

New York State Energy Research and Development Authority (NYSERDA)

# Clean Energy Communities Program

## Guidance Document

Program Opportunity Notice (PON) 3298

### APPLICATION DUE DATES

**Clean Energy Communities Program:** NYSERDA will accept applications for PON 3298 on a rolling basis until 4:00p.m. Eastern Time on September 30, 2019, until funds are exhausted, or until the solicitation is revised by NYSERDA, whichever comes first.



**TABLE OF CONTENTS**

- INTRODUCTION** .....3
  
- PROGRAM REQUIREMENTS** .....3
  - Eligible Applicants .....3
  - Funding Levels .....3
  - Application Process .....4
  
- STEP 1: BECOME A CLEAN ENERGY COMMUNITY** .....5
  - Complete Four of Ten High-Impact Actions .....5
    - Benchmarking .....6
    - Clean Energy Upgrades .....7
    - LED Street Lights .....8
    - Clean Fleets .....9
    - Solarize .....10
    - Unified Solar Permit .....11
    - Energy Code Enforcement Training .....12
    - Climate Smart Communities Certification .....13
    - Community Choice Aggregation .....14
    - Energize NY Finance .....15
  
- STEP 2: ACCESS GRANT FUNDING** .....16
  - Eligible Project Types .....16
  - Ineligible Project Types .....16
  - Proposal Requirements .....16
  - Selection Criteria .....17
  - Project Benefits Metrics Report .....17
  
- GENERAL CONDITIONS** .....17

## INTRODUCTION

Local governments are critical partners in achieving a new energy vision for New York State. As such, municipal leaders play a critical role in affecting energy choices in their communities, both in terms of government operations, and also across homes, businesses, and community institutions. The Clean Energy Communities Program provides grants, direct technical support to communities, and recognition to local governments that demonstrate leadership in the area of clean energy.

NYSERDA has identified ten high-impact actions that local governments can take to save money, foster a vibrant economy, and improve the environment. By completing four of the ten high-impact actions, the applying jurisdiction shall earn the Clean Energy Community designation as well as a grant, up to \$250,000 per municipality with no local cost share, to support additional clean energy projects. To earn the Clean Energy Community designation, at least two of the high-impact actions must be completed after August 1, 2016.

Dedicated and knowledgeable local Clean Energy Coordinators are available to applicants to provide on-demand technical assistance, step-by-step guidance, case studies, model ordinances, project development support and other tools and resources. To access this support, please send an email to [cec@nyserda.ny.gov](mailto:cec@nyserda.ny.gov) or visit [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec).

The Clean Energy Communities Program is funded through the Cleaner, Greener Communities (CGC) Program with proceeds from the Regional Greenhouse Gas Initiative (RGGI) and the Clean Energy Fund (CEF).

## PROGRAM REQUIREMENTS

### Eligible Applicants

Municipalities (county, city, town, village, or Native American tribes and nations located within NYS) in New York State are eligible to apply for funds. Municipalities may form partnerships and submit a joint proposal, but one entity must be identified as the lead applicant on behalf of the group or consortium. A single municipality, or a group or consortium of municipalities, may choose to designate a non-municipal entity (private, non-profit, etc.) to be the lead applicant, but the lead applicant must provide letters of support from each municipality involved in the project. The lead applicant, if successful, will have a contractual obligation to NYSERDA and will act as the main point of contact for NYSERDA for all project-related matters. Municipalities who have previously received funding through Cleaner, Greener Communities PON 3016 Category 2 Flexible Funding Pilots are not eligible for funding under this solicitation. However, these municipalities are encouraged to apply for the Clean Energy Communities designation.

### Funding Levels

In each of New York State's Economic Development Regions (REDCs), funding levels are as follows:

Municipality Size by Population	Tier 1 Awards Number of Awards in each Economic Development Region and Amount		Tier 2 Awards Number of Awards in each Economic Development Region and Amount	
	Large (40,000+)	2	\$250,000	2
Small/Medium (0-39,999)	4	\$100,000	10	\$50,000

Grants are available to designated Clean Energy Communities on a first-come-first-served basis until the funds are exhausted. NYSERDA reserves the right to adjust funding levels and eligibility criteria as necessary to ensure the success of the program. Any changes to this solicitation will be posted on the Clean Energy Communities website at [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec).

## **Application Process**

The application process includes two steps. The first step is to document completion of at least four high-impact actions to earn the Clean Energy Community designation. Please visit [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec) to submit action item documentation. In the second step, once you have been designated a Clean Energy Community, you are eligible to apply for a grant at [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec).

NYSERDA will accept applications on a rolling basis until 4:00p.m. Eastern Time on September 30, 2019, until funds are exhausted, or until the solicitation is revised by NYSERDA, whichever comes first.

