

Energy Trust of Oregon Request for Proposals (RFP): Irrigation Modernization Program Hydropower Implementation

RFP Issued: September 27, 2024

Intent to Bid and Questions Due: October 11, 2024

Proposals Due: November 8, 2024

Respond to:

Kyle Petrocine
421 SW Oak St., Suite 300
Portland, OR 97204

Kyle.petrocine@energytrust.org / 503.445.0600 ext 140

About Energy Trust

Energy Trust of Oregon is an independent nonprofit organization dedicated to delivering energy efficiency and renewable power benefits to two million utility customers. We are funded by and serve Oregon customers of Portland General Electric, Pacific Power, Cascade Natural Gas and Avista, and Oregon and Washington customers of NW Natural. A non-stakeholder board of directors guides our work with input from three advisory councils, and we are overseen by the Oregon Public Utility Commission. Since 2002, our technical services, cash incentives and energy solutions have helped participating customers save \$7.2 billion on their utility bills. The cumulative impact of our leadership has been a contributing factor in keeping our state's energy costs as low as possible, adding renewable power to the grid from small and medium-scale projects, and building a sustainable energy future. More information about Energy Trust's background, funding sources, strategic and action plans, policies and programs is available on our website at www.energytrust.org/about.

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

Introduction and Scope of Services Sought

Energy Trust is seeking proposals for irrigation modernization hydropower feasibility studies, as well as hydropower project related outreach and coordination.

RFP Background

In 2014, Energy Trust released an RFQ seeking a contractor to develop and manage a new initiative aimed at reducing pumping loads and installing new in-conduit hydropower projects through the modernization of agricultural water delivery infrastructure (i.e., irrigation districts) in Oregon. The resulting Irrigation Modernization Program ("IMP") helps irrigation districts and the farmers they serve to partner with appropriate agency and community stakeholder groups to identify the values and goals they want to achieve in the future, quantify potential modernization benefits, and develop strategies for funding and implementation.

A typical example of irrigation district modernization implementation is replacing open canals with pipes, resulting in conserving water previously lost to seepage and evaporation and significant efficiencies and savings. Water is delivered to patrons through pipes using gravity, allowing irrigators to eliminate or reduce pumping, saving energy and related costs. Surplus water pressure in a piped delivery system can be used to produce in-conduit hydropower.

Hydropower brings additional and diversified revenue to the organized irrigation delivery entity, often an irrigation district, allowing the district to reinvest and pay debt service for other system modernization improvements. In addition to these energy and economic benefits, replacing open canals, laterals, and ditches with pressurized pipes enables

more water to be left in rivers and more efficiently delivered to farms, improving drought resilience and reducing pollutant runoff. River water temperatures can be improved, and, through better technology, stream reaches can be restored by the elimination of irrigation diversion dams. Providing pressurized water to farmers enables on-farm irrigation upgrades saving additional water, encouraging reinvestment and the production of higher-value crops. Also, when fires strike, pressurized water lines can be tapped by wildland firefighters.

Through the Energy Trust-funded efforts of the contractor selected to perform the work outlined in the 2014 RFQ and subsequent RFQs, Oregon irrigation districts have secured an unprecedented \$242 million for infrastructure project assessment/design and implementation over the past nine years. Twenty-eight irrigation districts have entered into irrigation modernization participation program agreements with Energy Trust. Approximately 35 megawatts of hydropower potential have been identified in association with these modernization assessments and resulting system improvement plans.

The United States Department of Agriculture-Natural Resources Conservation Service's Watershed Protection and Flood Prevention program (P.L. 83-566) is a significant funding resource for irrigation modernization piping and construction. To invest this federal funding and realize the associated benefits, Oregon irrigation districts need to develop and secure a 25% non-federal match. Energy Trust's initial investments and subsequent P.L. 83-566 funding have created an unprecedented opportunity to modernize irrigation infrastructure, facilitating energy efficiency savings and new renewable energy projects.

The purpose of this RFP is to hire a technical firm that will advance identified irrigation modernization hydropower opportunities through feasibility studies, resulting in sufficient analyses to evaluate the technical and financial viability of these potential distributed hydropower projects.

The activities described in the **Scope of Work** build on Energy Trust's support for advancing irrigation modernization program work and positions Oregon irrigation districts and other irrigation delivery entities ("Districts") and their boards to understand the cost-benefit opportunity that hydropower presents within their water delivery systems through techno-economic feasibility studies.

