBG Subaward Federal Terms and Conditions (Attachment 8) for more information on allowable project costs.

* **Staff:** The staff costs of Subrecipients and other parties that will be used in performance of the proposed project, including salary at an hourly rate, benefits, taxes, and leave. Staff may be full-time or part-time employees. If Applicants/Subrecipients intend to use funds to pay for interns, fellows, or other positions that are not on an organization’s payroll, these costs should be classified in the budget as a direct cost on the sub-subrecipients and vendors tab.
* **Program Meeting/Workshop Attendance:** Program meetings and workshops, including regular check-in meetings, peer-to-peer learning sessions, and virtual technical assistance events.
* **Travel:** Applicants/Receipts must adhere to the [*Contractor, Grant Recipient, and Subcontractor Travel Reimbursement Rates*](https://www.energy.ca.gov/sites/default/files/2020-07/travel_per_diem_ada.pdf), located on the CEC website at (https://www.energy.ca.gov/sites/default/files/2020-07/travel\_per\_diem\_ada.pdf) with the exception of “Incidentals” and “Out of State Travel”, which will not be reimbursable.
* **Language Access:** Translation and interpretation for meetings and written materials.
* **Evaluation Activities:** Costs associated with evaluation of project activities.
* **Administrative Costs:** Costs incurred by Subrecipients to administer the project, or costs incurred by sub-subrecipients/vendors to perform the tasks necessary to fulfill the products.
* **Operating Expenses:** Costs that are not included as part of direct project costs (for functions such as accounting, budgeting, audits, business services, information technology, rent, supplies, etc.).
* **Subscriptions and Software:** Subscriptions and other software that will help increase capacity, facilitate communication, or otherwise facilitate implementation of the project such as videoconferencing technology subscriptions, project management software, and mapping software.
* **Engagement, Outreach, Education, and Training:** Costs related to the development and administration of engagement, outreach, education, and training activities for the project, including, but not limited to, materials developed for outreach events, trainings, and other activities.
* **Access to Proprietary Data or Research Materials:** Costs to conduct research, and market and feasibility studies, as well as to compile and analyze community needs-related information studies and access to proprietary data.
* **Meeting Facilitation:** Costs necessary to facilitate project meetings, such as:
  + Rental costs of equipment, facilities, or venues.
  + Transportation stipends and provision of transportation services for community residents, such as a vanpool.

## Invoicing and Payment

The list below provides information on invoicing and payment for each grant agreement resulting from this solicitation. See Draft Standard Terms and Conditions (Attachment 7) for more information on invoicing.

1. **First Advance Payment**

* Following signature and execution of an agreement, Subrecipients may request 50 percent of total awarded funds in advance by submitting an advance payment invoice to the CEC.
* Subrecipients shall be responsible for providing, at a minimum, quarterly updates on costs to reconcile the advance payment received.
* When completing reconciliation of costs for the advance payment, the Subrecipient shall assign costs specifically to budget categories and not exceed the amount in each budget category identified on the Budget Worksheet (Attachment 4).
* The CAM will provide both the advance payment invoice template and the reconciliation report template to grant Subrecipients.

1. **Second Advance Payment**

* Following full reconciliation of costs equal to, or more than, the initial 50 percent advance of awarded funds, the Subrecipient will have the option to submit a request for an additional advance of 25 percent of total awarded funds by submitting an advance payment invoice to the CEC.
* Subrecipients shall be responsible for providing, at a minimum, quarterly updates on costs to reconcile the second advance payment received.
* When completing reconciliation of costs for the second advance payment, the Subrecipient shall assign costs specifically to budget categories and not exceed the amount in each budget category identified on the Budget Worksheet (Attachment 4).

1. **Invoicing**

* Following full reconciliation of all advance funds, the Subrecipient shall submit invoices, no more frequently than quarterly, for reimbursement of allowable costs.
* Invoices must be accompanied by a quarterly report detailing progress on the project and all tasks and products. Payment will only be approved if the progress is consistent with the amount of expenditure in each task area and budget category.
* The CAM will provide a standard invoice template to the grant Subrecipient.

1. **Retention**

* Ten (10) percent of the total awarded funds shall be retained until the end of the agreement.
* Upon CAM approval of all products and the Final Report detailed in the SOW Template (Attachment 2), the Subrecipient shall submit a final invoice to receive payment of the funds held as retention.

## Match Funding Requirements

No match funding is required for this solicitation.

## Unallowable Costs

For an item of cost to be allowable, it must be included in the executed agreement budget and allowable per the terms and conditions of the resulting agreement. The following are examples of unallowable costs under an agreement resulting from this solicitation. This list is not comprehensive and additional items of cost may be unallowable in accordance with the agreement terms and conditions. See Draft Standard Terms and Conditions (Attachment 7) and Draft EECBG Subaward Federal Terms and Conditions (Attachment 8) for more information on unallowable costs.

* Costs that occur outside of the grant agreement term.
* Direct lobbying.
* Environmental studies, plans, or documents normally required for project development under the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA).
* Equipment purchases.
* The following costs associated with community engagement and outreach:
  + Direct cash benefits or subsidies to participants.
  + Food or beverages.
  + Participant incentives, such as door prizes, which are unrelated to specific community work.
  + General meetings that do not specifically discuss or advance implementation of the LGBDC.

## Terms and Conditions

Each grant agreement resulting from this solicitation will include terms and conditions that set forth the Subrecipient’s rights and responsibilities. This list in the solicitation manual is not comprehensive and additional items may be required in the agreement terms and conditions. Applicants/Subrecipients must agree to all final terms and conditions to receive CEC funds.

Applicants must read the terms and conditions carefully.The Draft Standard Terms and Conditions are included in Attachment 7, while the Draft EECBG Subaward Federal Terms and Conditions are included in Attachment 8.

Subrecipients must adhere to all terms and conditions, and specific provisions may have potentially significant project impacts.