### **STEP 1: BECOME A CLEAN ENERGY COMMUNITY**

Demonstrate that you have completed at least four of the ten high-impact actions by submitting the requested documentation at [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec). To earn the Clean Energy Community designation, at least two of the high-impact actions must be completed after August 1, 2016. Applicants are encouraged to submit documentation in stages as each high-impact action is completed.

### **STEP 2: ACCESS GRANT FUNDING**

Once the applying jurisdiction receives email confirmation that it has earned the Clean Energy Community designation, **the applicant has three months** to submit a proposal for grant funding at [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec). Projects must be ready to commence within six months of NYSERDA award notification and should be completed within three years of contract execution.

## STEP 1: BECOME A CLEAN ENERGY COMMUNITY

### Complete Four of Ten High-Impact Actions

To become a Clean Energy Community, the applicant must demonstrate completion of at least four of the ten high-impact actions listed below by submitting the requested documentation using the online submittal form at [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec). To earn the Clean Energy Community designation, at least two of the high-impact actions must be completed after August 1, 2016. More information on how to meet the requirements for each high-impact action, including what documentation is required, is provided on separate pages following the high level list below. Applicants are encouraged to submit documentation in stages as each high-impact action is completed.

For assistance implementing these actions including technical support, step-by-step guidance, case studies, model ordinances, RFPs, and other tools and resources, please visit [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec).

The High-Impact Actions include:

**1. Benchmarking**

Adopt a policy to report the energy use of municipal buildings on an annual basis. If the applicant is a large city, town, or village, it must also adopt legislation requiring the annual disclosure of energy use in large private buildings.

**2. Clean Energy Upgrades**

Achieve a 10 percent reduction in the greenhouse gas emissions from municipal buildings through energy efficiency upgrades and renewable energy.

**3. LED Street Lights**

Convert at least half of the municipal cobra-head-style street lights within the jurisdiction to energy-efficient LED technology.

**4. Clean Fleets**

Install an EV charging station and/or other alternative fuel infrastructure or deploy alternative fuel vehicles in the municipal fleet.

**5. Solarize**

Undertake a solarize campaign to increase the number of solar rooftops in the jurisdiction through group purchasing, locally-organized community education and outreach, and a limited time offer.

**6. Unified Solar Permit**

Pass legislation to adopt the New York State Unified Solar Permit to reduce costs and delays for solar projects in the jurisdiction.

**7. Energy Code Enforcement Training**

Train code compliance officers and other municipal officials in best practices in energy code enforcement through training, collaborative plans reviews, and joint onsite inspections of local construction projects.

**8. Climate Smart Communities Certification**

Earn Climate Smart Community (CSC) Certification at the certified, bronze, silver or gold levels through compliance with this robust, comprehensive rating system.

**9. Community Choice Aggregation**

Transition to a cleaner, more affordable energy supply by facilitating the aggregated purchase of electric supply for residential and small commercial customers within the jurisdiction.

**10. Energize NY Finance**

Allows property owners to pay back the cost of clean energy upgrades to their commercial or non-profit property through a special charge on their property tax bill.

# 1

## Benchmarking

Applicable to All Communities

### Rationale

Benchmarking is a policy that a local government adopts that requires the annual reporting of energy used in municipal buildings and, in large communities, also requires the annual disclosure of energy used in large private buildings. It's important because buildings account for over 60% of the energy used in New York State. Setting up a system for measuring and sharing data on building energy use over time will allow owners and occupants to compare energy usage against other buildings, and better identify opportunities to cut energy waste. Collecting, reporting, and sharing benchmarking data regularly also helps the public and government agencies make smarter investment decisions, reward efficiency, and drive widespread, continuous improvement.

### Requirements

Demonstrate completion of the Benchmarking action by submitting the following documentation:

#### **For small and medium size communities (0-39,999 population) and all county governments**

Submit a copy of adopted legislation that requires the applying jurisdiction to make available to the public on the internet on an annual basis, energy use information for each municipal building that is owned or occupied by the applying jurisdiction that is 1,000 square feet or larger. At a minimum, publicly disclosed energy use information shall include each building's energy use intensity (EUI), annual greenhouse gas emissions, and an energy performance score where available. The legislation must require the following:

#### **Benchmark**

- Create a EPA Portfolio Manager Account
- Gather basic information required by Portfolio Manager and set up property profile(s)
- Obtain monthly, whole building energy use data for all fuel types including, but not limited to, electricity, natural gas, fuel oil, chilled water, steam, and diesel
- Enter property uses and details into profile(s)
- Enter energy use data for all fuel types

#### **Report**

- Generate and review the building's report in Portfolio Manager
- Submit the report to the municipality through Portfolio Manager
- Make available to the public on the internet annual summary statistics for each covered property including Energy Use Intensity (EUI), annual greenhouse gas emissions, an energy performance score where available, and other descriptive information as required by EPA Portfolio Manager

#### **For large-size cities, towns, and villages (40,000+ population)**

Submit a copy of adopted legislation as described for Small communities above, but also include a requirement for the owners of commercial and multifamily buildings 25,000 square feet or larger to also comply.