This RFP seeks proposals from consultants who can help Energy Trust implement individual hydropower projects associated with irrigation modernization by providing the services described in the **Scope of Work** section below.

How the contract works: It is anticipated that a selected respondent will enter into a written agreement – called an Independent Contractor Agreement – with Energy Trust for an initial term of one year, with a potential one-year extension for a possible total maximum term length of two years. Any written agreement would contain terms and conditions with respect to, among other things, confidentiality, indemnity, insurance, and

intellectual property rights. An annual budget of up to \$200,000 has been dedicated to this effort, with a total not to exceed \$400,000 over a maximum two-year contract term.

As defined below in the **Scope of Work**, certain general, non-project specific activities will be included in the agreement, with an associated budget. These activities consist of literature review, outreach and coordination, as well as generating high-level hydropower fatal flaw analyses. This fatal flaw analysis will be used by the contractor and Energy Trust to stage-gate feasibility studies. If the fatal flaw analysis warrants further assessment, the contractor can present the fatal flaw analysis to the District and propose a 'no-cost' feasibility study be completed. Upon approval by District and Energy Trust, the contractor will complete a feasibility study and deliver the results to Energy Trust. The Scope of Work and budget for the feasibility study will be outlined in writing between Energy Trust staff and the Contractor and capped at Energy Trust discretion. The rough budget breakdown in the contract will be \$100,000 for General scope items and \$100,000 available for Project Specific Scope as needed.

Scope of Work

Energy Trust seeks to advance the work of the IMP and support development of identified hydropower projects on behalf of Districts, their patrons, and investor-owned utility rate payers.

The selected respondent will conduct outreach and coordinate with District personnel on identified hydropower project potential, and with District approval, complete a techno-economic feasibility study. The IMP's terminal goal is to facilitate the development and implementation of renewable energy generation and associated energy efficiency and nonenergy benefits.

General Scope

Task 1. Literature review: Perform a literature review of published high-level hydropower assessments, Irrigation District System Improvement Plans, and if warranted, Watershed Plans associated with past, current, or new Districts. Become familiar with the identified hydropower opportunities.

Task 2. Outreach, coordination & stakeholder engagement: Conduct outreach to past, current, or new Districts. Establish relationships with appropriate organizational staff, managers, board members, etc. to assess interest in advancing identified hydropower project development. Educate as appropriate.

Task 3. Fatal flaw analysis: Synthesis of previous literature, studies and assessments, stakeholder input and any new analysis into a high-level hydropower fatal flaw analysis that will be used to stage-gate a feasibility study.

Project Specific Scope as needed

Task 4. Feasibility Studies: With Energy Trust approval and concurrence from the district, complete a techno-economic hydropower feasibility study on the respective hydropower opportunity(ies). Scope of work and budget outlined in writing for each feasibility study will be negotiated with Energy Trust.

Task 5. Communications: Deliver final feasibility study to Energy Trust Renewables Custom Solutions Program staff. Present the results of the feasibility study to District leadership (i.e., manager, staff, board and others) and follow up as appropriate.

Task 6. Grant/incentive applications: For Districts or other entities interested in advancing to design, fill out grant/incentive applications on behalf of the customer.

The following deliverables will be completed by the contractor over the term of the agreement:

1. Quarterly Reports: Written updates delivered to Energy Trust by email each quarter through the term of the Agreement detailing the status of engagement with Districts and others and progress of identified hydropower projects including, but not limited to:
 - Project status updates: Activities and progress by District and project, including next steps, pathway toward and barriers against hydropower development, activities, or construction (i.e. piping) required prior to hydropower moving forward, District's hydropower development intentions, etc.
 - Gantt chart or similar display of active hydropower projects, status, prerequisite activities, and development timeline over a 3-5-year period.
 - Accounting: Quarterly spends by activity against total budget and remaining budget
 - Funding: planned or submitted infrastructure modernization funding applications and any awarded funding.
2. Annual report: At the end of each contract year through the term of the Agreement, deliver a year-end summary detailing progress towards the tasks and objectives listed in the sections above, highlighting major accomplishments or outcomes, and delivered to Energy Trust by email with the final monthly invoice.
3. Completed feasibility studies
4. Completed grant applications
5. Completed District presentation and/or communications materials
6. Other updates and information as agreed upon by Energy Trust and Contractor in order to provide information needed for the efficient and effective administration support of Energy Trust's hydropower program, delivered in reasonable time limits as appropriate to the information provided.

