

**DOCKETED**

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<b>Project Title:</b>	California Electric Homes Program (CalEHP)
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<b>Document Title:</b>	California Electric Homes Program (CalEHP) Q&A from June 28 Pre-application Workshop
<b>Description:</b>	Questions submitted by stakeholders and potential applicants at the June 28 CalEHP Pre-application Workshop and questions submitted during the question period after. Answered by California Electric Homes Program staff.
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<b>Organization:</b>	California Energy Commission
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## QUESTIONS AND ANSWERS

### California Electric Homes Program (CalEHP) Pre-Application Workshop Q&A (Assembly Bill 137)

July 20, 2022

<b>No.</b>	<b>GENERAL SOLICITATION QUESTIONS</b>
Q1	Can we redact pricing from public disclosure after the solicitation process has concluded?
A1	No. The solicitation clearly states no confidential information is allowed. Section III.D.1. on page 18 states, "All Applicants must certify under penalty of perjury under the laws of the State of California that...No confidential information has been submitted." Section III.D.5.g. on page 25 indicates that specifically for budgets, "The information provided in these forms will not be kept confidential." Section V.C. on page 37 states, "CEC will not accept or retain any applications that have any portion marked confidential."
Q2	Are all the application submissions posted to the public? We just want to know what happens to our application after it's submitted.
A2	<p>The application packages will not be posted publicly. However, the Notice of Proposed Award (NOPA) will be posted online. The NOPA will contain some details from the applications that pertain to the scoring of the application such as: Name of the applicant, the application score, and the bid proposed, etc.</p> <p>Regarding what happens to the applications after the application is submitted, all applications and related material submitted in response to this solicitation become a part of the property of the State and public record. Thus, anyone can request them under the Public Records Act.</p>
Q3	Under what specific conditions and for whom is prevailing wage anticipated to be a requirement in the program?
A3	Please see the information regarding prevailing wage in Section III.D.5.o. of the Solicitation Manual and Section 23 of the CalEHP Terms and Conditions (Attachment 8). Please consult your legal counsel on matters about prevailing wage. CEC is unable to provide legal advice to applicants.

Q4	"Renovations, rebuilds and repurposing of nonresidential buildings for residential use" are cited in the SOW (Task 7 - page 14). Are these considered eligible projects (new build) under the program?
A4	Yes, so long as they can be classified as new market-rate residential buildings.
Q5	Please advise what is needed for our submission of the Conflict of Interest form. It is part of the required proposal submission package but there is no guidance provided and nowhere to acknowledge or sign, to indicate we've reviewed and understand the requirements.
A5	Thank you for pointing out this issue. Applicants must review and abide by the Conflict of Interest terms and conditions in Attachment 10. There is no conflict of interest form that must be submitted with the application package, however, applicants should include in their application a description of their proposed approach to preventing actual or perceived conflicts of interest because it will be evaluated as part of the scoring for "Implementation and Technical Readiness." See page 34 of the solicitation manual, which states: "Applications will be evaluated on the degree to which: . . . The proposed approach will mitigate actual or perceived conflicts of interest to ensure potential incentive program Applicants do not receive preferential treatment."
Q6	In Attachment 2 Scope of Work and in Attachment 5 Budget Form, Task 3 is Website Design, Development, Maintenance, and Implementation and Task 4 is Overall Program Plan Development but in Attachment 4 Schedule of Products and Due Dates the two are reversed (Task 3 is Overall Program Plan Development and Task 4 is Website Design, Development, Maintenance, and Implementation). Please advise which is correct.
A6	Thank you for pointing out this issue. The correct order is Task 3 is the Overall Program Plan Development and Task 4 is Website Design, Development, Maintenance, and Implementation. We will not penalize an applicant if the task number for these tasks are out of order in their application so long as the corresponding budget allocations and dates are with the correct tasks and products across the documents.
Q7	If pre-existing proprietary tools, including software and other intangible assets protected by copyright, trademark, patent, and trade secret laws, are adapted and used in support of CalEHP program administration, do the provisions of Section 24(c) require the administrator to relinquish or license rights in such pre-existing intangible assets to the CEC?

A7	<p>The answer to this question will depend on the specific factors of the situation. Under Section 24, the CEC does obtain a license to "intellectual property." As one example, section 24 defines "intellectual property" to include pre-existing creations "altered" with Agreement funds. In general, if the CEC pays for something, it typically expects to have a right to use it. But please consult with your own legal counsel about the specific factors of your situation relative to this term.</p>
Q8	<p>Does the CEC expect that the Technical Advisory Group (TAG) will approve the program design prior to program launch?</p>
A8	<p>The TAG is anticipated to provide input on the program design, concurrent with public feedback and stakeholder feedback. The CEC reserves the role to approve program design and future modifications.</p>
Q9	<p>Subtask 8.3 describes "the Initial Program Benefits Questionnaire, developed in the Evaluation of Program Benefits task." Should "Evaluation of Program Benefits task" read "Task 9 - data collection/incentive recipient feedback/process improvements"? Should the "Initial Program Benefits Questionnaire" be budgeted under Task 9 or Task 8.3?</p>
A9	<p>Thank you for bringing attention to this. "Evaluation of Program Benefits task" should read "Task 9 - data collection/incentive recipient feedback/process improvements" and the "Initial Program Benefits Questionnaire" should be budgeted under Task 9. The product can be added by the applicant to the "Products" list on Task 9.</p>