### Recommendations

- Use benchmarking data to streamline outreach efforts to building owners about specific efficiency programs

### Resources

- Dedicated and knowledgeable local Clean Energy Coordinators are available to assist municipal staff as they implement this action. To access this support, please send an email to [cec@nyserda.ny.gov](mailto:cec@nyserda.ny.gov).
- A toolkit of resources is available at [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec).

**Rationale**

Clean Energy Upgrades are energy efficiency and renewable energy projects in municipal buildings and facilities. By replacing outdated equipment with new smart and efficient technology, municipalities are well positioned to save energy and money over time. State programs can help get these projects accomplished with no or low up-front cost while generating net savings to your bottom line. Everything from municipal headquarters to public works facilities, fire stations, police precincts, parks facilities, and even water treatment plants are good candidates for upgrades. Perhaps most important, Clean Energy Upgrades show leadership and contribute to building healthier, more vibrant communities.

**Requirements**

Demonstrate completion of the Clean Energy Upgrades action by submitting the following documentation:

- Submit an EPA Portfolio Manager benchmarking report including energy use information for each municipal building that is owned or occupied by the applying jurisdiction that is 1,000 square feet or larger. The report shall include each building's energy use intensity (EUI), annual greenhouse gas emissions, and an energy performance score where available. The report should cover at least 12 months of energy use of the portfolio from the year prior to the date of the upgrades as the baseline.
- Submit succinct and relevant documentation that demonstrates a minimum 10 percent reduction in greenhouse gas emissions against the baseline. The documentation may include an ASHRAE Energy Audit or an approved pre-and-post engineering study that identifies implemented Energy Conservation Measures.
- Submit a complete Clean Energy Upgrades Calculator, available in the Clean Energy Upgrades toolkit at [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec). Please be sure to complete the most recent version. Information requested will include, but is not limited to, specific equipment or infrastructure upgrades and estimated energy savings of implemented measures.
- Up to half of the required reduction in greenhouse gas emissions may be achieved with renewable energy sources including solar, wind, geothermal, premium-efficiency wood pellets, anaerobic digester gas, or renewable energy attributes or credits certified by Green-e.
- The upgrades must have been substantially completed after January 1, 2014.

**Recommendations**

- The New York Power Authority (NYPA) provides turn-key energy efficiency upgrades to municipal buildings of qualifying jurisdictions. Working closely with your team, NYPA and their contractors handle every aspect of design and construction. NYPA offers low-interest rate financing and projects can typically be accomplished with no or low up-front cost while generating net savings to your bottom line.
- Energy performance contracts can also be used to procure energy savings and facility improvements with no or low up-front capital costs.
- Consult your utility to identify incentives that may be available for energy efficiency improvements.

**Resources**

- Dedicated and knowledgeable local Clean Energy Coordinators are available to assist municipal staff as they implement this action. To access this support, please send an email to [cec@nyserda.ny.gov](mailto:cec@nyserda.ny.gov).
- A toolkit of resources is available at [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec).

# 3

## LED Street Lights

Applicable to All Communities

### Rationale

By replacing conventional street lights with energy efficient LED technology, communities can reduce street light energy use by as much as 65 percent, generating cost savings and emission reductions. In addition, street light projects can contribute to creating a well-lit, safer, and more attractive community. LED street lights last up to 100,000 hours and require much less maintenance than conventional street lights. The opportunity to incorporate smart, connected technology such as dimming functions, enhanced law enforcement response, and parking management offers a world of almost unlimited possibilities. Even those communities that do not own their own streetlights have options for converting street lights in their jurisdiction to LED.

### Requirements

Demonstrate completion of the LED Street Lights action by submitting the following documentation:

- Submit documentation showing that a minimum of 50 percent of all municipal and utility-owned cobra-head-style street lights have been converted to LED within the geographic jurisdiction. This documentation should include the number of street lights converted, including the proportion of converted cobra-head street lights to total cobra-head street lights.
- A minimum of 10 fixtures must be converted to LED to qualify.

### Recommendations

- Consult with NYSERDA regarding which LED conversion and technology options make the most sense to meet your economic and operational goals.
- Check with your utility regarding options for converting street lights to LED.
- Municipalities that do not own their own street lights may pursue a negotiated agreement with their utility for transfer of ownership of the complete system of street lights and supporting infrastructure.
- Energy performance contracts may be used to upgrade street light systems with no or low up-front capital costs.
- The New York Power Authority (NYPA) offers a program to convert street lights to LEDs using low-interest rate financing.

