

GRANTS TO GREEN NONPROFITS PROGRAM ADDENDUM NO. 1

DATE: May 25, 2010
TO: ALL PROSPECTIVE RESPONDENTS
SUBJECT: Application No.: G2GN001

A. This addendum becomes a part of the Energy Efficiency and Conservation (EECBG) Application No. G2GN001 titled: "GRANTS TO GREEN NONPROFITS (G2GN) PROGRAM APPLICATION GUIDELINES AND INSTRUCTIONS."

The following items are amended as follows:

Item No. 1 – Page 4; Section B. – Grants to Green Nonprofits (G2GN) Program Overview; paragraph two, immediately after "Nonprofit organizations may submit multiple applications for various locations." the following sentence is added: "The G2GN program is designed for commercial (non-residential) properties as agreed to by the U.S. Department of Energy."

Item No. 2 – Page 11; Section C.1 – Instructions (for Community/Faith-Based Organizations); Number 5; The statement "Only one application per CBO will be accepted. (Only one physical location can be specified in the application form for the energy efficiency project)" is deleted in its entirety and is replaced with: "Applicants should complete one application for each property (a free standing building or facility) using a single electric utility meter. For the purpose of the G2GN Program, if two (2) buildings/facilities are on a single electric meter and are connected by an enclosed hallway (roof and walls), it is ONE property (building/facility). If on the other hand, two (2) buildings/facilities are on separate electric meters but are connected by a breezeway/ walkway (covered walkway with no walls), the buildings are considered as separate and two applications should be submitted."

Item No. 3 – Page 11; Section C.1 - Instructions (for for Community/Faith-Based Organizations); the following is added immediately after number 10 as a new entry: "11. For the purposes of the G2GN Program and Application Guidelines and Instructions, the term "property" or "location" shall mean a building, facility, or structure that provides a particular service or supports the operation of the community/faith-based organization."

Item No. 4 – Page 21; Section C.3 – Checklist of Required Documentation (for CBOs); immediately after the first checkbox of: "**One original and 12 copies** of the completed application form (Section C.2) of this package properly packaged and labeled (see Section C.1 Instructions). The original should be labeled as ORIGINAL," the following is added: "Each application, including all copies, must include a full appendix and all items listed below with the exception of the certified accountant's audit report. Only ONE copy of the audit report is required and should be included as part of the ORIGINAL. A copy of the audit report is not necessary for each subsequent application. Applicants submitting multiple applications can include ONE copy of the audit report as part of the ORIGINAL application. A note on all subsequent applications should state that an audit report was submitted and identify the application to which it was submitted with."

- END OF AMENDMENTS -

GRANTS TO GREEN NONPROFITS (G2GN) PROGRAM

Frequently Asked Questions & Answers (FAQs)

B. The following are inquiries (with answers) received from the G2GN Pre-Application Workshops held on May 14 and questions submitted via email. Note: Questions and answers may have been edited for brevity and clarity.

1. Introduction (page 3): What is the definition of Community-based Organization?

Answer: Community-Based Organization is a general term. However, it is important to note that for the purpose of the G2GN application, all applicants must be able to document a certified 501(c)(3) status (by the IRS) in the name of the proposing organization as well as meet all other qualifications described on page 7, Section B.3 Eligibility Requirements.

2. Introduction (page 3): We are a certified 501(c)(3) community-based organization possessing a 50/50 limited partnership on the property we manage. The other partner is a corporation, which is a corporation wholly owned as a subsidiary of the community and faith-based organization. Since we don't have a lease, but a 50/50 limited partnership, are we eligible to apply for this grant.

Answer: The purpose of the G2GN program is to provide direct benefits to not-for profit organizations by way of energy improvements or upgrades to their building/facility. As stated on page 3, Section A. Introduction, eligibility is limited to certified 501(C)(3) community and faith-based organizations as agreed to by the US Department of Energy. Therefore, a 501(c)(3) possessing limited partnership collectively with a for-profit corporation is not the intention of the G2GN program and would not be eligible to apply.

3. Introduction (page 3): Could a CBO submit a request to make energy efficient improvements on a multiple level affordable housing apartment complex?

