



# 2023 Idaho Energy Resiliency Grant Program

Request for Applications Appendices November 2023



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## APPENDIX A. OEMR REPORTING REQUIREMENTS

Reporting Requirements: Subawardees are required to submit different types of reports to OEMR throughout the life of the project including: Quarterly Progress Reports, Annual Reports, One-Year Results Report, Project Completion Report, and Post-Project Completion Reports. More information on the required reporting will be included in the Subaward Agreement for selected projects under the ERGP.

### A. Quarterly Progress Report

The Quarterly Progress Report (QPR) template utilizes the same template document as the Project Management Plan (PMP). The Subawardee shall use the QPR to report the progress made from the baseline information set forth in the PMP following Subaward Agreement executions. The final QPR shall reflect any final close-out activities, costs, payments and reimbursements that occurred following the submission of the QPR for the last reporting period of the Period of Performance. Quarterly reports are due to OEMR within 15 days after the close of each quarter starting on the effective date of the Subaward Agreement. Subawardees shall use the QPR form found on [OEMR's project website](#).

Each QPR shall include the following:

- i. Narrative of the project progress to date;
- ii. Updates on the milestones achieved since the project start date;
- iii. Quantitative metrics that are outlined in the Subaward Agreement, including, without limitation:
  - Project locations;
  - Measurable improvements of resilience;
  - Transmission capacity upgraded, expanded, or built;
  - Electricity storage capacity installed;
  - Funding leveraged;
  - Stakeholders engaged;
  - Technical assistance provided;
  - Value of contracts or agreements with minority owned business for supplies, services, or equipment;
  - Improvements to distribution reliability indices (e.g. Improvements to distribution reliability indices such as CAIDI, SAIDI, SAIFI, CMI, ASAI);
  - Disruptive events that occur that implicate the project; and
  - Any requests for changes to the timeline;
    - If the project has been completed within the first year, the Progress Report shall follow the format of the Project Completion Report, supplemented as set forth above.



- iv. Additional reporting metrics may vary by project. Examples of reporting metrics that may be required are listed on [OEMR's project website](#) in the QPR template under the Build Metrics Table Info tab.

## **B. Quarterly Financial Report**

For the Quarterly Financial Report (QFR), Subawardees shall use the SF-425, found on [OEMR's project website](#). The Subawardee shall work closely with OEMR staff on the completion and submission deadlines for the QFR. In general, QFRs shall be submitted to OEMR no later than 15 days after the close of each quarter. This includes reporting, tracking, and segregation of incurred costs.

## **C. Annual Metrics and Impact Report**

The Annual ERGP Metrics and Impact Report shall capture benefits that communities realize through ERGP. Information collected shall include communities affected by specific projects, avoided outages and reduced restoration time because of projects, community and labor engagement; workforce and community agreements, collective bargaining agreements and project labor agreements, investments in job quality and skilled workforce; diversity, equity, inclusion and accessibility; and Justice40 benefits. The Annual ERGP Metrics and Impacts Report template can be found on [OEMR's project website](#).

## **D. Project Completion Report**

The Project Completion Report shall be submitted to OEMR once construction is complete and operational and shall be submitted with the Subawardee's request for reimbursement for project costs. The Project Completion Report shall include information from the QPRs and QFRs in addition to the following:

- i. Itemized project invoice(s), or other proof of incurred expenses reasonably acceptable to OEMR (these shall correlate with the budget costs reporting in the quarterly financial reports);
- ii. Before and as-built pictures;
- iii. Photographs of all the equipment installed and/or improvements made, and final site location(s);
- iv. Photocopies of all permits obtained, and associated inspections completed, including any permits not reported on in the Progress Report (if any);
- v. Updated actual quantitative metrics following completion as requested by OEMR (this provision shall survive termination of the Subaward Agreement). Quantitative metrics are project dependent. Examples of these metrics can be found in Appendix A of the Application Form;



- vi. Completed Subawardee Reimbursement Request Form. (Note: 85% of the subaward funds shall be reimbursement following approval of the Project Completion Report and a site visit from OEMR).