### Resources

- Dedicated and knowledgeable local Clean Energy Coordinators are available to assist municipal staff as they implement this action. To access this support, please send an email to [cec@nyserda.ny.gov](mailto:cec@nyserda.ny.gov).
- A toolkit of resources is available at [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec).

# 4

## Clean Fleets

Applicable to All Communities

### Rationale

Clean Fleets is an effort by local governments to invest in alternative fuel vehicles and infrastructure while increasing opportunities for constituents to access electric vehicle charging stations. Compared to gasoline-powered cars, Electric Vehicles (EVs) are more energy efficient and cost about 50 to 70% less to operate per mile. Clean vehicles reduce greenhouse gas emissions and pollutants that cause smog and acid rain. Charging stations are being installed at a wide variety of locations across New York State. In communities large and small, urban and rural, there are sites well-suited to hosting charging stations.

### Requirements

Demonstrate completion of the Clean Fleets action by submitting the following documentation:

- Submit documentation to demonstrate municipal provision of at least one electric vehicle charging station or compressed natural gas (CNG) fueling station. Electric vehicle charging stations must consist of either two (2) or more Level 2 charging ports or one (1) or more DC fast charge ports. Equipment may have been installed at any time prior to the application date, but must be active at the time of submittal. The municipality or a state or local government entity located wholly within the municipality (i.e. a parking authority) must own or lease the equipment. Alternative fuel supply infrastructure may be used for government operations or public use.

OR

- Submit a copy of documentation to demonstrate municipal deployment of at least one alternative fuel vehicle in the municipality's fleet. Qualifying alternative fuel vehicles include plug-in electric vehicles, CNG vehicles, and hydrogen fuel cell vehicles. Vehicles may be light-duty, medium duty, or heavy-duty vehicles. Vehicles may have been purchased or leased at any time prior to the application date, but must be active at the time of submittal.

### Recommendations

- Applicants should gauge local and regional demand for alternative fueling stations and consider the most appropriate fuel type for the area.
- The first step in supporting alternative fuel transportation infrastructure is assessing the demand for and feasibility of an alternative fueling station.

### Resources

- Dedicated and knowledgeable local Clean Energy Coordinators are available to assist municipal staff as they implement this action. To access this support, please send an email to [cec@nyserda.ny.gov](mailto:cec@nyserda.ny.gov).
- A toolkit of resources is available at [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec).

**Rationale**

Solarize is a short term (approximately 6-9 months, including planning and outreach), local effort that brings together groups of potential solar customers through widespread outreach and education. This model helps customers choose a solar installation company that is offering competitive, transparent pricing. Historically, Solarize campaigns lower the cost of solar 10 to 20 percent. After a thorough pre-qualification process, a designated solar installer(s) will be named for the campaign. Residents and businesses who sign up for solar installations by a specific deadline will be able to take advantage of group rates below market prices. The more customers who sign up, the lower the price will be for everyone. Well-organized Solarize campaigns are a great way to support solar while being active and visible in your community.

**Requirements**

Demonstrate completion of the Solarize action as follows:

- Submit documentation to demonstrate direct municipal participation in previous rounds of NYSERDA Community Solar NY. To earn credit for this action, the Solarize campaign must have been launched after January 1, 2014. Documentation may include, but is not limited to, a letter of commitment submitted with the Community Solar NY application, a press release, flyers from an event in the jurisdiction, a screenshot of the solarize website, newspaper article, or adopted resolution.
- Submit a list of at least ten (10) solar customers that resulted from the solarize campaign within your jurisdiction including, but not limited to, the location, installer, date contract was signed, type of financing, and date contract was canceled if applicable.

OR

- For new Solarize campaigns, before you start the planning process, please send an email to [cec@nyserderda.ny.gov](mailto:cec@nyserderda.ny.gov) to ensure all NYSERDA requirements are met to earn credit for this action, including those outlined in the Solarize Scoping Document Terms and Conditions.
- Submit a completed Solarize Campaign Scoping Document, available in the Solarize toolkit at [www.nyserderda.ny.gov/cec](http://www.nyserderda.ny.gov/cec). Please be sure to complete the most recent version. The scoping document will detail the campaign's goals and objectives, roles and responsibilities of project partners, deliverables, and milestones. The applicant shall sign off on the Terms and Conditions included with the Scoping Document to earn credit for this action.
- Submit a list of at least ten (10) solar customers that resulted from the solarize campaign within your jurisdiction including, but not limited to, the location, installer, date contract was signed, type of financing, and date contract was canceled if applicable.