Answer: The G2GN program is designed to address commercial properties (non-residential). Properties, such as affordable housing units, that have as a primary purpose the housing of individuals and families without the provision of other social services are not an allowable use of funding as agreed to by the US Department of Energy. *(Please see Page 1, Item No.1 of this Addendum).*

4. Introduction (page 3): How did Miami-Dade County allocate the other \$11,523,700 of Energy Efficiency and Conversation Block Grant Program (EECBG) funding?

Answer: A complete project listing of 13 project activities funded by the EECBG can be found at green.miamidade.gov.

5. Introduction (page 3): Will the CBO be required to meet ARRA requirements?

Answer: Special terms and conditions may apply to projects funded by ARRA; however, the County will prepare all required reports working in conjunction with the approved CBO and

LESP. In addition, the CBO will be required to submit: 1) a one-year follow up report (see pages 23-25, Section E.1 CBO Agreement), and 2) an on-going annual inventory request for the approved goods and/or services implemented on the property.

6. Grants to Green Nonprofits program overview (page 4): Will the LESP be responsible to meet the 5% decrease in consumption?

Answer: The County will not hold LESP responsible for the 5% decrease in consumption; however, as stated on page 6, Section B.2 – LESP review process, the businesses will be held responsible for the implementation of the project activities and will be accountable for keeping records regarding this project for another 5 years for local, state, and federal reporting purposes.

7. Grants to Green Nonprofits overview (page 4): The CBO had a survey completed by FPL (or Homestead Energy Services Electric Utility) less than one year ago? Can we use this as our survey?

Answer: The County is partnering with FPL and HESEU on a non-exclusive basis, to provide on-site energy evaluation surveys to all eligible nonprofit organizations. The G2GN surveys will serve as a key determinant in the final review and selection of which energy efficient project activities will be approved for funding keeping in mind that the G2GN program goal is to yield a minimum of 5% decrease in energy consumption of the specific energy consuming assets and/or facilities. If you have had an energy survey completed within the last 12 months, the application form (page 20) will request that you list the name of the entity that completed the survey and attach a copy to the application and provide a brief overview of the outcome of the survey.

8. Nonprofit organizations (page 5): What constitutes a commercial property by the grant standard? For instance, does a Community Center qualify, if it is located on a non-commercial property?

Answer: A Community Center used as a meeting facility with the “primary purpose” of operating as a social services outlet, e.g., trainings, education, community meetings of organizations, parent workshops, classes, foreclosure prevention services and summer camp services would be an allowable use of funding as agreed by the US Department of Energy providing that all other eligibility requirements are met. Please refer to page 7, Section B.3, Eligibility Requirements and page 9, Section B.5 Eligible and Ineligible Activities. Please keep in mind that the G2GN program is designed for commercial (non-residential) properties. *(Please see Page 1, Item No.1 of this Addendum).*

9. Nonprofit organizations (page 5): Can a home-based, non-profit office for an community based organization, which is certified as a 501(c)(3) by the IRS, qualify for the energy retrofits?

Answer: Unfortunately, the G2GN program is designed for commercial (non-residential) properties. A home-based office (although a 501(c)(3) nonprofit) would not be eligible. *(Please see Page 1, Item No.1 of this Addendum).*

10. Nonprofit organizations (page 5): What should community and faith-based organizations, certified as a 501(c)(3) consider before applying for the energy improvements?

Answer: There are two categories a nonprofit certified as a 501(c)(3) must consider when applying for these funds, they are: 1) eligibility of the proposing organization, and 2) allowable

use of grant funds at a proposing building/facility/structure. For example, a faith-based organization (church) certified as a 501(c)(3) can apply providing the building/facility being retrofitted is not “primarily” used for religious purposes. Another example is a community-based organization, certified as a 501(c)(3) has a warehouse facility (which is a multi-purpose facility, e.g., hurricane shutters, food and supplies) or administration office, can apply for grant funds providing it supports the operation of the organization or service. It is important to note, the examples provided upon are contingent upon the proposing organization meeting all other “eligibility requirements” as stated on page 7, Section B.3 Eligibility Requirements.

11. Nonprofit organizations (page 5): Our organization is a 501(C)(4) not for profit corporation. Is this grant limited to 501(c)(3) charitable foundations?

Answer: The purpose of the G2GN program is to provide direct benefits to not-for profit organizations by way of energy improvements or upgrades to their building/facility. Eligibility is limited to certified 501(C)(3) community and faith-based organizations as agreed to by the US Department of Energy. Therefore, the 501(c)(4) types of not-for-profit corporations are not eligible for the G2GN Program at this time.