### **E. One-Year Results Report**

The One-Year Results Report shall be submitted to OEMR one year after the Project Completion Report, and shall include the following:

- i. Narrative of the project from inception to completion.
- ii. Updates on improvements and milestones achieved since completion of the project.
  - Quantitative metrics that are outlined in the Subaward Agreement on energy resilience and reliability metrics of the project and its effect on energy prices for consumers, such as, but not limited to:
    - Project locations;
    - Measurable improvements of resilience;
    - Transmission capacity upgraded, expanded, or built;
    - Electricity storage capacity installed;
    - Funding leveraged;
    - Stakeholders engaged;
    - Technical assistance provided;
    - Value of contracts or agreements with minority owned business for supplies, services, or equipment;
    - Disruptive events that occur that implicate the project; and
    - Improvements to distribution reliability indices (e.g. Improvements to distribution reliability indices such as CAIDI, SAIDI, SAIFI, CMI, ASAI).
  - Updated actual quantitative metrics following completion as requested by OEMR (this provision shall survive termination of the Subaward Agreement).
- iii. Additional reporting metrics vary by project. Examples of reporting metrics that may be required are listed on [OEMR's project website](#) in the QPR template under the Build Metrics Table Info tab.
- iv. The remaining 15% of the subaward funds shall be reimbursed following approval of the One-Year Results Report.

### **F. Documentation and Reimbursement Request**

Reimbursements shall only be issued to the Subawardee for qualifying project expenses following project completion and OEMR site visit.

The Subawardee shall request payment from OEMR within 60 days of completing the approved project by submitting the following documentation:



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- i. Project Completion Report
- ii. Reimbursement Request Form
  - Shall be submitted electronically with all necessary documentation via email to Brenna Garro at Idaho OEMR, [Brenna.Garro@oer.idaho.gov](mailto:Brenna.Garro@oer.idaho.gov).
- iii. Payee Contact, W-9 form and Automated Clearinghouse (ACH) Form
  - Submitted with the Reimbursement Request Form via e-mail to Brenna Garro at Idaho OEMR, [Brenna.Garro@oer.idaho.gov](mailto:Brenna.Garro@oer.idaho.gov). If wiring information changes, please submit an updated form in the same manner as above.

The Subawardee shall maintain all project records allowing for a full and accurate accounting of all project assets and expenditures, as well as to comply with applicable provisions of law and standard accounting practices, including Generally Accepted Accounting Principles (GAAP). The Subawardee shall provide OEMR access to these records upon request for seven (7) years following the submittal date of the Project Completion Report.

NOTE: Reporting requirements are subject to change and shall be outlined in the Subaward Agreement following the award notification. Additional information shall be available in the future.



**APPENDIX B. EVALUATION CRITERIA**

<b>Project Resiliency (70%)</b>	<b>Community Benefit (25%)</b>	<b>Administrative Compliance (5%)</b>
<ul style="list-style-type: none"> <li>Provides a clear and cost-effective work plan for improving grid resiliency.</li> <li>Demonstrates a strong need for alleviating probable risk.</li> <li>Provides clear metrics for tracking measurable improvements to resiliency.</li> </ul>	<ul style="list-style-type: none"> <li>Generates community benefits.</li> <li>Creates and maintains jobs.</li> <li>Serves low-income Idaho residents to alleviate energy burden.</li> </ul>	<ul style="list-style-type: none"> <li>Adheres to administrative requirements.</li> </ul>

<b>Project Resiliency (70%)</b>		
<b>Topic</b>	<b>Evaluation Criteria</b>	<b>Weight</b>
Provides a clear and cost-effective work plan for improving grid resiliency	<ul style="list-style-type: none"> <li>Provides a clear solution and work plan that alleviates risks of disruptive events.</li> <li>Provides information on cost-effectiveness of proposed solution as compared to no action and alternate solutions.</li> <li>Provides discussion on impact of solution per dollar spent for grid resiliency.</li> <li>Clearly explains how the project aligns with OEMR’s Program Narrative (located on the ERGP website under Helpful Documents).</li> </ul>	<b>45%</b>
Demonstrates a strong need for alleviating probable risk	<ul style="list-style-type: none"> <li>Clearly identifies risks.</li> <li>Describes cascading impacts of disruptive event.</li> <li>Describes financial need of applicant.</li> <li>Risks described are tied to major economic disturbances or life safety.</li> <li>Provides estimated monetary impact of no action.</li> </ul>	<b>35%</b>
Provides clear metrics for tracking measurable improvements to resiliency	<ul style="list-style-type: none"> <li>Clearly explains the rationale for the selected metrics for ensuring measurable grid resiliency improvements.</li> <li>Clearly explains the rationale for the selected distribution reliability indices.</li> <li>Includes targets for improved performance according to metrics.</li> </ul>	<b>20%</b>