The CEC will not award agreements to non-complying entities. The CEC reserves the right to modify the terms and conditionsprior to executing grant agreements. The terms and conditions included in this solicitation are subject to change based on, in addition to other potential reasons, modifications to federal program requirements or terms and conditions by the DOE, feedback and guidance the CEC receives from the DOE, and any project-specific special terms and conditions the CEC deems appropriate for a particular award.

### Federal Terms and Conditions

1. **National Environmental Policy Act:** For this solicitation, all eligible project activities fall within exclusions under NEPA and within the eligible activities described in section 544 of the Energy Independence and Security Act (42 United States Code 17154).

Applicants are strongly encouraged to confirm the project is exempt under NEPA.

The CEC must comply with NEPA requirements in the DOE award. To comply, the CEC must receive any requested NEPA materials from Applicants/ Subrecipients in a timely manner.

In addition to any other right reserved under this solicitation or that it otherwise has, if the DOE determines in its sole and absolute discretion that the project is not exempt from NEPA, the CEC may cancel a proposed award and award funds to the next highest scoring Applicant, regardless of the original proposed Applicant’s/ Subrecipient’s diligence in submitting NEPA information and materials.

Further information about [NEPA](https://www.epa.gov/nepa) is also available at (https://www.epa.gov/nepa).

1. **Davis-Bacon Act (Federal Prevailing Wage Requirements):** In accordance with the Bipartisan Infrastructure Law (Public Law 117–58) section 41101 (42 United States Code 18851), all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the federal government must be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the United States Secretary of Labor in accordance with Subchapter IV of Chapter 31 of Title 40, United States Code (Davis-Bacon Act).

For additional guidance on Davis-Bacon Act (DBA) requirements, please visit the following United States Department of Labor (DOL) websites:

* [Davis-Bacon and Related Acts](https://www.dol.gov/agencies/whd/government-contracts/construction), located at (https://www.dol.gov/agencies/whd/government-contracts/construction).
* [Protections for Workers in Construction under the Bipartisan Infrastructure Law](https://www.dol.gov/agencies/whd/government-contracts/protections-for-workers-in-construction), located at (https://www.dol.gov/agencies/whd/government-contracts/protections-for-workers-in-construction).

1. **National Historic Preservation Act:**Applicants/Subrecipients must comply with the requirements of section 106 of the National Historic Preservation Act (NHPA), consistent with the DOE’s 2009 letter of delegation of authority regarding the NHPA. Section 106 applies to historic properties that are listed in or eligible for listing in the National Register of Historic Places (NRHP).

To fulfill the requirements of section 106, Applicants/Subrecipients must contact the State Historic Preservation Officer (SHPO), and, if applicable, the Tribal Historic Preservation Officer (THPO), to coordinate the section 106 review outlined in 36 Code of Federal Regulations (CFR) Part 800.

Applicants/Subrecipients must avoid taking any action that results in an adverse effect to historic properties and must verify compliance with the NHPA prior to the CEC executing an agreement.

All Subrecipients will also be required to submit an annual historic preservation report to DOE.

For guidance on [Section 106 of the NHPA](https://www.achp.gov/protecting-historic-properties), visit (https://www.achp.gov/protecting-historic-properties).

Additional information about [NRHP](https://www.nps.gov/subjects/nationalregister/index.htm) is available at (https://www.nps.gov/subjects/nationalregister/index.htm).

1. **Single Audit Act:** Local governments must comply with requirements of the Single Audit Act. *OMB Circular A-133, Audits of State, Local Governmental, and Non-profit Organizations*, and the Single Audit Act require entities that expend equal to or in excess of $750,000 in a fiscal year to have an audit performed.

To be considered for funding, Applicants/Subrecipients must be in compliance with the Single Audit Act and cleared with the State Controller’s Office (SCO) before submitting an Application to the CEC.

Upon receipt of an application, the CEC will verify Applicant status with the SCO to determine eligibility.

For additional guidance on this requirement, please visit the following:

* [SCO’s Single Audits - Local Agencies](https://www.sco.ca.gov/aud_single_audits.html) web page, available at (https://www.sco.ca.gov/aud\_single\_audits.html).
* [OMB Circular A-133, Audits of State, Local Governmental, and Non-profit Organizations](OMB%20Circular%20A-133,%20Audits%20of%20State,%20Local%20Governmental,%20and%20Non-profit%20Organizations), available at (https://georgewbush-whitehouse.archives.gov/omb/circulars/a133/a133.html).
* [The Single Audit Act](https://www.govinfo.gov/content/pkg/PLAW-104publ156/pdf/PLAW-104publ156.pdf), available at (https://www.govinfo.gov/content/pkg/PLAW-104publ156/pdf/PLAW-104publ156.pdf).

1. **System for Award Management:** Applicants/Subrecipients must maintain current registration in the System for Award Management (SAM) at all times during which they have an active agreement funded with LGBDC funds and must obtain a Unique Entity ID, which is a 12-character alphanumeric ID assigned to an entity by SAM.gov. The SAM database is the federal government’s primary registrant database. It collects, validates, stores, and disseminates data in support of federal grants, cooperative agreements, and other forms of assistance.

To register, please visit the [SAM website](https://www.sam.gov/) available at (https://www.sam.gov/). Registrants must update or renew their registration at least once per year to maintain an active status.

1. **Reporting:**Applicants/Subrecipients must report quarterly to the CEC during the term of the agreement including information described in the DOE’s Federal Assistance Reporting Checklist (FARC), which will be attached to all executed agreements resulting from this solicitation.

For additional information on quarterly reporting, please see Task 1.4 of the Scope of Work (SOW) Template, which is included in Attachment 2.

### State Terms and Conditions

1. **California Secretary of State Registration:** All corporations, limited liability companies (LLCs), limited partnerships (LPs) and limited liability partnerships (LLPs) that conduct intrastate business in California are required to register and be in good standing with the California Secretary of State prior to its project being recommended for approval at a CEC business meeting. If not currently registered with the California Secretary of State, Applicants are encouraged to contact the Secretary of State’s Office as soon as possible to avoid potential delays in beginning the proposed project (should the application be successful).