12. Nonprofit organizations (page 5): We are a Mobile Clinic, a medical home on wheels certified 501(c)(3) facility, can we apply for the G2GN grant?

Answer: The G2GN program goal is to yield a minimum of 5% decrease in energy consumption of the specific energy consuming assets and/or facilities. Unfortunately, Miami-Dade County's Grants to Green Nonprofits (G2GN) Program is governed by a certain statement of project activities that specifically restricts the G2GN Program to provide energy retrofits to physical buildings/facilities in which the metered consumption reduction could be measured before and after the energy retrofit implementation. Therefore, what you are proposing would not be an allowable use of this funding.

13. Nonprofit organizations (page 5): How long after the June 1, 2010 application submission date would we be notified of approval and during what time period would the funds be expended and the work completed.

Answer: All applications received by the deadline will undergo a three step review process. The 1st Step involves a technical review by County Staff, 2nd Step involves a Free On-site Energy Evaluation by FPL or Homestead Energy Services, and finally the 3rd Step involves a prioritization review committee comprised of industry experts to determine which projects will have the most substantive impact on energy efficiency and conservation and contribute to our countywide goal. Therefore, it is anticipated award letters will be sent out beginning in August, 2010, Sub-grant Agreements will be issued beginning in October and improvements and upgrades will subsequently follow shortly thereafter. The completion of the scope of work would depend upon the timeline of the approved eligible project activities. However, all work under the G2GN program must be completed no later than July 29, 2011.

14. Nonprofit organizations (page 5): Can a for-profit sustainability consulting business apply to help conduct energy audits?

Answer: As part of the G2GN Program applicants must agree to have FPL or the City of Homestead (Energy Services Electric Utility) administer their free on-site energy evaluation surveys. For more information regarding how FPL and Homestead implement those surveys,

please contact them directly or visit <http://www.fpl.com/business/savings/obee.shtml> (for FPL) and for Homestead, you can call 305-224-4800.

15. Nonprofit organizations (page 5): As a general contractor (approved to participate in the program), how will the CBO contact us regarding quotes?

Answer: During the review process applications that are complete and adhere to all program requirements will receive a free on-site energy evaluation survey administered by FPL or HESEU (depending on the applicant's utility service provider). The County will then forward the energy surveys to a prioritization review committee for review which will result in recommendations for program investment. When approved for an activity, CBOs (direct beneficiaries) will be provided with a list of participating Local Energy Service Providers (LESPs) approved for the G2GN program that can provide cost estimates for approved goods and/or services. The CBO will be required to obtain three (3) quotes from three (3) different LESP before making a selection.

16. Nonprofit organizations (page 5): We have an existing lease with more than 10 years remaining; however, we are planning to move in less than 2 years. Are we still eligible to apply?

Answer: G2GN is a 2-year initiative that will focus on projects/activities that will improve energy efficiency and reduce energy consumption for qualified nonprofit organizations. The goal of the countywide project is to yield a minimum 5% decrease in energy consumption of the specific energy consuming assets and/or facilities. As explained on page 5, Section B.1 Nonprofit Organizations, "due to the necessary analysis and follow-up of energy consumption tracking, it is critical and required that all direct beneficiaries (CBO applicants) agree to and sign the electric utility account access waiver form, which is included on page 22. Additionally, an organization who has accepted an energy service project activity from the G2GN program transfers ownership or discontinues service at the location within 10 (ten) years of the time that the project activity service was completed, notification in writing must be sent immediately to Miami-Dade County, Office of Grants Coordination, 111 NW First Street, 19th Floor, Miami, Florida 33128. The total amount awarded for services rendered through the program may be due and payable to Miami-Dade County at the sole and absolute discretion of the County."

17. Local energy service providers (page 6): Regarding the application for Local Energy Service/Product Providers, is this grant only to bid for these future nonprofit jobs or are we eligible to receive money from the grant as well.