<b>Community Benefit (25%)</b>		
<b>Topic</b>	<b>Evaluation Criteria</b>	<b>Weight</b>
Generates community benefits	<ul style="list-style-type: none"> <li>• Clearly defines impacted community and need that project is serving within the community.</li> <li>• Clearly explains specific benefits from the project to the community.</li> <li>• Establishes metrics to track community benefits and explains the rationale for the selected metrics to track community benefits.</li> <li>• Provides data on project impact per dollar spent.</li> <li>• Describes percentage of customers benefited.</li> <li>• Clearly describes the community support for the project or provides a plan for stakeholder engagement.</li> </ul>	<b>55%</b>
Creates and maintains jobs	<ul style="list-style-type: none"> <li>• Discusses estimated project impact on labor market.</li> <li>• Provides information on jobs created or maintained through project and include temporary versus long term jobs.</li> <li>• Describes how the project can generate additional economic development opportunities.</li> </ul>	<b>30%</b>
Serves low-income Idaho residents to alleviate energy burden	<ul style="list-style-type: none"> <li>• Includes demographic data for populations impacted by the project.</li> <li>• Explains how the project benefits low-income and energy burdened populations (aligns with Justice40 Initiative).</li> <li>• Includes estimates for relief of energy burden.</li> </ul>	<b>15%</b>

<b>Administrative Compliance (5%)</b>		
<b>Topics</b>	<b>Evaluation Criteria</b>	<b>Weight</b>
Adheres to administrative requirements	<ul style="list-style-type: none"> <li>• Describes experience and a clear plan for administrative compliance with NEPA, Section 106 of the National Historic Preservation Act, Davis Bacon Act, and Build America Buy America.</li> </ul>	<b>100%</b>





## APPENDIX C. PERFORMANCE OF WORK IN THE U.S. (FOREIGN WORK WAIVER)

Requirement: All work performed under this award shall be performed in the United States.

Failure to Comply: If the award recipient fails to comply with the Performance of Work in the United States requirement, OEMR may deny reimbursement for the work conducted outside the United States and such costs may not be recognized as allowable recipient cost share. The award recipient is responsible should any work under this award be performed outside the United States, absent a waiver, regardless of whether the work is performed by the prime recipient, subrecipients, contractors or other project partners.

Waiver: There may be limited circumstances where it is in the interest of the project to perform a portion of the work outside the United States. To seek a foreign work waiver, the applicant shall submit a written waiver request to DOE. The applicant shall demonstrate to the satisfaction of DOE that a waiver would further the purposes of the funding opportunity and is in the economic interests of the United States. DOE may require additional information before considering a waiver request. The applicant does not have the right to appeal DOE's decision concerning a waiver request.

## APPENDIX D. BUY AMERICAN REQUIREMENTS FOR INFRASTRUCTURE PROJECTS

Pursuant to the Build America Buy America Act, subtitle IX of BIL (Buy America or "BABA"), federally assisted projects that involve infrastructure work, undertaken by applicable recipient types, require that:

- a. All iron, steel, and manufactured products used in the infrastructure work are produced in the United States; and
- b. All construction materials used in the infrastructure work are manufactured in the United States.

In general, whether a given project shall apply this requirement depends on several factors, such as the recipient's entity type, whether the work involves "infrastructure," as that term is defined in Section 70914 of the BIL, based in part on whether the infrastructure in question is publicly owned or serves a public function. For this funding opportunity specifically, all projects subject to this funding opportunity are considered "infrastructure" within the Buy America provision of BIL, based on implementation guidance from the [Office of Management and Budget \(OMB\) Memorandum M-22-11](#) issued on April 18, 2022.

The DOE financial assistance agreement shall require each award recipient: (1) to fulfill the commitments made in its application regarding the procurement of U.S. produced products, and (2) to fulfill the commitments made in its application regarding the procurement of other key component metals and manufactured products domestically that are deemed available in sufficient



and reasonably available quantities or of a satisfactory quality at the time of award negotiation. Applicants may seek waivers of these requirements in very limited circumstances and for good cause shown. Further details on requesting a waiver can be found on OEMR's website and the terms and conditions of the [Administrative and Legal Requirements Document](#) for the Preventing Outages and Enhancing the Resilience of the Electric Grid Formula Grants to States and Indian Tribes (DE-FOA-0002736).

## **APPENDIX E. DAVIS BACON ACT REQUIREMENTS**

Projects awarded under ERGP shall be partially funded under BIL Division D. Accordingly, per Section 41101 of that law, all laborers and mechanics employed by the Subawardee, subrecipients, contractors or subcontractors in the performance of construction, alteration, or repair work funded in whole or in part under ERGP shall be paid wages at rates not less than those prevailing on similar projects in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code commonly referred to as the "Davis-Bacon Act" (DBA).