For more information, contact the [Secretary of State’s Office](https://www.sos.ca.gov/) at (https://www.sos.ca.gov/). Sole proprietors using a fictitious business name must be registered with the appropriate county and provide evidence of registration prior to their project being recommended for approval at a CEC business meeting.

1. **California Environmental Quality Act:** The CEC must comply with CEQA (PRC section 21000 et seq.; see also California Code of Regulations (CCR) Title 14, section 15000 et seq.), which generally requires public agencies to identify and consider potential environmental impacts of proposed projects.

Applicants/Subrecipients must complete the detailed CEQA Compliance Form (Attachment 5) and submit it with their application.

1. **California Prevailing Wage Law:** All workers employed on public works projects must be paid the prevailing wage determined by the Director of the California Department of Industrial Relations, according to the type of work and location of the project. The LGBDC solicitation is limited to planning activities. No projects that involve construction, alteration, demolition, installation, repair, or maintenance work will be approved under this program.

# APPLICATION FORMAT, REQUIRED DOCUMENTS, and DELIVERY

## Required Format for an Application

This section contains the format requirements and instructions on how to submit an application. The format is prescribed to assist the Applicant in meeting State requirements and to enable the CEC to evaluate each application uniformly and fairly. Applicants must follow all application format instructions, answer all questions, and supply all requested information.

## Application Format

The Application Form is provided as Attachment 1. All applications submitted under this solicitation must be typed or printed, as well as must adhere to the following formatting requirements:

* **Font:** Standard 11-point Arial or Tahoma font (excluding Excel spreadsheets, original template headers and footers, and commitment or support letters).
* **Margins:** A one (1) inch margin on all sides (excluding headers and footers).
* **Spacing:** Single-spaced with a blank line between paragraphs.
* **Other Formatting:** Pages must be numbered, and sections titled.

## Method for Delivery

The only method of submitting applications to this solicitation is the CEC’s [Grant Solicitation System (GSS)](https://gss.energy.ca.gov/), available at (https://gss.energy.ca.gov/). This online tool allows Applicants to submit their electronic documents to the CEC prior to the date and time specified in this solicitation.

Electronic files must be in Microsoft Word and Excel Office Suite formats unless originally provided in the solicitation in another format. Attachments requiring signatures (see “Note about Signatures” in Section I of this solicitation manual) may be scanned and submitted in an Adobe Portable Document Format (PDF) file. The completed Budget Worksheet, (Attachment 4), must be in Excel format.

**The deadline to submit grant applications through the GSS is 11:59 p.m. on** **the date indicated in the Key Activities and Dates table located in Section I.C of this solicitation manual. The GSS system automatically closes at 11:59 pm. If the full submittal process has not been completed before 11:59 p.m., your application will not be considered. No exceptions will be entertained.**

The CEC strongly encourages Applicants to upload and submit all applications by 5:00 p.m. because CEC staff will not be available after 5:00 p.m. or on weekends to assist with the upload process. And please note that while we endeavor to assist all would-be applicants, we cannot guarantee staff will be available for in-person consultation on the due date, so please plan accordingly.

Please give yourself ample time to complete all steps of the submission process: do not wait until right before the deadline to begin the process. Due to factors outside the CEC’s control and unrelated to the GSS system, upload times may be much longer than expected. For example, some past applicants experienced unexpected issues on their end, causing prolonged delays that prevented timely submission. They spent critical time and resources on applications the CEC was unable to consider. Please plan accordingly.

For instructions on how to apply using the GSS system, please see the [*GSS How to Apply: Tutorial and Tips for Applicants*](https://www.energy.ca.gov/media/1654)document, which is available on the CEC website at (https://www.energy.ca.gov/media/1654).

First time users must register as a new user to access the system. Applicants will receive a confirmation email after all required documents have been successfully uploaded. A tutorial of the system will be provided at the Pre-Application Workshop, and you may contact the CAO identified in Section I.K of this solicitation manual for more assistance.

**Hard copies, or submissions via email or fax will not be accepted for this solicitation.**

## Application Content

All items listed below are required as part of the Application package. Failure to provide any items may result in disqualification of the Application. Attachment requirements are expanded and explained below in this section and in the attachments themselves. Please reference each individual attachment for a detailed description of the information requested by that attachment.

The items that have “N/A” in the “Attachment Number” column are required to be submitted as part of the Application package, but do not have an associated attachment provided in this solicitation package.

| **Item** | **Attachment Number** |
| --- | --- |
| Application Form *(signature required)* | Attachment 1 |
| SOW Template | Attachment 2 |
| Schedule of Products and Due Dates | Attachment 3 |
| Budget Worksheet | Attachment 4 |
| CEQA Compliance Form | Attachment 5 |
| Applicant Declaration *(signature required)* | Attachment 6 |
| Evidence of Eligibility (for the selected funding category) | N/A |
| Applicant Certification (of authority to apply on behalf of the jurisdiction and sole entity applying on its behalf) | N/A |
| Commitment Letters (from each jurisdiction planning to participate for Applicants representing a consortium) | N/A |

1. **Application Form**

The Application must include a completed Application Form (Attachment 1). This form requests information about the Applicant and the project, as well as includes the project narrative and team qualifications. An Authorized Representative of the Applicant’s organization must sign this form.

All Applicants must certify under penalty of perjury under the laws of the State of California that:

* I am authorized to submit this application on behalf of the Applicant.
* I authorize the CEC to make any inquiries necessary to verify the information presented in this application.
* I authorize the CEC to obtain business credit reports and make any inquiries necessary to verify and evaluate the financial condition of the Applicant.
* I have read and understand the terms and conditions contained in this solicitation. I accept the terms and conditions contained in this solicitation on behalf of the Applicant and the Applicant is willing to enter into an agreement with the CEC to conduct the proposed project according to the terms and conditions without negotiation.
* I certify that (1) this application does not contain any confidential or proprietary information, or (2) if confidential information is allowed under the solicitation, it has been properly identified.
* I certify under penalty of perjury under the laws of the State of California that, to the best of my knowledge, the information contained in this application is correct and complete.
* I am authorized to agree to the above certifications on behalf of the Applicant.