Answer: Local private, for-profit energy goods and/or services businesses who meet all eligibility requirements (as listed on page 7, Section B.3 Eligibility Requirements) are encouraged to apply to serve as a Local Energy Service Provider (LESP) for the program. Businesses may include, and are not limited to the following (if all other eligibility requirements are met): general contractors; energy efficiency contractors; engineering firms; equipment and appliance distributors and vendors; Energy Star product retailers; HVAC specialists; etc. LESP's will apply to be subrecipients for the program. LESP's approved to participate in the program will ultimately become part of a G2GN pool of providers. In addition, LESP's may be called upon to provide the goods and/or services necessary to implement the project activity for which the nonprofit organizations will be the direct beneficiaries. Participation on the list is not a guarantee of funding, but is a requirement to be considered for selection to implement an approved activity and receive funding. Money from the grant will be used to reimburse LESP's for goods/services provided to local nonprofits.

18. Local energy service providers (page 6): Will the LESP be provided a list of the approved non-profits?

Answer: Yes, if you are participating in the pool, you can email a request to the OGC Project Manager.

19. Eligibility requirements (page 7): Through its not-for-profit, 501(c)(3) support group, our organization, which would act as fiscal agent for the funds. The funds would be used for energy retrofits to a County-owned building/facility. Can our 501(c)(3) apply for this grant program as a fiscal agent for a County entity?

Answer: No, a 501(c)(3) that purely serves as a fiscal agent would not be eligible to apply for the grant, which would in turn be used for a property owned and operated by another entity (in this case, the County). It is important to note that a fiscal agent arrangement is not contemplated in this case since the County will pay the local business/contractor directly. No money will go to the CBO. Therefore, the Fiscal Agent arrangement would only seem to serve the purpose of ensuring the eligibility to apply which seems to go against the intended purpose of the program as agreed to by the US Department of Energy. On the other hand, if the 501(c)(3) organization actually had a facility that they either owned, leased, etc. and wanted to apply for a G2GN grant to benefit that property – then it would be eligible providing the CBO met all other qualifications as described on page 7, Section B.3 Eligibility Requirements.

20. Eligibility requirements (page 7): Does our company need to be located in Miami-Dade County in order to qualify to become a Local Energy Service Provider for the G2GN Program?

Answer: Yes, one requirement to be eligible to apply to become a LESP is that your business must be located in and servicing Miami-Dade County. Please refer to page 7, Section B.3 Eligibility Requirements, which states:

For Local Energy Service Providers (LESPs) or Subrecipients

Applicants (or Businesses) may include, and are not limited to the following (if all other eligibility requirements are met): general contractors; energy efficiency contractors; engineering firms; equipment and appliance distributors and vendors; Energy Star product retailers; HVAC specialists; etc.).

An applicant must have ALL of the following:

- a. A physical place of business and be doing business in Miami-Dade County;
- b. Possess all required license(s) and legally operating in Miami-Dade County;
- c. Have all necessary insurance and certification requirements for their respective trade/industry service area;
- d. Have been in the business of providing the goods and/or services (proposed for the G2GN program) for a minimum of one year;
- e. Have a completed W-9 form on file (or submit at time of application) to do business with Miami-Dade County; and
- f. Have a DUNS (Data Universal Numbering System) number (*a DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving Federal funds. Obtaining a DUNS number is a free, simple, one-time activity. You can apply for one at <http://fedgov.dnb.com/webform/displayHomePage.do>*).

21. Eligibility requirements (page 7): If a LESP (for-profit) changed their name 9 months ago, would the company be able to participate?

Answer: Yes; however, very clear documentation must be provided showing it is the same company, with the same owners and providing all other requirements are meet, as defined on page 7, Section B.3 – Eligibility Requirements.

22. Funding information (page 8): Can other funds (such as cash, other government grant funds and/or other resources) be utilized as leverage/matching funds in combination with the grant?

Answer: Yes. Cost match is not required for this program, however, special consideration will be given to those applicants able to provide or leverage cash match for their projects including identifying utility cost sharing programs or other federal, state, or local incentives to leverage the grant investment. Since monies leveraged by the proposing organization will not change hands between the County and the CBO, documentation will be required before and after to show how the organization: 1) planned to invest, and 2) invested in specific energy retrofits as leverage to the G2GN investment.

23. Funding information (page 8): When CBOs make a request for the three bids, does the lowest bidder get the job?

Answer: Actual grant award amounts/requests will be determined after an organization with a recommended project obtains three (3) cost estimates from approved LESP's for the G2GN program. Applicants will have the right to choose the most appropriate service provider, however the County will reserve the right to deny or reject cost estimates that are not compliant with the Federal Acquisition Regulation, Part 31.103 (Contracts with commercial organizations).