Subawardees shall provide written assurance acknowledging the DBA requirements above, and confirming that the laborers and mechanics performing construction, alteration, or repair work on projects funded in whole or in part by awards made as a result of ERGP are paid or shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by subchapter IV of Chapter 31 of Title 40, United States Code (Davis-Bacon Act).

Subawardees acknowledge that they shall comply with all of the DBA requirements, including but not limited to:

- a. Ensuring that the wage determination(s) and appropriate Davis-Bacon clauses and requirements are flowed down to and incorporated into any applicable subcontracts.
- b. Ensuring that if wage determination(s) and appropriate Davis-Bacon clauses and requirements are improperly omitted from contracts, the applicable wage determination(s) and clauses are retroactively incorporated to the start of performance.
- c. Being responsible for compliance by any subcontractor with the Davis-Bacon labor standards.
- d. Receiving and reviewing certified weekly payrolls submitted by all subcontractors for accuracy and to identify potential compliance issues.
- e. Maintaining original certified weekly payrolls for 3 years after the completion of the project and shall make those payrolls available to the DOE or the Department of Labor upon request, as required by 29 CFR 5.6(a)(2).
- f. Conducting payroll and job-site reviews for construction work, including interviews with employees, with such frequency as may be necessary to assure compliance by its subcontractors as requested or directed by the DOE.



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- g. Cooperating with any authorized representative of the Department of Labor in their inspection of records, interviews with employees, and other actions undertaken as part of a Department of Labor investigation.
- h. Posting in a prominent and accessible place the wage determination(s) and Department of Labor Publication: WH-1321, Notice to Employees Working on Federal or Federally Assisted Construction Projects.
- i. Notifying the Contracting Officer of all labor standards issues, including all complaints regarding incorrect payment of prevailing wages and/or fringe benefits, received from the recipient, contractor, or subcontractor employees; significant labor standards violations, as defined in 29 CFR 5.7; disputes concerning labor standards pursuant to 29 CFR parts 4, 6, and 8 and as defined in FAR 52.222-14; disputed labor standards determinations; Department of Labor investigations; or legal or judicial proceedings related to the labor standards under this Contract, a subcontract, or subrecipient award.
- j. Preparing and submitting to the Contracting Officer, the Office of Management and Budget Control Number 1910-5165, Davis Bacon Semi-Annual Labor Compliance Report, by April 21 and October 21 of each year. Form submittal shall be administered through the iBenefits system (<https://doeibenefits2.energy.gov>) or its successor system.

For additional guidance on how to comply with the Davis-Bacon provisions and clauses, see: <https://www.dol.gov/agencies/whd/governmentcontracts/construction> and <https://www.dol.gov/agencies/whd/governmentcontracts/protections-for-workers-in-construction>.

## **APPENDIX F. STATEMENT OF FEDERAL STEWARDSHIP**

DOE shall exercise normal Federal stewardship in overseeing the project activities performed under ERGP. This includes conducting site visits; reviewing performance and financial reports; providing assistance and/or temporary intervention in usual circumstances to correct deficiencies that develop during the project; assuring compliance with terms and conditions; and reviewing technical performance after project completion to ensure that the project objectives have been accomplished.

## **APPENDIX G. NATIONAL ENVIRONMENTAL POLICY ACT**

DOE's decision whether and how to distribute federal funds under this ALRD is subject to the National Environmental Policy Act (42 USC 4321 et seq.). NEPA requires Federal agencies to integrate environmental values into their decision-making processes by considering the potential environmental impacts of their proposed actions. For additional background on NEPA, please see DOE's NEPA website, at <http://nepa.energy.gov/>.

All recipients of funding under ERGP shall be required to submit an environmental questionnaire (NETL Form 451.1-1/3) for each work location proposed in the application. A NEPA representative shall review these documents and any other pertinent information to determine the likely level of NEPA documentation required for qualified projects. Computer



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modeling, data analysis and classroom training are examples of actions typically covered by NEPA categorical exclusions (CX's). If any projects are likely to require an environmental assessment (EA) or environmental impact statement (EIS), the NEPA representative shall provide further documentation.

While NEPA compliance is a federal agency responsibility and the ultimate decisions remain with the Federal agency, all subrecipients selected for an award shall be required to assist in the timely and effective completion of the NEPA process in the manner most pertinent to their proposed project. If DOE determines certain records shall be prepared to complete the NEPA review process (e.g., biological evaluations or environmental assessments), the costs to prepare the necessary records may be included as part of the project costs.