The CEC may have waived the requirement for a signature on application materials for this solicitation for submissions. If a notice regarding CEC’s waiver of the signature requirement appears on the [CEC solicitations website](https://www.energy.ca.gov/funding-opportunities/solicitations) located at (https://www.energy.ca.gov/funding-opportunities/solicitations), the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

1. **SOW Template**

The Application must include a completed SOW Template (Attachment 2). Specific instructions are included in the document template. Use the description of activities proposed in section 6.d “Technical Approach” of the Application Form (Attachment 1) to complete the technical project tasks section of the SOW Template.

1. **Schedule of Products and Due Dates**

The Application must include a completed Schedule of Products and Due Dates (Attachment 3). Specific instructions are included in the document template.

This document identifies all activities to be conducted to complete the project, lists all tasks and products identified in the SOW Template (Attachment 2), and identifies the timeframe for completion.

Use the description of tasks and products proposed in section 6.d “Technical Approach” of the Application Form (Attachment 1) to complete the Schedule of Products and Due Dates.

All work must be completed, and the final invoice submitted to the CEC by June 30, 2027.

1. **Budget Worksheet**

The Application must include a completed Budget Worksheet (Attachment 4). Detailed instructions are included on the first page of the workbook.

The Applicant must submit information in **all sections** of the Budget Worksheet, for each activity they propose to execute. The salaries, rates, and other costs entered must reflect the salaries, rates, and other costs the Applicant would include if selected as a Subrecipient. The information provided will become a part of the final grant agreement.

1. Rates and job descriptions shown must reflect rates and job descriptions charged under an agreement resulting from this solicitation. The salaries, rates, and other costs entered on the Budget Worksheet become a part of the final agreement.

The entire term of the agreement and projected rate increases must be considered when preparing the budget. The rates proposed are considered capped and shall not change during the term of the agreement. The Applicant/Subrecipient shall only be reimbursed for their actual rates up to these rate caps.

1. The information provided in these forms will not be kept confidential.
2. All reimbursable project expenditures must be expended within the approved term of the grant agreement.
3. Applicants must budget for the expenses of a Kick-Off Meeting, at least one (1) Critical Project Review meeting, and a Final Meeting. It is anticipated that meetings will be conducted remotely via Microsoft Teams or Zoom, as determined by the CAM.
4. Applicants must budget for the preparation and submission of quarterly progress reports, quarterly reconciliation of costs and/or invoices, and all reporting required by the DOE and CEC during the approved term of the agreement, as well as preparation of a Final Report. Instructions for preparing the Final Report will be provided to successful Applicants/Subrecipients by the CAM.
5. The Budget must reflect estimates for actual costs to be incurred during the approved term of the agreement. The CEC can only approve and reimburse, or reconcile expenses against advances, for actual costs that are properly documented in accordance with the grant agreement terms and conditions.
6. Applicants shall NOT budget for, and CANNOT be reimbursed for, more than their actual allowable expenses (i.e., cannot include profit, fees, or markups) under the agreement. See Draft Standard Terms and Conditions (Attachment 7) for additional information on restrictions and requirements.
7. **CEQA Compliance Form**

The Application must include a completed CEQA Compliance Form (Attachment 5) and submit it with their application. The CEC requires this information to assist its own determination under CEQA (PRC section 21000 et. seq).

If the project includes only activities that do not trigger CEQA, such as paper studies, then the form will help identify and document this determination. **Failure to complete the form may lead to disqualification of the Application.**

Applicants are strongly encouraged to confirm if the project is exempt under CEQA and provide documentation of communication with the local lead agency, if one exists (e.g., a county or city). Documentation could include a completed notice of exemption, a letter from the local agency acknowledging its role in the CEQA process, or a permit application to the lead agency that is stamped as received.

If no CEQA review would be required by the local lead agency, provide documentation (e.g., a letter or e-mail) from the local agency explaining why CEQA review is not required.

Prior to executing a grant agreement, the CEC must make a determination and comply with CEQA requirements. To comply, the CEC must receive CEQA materials from Applicants/Subrecipients in a timely manner.

In addition to any other right reserved under this solicitation or that it otherwise has, if the CEC determines in its sole and absolute discretion that the project is not exempt from CEQA, the CEC may cancel a proposed award and award funds to the next highest scoring Applicant, regardless of the original proposed Applicant’s/Subrecipient’s diligence in submitting information and materials for CEQA review.

1. **Applicant Declaration**

This form requests the Applicant declare that they: are not delinquent on taxes nor suspended by the California Franchise Tax Board; 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.

The declaration must be signed under penalty of perjury by an authorized representative of the Applicant’s organization.

The CEC may have waived the requirement for a signature on application materials for this solicitation for submissions. If a notice regarding CEC’s waiver of the signature requirement appears on the [CEC solicitations website](https://www.energy.ca.gov/funding-opportunities/solicitations) located at (https://www.energy.ca.gov/funding-opportunities/solicitations), the waiver applies to this solicitation. In the event of a conflict between the notice and any language in this solicitation regarding signatures, the notice will govern.

1. **Evidence of Eligibility**

Evidence of eligibility for the funding category must be submitted with the application. See Section II.A of this solicitation manual.

1. **Applicant Certification**

Applicants must submit certification that they have authority to apply on behalf of their jurisdiction and that they are the sole entity applying on its behalf.

1. **Commitment Letters**

A group of jurisdictions/agencies applying as a consortium, must identify a single jurisdiction or agency to serve as the primary Applicant. Commitment letters from each jurisdiction planning to participate must be submitted with the application.

# EVALUATION PROCESS and CRITERIA

## Application Evaluation

Applications will be evaluated and scored based on their response to the information requested in this solicitation. The entire evaluation process from receipt of applications to posting of the NOPA is confidential.

To evaluate all applications, the CEC will organize an Evaluation Committee that consists of CEC staff or staff at other State entities.

Applications will be evaluated in two (2) stages of screening before scoring:

### Stage One (1): Administrative Screening

The CEC’s Contracts, Grants, and Loans Office will screen applications for compliance with the Administrative Screening Criteria identified below. Applications that fail any of the Administrative Screening Criteria shall be disqualified and eliminated from further evaluation.