24. Eligible and ineligible activities (page 9): Is retro-commissioning an eligible activity?

Answer: The types of eligible activities for the G2GN program are defined by DOE as specific retrofits. A listing is provided on page 9, B.5 Eligible and Ineligible Activities section. Unfortunately, retro-commissioning is not listed and we would be more apt to believe that retro-commissioning is similar to the energy evaluation surveys rather than a specific retrofit. And as previously explained, the energy surveys for the G2GN program will be administered by FPL and/or HESEU for free to all eligible applicants.

25. Eligible and ineligible activities (page 9): Our organization had an energy audit on the building we own, which resulted in the recommendation of a thermal storage technology and a cool roof. We intend to implement these efficient technologies, but are seeking an alternative funding source to help pay for or off-set the cost to implement this project. Is this a viable project for the G2GN Grant and is there a cap on funding request?

Answer: Page 5, Section B.1 Nonprofit Organizations states, a "second round of review involves agreeing to receive a free on-site energy evaluation survey administered by FPL or HESEU." The County will forward the energy surveys to a prioritization review committee for the third and final round of review, which will result in recommendations for program investment. Additionally, page 20, Section C.2 Application Form (CBOs) requires that if an energy evaluation survey was completed within the last 12 months provide the name of the entity that completed the survey and attach a copy. This information will be used in the review process of the application. However as previously stated the energy evaluation surveys completed by G2GN program partners will be the surveys used as the basis for program investment recommendations. As to the issue of whether or not "thermal storage technology and cool roof" are an allowable use of

funds, on page 9, Section B.5 Eligible and Ineligible Activities are delineated. As stated, “if an energy evaluation survey (administered by FPL or HESEU for the G2GN program) makes recommendations for energy efficiency improvement activities not already preapproved or disapproved, the County will reserve the right to consult with DOE to seek approval on the activity before an award is granted.” In addition, cool roofs have been disallowed for the G2GN Program as agreed by the Department of Energy. Lastly, please keep in mind funding information that would be applicable for all allowable activities (including those not listed and approved by DOE), stated on page 8, Section B.4 Funding Information, “Program investment recommendations for awards will take into consideration reasonable cost estimates and the resources available (including shovel-readiness) to implement the project activities yielding the maximum energy savings. Based on demand, the County reserves the right to cap the maximum investment amount per project.”

26. Eligible and ineligible activities (page 9): We are a nonprofit organization operating from an alternative location, while our primary facility is undergoing a restoration process. Can the organization apply for this grant to benefit the restoration project?

Answer: Funds can NOT be used for any new construction, including construction of new walls. Miami-Dade County's Grants to Green Nonprofits (G2GN) Program is governed by a certain statement of project activities that specifically restricts the G2GN Program to provide energy retrofits to physical buildings/facilities in which the metered consumption reduction could be measured before and after the energy retrofit implementation. Therefore, a project that is already undergoing restoration/renovation of any kind would not be an allowable use of grant funds.

27. Application for community/faith-based organizations (page 11): What is the Application Number for the Grants to Green Nonprofits Program?

Answer: The Application number is G2GN001 as stated on page 11, Section C.1 Instructions (CBOs) and page 24, Section D.1 Instructions (LESPs).

28. Application form (page 20): The CBO had a survey completed by FPL (or Homestead Energy Services Electric Utility) less than one year ago? Can we use it as our survey?

Answer: The response to this question is reflected on page 20, Section C.2 - Application Form (CBO), which states “has the organization had an energy evaluation survey within the last 12 months? If yes, list the name of the entity that completed the survey and attach a copy to the application. Briefly provide an overview of the outcome of the survey.”

29. Application form (page 12): Can the blank application with our agency's information be saved PDF?

Answer: The G2GN application can be downloaded and saved onto your computer in a fillable PDF format only. Unfortunately, if you do not have Adobe Professional your data cannot be saved in the PDF file. We can suggest that you type your answers in MS Word and once you have all the questions completed and final, then you can open the fillable PDF file and copy and paste the information into Adobe and print out the needed copies.

30. Lighting (page 18): Should security lights be included? The security lights are outside on the porch and in the parking lot.

Answer: It would depend. Yes, if the security lights are measured by the same meter(s) attached to the building/facility of the monthly electrical bill. No, if the security lights have no effect on the monthly electrical bill for the meter.