**Recommendations**

- Team up with individuals, organizations, and nearby jurisdictions that are willing and able to conduct community-wide education and outreach around solar energy.
- Consider incorporating Shared Solar projects into your campaign. NYSERDA's Shared Renewables initiative (also referred to as community distributed generation) provides opportunities for renters, homeowners, low-income residents, schools, and businesses to join together to set up shared solar, wind, and other renewable energy projects.
- Adopt a local resolution in support of the Solarize campaign.

**Resources**

- Dedicated and knowledgeable local Clean Energy Coordinators are available to assist municipal staff as they implement this action. To access this support, please send an email to [cec@nyserderda.ny.gov](mailto:cec@nyserderda.ny.gov).
- A toolkit of resources is available at [www.nyserderda.ny.gov/cec](http://www.nyserderda.ny.gov/cec).

# 6

## Unified Solar Permit

Applicable to All Communities that Issue Building Permits

### Rationale

The Unified Solar Permit is a standardized permit application designed to streamline the approval process for installing solar in the community. The standardized permit is expected to cut costs by creating a uniform permitting process in municipalities across the State. As municipalities adopt the permit, installers and municipalities alike will save time and resources permitting solar electric systems. An expedited process will allow these standard systems to pass quickly through the jurisdictional review process, freeing up time for all involved parties, decreasing the overall installation time for customers, and allowing non-standard systems the necessary time for detailed review.

### Requirements

Demonstrate completion of the Unified Solar Permit action by submitting the following documentation:

- Submit a copy of the notification of eligibility email from NYSERDA indicating the jurisdiction is eligible to receive the Streamlined Permitting PV incentive (formerly known as Cleaner, Greener Communities Category 1).
- This can be attained by meeting program participation requirements for Streamlined PV Permitting as detailed in the Streamlined Permitting funding opportunity. Municipalities that adopt the Unified Solar Permit are eligible for up to \$5,000, depending on population, through the Streamlined Permitting PV incentive to implement the new procedures. For more information, please visit the Unified Solar Permit toolkit at [www.nyserderda.ny.gov/cec](http://www.nyserderda.ny.gov/cec).

OR

- Submit a copy of NYSERDA's official list of communities that have adopted the Unified Solar Permit showing that the applying jurisdiction is listed. This list can be accessed in the Unified Solar Permit toolkit at [www.nyserderda.ny.gov/cec](http://www.nyserderda.ny.gov/cec).

### Recommendations

- Adopt the permit as a way to reduce the amount of time both applicants and the building department spend applying for, reviewing, and issuing permits.
- Consider a flat fee that fairly reflects the time needed for municipal staff to review and issue a permit.
- Post information about the permit application process online including timelines for permit application review and issuance.

### Resources

- Dedicated and knowledgeable local Clean Energy Coordinators are available to assist municipal staff as they implement this action. To access this support, please send an email to [cec@nyserderda.ny.gov](mailto:cec@nyserderda.ny.gov).
- A toolkit of resources is available at [www.nyserderda.ny.gov/cec](http://www.nyserderda.ny.gov/cec).

## Energy Code Enforcement Training

Applicable to All Communities that Issue Building Permits

### Rationale

The Energy Code is a minimum building standard for energy efficiency, applicable to new construction and renovation of commercial and residential buildings in New York State. The Energy Code is a complex document and one of nine building codes in New York State, making implementation and enforcement complex and time consuming. Since buildings represent roughly 60% of New York's total energy consumption, there is significant opportunity for energy savings through improved Energy Code compliance. This training focuses on what code enforcement officials need to know about the Energy Code in the context of its practical application on active construction projects.

### Requirements

Demonstrate completion of the Energy Code Enforcement Training action as follows:

- Enroll in the Clean Energy Communities Energy Code Enforcement Training Module by sending an email to [cec@nyserderda.ny.gov](mailto:cec@nyserderda.ny.gov).
- Take part in a preliminary meeting between the NYSERDA training provider, the local code enforcement officer and at least two other municipal officials followed by collaborative plans review and joint onsite inspection of two (2) building projects in the municipality. The entire building department staff is encouraged to participate.
- Participate in a presentation by the NYSERDA Training Provider summarizing results of the module, including key considerations and guidance for moving forward. Once complete, you will receive a notification of completion email from the NYSERDA Training Provider.
- Submit a copy of this notification of completion email to earn credit for this action.

### Recommendations

Follow up the training module by hosting or attending a NYSERDA Energy Code Essentials training course (in person or online). To register for a course, please visit [www.nyserdacodetraining.com](http://www.nyserdacodetraining.com)

### Resources

- Dedicated and knowledgeable local Clean Energy Coordinators are available to assist municipal staff as they implement this action. To access this support, please send an email to [cec@nyserderda.ny.gov](mailto:cec@nyserderda.ny.gov).
- A toolkit of resources is available at [www.nyserderda.ny.gov/cec](http://www.nyserderda.ny.gov/cec).