Schedule Assumptions

Energy Trust anticipates contracting for the services sought starting January 1, 2025. Services would be expected to be concluded not later than December 31, 2026.

Budget Assumptions

The budget for the scope described in this RFP will be approximately \$200,000; however, Energy Trust reserves the right to revise its budget assumptions at any time.

Submission Requirements

Proposals must be clear, complete, and concise. Pages must be numbered, sections must be clearly titled, and fonts must not be smaller than 11 point. Respondent's proposal must contain each of the elements listed below. Failure to include any required elements may result in the rejection of respondent's proposal. Please note the **18-page limit**. This page limit does not include the supplemental information requested—the work product example, resumés, insurance coverage information, conflict of interest disclosure, and representations page. These items should be included in attached appendices.

1. Proposal Content

Qualifications, Experience and Approach for Scope of Work:

Provide an overview of the lead firm and any subcontractors. Proposals should describe thinking and strategy on how the team will approach and conduct the Scope of Work as well as a summary of relevant work experience. **Not to exceed 8 pages.**

Staffing and subcontracting plan:

Describe the project team structure, role of each key team member, subcontractor roles, COBID or other eligible certification numbers for certified subcontractors (see *Supplier diversity section below*) and the management plan. **Not to exceed 3 pages.**

Supplier diversity requirements:

Proposals should indicate if respondent's firm or subcontractors are certified with the Certification Office for Business Inclusion and Diversity (COBID) of Oregon or any eligible federal certifications as one or more of the following: COBID-Minority Business Enterprise, Women Business Enterprise, or Service-Disabled Veteran Business Enterprise; Federal certifications-Small Disadvantaged Business (SDB), Women Owned Small Business (WOSB), Economically Disadvantaged Women Owned Small Business (EDWOSB), 8(a) Business Development Program, Veteran Owned Small Business (VOSB), Service Disabled Veteran Owned Small

Business (SDVOSB), Historically Underutilized Business Zone certification (HUBZone).

Proposals that contain a plan for expending a minimum of 20% of the value of any resulting contract being directed towards COBID or other eligible certified firms (a Supplier Diversity Plan) will be weighted beneficially in the selection process. If such a plan is presented, it should be reflected in the staffing plan, a subcontracting plan, if applicable and budget proposal. Please describe this Supplier Diversity Plan, if any. **Not to exceed 1 page.**

Budget:

Provide a detailed budget proposal, based on the proposed methods and staffing plan. Should be bid as a time-and-materials, “not-to-exceed” budget cap type contract. Proposals should describe the underlying budget assumptions and any drivers of cost that can be modified without compromising the integrity of the evaluation.

Please use the budget template provided below. Key staff and subcontractors should be identified by name, with billing rates for each. **Not to exceed 2 pages.**

Budget template:

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

Diversity, equity, and inclusion experience:

Proposals should describe respondent’s efforts and experiences in integrating diversity, equity, and inclusion into their business operations, both internally and externally. Energy Trust seeks to contract with organizations that share its commitment to building a diverse, equitable, and inclusive workplace and business environment, and that apply a diversity and equity perspective to their work. Respondents must provide responses to each of the questions in **Appendix B. Not to exceed 3 pages.**

Data security and confidentiality:

Proposals should provide a brief description of respondent’s approach to data security and confidentiality. Please describe how respondent will ensure that

customer information and data collected throughout the evaluation are kept secure and confidential during fielding, data transfers, storage, and analysis. **Not to exceed 1 page.**

2. Work Product Example

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

3. Resumés

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

4. Insurance Coverage Information

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

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

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

5. Conflict of Interest Disclosure

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

Respondent's disclosure must specifically address any existing contracts between Energy Trust and the respondent, its staff, or any of its proposed subcontractors. If a potential conflict of interest is identified by the respondent, then the respondent should

propose strategies to mitigate the conflict. If no conflict is identified by respondent, the respondent will explicitly provide such a statement in their RFQ response. The determination of whether a conflict of interest exists is left to the sole discretion of Energy Trust. This information should be provided in an appendix to the proposal. **No page limit.**