1. **Administrative Screening Criteria (Pass/Fail)**

| **ADMINISTRATIVE Screening Criteria**  *The Application must pass ALL administrative screening criteria.* | **Pass/Fail** |
| --- | --- |
| 1. The Application is received by the due date and time specified in this solicitation manual (Section I.C). | Pass  Fail |
| 1. The Application Form (Attachment 1) is complete and prepared in the mandatory format described. | Pass  Fail |
| 1. The Application Form (Attachment 1) is signed by the Applicant’s Authorized Representative indicating agreement to meet all requirements of the solicitation, as well as agreeing to the Draft Standard Terms and Conditions (Attachment 7), and Draft EECBG Subaward Federal Terms and Conditions, which are subject to change (Attachment 8). | Pass  Fail |
| 1. The Application does not include any statement that acceptance is based on modifications to any terms and conditions. | Pass  Fail |
| 1. The Application does not contain confidential information or contain any portion marked confidential. | Pass  Fail |
| 1. The Budget Worksheet (Attachment 4) is filled out completely. | Pass  Fail |
| 1. The requested funding falls within the minimum and maximum range specified in this solicitation manual (Section I.F). | Pass  Fail |
| 1. The Applicant submitted only one (1) application for one (1) or more of the project activities identified in this solicitation manual. | Pass  Fail |

### Stage Two (2): Technical Screening

Applications passing Stage One (1): Administrative Screening will be submitted to the Evaluation Committee to screen for compliance with the Technical Screening Criteria identified below. Applications that fail any of the Technical Screening Criteria shall be disqualified and eliminated from further evaluation.

1. **Technical Screening Criteria (Pass/Fail)**

| **TECHNICAL Screening Criteria**  *The Application must pass ALL technical screening criteria.* | **Pass/Fail** |
| --- | --- |
| 1. The Applicant is an eligible applicant (Section II.A of this solicitation manual). | Pass  Fail |
| 1. The proposed project in the Application is an eligible project (Section II.C of this solicitation manual). | Pass  Fail |
| 1. The Applicant submitted evidence of eligibility for the selected funding category (Section II.A of this solicitation manual). | Pass  Fai |
| 1. The Applicant submitted certification that they have authority to apply on behalf of their jurisdiction and that they are the sole entity applying on its behalf (Section II.A of this solicitation manual). | Pass  Fail |
| 1. For Applicants representing a consortium, the Applicant submitted commitment letters from each jurisdiction planning to participate (if applicable) (Section II.A of this solicitation manual). | Pass  Fail |

1. **Grounds to Reject an Application or Cancel an Award**

In addition to the Screening Criteria identified within this solicitation, the CEC reserves the right to reject an application and/or cancel an award for reasons including, but not limited to the following:

1. The Application contains false or intentionally misleading statements or references which do not support an attribute or condition contended by the Applicant.
2. The Application is intended to erroneously and fallaciously mislead the State in its evaluation of the Application and the attribute, condition, or capability is a requirement of this solicitation.
3. The Application does not literally comply or contains caveats that conflict with the solicitation and the variation or deviation is material, or it is otherwise non-responsive.
4. The Applicant has previously received funding through a Public Interest Energy Research (PIER) or an Electric Program Investment Charge (EPIC) agreement and has received the PIER or EPIC Royalty Review Letter, which the CEC annually sends out to remind past subrecipients of their obligations to pay royalties but has not responded to the letter or is otherwise not in compliance with repaying royalties.
5. **Technical Evaluation**

Applications passing both the initial administrative and technical screenings will be submitted to the Evaluation Committee to review and score. The Evaluation Committee will use the Scoring Scale provided on pages 40-41 of this solicitation manual to give a score for each criterion described in the Evaluation Criteria Worksheet, which is also provided on pages 42-45 of this solicitation manual.

During the screening and evaluation and selection process, the Evaluation Committee reserves the right to schedule a clarification interview with an Applicant to clarify and/or verify information provided in the Application. However, these interviews may not be used to change or add to the contents of the original application. These interviews will either be conducted via telephone or Microsoft Teams. Applicants will not be reimbursed for time spent answering clarifying questions.

The total score for each application will be the average of the combined scores of all Evaluation Committee members.

A minimum score of 70 percent is required for the Application to be eligible for funding.

The Evaluation Committee will recommend awards to the highest ranked projects (according to final overall application score) among the applications eligible for funding until available funding under this solicitation has been exhausted.

## Notice of Proposed Awards

The results of the evaluation will be posted in a NOPA and will include (1) the total proposed funding amount; (2) the Applicant score; and (3) the amount of each proposed award. The CEC will publish the NOPA on the [CEC solicitations website](https://www.energy.ca.gov/funding-opportunities/solicitations) at (https://www.energy.ca.gov/funding-opportunities/solicitations).

## Debriefings

Applicants that are not proposed for funding may request a debriefing after the release of the NOPA by emailing the CAO listed in Section I.K of this solicitation manual. A request for debriefing must be received no later than fifteen (15) calendar days after the NOPA is released.

## Scoring Scale

Using this Scoring Scale, the Evaluation Committee will give a score for each criterion described in the Evaluation Criteria Worksheet.