31. FPL Waiver form (page 22): Should one (1) form be completed for multiple meters?

Answer: No, one FPL Waiver form should be completed per meter/account number.

32. Property/Land Owner consent (page 23): Our Corporation (CBO) owns the land/buildings. What kind of document is acceptable to show proof of ownership?

Answer: The Property/Land Owner consent form is for those applicants who are leasing the occupied property/building/facility. If the CBO owns its property, one of the following items is acceptable documentation to show proof of ownership:

- a. Copy of the warranty deed,
- b. Copy of the Property Tax Bill, or
- c. Print out of the property search from the Property Appraiser's Website:
<http://gisims2.miamidade.gov/myhome/>.

33. Application for local energy service/product providers (page 27): There are so many services my company provides (for question on page 27). Since the Trade Category box on page 25 (Section D.2) in the LESP Application is small and you get the same information on page 27. Could I just list my name?

Answer: No. The trade category box can be used for those LESP applicants providing a single trade. When listing multiple trades, indicate "see page 27" in the trade category box and identify all trades on page 27, Section D.2 LESP Application Form.

34. Checklist of required documentation (for LESP) page 29: The appendix items seem to overlap such as trade license and technical certification and some things seem not to apply to us such as UCT-6 forms (we have employee leasing) and the waste stream plan, (which needs to be job specific).

Answer: Complete only those questions that apply to your company and indicate "N/A" for those questions, which do not apply. Yes, some items on the checklist do overlap, while other items are asked in a different manner to ensure Miami-Dade County, Office of Grants Coordination receives accurate information. In regards to the waste stream plan, please attach a general waste stream plan for those goods/services that would be offered (by the proposing LESP to the G2GN Program) which is considered to be sanitary or hazardous waste materials. A more job specific "waste stream plan" would be required prior to the execution of a LESP Agreement for goods/services as stated on page 29, Section E.2 - LESP Agreement, Article 46.

35. E. Terms and Conditions (CBO Agreement, page 4): What is the project period and timeframe that the project must be implemented?

Answer: The effective term of a CBO Agreement shall commence on the last date of execution by the parties and continue until the completion of the Program on or before September 14, 2011."

36. E. Terms and Conditions (CBO Agreement, page 10): Recently, the CBO purchased a building that is on the National Register of Historic Places and is in the process of obtaining Board approval for the zoning and to do rehabilitation and restoration on the building. What is the timeline for this process? Will State Historic Preservation Office (SHPO) requirements apply to this project?

Answer: The County will approve the implementation of goods and/or services only after a CBO has submitted adequate background documentation to SHPO and SHPO has provided written concurrence back to the CBO that it does not object to its Section 106 finding or determination. CBOs will provide copies of the concurrence to the G2GN Project Manager. The timeline may vary depending on the complexity of the project and structure that is involved. In addition, local, State and Federal requirements are also a factor in determining the timeline. Additionally, the organization must contact the State Historic Preservation Office (SHPO) immediately. Applicable properties may also need to meet the specifications reflected in the Secretary of the Interior's Standards or Rehabilitation Guidelines for Rehabilitating Historic Buildings (U.S. Department of the Interior, National Park Service). If the property is selected for an award, the receipt of the award will be contingent on proper documentation and procedures from the SHPO. Due to the federal requirements for the full expenditure of ARRA funding, Miami-Dade County will reserve the right to award/or withdraw awards for projects at buildings that will require SHPO reviews, projects that are not "shovel-ready" and certifications that will exceed the program deadline.

37. E. Terms and Conditions, Local Energy Service Provider (Subrecipient) Agreement, page 4: Does the project have to be completed before the LESP receives full payment or can they be staggered for a period time over the life of the project?

Answer: The subrecipient (LESP) by and through its assigned representative agrees to receive payment for goods and/or services on a performance reimbursement basis. However, if the awarded LESP demonstrates a reasonable need to acquire staggered payments for a large scale and/or long term project; the County may consider an alternate payment methodology at the time of contract execution.

38. E. Terms and Conditions, Local Energy Service Provider (Subrecipient) Agreement, page 4: What happens if there are problems and/or delays on the project?

Answer: The County will work very closely with the CBO and LESP to ensure every effort is being made that addresses all problems and/or delays on the project in a timely manner. The LESP agrees to address issues and concerns in a timely manner and bring them to the attention of the direct beneficiary and the County's Project Manager.