## Climate Smart Communities Certification

Applicable to All Communities

### Rationale

The Climate Smart Communities Certification (CSC) program provides local governments with a robust framework to guide their climate action and enables high-performing communities to achieve recognition for their leadership. Designed around the CSC pledge elements, the certification program recognizes communities for their accomplishments through a rating system leading to four levels of award: Certified, Bronze, Silver and Gold.

### Requirements

Demonstrate completion of the Climate Smart Communities Certification action by submitting the following documentation:

- Submit documentation that demonstrates your community has been listed as a Certified Climate Smart Community at the certified, bronze, silver or gold level on the New York State Department of Environmental Conservation (NYSDEC) website.

### Recommendations

- For more information, please visit the DEC website at <http://www.dec.ny.gov/energy/56876.html>. If you are interested in Climate Smart Communities, please contact the DEC Office of Climate Change at (518) 402-8448 or by email at [climatechange@dec.ny.gov](mailto:climatechange@dec.ny.gov).

### Resources

- Dedicated and knowledgeable local Clean Energy Coordinators are available to assist municipal staff as they implement this action. To access this support, please send an email to [cec@nyscrda.ny.gov](mailto:cec@nyscrda.ny.gov).
- A toolkit of resources is available at [www.nyscrda.ny.gov/cec](http://www.nyscrda.ny.gov/cec).

**Rationale**

Community Choice Aggregation (CCA) is a municipal energy procurement model that replaces the utility as the default supplier of electricity for virtually all homes and small businesses within your jurisdiction. CCA puts control of choosing energy supply in local hands. By pooling demand, communities build the clout necessary to negotiate lower rates with private suppliers, and are able to choose cleaner energy. A CCA can allow whole communities to participate in the clean energy economy by ensuring that a greater percentage of electricity is coming from renewable sources. CCA has the potential to simultaneously deliver lower monthly bills and cleaner energy for your constituents.

**Requirements**

Demonstrate completion of the Community Choice Aggregation action by submitting the following documentation:

- Submit a copy of the adopted legislation authorizing the municipality's participation in an opt-out CCA program.
- Submit a copy of an executed electric service agreement between the applying jurisdiction and an Energy Services Company (ESCO) to supply electricity to participating customers on an opt-out basis that is a 100% renewable clean energy product mix, to be produced in North America and certified by Green-e.

**Recommendations**

- Consider teaming up with other nearby municipalities and allowing a local or regional group to administer the CCA program.

**Resources**

- Dedicated and knowledgeable local Clean Energy Coordinators are available to assist municipal staff as they implement this action. To access this support, please send an email to [cec@nyserda.ny.gov](mailto:cec@nyserda.ny.gov).
- A toolkit of resources is available at [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec).

**Rationale**

Energize NY Finance, also known as Property Assessed Clean Energy (PACE) Financing, is a program adopted by an eligible local government that allows property owners to pay back the cost of clean energy upgrades to their commercial or non-profit property through a special charge on their property tax bill. Energize NY Finance enables eligible commercially-owned buildings in New York State to secure funds to tackle significant energy upgrades and renewable energy projects. This financing structure is available through the Energy Improvement Corporation (EIC) for projects that aim to install permanent improvements that reduce energy costs in existing buildings. EIC is a local development corporation and a New York State nonprofit established specifically to assist municipalities and property owners achieve long-term energy savings and/or generate renewable power for use on site.

**Requirements**

Demonstrate completion of the Energize NY Finance action by submitting the following documentation:

- Submit a copy of the adopted legislation authorizing the municipality to establish an Energize NY Finance Program.
- Submit a copy of an executed Energy Improvement Corporation (EIC) Municipal Agreement.
- Submit a copy of a letter confirming EIC membership.

**Recommendations**

- If you are interested in establishing an Energize NY Finance program, please contact the Energy Improvement Corporation at (914) 302-7300 or by email at [info@energizeny.org](mailto:info@energizeny.org).
- If your municipality has been allocated Qualified Energy Conservation Bonds (QECBs), consider using them in support of your Energize NY Finance Program.

**Resources**

- Dedicated and knowledgeable local Clean Energy Coordinators are available to assist municipal staff as they implement this action. To access this support, please send an email to [cec@nyscrda.ny.gov](mailto:cec@nyscrda.ny.gov).
- A toolkit of resources is available at [www.nyscrda.ny.gov/cec](http://www.nyscrda.ny.gov/cec).