| **% of Possible Points** | **Interpretation** | **Explanation for Percentage Points** |
| --- | --- | --- |
| 0% | Not Responsive | Response does not include or fails to address the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable. |
| 10-30% | Minimally Responsive | Response minimally addresses the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable. |
| 40-60% | Inadequate | Response addresses the requirements being scored, but there are one (1) or more omissions, flaws, or defects or the requirements are addressed in such a limited way that it results in a low degree of confidence in the proposed solution. |
| 70% | Adequate | Response adequately addresses the requirements being scored. Any omission(s), flaw(s), or defect(s) are inconsequential and acceptable. |
| 75% | Between Adequate and Good | Response better than adequately addresses the requirements being scored. Any omission(s), flaw(s), or defect(s) are inconsequential and acceptable. |
| 80% | Good | Response fully addresses the requirements being scored with a good degree of confidence in the Applicant’s response or proposed solution. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable. |
| 85% | Between Good and Excellent | Response fully addresses the requirements being scored with a better than good degree of confidence in the Applicant’s response or proposed solution. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable. |
| 90% | Excellent | Response fully addresses the requirements being scored with a high degree of confidence in the Applicant’s response or proposed solution. Applicant offers one (1) or more enhancing features, methods or approaches exceeding basic expectations. |
| 95% | Between Excellent and Exceptional | Response fully addresses the requirements being scored with a better than excellent degree of confidence in the Applicant’s response or proposed solution. Applicant offers one (1) or more enhancing features, methods or approaches exceeding basic expectations. |
| 100% | Exceptional | All requirements are addressed with the highest degree of confidence in the Applicant’s response or proposed solution. The response exceeds the requirements in providing multiple enhancing features, a creative approach, or an exceptional solution. |

## Evaluation Criteria

Using the Scoring Scale described in Section IV.D of this solicitation manual, the Evaluation Committee will give a score for each criterion described below (with the exception of criteria that are quantitative, such as criterion 6).

The **Application** must respond to each criterion below, unless otherwise indicated.

| **Evaluation Criteria** | **Maximum Points** |
| --- | --- |
| **1. Demonstrated Need or Value**   1. Application clearly identifies and provides detailed justification for the need and/or value of the project as a whole, as well as justification for the need and/or value of each of the technical tasks or activities proposed. 2. Application identifies and discusses the benefits of the proposed project/activities and who will receive those benefits. 3. The Application explains how the project would be unable to move forward without the LGBDC. 4. Application identifies and discusses any consequences that may result from not doing the proposed project. | 20 |
| **2. State Energy Goals and Local Planning**   1. Demonstrates how the project will advance building decarbonization in local jurisdiction(s). 2. Demonstrates how the project will create measurable energy savings and GHG emissions reductions in new and existing buildings. 3. Details activities which implement change and align with State mandates to increase energy efficiency and decrease emissions from the building sector. 4. Details how the project will align with and complement other local planning efforts. | 20 |
| **3. Methodology, Technical Approach, Scope of Work, and**  **Proposed Tasks**   1. Project Narrative section of the Application Form identifies specific tasks to be completed and describes the technique, approach, and methods to be used in performing the work. 2. Tasks are stated as separate and distinct, clearly defined, and logically presented, with appropriate goals, objectives, and interim and final products. 3. Project Narrative section of the Application Form describes how tasks will be executed and coordinated with various participants and team members. 4. Project Narrative section of the Application Form identifies and discusses factors critical for success, as well as risks, barriers, and limitations, and provides a plan to address them. 5. Application package includes a realistic schedule for completion of the project tasks during the agreement period, as well as clearly describes products for each task. 6. Project Narrative section of the Application Form describes quantifiable/measurable technical, administrative, and economic performance goals and objectives for the project, including what criteria and metrics will be used to determine project successes and failures. 7. Application package includes a complete and reasonable budget that can be tracked to the progress and completion of specific tasks.   **A higher score may be awarded for more comprehensive projects that include more than one (1) of the five (5) project activities identified in Section II.C of this solicitation manual.** | 30 |
| **4. Team Qualifications**   1. Application package describes the organizational structure of the project team and identifies key team members including the Project Manager and project partners from the primary and other jurisdictions. 2. Application package explains who will be responsible parties for each of the tasks, and why the identified resources are the most appropriate to ensure project success. | 15 |
| **5. Budget and Cost Effectiveness**   1. Overall project cost is consistent with the proposed work and products to be provided. 2. Personnel rates/costs, operating expenses, and overhead rates/costs are reasonable for the proposed work and consistent with the experience of the project team. | 15 |
| **Total Possible Points** | 100 |
| **Minimum Passing Score (70%)** | 70 |
| **Preference Points**  Applications must meet the minimum passing score for Evaluation Criteria 1–5 to be eligible for preference points. | Maximum 10 |
| **6. Priority Populations**  Applicants must indicate which census tracts qualify as disadvantaged/low-income under federal criteria per the [Federal Council on Environmental Quality’s Climate and Economic Justice Tool](https://toolkit.climate.gov/tool/climate-and-economic-justice-screening-tool)[White House Climate and Economic Justice Screening Tool (CEJST)](https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5), which is available at (https://screeningtool.geoplatform.gov/)to identify disadvantaged communities and/or low-income communities.  Preference points will be awarded for projects benefitting communities with 51 percent or higher of tracts identified as disadvantaged/low-income per the table on the following page.   |  |  | | --- | --- | | **Proposed Percentage** | **Preference Points** | | 0 – 50 % | 0 | | 51 – 60 % | 1 | | 61 – 70 % | 2 | | 71 – 80 % | 3 | | 81 – 90 % | 4 | | 91 – 100 % | 5 | | 5 |
| **7**. **Additional Outreach**  Preference points ranging from 0-5 total points will be awarded depending on the content and thoroughness of information provided, which illustrates that the Applicant has a plan to broadcast and/or showcase the project results, when completed, to other local governments through efforts that exceed the requirement to complete a Final Project Report. | 5 |

## Tie Breakers

If the scores for two (2) or more applications are tied and funding is available for only one (1) of the applications, the Application with a higher score in the Project Budget and Cost Effectiveness criterion will be ranked higher. If still tied, an objective tiebreaker (such as a random drawing) will be utilized.