6. Representations and Signatures Page

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

Proposal Selection Criteria

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

- Team qualifications, experience and scope of work approach
- Staffing plan and supplier diversity of proposed team, if applicable
- Proposed budget
- Work product example
- Diversity, equity, and inclusion responses
- Data security and confidentiality

RFQ Schedule & Administration

RFQ Schedule

- **September 27, 2024** RFQ issued
- **October 11, 2024** **Intent to bid due**
- **October 11, 2024** Questions/request for additional information due
- **October 25, 2024** Clarifications/question responses posted to website
- **November 8, 2024** **Proposals due**
- **November 29, 2024** Announcement of selected proposal

Proposals submitted in accordance with the **Submission Requirements** as outlined above will be accepted until 5:00pm Pacific Standard Time on November 8, 2024. Energy Trust may conduct interviews or seek additional information before making a final selection. Final selection of the successful respondent will be announced to the selected respondent no later than November 29, 2024.

- Questions may be directed to Kyle Petrocine, Senior Project Manager, at kyle.petrocine@energytrust.org or 503.445.0600 ext. 140.

Requests for Additional Information and Proposal Submission

Any questions and/or requests for clarification regarding this RFP, as well as stating intent to bid on the project, must be submitted via email to the contact named below by October 11, 2024. Responses to questions and requests for additional information will be posted on Energy Trust's website no later than October 25, 2024. Energy Trust cannot accommodate individual phone, mail, or fax inquiries about the RFP. All questions must be submitted via email.

Stating intent to bid does not obligate a respondent to submit a proposal. Only electronically submitted proposals (in PDF form) will be accepted; faxed or print proposals will not. A signed letter of transmittal (cover letter) is required and should be submitted along with the proposal. All proposals must be received by 5 PM Pacific Time on November 8, 2024. Energy Trust will not be obligated to consider information received outside this time interval for the purposes of this RFP.

Please submit intent to bid, requests for additional information and proposal to:

Kyle Petrocine
Energy Trust of Oregon
Email: kyle.petrocine@energytrust.org

Revisions to RFP

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

Withdrawal and Modification of Proposals

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

Proposal Evaluation and Notification for Negotiations

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

RFP Governing Provisions

All submitted proposals are subject to the following additional provisions.

Right to Accept or Reject Proposals, Multiple Awards

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

Confidentiality

Respondents shall clearly identify only those portions of their proposals that they do not want revealed to third parties and label such portions as “Confidential Information”. Except as required under law or for regulatory purposes Energy Trust will maintain confidentiality of such information. Energy Trust will not accept proposals or other documents that are marked to indicate the entire document is the confidential or proprietary information of the sender or that restricted handling is required. Normal business practices will be observed in handling proposal materials.

Ownership and Return of Proposals

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

No Verbal Addendums

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

Proposal Costs

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

Waiver of Claims

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

Energy Trust Rights Reserved

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

- Determine which proposals are eligible for consideration for this RFP.
- Disqualify proposals that do not meet the requirements of this RFP, in the sole determination of Energy Trust.
- Negotiate with any respondent to amend any proposal.
- Select and negotiate and/or enter into agreements with respondent(s) who, in Energy Trust's sole judgment, are most responsive to the RFP and whose proposals best satisfy the interests of Energy Trust, in its sole discretion, and not necessarily on the basis of price alone or any other single factor.

- Issue additional subsequent solicitations for proposals, including withdrawing this RFP at any time and/or issuing a new RFP that would supersede and replace this one.
- Vary any timetable or schedule, add or change any provisions discussed herein.
- Conduct any briefing session or further RFP process on any terms and conditions.
- Suspend or modify the RFP process at any time.
- Enter into relationships with more than one respondent.

Resulting Contract(s)

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

Appendix A: Representations and Signature page

I, the undersigned declare that;

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

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

Date: _____

Authorized Signature: _____

Name and Title: _____
(please print)

Appendix B: Diversity, Equity and Inclusion Experience

DEI hiring practices and policies

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

DEI planning, evaluation, and research experience

3. Provide specific examples of how respondent has ensured cultural competence¹ in research or work similar in nature to the work described in this RFP.

¹ The American Evaluation Association's [Public Statement on Cultural Competence in Evaluation](#) provides a detailed explanation of cultural competence in evaluation.