## STEP 2: ACCESS GRANT FUNDING

Applicants must earn the Clean Energy Community designation to be eligible for grant funding under this program. Once the applying jurisdiction receives email confirmation that it has earned the Clean Energy Community designation, **the applicant has three months** to submit a proposal for grant funding at [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec). Projects must be ready to commence within three months of award notification and should be complete within three years of contract execution. At NYSERDA's discretion, one extension may be granted.

No local cost share is required and up to 25% of the grant funds may be available as an advanced payment upon contract execution.

### Eligible Project Types

Applicants must propose a project(s) or initiative(s) for funding. Good projects will score highly when evaluated according to the criteria outlined in the section of this document entitled "Selection Criteria."

### Ineligible Project Types

Projects that do not meet the Selection Criteria outlined in the section of this document entitled "Selection Criteria" are not eligible.

### Proposal Requirements

Projects will be scored and awarded on a rolling basis. No project or applicant is guaranteed funding. Applications will be reviewed as outlined below.

- The grant application is available at [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec).
- Required attachments, described in more detail on the website, include the following:
  - Project Subcontractors
  - Signed Letter of Commitment(s)
  - Statement of Work (SOW)
  - Contract Pricing Proposal Form (CPPF)
  - Terms and Conditions
  - Disclosure of Prior Findings of Non-Responsibility form
- NYSERDA may reach out to applicants via email with specific follow-up questions after reviewing proposals. Should NYSERDA request additional information, applicants will have five business days to respond in order for that information to be considered in the evaluation process.
- Applicants must earn a minimum of 50% of available selection criteria points to be considered eligible.
- Review meetings will be held periodically, on at least a quarterly basis, depending on the volume of applications.
- NYSERDA may condition awards upon applicant acceptance of requests for minor modifications to project scopes to ensure that NYSERDA program goals are met. NYSERDA reserves the right to request additional information.
- NYSERDA reserves the right to reject proposals that would otherwise be eligible for other existing NYSERDA or other New York State funding opportunities.
- NYSERDA, in order to avoid double-funding projects or measures within projects, may adjust awarded funding amounts at any time based on new information regarding other project funding secured.
- NYSERDA reserves the right to adjust award amounts at its sole discretion.
- Applicants must agree, or provide written exceptions, to NYSERDA's standard contracting Terms and Conditions, which can be found at [www.nyserda.ny.gov/cec](http://www.nyserda.ny.gov/cec).

## Selection Criteria

Applications will be evaluated based on the following criteria, with a total number of possible points allocated to each. Applicants must earn a minimum of 50% of the selection criteria points to be considered eligible.

1. To what extent does the proposer present a thorough, sound, detailed approach for accomplishing the objectives of their proposal within a reasonable timeframe? (25 possible points)
2. To what extent does the project/initiative have a positive direct impact on energy use and greenhouse gas emissions? (15 possible points)
3. To what extent does the project/initiative have other sustainability benefits? (15 possible points)
4. To what extent will efforts be made to collaborate with other municipalities and to transfer knowledge to the broader region and state? (15 possible points)
5. To what extent does the project/initiative involve an innovative and/or replicable approach? (15 possible points)
6. To what extent will the project/initiative leverage public and private dollars and/or generate economic development benefits (i.e. temporary or permanent job creation and investment)? (15 possible points)

## Project Benefits Metrics Report

It is important to begin considering project benefits at the application stage. Anticipated benefits associated with Clean Energy Communities projects should be measured. Each successful applicant shall, throughout the course of the contract with NYSERDA, collect the required metrics described in the "Project Benefits Metrics Report" section of the Statement of Work (SOW), which can be found on the [www.nyserdera.ny.gov/cec](http://www.nyserdera.ny.gov/cec) webpage.

## GENERAL CONDITIONS

**Proprietary Information:** Careful consideration should be given before confidential information is submitted to NYSERDA as part of your proposal. Review should include whether it is critical for evaluating a proposal, and whether general, non-confidential information, may be adequate for review purposes. The NYS Freedom of Information Law, Public Officers law, Article 6, provides for public access to information NYSERDA possesses. Public Officers Law, Section 87(2)(d) provides for exceptions to disclosure for records or portions thereof that "are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information submitted to NYSERDA that the proposer wishes to have treated as proprietary and confidential trade secret information, should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to exempt it from disclosure, including a written statement of the reasons why the information should be exempted. See Public Officers Law, Section 89(5) and the procedures set forth in 21 NYCRR Part 501 <http://www.nyserdera.ny.gov/About/-/media/Files/About/Contact/NYSERDA-Regulations.ashx>. However, NYSERDA cannot guarantee the confidentiality of any information submitted.