# Administration

## Definition of Key Words/Terms

Important key words and terms used in this solicitation are presented below.

| **Word/term** | **Definition** |
| --- | --- |
| Applicant | The entity that submits an application to this solicitation. |
| Application | An Applicant’s written response to this solicitation. |
| ARRA | American Recovery and Reinvestment Act of 2009 |
| Authorized Representative | The person signing the Application Form (Attachment 1) who has authority to enter into an agreement with the CEC. |
| CalEPA | California Environmental Protection Agency |
| CAM | *Commission Agreement Manager*, the person designated by the CEC to oversee the performance of an executed grant agreement resulting from this solicitation. |
| CAO | *Commission Agreement Officer*, the person designated by the CEC as the primary point of contact for this solicitation. |
| CARB | California Air Resources Board |
| CCR | California Code of Regulations |
| CEC | California Energy Commission |
| CEJST | White House Climate and Economic Justice Screening Tool |
| CEQA | California Environmental Quality Act, California PRC section 21000 et seq. |
| CFR | Code of Federal Regulations |
| DAC | Disadvantaged Community |
| DBA | Davis-Bacon Act |
| EPIC | Electric Program Investment Charge |
| Disadvantaged  Community | Communities within the top 25 percent scoring areas under CalEnviroScreen, as well as areas of high pollution and low population. To identify disadvantaged communities, use the [CARB California Climate Investments Priority Populations 2023 CalEnviroScreen 4.0 map](https://webmaps.arb.ca.gov/PriorityPopulations/) available at (https://webmaps.arb.ca.gov/PriorityPopulations/). |
| DOE | Department of Energy (United States) |
| DOL | Department of Labor (United States) |
| EECBG | Energy Efficiency Conservation Block Grant |
| 2021 EECBG | IIJA funding made available in 2021 under the EECBG. |
| EO | Executive Order |
| FARC | Federal Assistance Reporting Checklist |
| GFO | Grant Funding Opportunity |
| GHG | Greenhouse Gas |
| GSS | *Grant Solicitation System*, the only method of submitting applications in response to this solicitation. |
| ICARP | Integrated Climate Adaptation and Resiliency Program |
| IEPR | Integrated Energy Policy Report |
| IIJA | Infrastructure Investment and Jobs Act |
| Justice40 | Federal Justice40 Initiative |
| LGBDC | *Local Government Building Decarbonization Challenge*, the name of this solicitation. |
| LLC | Limited Liability Company |
| LLP | Limited Liability Partnership |
| Low-Income Community | Communities that are at or below 80 percent of the statewide median income. To identify low-income communities, use the [CARB California Climate Investments Priority Populations 2023 CalEnviroScreen 4.0 map](https://webmaps.arb.ca.gov/PriorityPopulations/) available at (https://webmaps.arb.ca.gov/PriorityPopulations/). |
| LP | Limited Partnership |
| NEPA | National Environmental Policy Act |
| NHPA | National Historic Preservation Act |
| NRHP | National Register of Historic Places |
| NOPA | Notice of Proposed Award, a public notice by the CEC that identifies award subrecipients. |
| NoRTEC | Northern Rural Training and Employment Consortium |
| OMB | The Office of Management and Budget |
| PDF | Adobe Portable Document Format |
| PIER | Public Interest Energy Research |
| PRC | Public Resources Code |
| SAM | System for Award Management |
| SCO | California State Controller’s Office |
| SEP | State Energy Program |
| SHPO | State Historic Preservation Officer |
| Solicitation | This entire document, including all attachments, exhibits, any addendum and written notices, and questions and answers (may be used interchangeably with GFO). |
| SOW | Scope of Work |
| State | State of California |
| Subrecipient | Respondent receiving an award under this solicitation. |
| SWP | Strong Workforce Program |
| THPO | Tribal Historic Preservation Officer |

## Cost of Developing Application

The Applicant is responsible for the cost of developing an application, and this cost cannot be charged to the State.

## Confidential Information

The CEC will not accept or retain any applications that have any portion marked confidential.

## Solicitation Cancellation and Amendments

It is the CEC’s policy not to solicit applications unless there is a bona fide intention to award an agreement. However, if it is in the State’s best interest, the CEC reserves the right to:

* Cancel this solicitation.
* Revise the amount of funds available under this solicitation.
* Amend this solicitation, as needed.
* Reject any or all applications received in response to this solicitation.

If the solicitation is amended, the CEC will post an addendum on the [CEC solicitations website](https://www.energy.ca.gov/funding-opportunities/solicitations) located at (https://www.energy.ca.gov/funding-opportunities/solicitations).

## Errors

If an Applicant discovers any ambiguity, conflict, discrepancy, omission, or other error in the solicitation at any time prior to 5:00 p.m. of the application deadline date, the Applicant should immediately notify the CEC of the error in writing and request modification or clarification of the solicitation. The CEC will provide modifications or clarifications by written notice to all parties that requested the solicitation, without divulging the source of the request for clarification. The CEC shall not be responsible for failure to correct errors.

## Modifying or Withdrawing an Application

An Applicant may withdraw or modify a submitted application before the deadline to submit applications. Applications cannot be changed after that date and time. An application cannot be “timed” to expire on a specific date. For example, a statement such as the following is non-responsive to the solicitation: “This application and the cost estimate are valid for 60 days.”

## Immaterial Defect

The CEC may waive any immaterial defect or deviation contained in an Applicant’s application. The CEC’s waiver shall in no way modify the Application or excuse the Applicant proposed for funding from full compliance with solicitation requirements.

## Opportunity to Cure Administrative Errors

The CEC understands and appreciates the considerable time and expense Applicants spend preparing applications. An administrative error that prevents an Applicant from submitting a complete application frustrates both the CEC and Applicants. The purpose of this process is to reduce the number of applications screened out or receiving a significantly reduced score for administrative errors while maintaining a fair competition. This process also ensures better competition and thus better projects to benefit California.

After the application deadline, an Applicant may identify, or the Evaluation Committee may find what reasonably appears to be, an administrative error. For purposes of this solicitation only, an administrative error is defined as an Applicant’s inadvertent mistake that prevents materials in existence as of the application deadline from appearing in its submitted application. Examples include, but are not limited to, accidentally:

* Scanning and submitting every other page in a document instead of every page.
* Submitting the wrong document.
* Leaving out a document.

If the Evaluation Committee finds what reasonably appears to be an administrative error, they can communicate with the Applicant to confirm. If an Applicant finds an administrative error in its Application, it should immediately contact the CAO listed in Section I.K of this solicitation manual.