39. E. Terms and Conditions, Local Energy Service Provider (Subrecipient) Agreement, page 6: How long will it take to pay the LESP for implementing the energy goods and/or services?

Answer: Payments should take no more than 30 days, providing that reimbursement requests are complete and accurate and invoice packages include the basic information as described on page 6, Section E.2 - LESP Agreement, Article 5, Project Budget and Method of Payment.

40. E. Terms and Conditions, Local Energy Service Provider (Subrecipient) Agreement, page 12: What type of bonding insurance is required for the LESP?

Answer: Article 10.C.2 Indemnification and Insurance reads “Public Liability Insurance on a comprehensive basis in an amount not less than \$300,000 combined single limit per occurrence for bodily injury and property damage. Miami-Dade County must be shown as an additional insured with respect to this coverage.” This insurance/bonding requirement is not negotiable with Miami-Dade County.

41. E. Terms and Conditions, Local Energy Service Provider (Subrecipient) Agreement, pages 14 and 23: Will LESP's be asked to supply specific products and manufacturer specifications?

Answer: Yes, it depends on what the Department of Energy approves – there are specific requirements for these stimulus dollars. For a list of approved products, visit the Department of Energy's website at <http://www.energystar.gov/>.

42. E. Terms and Conditions, Local Energy Service Provider (Subrecipient) Agreement, page 15: Should the cost estimate include fees to pull permits, conduct surveys and inspections?

Answer: Yes, the LESP shall obtain all permits, certificates, inspections, and licenses, pay all charges, taxes, royalties, and fees and give all notices necessary and incidental to the lawful performance of the Work. The County will not pay nor reimburse the LESP for any permits, fees, etc. or any penalties as a result of the LESP's failure to obtain all permits, inspections, and approvals in a timely manner.

43. E. Terms and Conditions, Local Energy Service Provider (Subrecipient) Agreement, pages 22-23: Will warranties be provided on the energy goods/services being implemented?

Answer: Yes, for a period of one year, except as provided below, from the date of Final Acceptance, the LESP warrants that the goods and/or services provided conforms to the Agreement requirements and is free of any patent and/or latent defect of the material or workmanship.

Exception to the above year warranty: 1. Where the manufacturer of material or product provides a warranty in excess of one (1) year, the LESP shall provide an assignment of warranty to the County with the manufacturer's written authorization. The LESP shall be obligated to provide to the County copies of all manufacturer's warranties and guarantees. Where the County specifies in a bid a warranty greater than one (1) year, such warranty will only be-for the specified bid.

44. E. Terms and Conditions, Local Energy Service Provider (Subrecipient) Agreement, page 33: Is there a submittal process for the work LESP is proposed to do, such as Buy American?

Answer: The LESP will respond to the CBO's request for quote/cost estimate for an approved energy activity. Records must be maintained for the Federal Government documenting that we have complied with the Buy American requirements. Therefore, if a CBO requests a quote, it is recommended you ask for a copy of their approved application to ensure the building/facility is not a public building or public work (such as a government facility). The Buy American Provisions and Required Use of American Iron, Steel and Manufactured Goods, reads as follows:

- A. To the greatest extent practicable, all equipment and products purchased with funds made available under this award should be American-made. (Article 49)

- B. Buy American provisions apply to all recipients, subrecipients, and contractors working on projects using Recovery Act funding. The provisions only apply to projects involving the construction, alteration, maintenance or repair of a public building or public work. (Article 49)
- C. The Buy American provisions apply to all iron, steel, and manufactured goods used for a project funded by Recovery Act appropriations for the construction, alteration, maintenance, or repair of a public building or public work. There is no requirement with regard to the origin of components or subcomponents in manufactured goods, as long as the manufacturing occurs in the United States (2 CFR 176.70). (Article 50)

45. E. Terms and Conditions, Local Energy Service Provider (Subrecipient) Agreement, page 35: Do Davis-Bacon prevailing wages apply to all G2GN projects?

Answer: Yes, Wage Rate Requirements Under Section 1606 of the Recovery Act, states “Section 1606 of the Recovery Act requires that 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 pursuant to the Recovery Act shall be paid wages at rates not less than those prevailing on projects.” In addition, refer to Attachment 1 located on pages 71-74, Section E.2 LESP Agreement to view the Davis-Bacon Wage Determination schedule for Miami-Dade County, Florida.