## Procurement Lobbying Requirements - State Finance Law sections 139-j and 139-k

NYSERDA is required to comply with State Finance Law sections 139-j and 139-k. These provisions contain procurement lobbying requirements which can be found at

<http://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html>

The attached Proposal Checklist calls for a signature certifying that the proposer will comply with State Finance Law sections 139-j and 139-k and the Disclosure of Prior Findings of Non-responsibility form includes a disclosure statement regarding whether the proposer has been found non-responsible under section 139-j of the State Finance Law within the previous four years.

**Tax Law Section 5-a** – NYSERDA is required to comply with the provisions of Tax Law Section 5-a, which requires a prospective contractor, prior to entering an agreement with NYSERDA having a value in excess of \$100,000, to certify to the Department of Taxation and Finance (the "Department") whether the contractor, its affiliates, its subcontractors and the affiliates of its subcontractors have registered with the Department to collect New York State and local sales and compensating use taxes. The Department has created a form to allow a prospective contractor to readily make such certification. See, ST-220-TD (available at [http://www.tax.ny.gov/pdf/current\\_forms/st/st220td\\_fill\\_in.pdf](http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf)). Prior

to contracting with NYSERDA, the prospective contractor must also certify to NYSERDA whether it has filed such certification with the Department. The Department has created a second form that must be completed by a prospective contractor prior to contacting and filed with NYSERDA. See, ST-220-CA (available at [http://www.tax.ny.gov/pdf/current\\_forms/st/st220ca\\_fill\\_in.pdf](http://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf)). The Department has developed guidance for contractors which is available at <http://www.tax.ny.gov/pdf/publications/sales/pub223.pdf>.

**Omnibus Procurement Act of 1992** - It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority- and women-owned business enterprises, as bidders, subcontractors, and suppliers on its procurement Agreements.

Information on the availability of New York subcontractors and suppliers is available from:

Empire State Development  
Division For Small Business  
625 Broadway  
Albany, NY 12207

A directory of certified minority- and women-owned business enterprises is available from:

Empire State Development  
Minority and Women's Business Development Division  
625 Broadway  
Albany, NY 12207

### **Contract Award**

NYSERDA may award a contract based on initial applications without discussion, or following limited discussion or negotiations pertaining to the Statement of Work. Each offer should be submitted using the most favorable cost and technical terms. NYSERDA may request additional data or material to support applications. NYSERDA will use the Sample Agreement to contract successful proposals. NYSERDA reserves the right to limit any negotiations to exceptions to standard terms and conditions in the Sample Agreement to those specifically identified in the submitted proposal. Proposers should keep in mind that acceptance of all standard terms and conditions will generally result in a more expedited contracting process. NYSERDA may decline to contract with awardees that are delinquent with respect to any obligation under any previous or active NYSERDA agreement.

### **Limitation**

This solicitation does not commit NYSERDA to award a contract, pay any costs incurred in preparing a proposal, or to procure or contract for services or supplies. NYSERDA reserves the right to accept or reject any or all proposals received, to negotiate with all qualified sources, or to cancel in part or in its entirety the solicitation when it is in NYSERDA's best interest. NYSERDA reserves the right to reject proposals based on the nature and number of any exceptions taken to the standard terms and conditions of the Sample Agreement.

### **Disclosure Requirement**

The proposer shall disclose any indictment for any alleged felony, or any conviction for a felony within the past five years, under the laws of the United States or any state or territory of the United States, and shall describe circumstances for each. When a proposer is an association, partnership, corporation, or other organization, this disclosure requirement includes the organization and its officers, partners, and directors or members of any similarly governing body. If an indictment or conviction should come to the attention of NYSERDA after the award of a contract, NYSERDA may exercise its stop-work right pending further investigation, or terminate the agreement; the contractor may be subject to penalties for violation of any law which may apply in the particular circumstances. Proposers must also disclose if they have ever been debarred or suspended by any agency of the U.S. Government or the New York State Department of Labor.

**Disclaimer**

All projects must address the qualifications and eligibility requirements listed in this Guidance Document. NYSERDA reserves the right to issue revisions to this solicitation at any time. Any revisions will be announced and posted on NYSERDA's website at [www.nyserderda.ny.gov](http://www.nyserderda.ny.gov). High-Impact Actions may be adjusted, phased out, or newly developed based on a variety of factors including, but not limited to, new opportunities to help communities drive local energy action, level of uptake in communities relative to other actions, changes in the regulatory environment, consistency with NYSERDA and other New York State agency program offerings, and availability of external assistance, such as federal programs, tools, and resources.

**Additional Resources**

All program resources and guidelines can be found on the Clean Energy Communities webpage at the following location: [www.nyserderda.ny.gov/cec](http://www.nyserderda.ny.gov/cec). All other questions about this solicitation should be submitted to NYSERDA, in writing, at [cec@nyserderda.ny.gov](mailto:cec@nyserderda.ny.gov). Due to the large number of inquiries expected, NYSERDA may not be able to return phone calls.