If an administrative error has been identified and communicated to the CAO, the CEC may, but is not required to, allow the Applicant a period of time to provide the missing materials. Reasons why the CEC might NOT allow an Applicant to fix an administrative error include, but are not limited to:

* The funds have a deadline that does not allow time to fix the error.
* The Application has been screened out or does not receive a passing score for reasons unrelated to the administrative error, making irrelevant any efforts to fix the error.
* The Applicant brings the error to the CEC’s attention too late in the solicitation process (e.g., after awards have been approved at a Business Meeting).

If the Evaluation Committee allows an Applicant the opportunity to fix an administrative error, the CAO will communicate in writing to the Applicant’s project manager the deadline by which the Applicant must provide the missing materials. Reasonable efforts will be made to confirm receipt of the notice, but actual notice cannot be guaranteed, and the obligation is on the Applicant to ensure the proper contact(s) are listed and available to respond. The Evaluation Committee will not consider any materials submitted after the deadline.

This process only allows Applicants to submit materials in existence as of the application deadline. This process does NOT allow Applicants to submit material created or modified after the application deadline. The CEC has sole discretion to determine whether materials submitted are eligible for consideration by the Evaluation Committee under this opportunity to cure.

Applicants must include the following certification along with the materials it submits to fix an administrative error and must explain why the materials were not provided due to an inadvertent administrative error:

**“I certify on behalf of the Applicant that the materials provided herein existed at the time of the application deadline, have not been modified since, and were not originally provided due to an inadvertent administrative error as described herein.”**

The Evaluation Committee is not responsible for finding, or communicating with the Applicant about, any errors in an application. Applicants remain solely responsible for submitting applications, including any material submitted to fix an administrative error that meet all solicitation requirements.

## Disposition of Applicant’s Documents

The entire evaluation process from receipt of applications up to the posting of the NOPA is confidential. On the NOPA posting date, or date of solicitation cancellation, all applications and related material submitted in response to this solicitation become a part of the property of the State and public record.

## Applicants’ Admonishment

This solicitation contains the instructions governing the requirements for a firm quotation to be submitted by interested Applicants, the format in which the technical information is to be submitted, the material to be included, the requirements which must be met to be eligible for consideration, and Applicant responsibilities. Applicants are responsible for carefully reading the entire solicitation, asking appropriate questions in a timely manner, submitting all required responses in a complete manner by the required date and time, and making sure that all procedures and requirements of the solicitation are followed and appropriately addressed.

## Agreement Requirements

The contents of this solicitation shall be incorporated by reference into the final agreement.

The CEC reserves the right to negotiate with Applicants to modify the project scope, the level of funding, or both. If the CEC is unable to successfully negotiate and execute a funding agreement with an Applicant, the CEC, at its sole discretion, reserves the right to cancel the pending award and fund the next highest ranked eligible project.

The CEC must formally approve all proposed grant awards. All agreements must be scheduled and considered at a CEC Business Meeting for approval by the CEC.

**Public agencies that receive funding under this solicitation must provide an authorizing resolution approved by their governing authority to enter into an agreement with the CEC and designating an Authorized Representative to sign.**

The CEC will send the approved agreement, including the terms and conditions and any additional terms and conditions, to the Subrecipient for review, approval, and signature. Once the Subrecipient signs, the CEC will fully execute the grant agreement. Subrecipients are approved to begin the project only after full execution of the agreement.

## No Agreement Until Signed and Approved

No agreement between the CEC and an Applicant/Subrecipient is in effect until the agreement is approved at a CEC Business Meeting and signed by both the grant Subrecipient and the CEC.

The CEC reserves the right to modify the award documents prior to executing the agreement.

## Executive Order N-6-22 – Russia Sanctions

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. “Economic Sanctions” refers to sanctions imposed by the United States government in response to Russia’s actions in Ukraine, as well as any sanctions imposed under State law. By submitting an application, the Applicant represents that it is not a target of Economic Sanctions. Should the State determine Applicant is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities that shall be grounds for rejection of the Applicant’s application any time prior to agreement execution, or, if determined after agreement execution, shall be grounds for termination by the State.

1. Kenney, Michael, Nicholas Janusch, Ingrid Neumann, and Mike Jaske. 2021. [*California Building Decarbonization Assessment*](https://www.energy.ca.gov/publications/2021/california-building-decarbonization-assessment). CEC. Publication Number: CEC-400-2021-006-CMF. https://www.energy.ca.gov/publications/2021/california-building-decarbonization-assessment.  [↑](#footnote-ref-2)
2. Kenney, Michael, Jacob Wahlgren, Kristina Duloglo, Tiffany Mateo, Danuta Drozdowicz, and Stephanie Bailey. 2022. [*Final 2021 Integrated Energy Policy Report, Volume I: Building Decarbonization*](https://efiling.energy.ca.gov/GetDocument.aspx?tn=241599). CEC. Publication Number: CEC-100-2021-001-V1. https://efiling.energy.ca.gov/GetDocument.aspx?tn=241599 [↑](#footnote-ref-3)
3. [Senate Bill 100](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB100) (de León, Chapter 312, Statutes of 2018), https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\_id=201720180SB100 [↑](#footnote-ref-4)
4. [IIJA (40552) EECBG Program\_Attachment 1a. \_Local Govt. Allocations\_FINAL.pdf](https://www.energy.gov/sites/default/files/2023-01/IIJA%20%2840552%29%20EECBG%20Program_Attachment%201a.%20_Local%20Govt.%20Allocations_FINAL.pdf) https://www.energy.gov/sites/default/files/2023-01/IIJA%20%2840552%29%20EECBG%20Program\_Attachment%201a.%20\_Local%20Govt.%20Allocations\_FINAL.pdf [↑](#footnote-ref-5)
5. CalEPA.[Final Designation of Disadvantaged Communities](https://calepa.ca.gov/wp-content/uploads/sites/6/2022/05/Updated-Disadvantaged-Communities-Designation-DAC-May-2022-Eng.a.hp_-1.pdf). https://calepa.ca.gov/wp-content/uploads/sites/6/2022/05/Updated-Disadvantaged-Communities-Designation-DAC-May-2022-Eng.a.hp\_-1.pdf  [↑](#footnote-ref-6)